

Committee:	Strategic Planning Committee
Date:	25 June 2008
Subject:	INFORMATION REPORT – Urgent Non-Executive Decision: Highway Stopping Up
Responsible Officer:	Director of Legal and Governance Services - Hugh Peart
Portfolio Holder:	Planning, Development and Enterprise - Councillor Marilyn Ashton
Exempt:	No
Enclosures:	Appendix

Section 1 – Summary

The Urgent Non-Executive Decision procedure requires all decisions taken under the procedure to be reported to the appropriate Committee. The Committee is requested to note the action taken under the Urgent Non-Executive Decision procedure, as outlined in Section 2 below.

FOR INFORMATION

Section 2 – Report

CIRCUMSTANCES

Section 247 of the Town and Country Planning Act 1990 gives power to London Boroughs to make stopping up orders for highways within their Boroughs if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with the planning permission granted.

The process for the making of the order is as follows:

- Notices of the proposed order will be advertised in a local newspaper circulating in the area and in the London Gazette.
- Notices will be served on relevant authorities, principally statutory undertakers having equipment in or under the subject highway, and displayed on each end of the highway to be stopped up.
- If no objections are received after a period of 28 days, the Council may proceed to make the stopping up order.
- If, however, an objection is received which is not withdrawn, the Council must inform the Mayor of London and a public inquiry may be held to determine the objection.
- Where an inquiry has been held, the Council, after considering the inspector's report and subject to the consent of the Mayor for London, may make the order with or without modification.
- On making the order, the Council must publish in the London Gazette and in at least one local newspaper a notice stating that the Order has been made and specifying a place where a copy of the Order can be seen at all reasonable hours.

ACTION SOUGHT

Action proposed: The Strategic Planning Committee on 14th May 2008 granted permission to redevelop the Gayton Road Car Park, Gayton Library and Sonia Court site. The scheme consists of 383 residential units with provision of a 200 space public car park and 81 space car park for private residential use.

There is now a requirement to stop up areas of highway fronting the Gayton Road public car park together with land serving Sonia Court in order to allow the permission to be executed. This area of highway is deemed surplus to requirements and the extents of the stopping up required are shown at Appendix 1.

Authority was sought to:-

- Issue stopping up notices
- Make the stopping up order if no sustainable objections are received.

Date of request for Action: 4 June 2008

Reason for Urgency: The land transaction enabling planning permission to be exercised will not be able to proceed as scheduled unless the stopping up process continues immediately.

Decision: Officer recommendation agreed.

Section 3 – Further Information

None.

Section 4 - Contact Details and Background Papers

Contact: Miriam Wearing, Senior Democratic Services Officer, 020 8424 2542

Background Papers: Individual Urgent Non-Executive Decision Form, as reported