

WESTMINSTER CITY COUNCIL

STATEMENT OF DECISION

SUBJECT: ARBORICULTURAL SERVICES CONTRACT

Notice is hereby given that Cabinet Member for Place Shaping and Planning , Cabinet Member for Place Shaping and Planning, has made the following executive decision on the above mentioned subject for the reasons set out below.

Summary of Decision

That the report be exempt from disclosure on the grounds that it contains information relating to the financial or business affairs of a particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972, and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

That the Council's Arboricultural Services Contract be awarded on the terms set out in the report.

Reasons for Decision

The Council has a duty of care to prevent or minimise the risk of injury or damage to property and person caused by tree failure. This duty arises from the following legislation:

- *Occupiers' Liability Act (1957 and 1984).*
- *Health and Safety at Work Act (1974)*
- *Highways Act (1980)*
- *Common Law liability of Negligence and Nuisance*

**Stuart Love, Chief Executive,
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64 Victoria Street
LONDON SW1E 6QP**

Publication Date: 7 November 2018

Implementation Date: 13 November 2018 at 5pm

Reference: CMfPS&P/5/2018/19