



Delegated Decisions Made by Officers

Regulation 7 of the Openness of Local Government Bodies Regulations 2014 requires a written record to be produced as soon as reasonably practicable after an Officer has made a decision under delegation.

This means that in order to comply with these new requirements, Officers discharging delegated powers which a) grant a permission or licence; b) affect the rights of an individual or c) award a contract or incur expenditure which in either case materially affects the Council's financial position, must complete the form below - and send it to democraticservices@southbucks.gov.uk - for publication on the Council website in accordance with the Regulations.

1. Name and role of officer: Bob Smith Director of Services

2. Date of decision: 07.10.2014

3. Summary of the decision: *Please provide details of what has been agreed*

The sum of £5,500 inclusive of VAT, costs and interest be paid on a "without prejudice" basis in full and final settlement of a claim for compensation served on the Council on 6th September 2011 pursuant to Section 203 of the Town & Country Planning Act 1990, as amended in respect of alleged damage to premises caused by a protected tree.

4. Reasons for the decision: *Please detail how the decision was arrived at*

Having carefully considered a report and the recommendation from the Head of Legal and Democratic Services I am satisfied that the settlement figure is fair and reasonable in view of the evidence and expert advice which concluded that the protected tree had contributed to a small proportion of the damage to the property in order to avoid the Insurance Company referring the claim to the Upper Tribunal which would result in associated costs in defending the claim and the risk of further costs should the Council fail to defend its position. (The Planning Consultative Body also agreed with this decision).

5. When making the decision did the officer take into account information from another report? NO If yes please attach, as this must be made available on the website as background papers. Please note this does not apply to exempt information.

6. Details of any alternative options considered and rejected by the officer when making the decision: *Please detail other alternative options that were considered (even if rejected)*

The other option considered and rejected was not to settle the claim and defend the Council's position in the Upper Tribunal.

7. (a) Details of any conflict of interests declared by any Member who was consulted regarding the decision:

Were any interests declared by the Member(s)? NO

If yes, Click here to select Portfolio/Member

Classification: OFFICIAL

Type of interest (1): [Click here to select interest](#)

Nature of interest (1):

Type of interest (2): [Click here to select interest](#)

Nature of interest (2):

- (b) **Note of dispensation:** *A note of dispensation may be granted by the Head of Paid Service in relation to Members' conflicts of interest. Please provide details below.*

Date Notice Published: 24 October 2014

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