

**Chief Executive Officer Urgent Decision Session – Planning:
Decision Record**

Planning Application:	2019/1018/PROW – Low Street, Carlton
Decision Maker:	Janet Waggott, Chief Executive
Other Officers Present at Remote Meeting:	Martin Grainger - Head of Planning, Ruth Hardingham - Planning Development Manager, Jenny Tyreman, Senior Planning Officer, Glenn Sharpe - Solicitor and Victoria Foreman - Democratic Services Officer
Title of Decision:	CEO Urgent Decision Session – Planning: 2019/1018/PROW – Low Street, Carlton
Ward(s):	Camblesforth and Carlton
Type of Decision:	<input type="checkbox"/> Key decision <input type="checkbox"/> Non key decision discharging (or connected to the discharge of) an Executive function <input checked="" type="checkbox"/> Specific delegation from Council or Committee <input type="checkbox"/> Grant of permission / licence <input type="checkbox"/> Affecting the rights of an individual <input type="checkbox"/> Awarding a contract or incurring expenditure which materially affects the financial position of the Council <input checked="" type="checkbox"/> Decision under urgency
Details of decision:	<p>Location: 2019/1018/PROW – Low Street, Carlton Proposal: Request for a Public Path Diversion Order relating to Footpath 35.18/6/1 at Land off Low Street, Carlton</p> <p>The application had been brought before the Chief Executive for consideration under urgency due to it being a proposal to divert a public highway affected by development.</p> <p>Officers presented the application to the Chief Executive who noted</p>

	<p>that it was for sought approval for the making of the Public Path Diversion Order, which would then be subject to the required consultation. Notice of sealing was to be advertised for 28 days via site notice, press notice, and letter to Auto-Cycle Union; British Horse Society; Byways and Bridleways Trust; Open Spaces Society; Ramblers Association; Cyclists Touring Club; NYCC Highways; NYCC Public Rights of Way Officer; Parish Council, and all immediate neighbours.</p> <p>As part of the decision-making process Members were consulted on the applications. These comments were collated and presented to the Chief Executive as part of her decision making.</p> <p>Comments had been received from some Members of the Planning Committee expressing their support for the Officer's recommendation, but also querying why the application required consideration by Planning Committee. Officers explained that there had been clear legal advice from the Solicitor to the Council that the application needed to go before Members having regard to Part 3 of the Constitution of the Council.</p> <p>The Chief Executive suggested that any consultation on the scheme, to be undertaken once the decision had been made, should be delayed until there was a chance that the notices would be seen by those people using the Public Right of Way, which under the current circumstances due to the Covid-19, could be a number of weeks away. Officers agreed with this approach and agreed that a delay in the consultation was sensible.</p> <p>The Chief Executive, having considered the report and representations from Members and Officers in full, confirmed that she agreed with the Officer's recommendation to approve the making of the Public Path Diversion Order which would be subject to the required consultation, and to also approve the related appropriate delegations to Officers.</p>
<p>Resolution:</p>	<p>RESOLVED:</p> <ul style="list-style-type: none"> i) To GRANT the making of the Public Path Diversion Order, which will be subject to the required consultation. ii) That consultation be delayed for a period of three weeks due to the Covid-19 lockdown across the United Kingdom; this delay would be subject to review in light of any decisions on the lockdown taken by Central Government on or after 7 May, following which Officers would assess if the consultation could take place. iii) To APPROVE the delegation to Officers to confirm the Public Path Diversion Order following the expiry of a 28

	<p>day consultation period, subject to no objections being received or objections that are received through the consultation period being subsequently withdrawn within two months after the expiration of the objection period. Where objections are received within the specified time limit and not subsequently withdrawn within two months after the expiration of the objection period, that delegation be given to Officers to refer the Public Path Diversion Order to the Secretary of State.</p> <p>iv) To APPROVE delegation to Officers to certify the Public Path Diversion Order following the completion of the diversion works in accordance with the Order (where the Public Path Diversion Order has been confirmed in ii. above).</p>
<p>Contact details for further information:</p>	<p>Planning Officer: Jenny Tyreman, Senior Planning Officer jtyreman@selby.gov.uk</p>
<p>Signed:</p>	<p><i>Janet Waggott</i></p> <p>Janet Waggott, Chief Executive</p>
<p>Date of Decision:</p>	<p>16 April 2020</p>