

Record of officer decision

Decision title:	Transfer of path at 15 Lower Cross & 2 and 4 High Street, Kington following omission from sale plan.
Date of decision:	20 November 2019
Decision maker:	Assistant Director Technical Services
Authority for delegated decision:	Herefordshire Council's constitution - Scheme of Delegation Part 3 Functions Scheme, Section 7 Officer Functions <ol style="list-style-type: none"> 1. 3.7.6 Delegation to Chief Executive 2. 3.7.13 Sub delegation from Chief Exec to officers Appendix 1 Chief Executive's Scheme of Delegation to Officers – Specific sub-delegation to Director for Economies Communities & Corporate (version 31 st March 2017 as revised 14 February 2019)
Ward:	Kington
Consultation:	None
Decision made:	Transfer of path at 15 Lower Cross & 2 and 4 High Street, Kington following omission from sale plan.
Reasons for decision:	This (private) path was sold by the Council by auction in 2013 along with the freehold building that it serves but by error, the contract plan omitted to include the foot path and the Land Registry will not register the path to the new owner. It is not a public foot path and only serves this property.
Highlight any associated risks/finance/legal/equality considerations:	<ul style="list-style-type: none"> • Each party to pay their own legal costs in the matter. • No monetary consideration – the path was already included in the parcel sold at auction. • By tidying up the registered title the council will not be held responsible for any repair or legal liabilities for the path.
Details of any alternative options considered and rejected:	<ul style="list-style-type: none"> • Adverse possession claim by new owner/occupier considered but rejected. • No other suitable alternatives were proposed.
Details of any declarations of interest made:	None

Signed:

Date: 21 November 2019

CHRIS JENNER