

Chief Officer Decision Notice

For non-key decisions



Notice is hereby given that the following Chief Officer Decision has been made, as delegated by the Cabinet/Cabinet Member or under their delegated authority in the Council's Constitution.

1. NOTICE FOR PUBLICATION

Title of decision	Stopping-up of highway land at Falling Lane, Yiewsley
Name and Title of Chief Officer(s) making the decision	Dan Kennedy, Corporate Director, Residents Services
Directorate	Resident Services
Reference No.	2026/1726
Date of decision	3 July 2026
Relevant Ward	Yiewsley

Details of Decision Taken

Decision	The Chief Officer agrees to the stopping-up of Highway Land at Falling Lane, Yiewsley as shown, for the purpose of identification on the attached drawing 0905 Rev P01.
Reason for decision	Under planning reference 76795/APP/2023/2503 granted pursuant to a resolution of the Planning Committee on 6 December 2023 the former Yiewsley Library has been demolished and is being replaced by a residential led mixed-use development of 50no. units. To allow the development to proceed it is necessary to stop-up a small area of highway land that serves as footway, see plan attached. Much of the land is occupied by a street planter, the stopping-up would not compromise the safe and convenient use of the footway by pedestrians.
Alternative options considered and rejected	As the development has already commenced the options would be: • To cease construction and modify the design to remove the need to stop-up this small area of highway, this other option would increase the cost of the development and delay it's opening; or • To take the matter back to Committee for decision. This would be a lengthy procedure and would necessarily delay ongoing construction of the scheme and delay completion or: • To utilise the Scheme of Delegation in the Constitution to obtain a Chief Officer Decision Notice which would regularise the situation with little impact or cost on the scheme

Factors considered	Formal consultation for the stopping-up of the highway has been completed, objections were received from two statutory undertakers raising concerns about access to their services. These matters have since been resolved in full. The cost of making this stopping up order would be £3,417.20 and funded from the approved budget.
Report Author & Directorate	Alan Tilly Transport Planning and Development Team Leader

Legal and Finance Comments

Finance comments	The request to stop up a small part of the land at Falling Lane is supported as it is a part of the multi-year development project that has been approved by Council. The expenditure is within the capital budget allocation for 2026/27.
Finance Officer name and Title	Brighton Fong Strategic Finance Business Partner
Legal Comments	To facilitate the development, it is necessary for a section of highway land to be stopped up. The stopping-up process was being progressed under section 247 of the Town and Country Planning Act 1990 (as amended). However, it has since been identified that the requirement for the stopping up was not included within the Officer's recommendation to the Planning Committee and, accordingly, was not reflected in the Planning Committee Resolution or the Statement of Intent prepared by Legal Services. As such, the Council is unable to lawfully proceed with the stopping up on the current basis. To efficiently regularise this Officers have identified an appropriate route through the Council's Constitution by way of sub -delegation, thereby avoiding the need to revert to Committee, which would inevitably be a more time-consuming process. In particular, the Table of Delegations (page 30), read alongside the Residents Services Directorate provisions (page 42), includes at page 44, paragraph 13, a delegation for the "determination of any application for any purpose allowed by legislation (Highway Management)". This function may be exercised by officers within Bands B–C (Directors, Assistant Directors, Heads of Service or Service Managers). On this basis, a specific sub-delegated decision is required from an appropriately authorised officer, and this needs to be formally documented. For completeness and given that the original resolution was a Committee decision, it is also recommended that the Chair, Vice Chair and Ward Member are updated on the proposed approach and given the opportunity to comment, should they wish.
Legal Officer Name and Title	Ann Higgins Planning Locum- Planning and Corporate

Appendices / report attached

List here any report / appendices / e.g. tender evaluations or other documentation to be included in support of this decision	Plan to show the area of highway land to be stopped-up
Exempt Classification	Public

Cabinet Member & other Chief Officer consultation

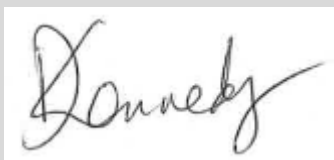
Name and Title of any other Chief Officer(s) you have consulted with and as per any delegation.	Chris Wheeler, Director of Environment
Name and Title of the Cabinet Member you have consulted, and as per any delegation	Not applicable
Any conflicts of interest declared by the Chief Officer making this decision and/or Cabinet Member who is consulted by the officer which relates to the decision - or if dispensation by the CEO was granted to them.	Not applicable

Authority for this decision

Detail authority from Cabinet or under delegated authority in the Constitution / Officer Scheme of Delegations	Delegated authority to Officers to determine highways applications under legislation, set out in the Officer Scheme of Delegations.
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2. APPROVAL

Formal approval by Chief Officer making the decision



Signed Date...03.07.2026..

Corporate Director of Residents Services

3. PLAN

