

RECORD OF OFFICER EXECUTIVE DECISION

State if decision exempt from publication (NOT EXEMPT)

Certain information may be exempt from publication if it falls under Schedule 12A of the Local Government Act 1972. However, these exemptions only apply so long as, in the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing it.

No.	Date of Decision:	25/11/2024
1.	Name of Decision Maker and Job Title:	Debbie Jackson, Executive Director of Regeneration, Economy & Planning
2.	Status of the decision (e.g. by Executive Director in consultation with Portfolio Holder under the Constitution):	Grants delegated authority to the Executive Director of Growth, Planning and Housing (now Regeneration, Economy & Planning) to enter into a Deed of Easement and a s.104 Agreement between Westminster City Council and Thames Water Utilities Limited.
3.	Specific Delegation from Executive (Leader, Cabinet or Cabinet Member) / Committee:	Delegated decision from the Council's Cabinet Member Decision dated 14 th March 2023: That the Cabinet Member for Climate Action Regeneration and Renters in consultation with the Cabinet Member for Finance and Council Reform Delegates authority to the Executive Director of Growth Planning and Housing to approve and enter into any other agreements and any property documents including but not limited to warranties, substation leases, wayleaves, licences, deeds of easements, statutory agreements, and utilities agreements in connection with ancillary works required to facilitate the construction works.
4.	Other Consultees involved. (i.e. Director of Law & Finance):	<ul style="list-style-type: none"> - Bi-Borough Shared Legal services - Finance
5.	Material considered as part of the decision making process. Include how best value achieved and equality objectives met (as appropriate):	Council's Cabinet Member Report: Balmoral Castle Approval of The Full Business Case and The Appointment of the Main Contractor to Deliver Phases 2,3 and 4 dated 14 th March 2023.
6.	Decision taken:	This Deed of Easement grants Thames Water Utilities Limited rights to access, maintain, and manage sewer infrastructure within a defined "Protected Strip" of land owned by Westminster City Council. It allows Thames Water to carry out necessary works, inspections, and modifications while imposing restrictions on the landowner, such as prohibiting construction, planting, or activities

		that might damage the infrastructure. Both parties agree to specific obligations to ensure the infrastructure's functionality and the land's protection. The s.104 Agreement deals with the Council's voluntary agreement with Thames as statutory undertaker for the adoption of sewers serving a development.
7.	Reasons for the Decision:	The purpose of entering into the Deed of Easement and s.104 Agreement is to ensure that Thames Water Utilities Limited can access, maintain, and manage essential sewer infrastructure within the defined land area, safeguarding the functionality of public utilities while protecting the landowner's interests through agreed restrictions and obligations, and then eventually adopt the sewer.
8.	Risk Analysis:	Council could face reputational damage if it is perceived as blocking or delaying necessary technological improvements.
9.	Details of alternative options considered and rejected:	n/a
10.	Conflicts of interest declared by any Executive Member/ other Member or officer consulted by the decision maker which relates to the decision:	No Conflicts of interest noted
11.	Dispensations Granted: (If any)	n/a

I certify that this is a true record of the executive decision in relation to the Thames Water Easement at Balmoral Castle

Signed by the Decision Maker

Dated 25/11/2024



Name Debbie Jackson

Job Title Executive Director

Signed by (Consultee if required)

Dated

Name