

DECISION SESSION - EXECUTIVE MEMBER FOR ECONOMY AND TRANSPORT

TUESDAY, 16 JANUARY 2024

DECISIONS

Set out below is a summary of the decisions taken at the meeting of the Decision Session Executive Member for Economy and Transport held on Tuesday, 16 January 2024. The wording used does not necessarily reflect the actual wording that will appear in the minutes.

Members are reminded that, should they wish to call in a decision, notice must be given to Democracy Support Group no later than 4pm on the second working day after this meeting.

If you have any queries about any matters referred to in this decision sheet please contact Ben Jewitt.

5. HIGHWAY ENCROACHMENT, RURAL WEST

Resolved:

- i. That subject to Option A, the Executive Member approved that CYC would take all necessary enforcement action to recover and reinstate the verges to their full width in accordance with Sections 130, 131 and 305 of the Highways Act 1980.
- ii. The Executive Member delegated authority to the Director of Transport, Environment and Planning, in consultation with the Director of Governance, to determine and undertake all necessary activity to recover and reinstate the verges to their full width in accordance with Sections 130, 131 and 305 of the Highways Act 1980, including (but not limited to) the determination, drafting, commissioning, and concluding of any necessary public highways works contracts in compliance with the Highways Act 1980 and CYC's Contract Procedure Rules.

Reasons:

- i. Option B (reduced width reinstatement) was not considered feasible as it required the approval of the Parish Council, and this option has been rejected by the Parish Council during previous consultation;
- ii. Option C (no further action taken by CYC) would have resulted in the Council being in breach of its duty, with the risk that a mandatory order could be granted to the Parish Council against the highway authority;
- iii. Option A also offered the maximum width to support future planting in the verges, contributing to the Council's climate and pollinator strategies.