

HARROGATE BOROUGH COUNCIL DECISION NOTICE	
Cabinet Member for:	Housing
Date of Decision:	17 February 2009
1. Decision No/ Your Ref:	Hsg 24/08/09
1a. Wards affected:	Ouseburn
2. Subject:	Tree Root Encroachment Claim – 2 Priory View
3. A. The information given in this form is a fair and accurate record of the decision made by Councillor Jean Butterfield, Cabinet Member (Housing):	
Portfolio Holder: (Signature)	Jean Butterfield
B. The Cabinet Member (Housing) declared the following interest:	None
C. Was a substitute appointed?:	No
4. DECISION:	
Please state:	
A. Decisions made:	That Cabinet Member has decided that the following action is taken: Option 2 to retain the oak tree, and reach a settlement with the owner of 2 Priory View for the demolition and replacement of the garage up to an estimated cost of £7,250.00, subject to confirmation of a Tree Preservation Order on the relevant Oak tree.
B. Reason for making decision:	This claim has now been ongoing for over 2 years and needs to be concluded as a priority.

C. Alternative option considered and rejected:	
To not accept either solution. This is not being recommended as it would prevent concluding this long standing claim.	
5. Please outline all additional material or information considered at the meeting whether written or oral and not detailed in the written report: Cost of proposed action would have to be met from the HRA working balance.	
6. With regard to the written report please indicate:	
A. The number of appendices:	3
B. The number of background papers and their location/file reference:	0
C. The number of any additional papers considered which are to form part of the 'definitive report' on the matter:	0
7. Was all or any part of the report deemed to be exempt?	No
8. If so:	
A. Please state to which part of the report it is applicable and give the wording of the relevant paragraph of Schedule 12A to the Local Government Act 1972:	
B. Is there an Exempt Decision Notice?	No
9. A. Is this a Key Decision?	No
<i>If so, please state:</i>	
B. Forward Plan reference number:	
C. Relevant Overview and Scrutiny Commission:	
D. Date Member Services were supplied with report and accompanying papers for publication and consequent circulation to the Scrutiny Commission Chair:	
E. Urgent Item of Business – Call-in	

If a matter is urgent and Call-in cannot be applied please state:

- (i) Reasons:**
- (ii) Date of agreement of Scrutiny Commission Chair that the decision is urgent:**
- (iii) Means of communication of agreement:**

10. Officers in attendance at the meeting during consideration of this item:

Les Williamson, Director of Community Services
Alan Jenks, Head of Housing
Corrine Firbank, Legal
Rachel Braithwaite, Legal
Catharine Osborne, Finance
Stephen Hargreaves Property Services Manager

11. Decision to be actioned by:

Stephen Hargreaves, Property Services Manager

12. Please confirm that all Officers required to be consulted prior to forwarding this Decision Notice to the Member Services Section have been consulted: Yes

13. Date Decision Notice despatched to Member Services via Email:

17 February 2009

14. NOT TO BE COMPLETED UNLESS it was impracticable to include the Key Decision in the Forward Plan:

(See Access to Information Procedure Rules 15 and 16)

A. Call-in to apply: (Access to Information Procedure Rule 15)

Please state:

- (i) Reasons:**
- (ii) Date Proper Officer and Scrutiny Commission Chair were supplied with report and papers:**

B. Special Urgency Provision (Call-in cannot be applied):
(Access to Information Procedure Rule 16)

Please state:

- (i) Reasons:**
- (ii) Date on which agreement obtained from Scrutiny Commission Chair that the decision is urgent:**
- (iii) Means of communication of agreement:**

15. (For use in Member Services Section)

- A. Decision Validated by:** Andy West
- B. Date decision validated and published:** 17 February 2009
- C. Date Call-in procedure ends (if appropriate) – 4.30 pm on:**
- D. If 9D or 14A is answered give date of public notice:**
- E. File Ref and Officer Ref:** H223FEB17.doc/CB
- F. If Special Urgency Provision (14B above) has been applied please confirm that relevant item will be included on next Council Agenda:**