


## ED2. EXECUTIVE DECISIONS BY A CABINET MEMBER OR AN OFFICER

<b>A. Report Title:</b> <b>Stopping up Order at Stonehouse Lane, Purfleet-on-Thames</b>	
<b>B. Report Author(s):</b> Julian Howes	<b>Tel:</b> 07887 634195 <b>E-mail:</b> jhowes@thurrock.gov.uk
<b>C. Decision Maker:</b> Matthew Kiely in consultation with Councillor Ben Maney	
<b>D. Position held:</b> Transport Development Manager, Transport Development, Place	
<b>E. Key decision:</b> NO	<b>F. Delegation ref:</b> Scheme of Delegations HT13
<b>G. Is the decision urgent?</b> Yes	
<b>H. If yes, state why. This need to coincide with a Court date in January so notices need to do out in early December</b>	

<b>I. DECISION (strike out whichever does not apply) :</b>
1 *My decision is:
1.1 To authorise the Transport Development Team with assistance of other relevant departments within the Council as are required, to undertake the relevant statutory procedures outlined in Section 116 Highways act 1980 related to applying for and publishing a stopping up order (as outlined in this report) and to amend the highways map in accordance with that order if it is made.
<b>Signed:</b>  <b>Date:</b> 23.11.2021

### URGENCY

Democratic Services will arrange for the completion of the following:	
<b>J. I confirm that in my opinion a decision on this matter is urgent and cannot reasonably be delayed:</b>	
<b>Signed:</b>	<b>Date:</b>

*To be completed by Democratic Services*

<b>Date decision received by Dem. Services:</b>	<b>Date decision published:</b>
<b>Implementation date:</b>	
<b>Relevant O &amp; S Committee:</b>	

## **INTRODUCTION**

The essential principle is that a decision by a Cabinet Member or an Officer takes the place of a conventional decision taken by full Cabinet. It must therefore be based upon an **Officer report** following the usual requirements for both content and consultation with other Heads of Services, including the Legal and Finance teams.

The report should contain a clear recommendation in the form of a resolution or minute.

The correct template should be used and is accessible through J:\Thurrock\Corporate Templates - Delegated Decision Proforma.

## **A and B. TITLE AND AUTHORS OF THE REPORT**

These should be the same as in the accompanying report and the Officer's contact details included.

## **C. NAME OF DECISION TAKER**

Name and initial

## **D. POSITION AND RESPONSIBILITY HELD**

This will be the area of responsibility for a Cabinet Member or the job title of an officer.

## **E. KEY DECISION**

There are procedures for Key Decisions. If in doubt, consult the Legal Section.

## **F. DELEGATION REFERENCE**

If the decision is being made by a Cabinet Member, the delegation will appear under the name/title of the Cabinet Member in Part 3.8 of the Constitution, eg "the Leader: Delegation (m)".

If the decision is to be made by an Officer, quote the relevant number in the Officer Delegation Scheme in Part 3.9 of the Constitution, eg 12.3.68.

## **G and H. URGENCY**

Yes or No should be deleted as appropriate.

A "No" indicates that the normal call in rules will apply and the decision, once made, cannot be implemented for 5 working days.

If "Yes" is indicated the reason for the urgency must be stated. Democratic Services will contact the Chairman of the relevant Overview and Scrutiny Committee or the Mayor to agree that the matter is urgent and that, therefore, the usual call-in provisions will not apply.

## **I. DECISION**

For completion only by the person making the decision. If the recommendations in the accompanying report are correctly drafted, the decision will in the great majority of cases accord with the recommendation.

## **J. OVERVIEW AND SCRUTINY CHAIRMAN**

Democratic Services will consult the Chairman of the Overview and Scrutiny Committee or Vice-Chairman (or if they are unavailable the Mayor) to agree that a matter is urgent and cannot await call-in and scrutiny.

**ACTION REQUIRED**

An Officer seeking a decision from a Cabinet Member or an Officer with the Delegated powers to make a Key Decision shall send a copy of the report together with Form KD to Democratic Services.

Democratic Services will check that it complies with procedures and then send two copies to the decision-maker (one for the decision-maker's retention) together with a return envelope and circulate the report in accordance with Administration Rules 11 and 12. The decision-maker will be asked not to make the decision until five clear days have passed (to allow time for representations) unless the special urgency procedures apply.

On receiving a signed decision from the decision-maker, Democratic Services will publish it. The implementation date (subject to call-in) will then be a further 5 working days later. The Officer seeking the decision will be notified as soon as the decision is cleared for implementation.

**Please note that taking a delegated decision should always be done in consultation with legal services – no delegated decision should be taken without their advice.**

**(Form ED2 can be found on J:\Thurrock\Corporate Templates)**