



HARTLEPOOL BOROUGH COUNCIL

OFFICER DECISION RECORD

Department:	Resources and Development
Division:	Resources and Development (Development and Growth) Estates and Asset Management Section
Date of Decision / Issue of Licence:	10 th March 2022
Officer Making Decision:	Denise McGuckin (Managing Director)
Subject / Description and Reason for Decision:	<p>Easement at Upper Warren</p> <p>The Council was approached by Miller Homes to grant them a surface water easement to serve a proposed residential development of adjoining land.</p> <p>Consultations were carried out with relevant officers and no objections to the proposal were received.</p> <p>Negotiations have been undertaken with the developer and agreement has been reached to grant the easement, both to them and Bellway Homes, the joint developer of the sites, subject to a one-off payment and the payment of the Councils legal and surveyor's fees.</p> <p>The grantee has asked permission to commence the first phase of their works prior to formal completion of the easement. This will mainly involve drilling under the A179 along a pre-determined line. There is no objection to permitting this early entry through a licence agreement which will include the usual undertakings to and indemnification of the Council in respect of any damage or loss suffered by the Council .</p>

It is therefore recommended that delegated authority is exercised to grant the easement.

Type of Decision: Non Key

Nature of Delegation Being Exercised: In accordance with paragraph 4.2 of the Delegation Scheme set out at Part 3 of the Constitution the Managing Director is authorised to exercise any of those functions delegated to the Directors and hereby exercises the delegation as set out below:

DRN7	Power to approve land and property disposals, leases, lettings, licences, wayleases, easements, undertaking and concluding rent reviews, lease renewals and the release and amendments of restrictions, covenants and other land and property matters within prescribed thresholds as set out in the Finance and Policy committee arrangements.
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Alternative Options Considered and Rejected: The Council could have refused the request and the developer would have to consider alternative options for the foul water drain or request that Northumbria Water requisition the land. This was rejected however as the development would have been delayed and the Council could have forsaken a capital receipt.

Any Declared Register of Interest No

OFFICER WITH THE DELEGATION

NAME _____

Denise McGuckin

POSITION: Managing Director

DATE: 10th March 2022

