

RECORD OF INDIVIDUAL EXECUTIVE DECISION MADE BY AN OFFICER

Decision Maker	Decision Type	Date
Director of Environment	Administrative Decision	11 January 2024

INSERT TITLE OF DECISION HERE - DELETE THIS RED SECTION WHEN DONE¹

Exempt/Confidential Report Please delete as appropriate	Yes	No
Key Decision ²		No

Decision (s) ³

To seek approval to stop up part of the highway under Section 116 of the Highways Act 1980 as it is no longer necessary to the Highway Network

Reasons for the decision(s)⁴

The resident of 48 Langham Road, Oldham has applied for a highway stopping up order for a small area of Royley Road, Oldham, which is unadopted highway and runs adjacent to the applicant's property. The highway has been built on and is therefore considered no longer necessary to the highway network

The encroachment was carried out by the previous owner and the current owner bought the property with the encroachment already having taken place and therefore thought that they owned the land. The building is an extension to the applicant's property but was constructed by the applicant on land that they thought they owned. The owners have therefore been instructed by the

¹ A brief title should be inserted here.

² If the decision is Key Please use Key Decision Template.

³ Brief details of the decision should be inserted. This note must set out the substance of the decision, options considered and the reason for deciding on the chosen option, although care must be taken not to disclose any confidential or exempt information. Please include proposed timescales for commencement and / or completion of implementation as appropriate.

⁴ Reasons for the decision must be given.



Council's Legal Team to purchase the subsoil under the highway area and apply for a stopping up order to remove the highway status.

Options/Alternatives considered ⁵

Option 1 – stop up the highway to enable the landowner to control the land where the extension has been built

Option 2 – don't stop up the highway and undertake enforcement action under the Highways Act 1980 to secure the removal of the illegal obstruction

Conflict of Interest declared⁶

A handwritten signature in black ink, appearing to be 'M. W. J.', written over a dotted grid background.

(Signature of Director)

Decision made pursuant to:

- a) General delegation under the Council's officer scheme of delegation. Non-contract decisions up to £250k.**

⁵ Options must be given.

⁶ If none, please state none. No Member having a disclosable pecuniary interest or officer having an interest in any matter (whether pecuniary or otherwise required to be declared) should take a decision in relation to that matter. Other interests of a non-disqualifying nature should be recorded here. Any dispensation in place in relation to the matter should also be recorded here. This may include other elected Members, officers, stakeholders and the local community.