



New Forest
DISTRICT COUNCIL

Council Meeting Agenda

7 September 2020



SUMMONS

To All Members of the Council

You are hereby summoned to attend a meeting of the District Council to be held as a Skype Meeting - Online on Monday, 7 September 2020, at 6.30 pm



Bob Jackson
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
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This Agenda is also available on audio tape, in Braille, large print and digital format

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AGENDA

Apologies

1. MINUTES (Pages 5 - 20)

To confirm the minutes of the meeting held on 6 July 2020 as a correct record.

2. DECLARATIONS OF INTERESTS

To note any declarations of interests made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. CHAIRMAN'S ANNOUNCEMENTS

4. LEADER'S ANNOUNCEMENTS

5. REPORTS OF THE CABINET (Pages 21 - 22)

To consider the reports of the Cabinet dated:-

- 5 August 2020; and
- 2 September 2020 (to follow).

6. REPORT OF THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL (Pages 23 - 24)

To consider the report of the Environment Overview and Scrutiny Panel dated 12 March 2020.

7. QUESTIONS

Under Standing Order 22.

8. QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

To ask questions of Portfolio Holders. Questions received will be tabled at the meeting. (Members are reminded that questions must be submitted to the Chief Executive or to the Executive Head of Governance and Housing by not later than 12.00 noon on Friday 4 September 2020).

9. DECISION TAKEN UNDER DELEGATED POWERS - MILFORD-ON-SEA, WESTOVER - SEA WALL FAILURE AND URGENT WORKS (Pages 25 - 36)

In accordance with Section 2 of the Council's Financial Regulations, the Section 151 Officer, on 23 July 2020, made an urgent decision following consultation with the Chief Executive, the Portfolio Holder with responsibility for Finance and the Portfolio Holder with responsibility for the relevant service area. The decision was implemented immediately and is subsequently being reported to the Council in accordance with these Financial Regulations.

RECOMMENDED:

That the Council notes the decision taken by the Section 151 Officer as set out in the attached decision notice and background report.

10. DELEGATION OF POWERS TO OFFICERS (Pages 37 - 82)

There are a number of required changes to the Council's Delegation of Powers to Officers, to take into account new legislation and changes to staffing structures.

RECOMMENDED:

That the changes to the Council's Delegation of Powers to Officers in Annex 1 – Delegation of Powers to Officers – New Powers and Annex 2 – Delegation of Powers to Officers – Changes to Existing Powers, be approved.

11. MEETING DATES FOR THE 2021/22 MUNICIPAL YEAR

RECOMMENDED:

That meetings be held on the following Mondays at 6.30pm:-

17 May 2021 (Annual meeting, already agreed)
12 July 2021
6 September 2021
11 October 2021
6 December 2021
21 February 2022
11 April 2022
16 May 2022 (Annual Meeting)

12. MEMBERSHIP OF COMMITTEES AND PANELS

To consider any changes to the membership of Committees or Panels that might be proposed by the political groups.

13. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Agenda Item 1

6 JULY 2020

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held on Monday, 6 July 2020

- * Cllr Allan Glass (Chairman)
- * Cllr Derek Tipp (Vice-Chairman)

Councillors:

- * Alan Alvey
- * Diane Andrews
- * Ann Bellows
- * Sue Bennison
- * Geoffrey Blunden
- * Hilary Brand
- * Alex Brunsdon
- * Fran Carpenter
- Louise Cerasoli
- * Mark Clark
- * Rebecca Clark
- * Steve Clarke
- * Jill Cleary
- * Anne Corbridge
- * Keith Craze
- * Kate Crisell
- * Jack Davies
- * Steve Davies
- * Arthur Davis
- * Sandra Delemare
- * Philip Dowd
- * Jan Duke
- * Barry Dunning
- * Jacqui England
- * Andrew Gossage
- * Michael Harris
- * David Harrison
- * David Hawkins
- * Edward Heron

Councillors:

- * Jeremy Heron
- * Alison Hoare
- * Maureen Holding
- * Christine Hopkins
- * Mahmoud Kangarani
- * Joshua Kidd
- * Emma Lane
- * Martyn Levitt
- * Alexis McEvoy
- Ian Murray
- * Alan O'Sullivan
- * Stephanie Osborne
- * Neville Penman
- * Caroline Rackham
- * Alvin Reid
- * Joe Reilly
- * Barry Rickman
- * Tony Ring
- * Steve Rippon-Swaine
- * David Russell
- * Ann Sevier
- * Mark Steele
- * Michael Thierry
- * Beverley Thorne
- * Neil Tungate
- * Alex Wade
- * Malcolm Wade
- * Christine Ward
- John Ward

*Present

Officers Attending:

Bob Jackson, Grainne O'Rourke, Colin Read, Andy Rogers, Manjit Sandhu, Claire Upton-Brown, Karen Wardle and Matt Wisdom.

Apologies:

Apologies for absence were received from Cllrs Cerasoli, Murray and J Ward.

75 MINUTES**RESOLVED:**

That, subject to minute 66 – Reports of the Cabinet Item 3 (19 February 2020) – Electoral Review of New Forest District Council – Warding Pattern Proposals, being amended to delete the word “Council” from the following text:- “Cllr Duke highlighted the impact of the District Council’s proposals on Boldre Parish Council”, the minutes of the meeting held on 24 February 2020, be confirmed.

76 DECLARATIONS OF INTERESTS

There were no declarations of any disclosable pecuniary interests by Members.

Cllr Gossage declared, for transparency purposes, a non-pecuniary interest in item 7 on the agenda – Reports of the Cabinet dated 6 May 2020, item 4 – Adoption of the Local Plan 2016-2036 Part One: Planning Strategy. The interest concerned the proximity of his brother’s home to Strategic Site 6 in the proposed Local Plan. Cllr Gossage concluded that there was no common law issue of bias or predetermination that prevented him from remaining in the meeting to speak and vote on this item, considered at minute 81 below.

Cllr Rackham declared, for transparency purposes, that she would be asking a question at item 9 on the agenda – Questions to Portfolio Holders Under Standing Order 22A, at minute 83 below. The question related to Arts and Culture in the New Forest, and she had previously worked in this area.

77 CHAIRMAN'S ANNOUNCEMENTS**Hampshire Day**

The Chairman reported that, to mark Hampshire Day on Wednesday 15 July 2020, a number of themed photographs would be released featuring the Chairman at locations across the New Forest District.

78 LEADER'S ANNOUNCEMENTS**Camping in the Forest**

The Leader of the Council reported in detail on the steps the Council had taken since it was made aware that Camping in the Forest (CITF) had taken a decision not to open any of their 10 sites in the New Forest during 2020. This amounted to over 3,000 pitches.

It was noted that the Council, alongside its New Forest partners of Forestry England, the National Park Authority, the Verderers and Go New Forest, had received no notification of the action by the company until it was public knowledge.

The Leader expressed his disappointment with the company and concern in relation to the impact that this action may have on the New Forest economy, loss of local employment and supply chain costs. It was estimated that £16 million could be lost from guest expenditure alone between 4 July and 28 September 2020.

With the campsites closed it also had the potential to have a significant impact on the New Forest environment and community if camping visitors arrived with no proper facilities to use.

Recognising the potential adverse impact this could have on the New Forest, the Leader confirmed that he had asked the Chief Executive to engage with all partners, in order to try and mitigate all of the issues that may occur before any new arrangements can be put in place. Furthermore, given the relationship with Government and the potential significant impact on the local economy and tourism businesses, the Leader confirmed that he had written to the three Secretaries of State for Environment, Food and Rural Affairs, Digital, Culture, Media and Sport, Business, Energy and Industrial Strategy as well as the two local MPs, to use whatever pressures available to bring to bear on the company to reconsider their decision.

A copy of this letter is attached to these minutes.

The Council were informed that efforts were being made to identify whether in the medium term any other local operators could extend their operations to offer more campsite pitches. The Leader would update Members further as progress was made.

79 THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020 - IMPLICATIONS FOR NEW FOREST DISTRICT COUNCIL

The Leader of the Council moved the adoption of the recommendations as set out on the agenda at item six. Cllr E Heron seconded the motion.

RESOLVED:

- (a) That the Council notes that, in accordance with the above Regulations:-
 - (i) There is no requirement for New Forest District Council to hold an Annual Meeting in 2020; and
 - (ii) Any appointments that would have been made or required to have been made by law at the Annual Meeting, continue until such time as the Council determines. These appointments include the Chairman and Vice-Chairman of the Council and the Chairman and Vice-Chairman of Committees and Panels.
- (b) That the Council agrees to continue with the current arrangements as approved at the Annual Meeting on 20 May 2019, until the Annual Meeting on 17 May 2021.

80 ATTENDANCE DISPENSATION UNDER SECTION 85 OF THE LOCAL GOVERNMENT ACT 1972

The Chairman spoke briefly on the extraordinary challenges presented by the COVID-19 crisis and expressed his pride at the Council's response. In light of the continued uncertainty faced by all local authorities and public sector organisations, he moved the adoption of the recommendation as set out on the agenda at item seven. Cllr Tipp seconded the motion.

RESOLVED:

That, having regard to the current circumstances arising from the Coronavirus (COVID-19) pandemic, and in accordance with Section 85 (1) of the Local Government Act 1972, the requirement for all New Forest District Councillors to attend any meeting of the authority throughout a period of six consecutive months, be waived for a six month period commencing 6 July 2020, therefore expiring on 6 January 2021.

81 REPORTS OF THE CABINET

The Leader of the Council presented the reports of the Cabinet meetings held on 6 May, 3 June and 1 July 2020 and moved the adoption of the recommendations. Cllr E Heron seconded the motion.

Item 4 (6 May 2020) – Adoption of the Local Plan 2016-2036 Part One: Planning Strategy

Cllr E Heron, as the Portfolio Holder for Planning and Infrastructure introduced the recommendations and highlighted the sensitivity of a local plan for such a protected area. The plan had been the outcome of a significant amount of work over the last five years. In addressing local concerns, it was noted that the plan had undergone two major rounds of consultation in 2016 and 2018 respectively. Furthermore, failing to adopt the plan could put the Council at significant risk by having to plan for an additional 10,000-20,000 dwellings.

Cllr England moved the following amendment on this item:-

“To ask the Secretary of State to direct that the Local Plan is modified to remove Strategic Site Six (SS6), and to defer the question of the adoption of the plan in the meantime.”

Cllr J Davies seconded the amendment and spoke briefly on both the local concerns in relation to SS6 and the need to secure more genuinely affordable housing both in Pennington and across the District.

A number of other local councillors spoke to the local concerns raised in connection with SS6 in Pennington. Their concerns related to the rural sensitivities, safety of cyclists and walkers and wildlife. Whilst local councillors expressed their regret for the inclusion of SS6, some had also concluded that to address the overall District housing need and the risks of returning a local plan to its infancy, the case for adopting the plan outweighed that of deferring the issue.

Strategic Site Four (SS4) was raised by a number of local councillors, some who also concluded that whilst the necessary infrastructure was absolutely critical to this and other developments along the waterside, particularly relating to transport, the adoption of the overall plan was necessary to retain control over its future direction. Members continued to try and press for more improvements to the A326, which already faced significant congestion.

In responding to the amendment, the Portfolio Holder for Planning and Infrastructure reiterated that it was a highly significant risk that failing to adopt the plan would return it to a place outside of the Council's own methodology, requiring much greater numbers of planned development.

In responding to the debate on the amendment, Cllr England highlighted that SS6 had not always been included in earlier versions of the local plan, and the volume of opposition locally was such that she could not support the local plan with its inclusion.

The amendment was put to a recorded vote, the outcome of which was as follows:-

Voting for:- Cllrs Brunsdon, M Clark, R Clark, J Davies, Delemare, Dowd, England, Harrison, Kangarani, Osborne, Rackham, A Wade, M Wade.

Voting against:- Cllrs Alvey, Andrews, Bellows, Bennison, Blunden, Brand, Carpenter, Clarke, Cleary, Corbridge, Craze, Crisell, S Davies, Davis, Duke, Dunning, Glass, Gossage, Harris, Hawkins, E Heron, J Heron, Hoare, Holding, Hopkins, Kidd, Levitt, McEvoy, O'Sullivan, Penman, Reid, Reilly, Rickman, Ring, Rippon-Swaine, Russell, Sevier, Steele, Thierry, Thorne, Tipp, C Ward.

The amendment was lost – 13 in favour, 42 against.

Item 4 (1 July 2020) – COVID-19 Recovery – Heath and Leisure

Cllrs Rackham and J Davies highlighted the financial impact of COVID-19 on the Council's leisure centres, particularly with regard to lost income, and questioned the continuation of the ongoing Health and Leisure Review in its current form.

The substantive motion of the reports of Cabinet meetings held on 6 May, 3 June and 1 July 2020 was put to the vote.

RESOLVED:

That the report be received and the recommendations be adopted.

Note – Cllrs Lane and Tungate were unable to vote on this item due to technical issues.

82 QUESTIONS

There were none.

83 QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

Questions were put and answered under Standing Order 22A as follows:-

- Cllr Brand to the Leader of the Council, Cllr Rickman, on Camping in the Forest.
- Cllr Harrison to the Leader of the Council, Cllr Rickman, on Police and Crime Commissioners.
- Cllr A Wade to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr J Heron, on the review of NFDC assets.
- Cllr Osborne to the Portfolio Holder for Environment and Regulatory Services, Cllr Hoare, on Salvation Army collection bins.
- Cllr J Davies to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr J Heron, on the impact of COVID-19 on the Council's finances.

- Cllr M Wade to the Portfolio Holder for Environment and Regulatory Services, Cllr Hoare, on the progress of reducing the Council's carbon footprint.
- Cllr Rackham to the Leader of the Council, Cllr Rickman, on support for cultural industries in the New Forest.
- Cllr A Wade to the Leader of the Council, Cllr Rickman, on support for Council staff during COVID-19.
- Cllr J Davies to the Portfolio Holder for Housing Services, Cllr Cleary, on the impact of COVID-19 on homelessness services.

Note – a copy of the full questions and replies are attached to these minutes.

84 MEMBERSHIP OF COMMITTEES AND PANELS

RESOLVED:

That Cllr Thierry be appointed to serve on the Planning Committee in place of Cllr Duke.

CHAIRMAN

BY EMAIL:

The Rt Hon George Eustice MP

Secretary of State for Environment, Food & Rural Affairs

The Rt Hon Oliver Dowden CBE MP

Secretary of State for Digital, Culture, Media and Sport

The Rt Hon Alok Sharma MP

Secretary of State for Business, Energy & Industrial Strategy

My Ref:

Your Ref:

Date: 06 July 2020

Dear Sirs

Camping in the New Forest (CITF)

It is with great concern that I feel it necessary to bring to your attention the implications of the decision taken by **Camping in the Forest (CITF)** to close all their campsites in 2020. I am sure you are aware that CITF are a company formed by a partnership of Forestry England, an agency of the Department of Environment Food & Rural Affairs. In total they operate 16 campsites in the United Kingdom of which 10 are located in the New Forest.

The 10 New Forest campsites provide a very significant contribution to the local economy. Our estimate of the impact on the local economy from lost discretionary guest expenditure (50% occupancy of 3105 pitches over the 87 days between 4th July and 28th September) is a "conservative" **£16 million**, which is a staggeringly large figure. If you then add the cost of the associated loss of local employment, supply chain costs, their own revenue (a large proportion also spent locally by their staff), the impact is much greater.

The decision not to open the 10 New Forest campsites is both bizarre and irresponsible given the situation we all face at this time, particularly as our community tries to recover from the devastation of the pandemic. In addition, the risks to the natural environment from uncontrolled wild camping in this special environment is also of great concern. Therefore, the decision has the potential not just to be a disaster for the local tourism and hospitality industry, at this most difficult of times, but also threatens the special characteristics of the forest itself and the quality of life of everyone who lives here.

CITF's Board made their decision without any engagement with us as the local authority. We therefore have had no opportunity to see if we could have supported the operation in any way. Our understanding is that their financial appraisal was based upon a very pessimistic cost benefit analysis of the additional operational implications for them in a COVID-19 marketplace which we are not certain related to the reality of the situation. We are witnessing a particularly high level of visitor numbers to the New Forest and surrounding areas at this time, and it is important they are able to utilise facilities like managed campsites, avoiding a potentially greater adverse impact created by their closure.

We are keen to work with our local partners (who are also cc'd into this letter) to find solutions. So, I ask that you use whatever pressures are available to you to bring to bear on the company to reconsider their decision. This is a critical moment for everyone who cares about the visitor economy in the New Forest and the very fabric of the forest's cultural heritage.

newforest.gov.uk

Appletree Court, Beaulieu Road, LYNDHURST, SO43 7PA

Yours sincerely

Councillor Barry Rickman
Leader
New Forest District Council
Tel: 023 8028 5588
Email: barry.rickman@newforest.gov.uk

c.c. Julian Lewis MP
Sir Desmond Swayne MP
NPA
Forestry England
Go New Forest
Verderers

FULL COUNCIL – 6 JULY 2020 – QUESTIONS TO PORTFOLIO HOLDERS UNDER STANDING ORDER 22A

First Questions

Question 1

From Cllr Hilary Brand to the Leader of the Council, Cllr Barry Rickman

Will the Administration urgently support New Forest traders, cafes and publicans by putting pressure on Camping in the Forest to reverse their ban on opening their managed campsites this summer?

Their action will mean that more than 3,000 pitches across 10 campsites in the New Forest will remain closed until next year.

As a High Street trader in Lyndhurst, I fear this could have a huge impact on the local economy and cause "absolute Armageddon" of illegal campers and crowds turning up in the area in a way which could impact all of us who represent all of the wards throughout the Forest.

As the summer builds wild campers will continue to camp illegally, light bonfires, use the Forest as a toilet, leave piles of rubbish, and park where they like in ever increasing numbers.

We know of other campsites which are opening, with new restrictions such as the closure of toilet and shower blocks, and that Camping regulations mean that units already have to be six metres apart.

Answer:

The answer to this question was dealt with by the Leader of the Council under item 4 on the agenda – Leader’s announcements. The detail of the answer is outlined below:-

I wish to outline the steps we have taken since we became aware that Camping in the Forest (CITF) had taken a decision to not open any of their 10 sites (over 3,000 pitches) in the New Forest during 2020.

I need to firstly say that the Council received no notification of this action by the company until it was public knowledge. I am also aware that none of the New Forest partners – Forestry England, the National Park Authority, the Verderers or Go New Forest (CITF are one of their members) – had received any earlier notification either.

I am disappointed with the company and I am concerned as to the impact that this action may have both on the New Forest economy - Our estimate of the impact on the local economy from lost discretionary guest expenditure (50% occupancy of 3105 pitches over the 87 days between 4th July and 28th September) is a "conservative" £16 million, which is a staggeringly large figure. If you then add the cost of the associated loss of local employment, supply chain costs, their own revenue (a large proportion also spent locally by their staff).

With the campsites closed it also has the potential to have a significant impact on the New Forest environment and community if camping visitors arrive and have no proper facilities to use.

Recognising the potential adverse impact this could have on the New Forest, I requested the Council's Chief Executive to engage with all partners, in addition to those mentioned earlier this includes both Hampshire County Council (Transport issues) and the Police (Anti Social behaviour issues) in order to try and mitigate all issues that may occur before any new arrangements can be put in place.

For Members' information, CITF are a company formed by a partnership of Forestry England, an agency of the Department of Environment Food & Rural Affairs. (in total they operate 16 campsites in the United Kingdom, of which 10 are situated in the New Forest.)

Given the relationship with Government and the potential significant impact on the local economy and tourism businesses I on behalf of all our partners have written to the 3 Secretaries of State for Environment, Food and Rural Affairs, Digital, Culture, Media and Sport, Business, Energy and Industrial Strategy as well as our two local MP's, who I have personally spoken to requesting that they use whatever pressures are available to them to bring to bear on the company to reconsider their decision.

This is a critical moment for everyone who cares about the visitor generated economy in the New Forest and the very fabric of the forest's cultural heritage.

I am happy to include my letter within the minutes of this meeting.

I will add that efforts are being made to identify whether in the medium term any other local operators could extend their operations to offer more campsite pitches. I am hopeful and will update members on the progress we can make with partners on providing this to offset the current loss of campsites, should CITF not reconsider their decision

Note – as a supplementary comment, Cllr Brand highlighted a petition in respect of this matter on Change.Org. She encouraged all councillors to sign the petition.

Question 2

From Cllr David Harrison to the Leader of the Council, Cllr Barry Rickman

A Member of Cabinet has been bold enough to question the purpose and effectiveness of Hampshire's Police & Crime Commissioner. Should the Leader of the Council now write to Government expressing the view that the post be abolished?

Answer:

No - I am sure the Government like this Council has more important issues to consider at this moment in time.

Note – in response to a supplementary question concerning the effectiveness of Police and Crime Commissioners, the Leader of the Council highlighted the recent funding secured by the Hampshire Police and Crime Commissioner to support organisations that provided support to victims of domestic abuse.

Question 3

From Cllr Alex Wade to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron

Would the Cabinet Member consider taking forward a suggestion from the Lib Dem group and provide a review of assets owned by NFDC? With a focus on unused areas of land and buildings that are not currently supporting one of our valued services? This will be to support the impact of COVID-19 without allowing residents and services to be affected?

Answer:

COVID-19 presents an unprecedented challenge to all local authorities. By Early May of this year, the Leader was looking to work across parties through the Task and Finish Groups to address the challenges and since then all four Groups have met. It is through that mechanism that we will format the correct and proportionate response rather than randomly throwing out the next thought that comes into someone's head.

Note – in response to a supplementary question on additional financial support arising from recent Government funding announcements, the Portfolio Holder welcomed a further financial award but looked forward to the specific details of this for New Forest District Council, before determining the impact on the Council's Medium Term Financial Plan.

Question 4

From Stephanie Osborne to the Portfolio Holder for Environment and Regulatory Services, Cllr Alison Hoare

When can we expect the blanket ban on the Salvation Army collection bins to be lifted, given the contract is with NFDC, as its clear that the material originally destined for such bins, have been dumped nearby and elsewhere, creating hazardous waste and attracting vermin?

Answer:

The Salvation Army Trading Company, and the rest of the textile recycling sector, has had a difficult period during lockdown. These difficulties relate to keeping their bank collection staff safe and ensuring safety at sorting facilities which under normal circumstances involve a hand sorting process using staff in close proximity to each other. Importantly, the UK's textile recycling sector relies heavily on the export market, and several of those large overseas markets have been closed to imports in recent months, creating a significant drop in the market value of textiles worldwide. These factors combined to create a complete freezing of textile recycling supply chains.

The Council has been in regular contact with the Salvation Army Trading Company during this period, as they began to restart collections from around 10,000 full banks across the UK. Almost all the Salvation Army banks on NFDC land were emptied during June, although they remained closed to allow the contractor to deal with the backlog of material. The Salvation Army have advised that banks will be reopened very shortly, and regular collections will recommence.

Note – in response to a supplementary question concerning other income streams, the Portfolio Holder reported briefly on the increase in new garden waste collection customers.

Question 5

From Cllr Jack Davies to the Portfolio Holder for Finance, Investment and Corporate Services, Cllr Jeremy Heron

I understand that the COVID-19 lockdown has had a negative impact on the Council's finances. However, this cannot be an excuse to cut further services for the most vulnerable people in our district. Can the Portfolio Holder confirm to me now that the Council will look to borrow to invest in creating economic growth across the District rather than using budget cuts as the first port of call?

Answer:

I refer you to my earlier answer, we are not proposing to make ad-hoc decisions in an attempt to grab the headlines. We will work through all the options within the Task and Finish Groups and deliver a reasoned and sound Medium Term Financial Plan.

Question 6

From Cllr Malcolm Wade to the Portfolio Holder for Environment and Regulatory Services, Cllr Alison Hoare

Not counting the changes the Council has imposed due to the COVID-19 Crisis please can the Portfolio holder give me an update on the progress of the actions the authority has committed to do to reduce its carbon footprint?

Answer:

Thank you for your question, we can all see for ourselves the difference people not travelling has had on our air quality, and during the lockdown our air quality monitoring systems identified a significant improvement in air quality in the areas that we monitor. Unfortunately we cannot take any credit for that, but the results show what can be achieved if people don't travel. Whilst the priorities of this Council have been to try and continue with services where possible during the last few months what is clear is that all of the Council's support staff can now fully work from home due to our previous investment in IT which in itself reduces the need to travel to and from work so often. I believe this will continue to be the case with less people needing to travel to work once we return to normal.

At the start of the lockdown we had just introduced Electric vehicles and replaced many of our petrol driven hand tools such as strimmers with electric versions. These have held up well during the last 4 months but are still in the evaluation period for the remainder of this summer.

I am committed to reducing our carbon footprint and as you are aware as you have been fully involved we are reviewing in line with the expected guidance arising from the soon to be published Environment Bill the type of refuse and recycling service that we provide to our residents. I am hopeful that this will allow our residents to recycle more and allow us to be able to give out a clearer message on what can and can't be recycled.

Note – in response to a supplementary question, the Portfolio Holder confirmed that regular updates would continue to be made to all councillors on the Council's progress in reducing its carbon footprint.

Question 7

From Cllr Caroline Rackham to the Leader of the Council, Cllr Barry Rickman

There is a great desire to take this opportunity to reset our services, community and society at this time with a wellbeing agenda to include a green agenda and investment in the arts and culture. For instance a solar farm that supports cultural projects or outdoor cinema nights to support the leisure centres. Will the Council join me in lobbying for support for the cultural industries in the area, many of whom have fallen through the cracks of available funding for this difficult time and to include a green agenda in our attempts to rebuild our district?

Answer:

Most people know my support for the Arts and the very good things they deliver for our society. Therefore I am delighted to see today that the Government is providing extra funding to Arts, Culture and Heritage. We will look at the details and assess what that means for us in due course.

We have established Task & Finish Groups of councillors to enable us to engage with all within our community including local arts and culture organisations. This will enable us all to gain an understanding of what the impact has been from Covid 19 on the community. By September we hope to have completed a position statement that will enable us as a Council not only to better understand but link our plans including a budget to all our priorities, including the green environment. I believe in approaching our community impact assessments in this way all members will be better informed in supporting the Council's approach.

Note – in response to supplementary question on Arts appearing across all Portfolio performance targets, the Leader of the Council welcomed this suggestion via the Task and Finish Group process.

Second Questions

Question 8

From Cllr Alex Wade to the Leader of the Council, Cllr Barry Rickman

Can I ask what support there has been for Council staff over the past few months in these unprecedented times with their roles and work/life balance? They have been amazing support for Councillors and residents alike.

Answer:

There has been a wealth of information available through Forestnet including links to other websites such as MIND where employees can complete their own short self assessment of how they are doing and get tips on how to look after their own wellbeing. We have a dedicated page on Forestnet on the HR pages for Mental Health with many links to other organisations who can offer support.

Managers have been encouraged to stay in touch with their staff on a regular basis if they are working from home. Good communication being the key to ensuring staff don't feel isolated.

In operational areas we have ensured that robust risk assessments have been undertaken and in some areas changes to working practices have had to be introduced in order to keep staff safe. That has also happened in the offices with Perspex screens being introduced at reception areas as an example.

For most of leisure we have supported them through topping up the furlough grant.

Our HR team have been running numerous courses during lockdown – To enable all members to see the detail I will ask for a table of all sessions run and the number of staff who attended to be added to the minutes of this meeting. Within these sessions a key focus has been on mental health awareness including the training of 10 more mental health first aiders. But we have also tried to support managers by providing them with courses such as managing teams remotely.

Course title	Number of sessions	Number attended
Mental Health Awareness for Managers	2	10
Wellbeing & Mindfulness techniques	2	23
Mental Health First Aider	1	10
Managing employees remotely	3	9
Brief Bite Mental Health Awareness for managers	1	TBC
Brief Bite Embracing Equality & Diversity	1	7
Brief Bite Homeworking	1	10
Brief Bite Managing Performance	1	8
Brief Bite Sickness & Absence Management	1	6
Brief Bite Performance Reviews on the Hub	2	TBC
Excel Introduction	4	32
Excel Intermediate (external)	3	24
Dealing with difficult behaviour and situations	1	TBC
Developing your leadership brand	1	TBC
Delegation and Motivation	1	TBC

Question 9

From Cllr Jack Davies to the Portfolio Holder for Housing Services, Cllr Jill Cleary

I understand that the COVID-19 lockdown has had a negative impact on the Council's finances. However, this cannot be an excuse to cut further services for the most vulnerable people in our district. Can the Portfolio Holder confirm to me now that support for homeless people, and those facing homelessness, across the New Forest will not be cut?

Answer:

The Council's Homelessness and Rough Sleeping Strategy of 2019 makes a number of significant pledges to support homeless households in our District. Never before has so much been done to support the most vulnerable in our communities and the Council is at the forefront of this important work. We have, for the first time, employed our own Homelessness Support Workers who provide direct support to the most vulnerable homeless households. We have created more of our own temporary accommodation which provides a better alternative to the use of external B&B and during the course of this financial year, we plan to bring on board a number of new additional facilities for this purpose.

Our partnership working with the voluntary sector and statutory agencies, through the Homelessness Multi Agency Forum, places us in an excellent position to ensure that there is joined-up thinking to finding solutions to the many problems that our homeless households often face.

Members will know how passionate I am to ensure that we do everything we can to help those who find themselves without a home and I believe that the wide range of measures that we have implemented has made an enormous difference to their lives.

We know that the government has pledged financial support to help local authorities end rough sleeping and provide greater support to vulnerable homeless households and already, we have benefited from these funding announcements.

Members, this Council will continue to deliver on all the pledges set out in our Homelessness and Rough Sleeping Strategy of 2019 and I will continue to ensure that we do the right thing and support those people who are less fortunate than ourselves. Everyone deserves a home and I know that the District Council will do everything it can to deliver on this key priority.

Note – in response to a supplementary question on the use of hotels as part of the Council's response to homelessness during the height of the pandemic, the Portfolio Holder confirmed that some hotels were still being used although this was being phased out as the hospitality sector began reopening.

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REPORT OF CABINET

(Meeting held on 5 August 2020)

1. **RESPONSE TO CORONAVIRUS – COVID-19 – UPDATE (MINUTE NO 105)**

The Cabinet can report that the Council's Health and Leisure Centres began their re-opening on a phased basis from Monday 3 August 2020 and the huge efforts from both Members and Officers towards this should be recognised.

The Prime Minister's Announcement at the end of July of a pause in lockdown measures being eased, should be a reminder to all of the need to be vigilant of the changes needed to everyone's lifestyles.

Plans continue to carefully enable more Council staff to return to Appletree Court offices, whilst the Council's new website and telephone system have both gone live in July and August respectively.

2. **COVID-19 RECOVERY – REPORT FROM THE LEADER OF THE COUNCIL (MINUTE NO 106)**

The Cabinet would like to thank the work of the internal COVID-19 Recovery Task and Finish Groups in bringing forward a range of recommendations from June to September, which have formed the basis of the Council's approach to recovery and the formulation of the new budget proposals for 2020/21. Whilst some of the external impact assessment work with both the local economy and the voluntary sector will continue into the Autumn, it is anticipated that much of the internal recovery work will now be picked up through the course of the normal work planning of the Council's Overview and Scrutiny Panels.

In respect of Operations, following the recommendations of the COVID-19 RECOVERY – Council Services Task and Finish Group, the Portfolio Holder for Environment and Regulatory Services has asked officers to work on financial mitigation measures, including a specific review of public conveniences and regular reviews on the number of hired vehicles.

3. **COVID-19 RECOVERY – COUNCIL SERVICES - HOMELESSNESS (MINUTE NO 107)**

The Cabinet, having considered the recommendations from the COVID-19 RECOVERY – Council Services Task and Finish Group, approved a list of actions in supporting the Council's responsibilities to provide a homelessness service and to intervene in the early stages to prevent homelessness. Through the good work already undertaken by the Council to adopt a Rough Sleeping Strategy in 2019, the Council was and remains well placed to cope with the challenges presented by circumstances such as COVID-19.

The actions approved include continuing to accommodate those vulnerable people already placed into emergency accommodation during COVID-19, exploring more options to resolve homelessness and bringing on board existing projects to create further Council owned temporary accommodation and further units.

The Cabinet can confirm that discussions will continue with Government over any available funding but regardless, the Council remains committed to delivering these vital services.

4. COVID-19 RECOVERY – FINANCE & RESOURECES (MINUTE NO 108)

The Cabinet, having considered the recommendations from the COVID-19 RECOVERY – Finance and Resources Task and Finish Group, approved a range of actions in support of the development of the Council’s Emergency Budget.

Whilst the efforts to deliver a fully funded revised budget for 2020/21 were excellent, it would remain a challenge to revise the Medium Term Financial Plan in the context of the future financial pressures placed on the Council. Despite this, the Cabinet considers that the Council is well placed to meet the challenge.

5. VISION FOR THE WATERSIDE (MINUTE NO 109)

The Cabinet endorsed the proposed approach to the consideration of the Vision for the Waterside document, a draft overall strategy which would deal with the aspirations for the Waterside, rather than a comprehensive set of detailed plans for the area which would follow in future relevant documents.

The Cabinet look forward to hearing the views of councillors and Town and Parish Councils at the Environment Overview and Scrutiny Panel meeting on 13 August 2020, which will inform the next stages of the process.

6. ENJOY SUMMER SAFELY CAMPAIGN (MINUTE NO 110)

The Cabinet can report that “Enjoy Summer Safely England” had been oversubscribed with £7.7m in bids received against an available award of £3.1m. Consequently, this meant that with some disappointment, the Go New Forest Bid had been unsuccessful, although it was considered to be a good bid.

Despite this set back, the Visit Hampshire bid which promoted the whole of Hampshire through the campaign, including the New Forest, was successful. The focus of the Visit Hampshire bid will include driving demand to a broad range of visitor attractions, accommodation, retail and hospitality, and outdoor activity providers across the county.

New Forest attractions and countryside will feature prominently in the Visit Hampshire campaign media (Print, Digital, Social & Out of Home) and it is anticipated that the local hospitality businesses will benefit from this award.

**COUNCILLOR B RICKMAN
CHAIRMAN**

REPORT OF THE ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

(Meeting held on 12 March 2020)

1. WATERSIDE RAIL LINK MOTION

The Environment Overview and Scrutiny Panel, having discussed and considered the motion from Cllr Harrison regarding supporting the resumption of a rail link along the Waterside, is reporting back to Council.

Members received an update from the Chief Planning Officer regarding the work being carried out in the Waterside area in relation to transport, in terms of both road and rail. It was noted that the principle of supporting rail transport was in the National Planning Policy guidance. It was also noted that Hampshire County Council would be submitting a bid to request funding for a feasibility study into the resumption of a rail link along the Waterside.

Members expressed their views in relation to the motion. Some Members felt that they could not support the motion as it was presented to them and therefore, amendments to the motion were considered. It was agreed to amend the first part of the motion to express support to the principle of rail transport in general. Members also agreed to supporting the HCC bid for funding into a feasibility study into a proposed rail link along the Waterside.

RECOMMENDED:

That the Environment Overview and Scrutiny Panel advise the Council that it is supportive of the following amended motion:

- (i) That this Council supports the principle of rail transport, and therefore supports the Hampshire County Council bid for the funding of a feasibility study into the resumption of a rail link along the Waterside as part of a strategic transport infrastructure in the light of planned development in the south waterside area. Officers will be tasked to work closely with HCC staff to ensure oversight on planning issues and economic and environmental viability are maintained and resolved.***

**COUNCILLOR STEVE RIPPON-SWAINE
CHAIRMAN, ENVIRONMENT OVERVIEW AND SCRUTINY PANEL**

Note – the Environment Overview and Scrutiny Panel continue to receive regular progress updates on this matter.

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Contact Name: *Matt Wisdom*
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Date: *13 August 2020*

NOTIFICATION OF OFFICER DECISION

On 23 July 2020, Alan Bethune, the Section 151 Officer, made the following decision.

In accordance with Section 2 of the Council's Financial Regulations, this decision incurs urgently required expenditure and has been made following the appropriate consultation with the Chief Executive, the Portfolio Holder with responsibility for Finance and the Portfolio Holder with responsibility for the relevant service area. The decision will be implemented immediately and subsequently reported to the next meeting of the Council.

Details of the documents the officers considered are attached.

DECISION:

1. That urgent expenditure of up to £1.5M to fund urgent works as set out in the report, be approved.
2. That officers are instructed to pursue the funding options as identified in section 6.2 of the report noting that the Council will be required to make a contribution of circa £150,000 towards the urgent works, but ultimately will be required to fund the difference between the final works costs and the secured third party funding.
3. That the Executive Head of Operations continues to communicate with the resident groups as identified in section 3.2 of the report as well as the Parish Council.

In making this decision, the Section 151 Officer, in consultation with the Chief Executive and the Portfolio Holders referred to above, wishes to make it clear that the Council will not be underwriting the costs of the full works scheme referred to in the attached report.

REASON(S):

As set out in the report considered by the Section 151 Officer.

ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

See report.

CONFLICTS OF INTEREST DECLARED:

None.

For Further Information Please Contact:

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MILFORD-ON-SEA, WESTOVER – SEA WALL FAILURE AND URGENT WORKS

1. INTRODUCTION

- 1.1. This report is to inform Cabinet of the developing position at Milford-on-Sea regarding the failure of a section of sea wall, and proposes that the Council takes urgent action to reduce the risk of imminent further failure and the potential loss of properties. This report does not deal with the long-term solution that will be required to protect this area, this would be a separate project with appropriate funding approvals.
- 1.2. It is proposed that the Chief Executive and the s151 Officer exercise their powers under the Council's Financial Regulations to approve urgent expenditure up to £1.5M to carry out urgent works to prevent further sea defence failure at Milford-on-Sea as set out in this report and to seek to recover the maximum funding (over and above the Council's minimum contribution of £150,000) from the Environment Agency (EA) and the Southern Regional Flood Coast Committee (SRFCC). As the SRFCC application for funding needs to be submitted by 24 July 2020 together with confirmation of the Council's willingness to incur the upfront costs, which will place the Council in a better position to secure retrospective funding, it is necessary for the Chief Executive and S151 Officer to make an urgent decision to incur the expenditure. A report will be submitted to Council in September explaining the position.

2. BACKGROUND

- 2.1. The Council has permissive powers to undertake coast protection work including urgent works, under the Coast Protection Act 1949, but is not under a statutory duty to act. However, it has important powers and plays a fundamental role in the management and protection of the coastline which includes the following:-
 - To lead on coastal erosion risk management activities
 - To carry out works on sea flooding and coastal erosion where they are best placed to do so, under the EA's overview
 - To produce Shoreland Management Plans
 - To work closely with the EA for the best outcomes in managing flooding and erosion risks on the coast.
- 2.2. The location of the sea wall is to the west of The White House at Milford-on-Sea, as shown in Appendix 1.
- 2.3. The failed/failure section of sea wall covers a length of 270 metres and is believed to have been constructed around 60 years ago.
- 2.4. Since 4 November 2019, the site has experienced a continuous period of storms and damaging waves that have impacted significantly on the New Forest coastline. This has resulted in the lowering of beach volumes and levels, along with wave overtopping. The result of this has been the removal of protection to the sea wall, causing instability and failure.

- 2.5. Throughout the period since February 2020 when the failure commenced, inspections and surveys have continued for the whole section of the affected sea wall. These surveys have identified that movement of the sea wall is continuing, particularly the section identified as Site 2 within this report.

SHORELINE MANAGEMENT PLAN (SMP)

- 2.6. The section of coastline in question is sited within the Shoreline Management Plan (SMP) for Poole & Christchurch Bays. The SMP sets out the policy for managing the coastline and how the threat of coastal flooding and the risks of erosion may be addressed. It is a high level non-statutory policy document that aims to balance the risks with natural processes and the consequences of climate change. The SMP considers these risks over a 100-year period.
- 2.7. The SMP was adopted by NFDC in August 2011 along with the other local authorities considered within the SMP area. The adopted management policy within the SMP is to “Hold the Line” for this area. This policy will provide support to applications for funding to the EA and the SRFCC.

3. LAND OWNERSHIP

- 3.1. The land ownership within the area is complicated in that there a number of landowners, both registered and unregistered.
- 3.2. Appendix 2 details the land ownership, which is made up of: -
- Needles Point Management Company
 - Needles Point (Milford-on-Sea) Management Company
 - Residents of Nautica Reach
 - The White House Management Company
 - Proxima GR Properties Ltd
 - Meyrick Estate – leased to NFDC
 - NFDC
 - Unregistered land
- 3.3. Engagement between the Council and landowners has been ongoing throughout this process, with meetings held in March and June 2020 with representatives of the Needles Point Management Company, Needles Point (Milford-on-Sea) Management Company, Nautica Reach, The White House and the EA.
- 3.4. The sea wall which has currently failed is situated on land owned by Proxima GR Properties Ltd and discussions with them, through their agent, have been difficult with the company being very non-committal in terms of accepting responsibility and a solution. This is not unusual due to the difficulty in reconciling private benefit with the wider public benefit in terms of protecting a larger area within the District.

4. SEA WALL FAILURE & RISK

- 4.1. The affected length of sea wall can be considered across three sections, as detailed in Appendix 3, along with a selection of images to show the failure:-

- **Site 1 – (Western section 95 metres) – Failed already**
Movement in wall first identified 4th February with total collapse by 24th February.
 - Landowner – Proxima GR Properties Ltd
 - Assets at risk – Coastal footpath and Shingles Bank Drive

 - **Site 2 – (Central section 80 metres) in front of NFDC licenced beach huts Failing**
Movement first identified 25th February through void behind wall into which two huts had toppled forward. Forward movement of wall by approximately 1m.
 - Landowner - Proxima GR Properties Ltd & unregistered
 - Assets at risk – Sea wall, beach huts (removed from site), coastal footpath, Needles Point & NFDC amenity land

 - **Site 3 – (Eastern section 100 metres) – beach huts through to The White House sea wall – Stable at present but foundations showing movement**
This section is currently not showing any signs of movement in the wall, however, the sheet piles at the wall foundation are beginning to show signs of movement and the failure within Site 2 is extending to the east. Beach lowering has resulted in the failure of timber groynes and the removal of protection to the wall.
 - Landowner – Unregistered
 - Assets at risk – Sea wall, coastal footpath, NFDC amenity land, Nautica Reach and The White House
- 4.2. The Council commissioned consultant Engineers, Jacobs, to provide expert advice regarding this issue and their report is dated 11 June 2020. The report notes *“that this erosion is unlikely to occur at a continuous, steady rate. Instead, significant cliff retreat is most likely to happen over a relatively short period of time, such as during one extreme storm event or as the result of a series of storms over a single winter period.”*
- 4.3. As a combined failure of the coastal protection structure, there is a considerable and significant risk to properties in this area. The White House development (which consists of 14 properties) is a Grade 2 Listed Building that dates back to 1903. This development is located at the eastern end of the affected section of sea wall and has been identified as being at *“imminent risk”* through the continued progressive failure of the sea wall at Site 3 by the winter of 2020/21.
- 4.4. The coastal footpath that forms a through route between Milford-on-Sea to Hordle Cliff, which is a prime community asset, is currently closed due to the risks of ongoing sea defence failure.
- 4.5. Should the sea wall continue to “unravel” to the east, the impact will be on The White House (as outlined above), then migrating to the east. This then has the potential to impact on the integrity of NFDC land and assets fronting Hurst Road, including the concrete beach huts, sea wall, car park and other local amenity assets.
- 4.6. The Poole & Christchurch Bays Shoreline Management Plan (detailed in section 2) has a policy of hold the line for this frontage. Although not a statutory document, this does set an aspiration of how the coastline should be managed. This was adopted by the District Council in 2011.

5. WORKS

- 5.1. If works are not urgently carried out to reduce the risk of imminent further failure of the sea wall, there is likely to be further failures, putting residential properties at serious risk.
- 5.2. As the Coast Protection Authority, the Council has the power to undertake coastal protection works pursuant to section 5(6) of the Coast Protection Act 1949 which are considered urgently necessary for the protection of land. The nature of works required would go beyond works of 'maintenance or repair', which are considered to include '*superficial repair and minor replacement of failed items*' only [ref: The EA's Coastal Handbook] and thus the costs of carrying out the works are not capable of being recovered from the landowners and/or occupiers in the absence of a Works Scheme pursuant to section 6 of the Act, a procedure which involves Ministerial Consent. Work Schemes are by their nature, larger capital schemes and involve a longer drawn out process ultimately requiring Ministerial approval. However, due to the urgency of the works that are now required to prevent imminent risk of failure of other parts of the sea wall, pursuing a Work Scheme under section 6 of the Act (or using the non-urgent works procedure under Section 5, which requires public notice and an objection process with the Minister ultimately dealing with any objections by way of Inquiry or hearing) are not options at this particular time. Any longer term works (beyond the proposed urgent works) would undoubtedly involve a Works Scheme with the potential to recover costs from benefitting landowners.
- 5.3. This report is to consider the required urgent works only, the aim of which is to get to the point of reducing the risk of the sea wall from further unravelling (Site 3) and to protect The White House development. It is not the final solution.
- 5.4. The urgent works would include the construction of a rock revetment across Sites 2 and 3. This effectively replaces the function of a beach by adding weight to the toe of the sea wall to prevent further failure and will also reduce wave impact on the structure, along with reducing wave overtopping that will further lead to wall failure. Urgent works will only prevent further failure and loss of assets this winter. A long-term solution will need to be developed by the Council in partnership with the landowners.
- 5.5. As these are urgent works there will be a risk in undertaking construction. This will include :-
 - Access and weather
 - The sea wall in Site 2 has already failed and is continuing to move on a weekly basis. Undertaking construction work in this area will be risky due to the lack of wall stability
 - The works are being undertaken in a dynamic environment
- 5.6. Construction will be reliant on suitable tidal and weather conditions and could be in the order of a minimum of two months construction time, which is why it is essential that the works are commenced in September 2020.
- 5.7. In light of all the circumstances, it is considered appropriate for the Council to undertake the urgent works and seek to recover the costs retrospectively from the EA and the SRFCC. Whilst there is a risk that retrospective funding will not cover the full amount or could be declined, the alternative option of the Council simply doing nothing, is unpalatable in the circumstances.

6. FINANCIAL IMPLICATIONS

- 6.1. The costs of the urgent works identified in Section 5 are estimated at £1.5M and it is proposed that this is initially funded by the District Council, due to the urgent need to carry out these works before the winter. In order to meet the need to commence works before the winter period, it will be necessary to procure a contractor through direct award, using available construction frameworks.
- 6.2. The Council will be required to make a £150,000 contribution to the scheme in order to leverage significant funding from the EA and SRFCC. The Council will seek to maximise the recovery of any monies expended through the following routes:-
 - Urgent Works/In Year Funding through the Environment Agency (EA). Initial discussions have been taking place with the EA and have been promising. Development work on the funding calculations have also taken into account new guidance that has recently been released by the Government. This suggests possible funding in the order of £800,000 may be applicable. Although this cannot be guaranteed officers have been working with Environment Agency officers to develop a robust bid that is supported by our colleagues in the Environment Agency.
 - Through a levy bid, via an application to the Southern Regional Flood and Coastal Committee (RFCC), for local levy funding to contribute towards any scheme costs. The application for this is being prepared for submission by 24 July 2020 and for consideration at the officer review meeting on 4 August 2020. This bid will be seeking funding to the value of circa £450,000. Discussions that have taken place suggest that the likelihood of unlocking this level of funding would be favourable, subject to NFDC approving a contribution of circa £150,000 towards the works.
- 6.3. Ultimately the Council will be required to fund the difference between the final works costs and the secured third party funding.

7. ENVIRONMENTAL IMPLICATIONS

- 7.1. Should works not be carried out and the sea defences fail further, this whole area is potentially at risk. The White House, which is a Grade 2 Listed Building, is at imminent risk of loss if urgent works are not carried out by winter 2020/21.

8. CRIME AND DISORDER IMPLICATIONS

- 8.1. None arising directly from this report.

9. EQUALITY AND DIVERSITY IMPLICATIONS

- 9.1. If urgent works are not carried out there is little prospect for the longer term viability of the coastal footpath, with the possibility of requiring a permanent diversion along residential roads, which are not wholly suitable.

10. RECOMMENDATIONS

- 10.1 That Informal Cabinet endorses the Chief Executive and the Council's Section 151 Officer, using their delegated powers, to approve urgent expenditure up to £1.5M to fund urgent works as set out in this report and to subsequently report the matter to full Council.
- 10.2 That officers are instructed to pursue the funding options as identified in section 6.2 of this report noting that the Council will be required to make a contribution of circa £150,000 towards the urgent works, but ultimately will be required to fund the difference between the final works costs and the secured third party funding.
- 10.3 That the Executive Head of Operations continues to communicate with the resident groups as identified in section 3.2 as well as the Parish Council.

ALAN BETHUNE

SIGNED: Alan Bethune
Section 151 Officer

DATED: 23 JULY 2020

Date on which notice given of this decision – 13 August 2020

For further information contact:

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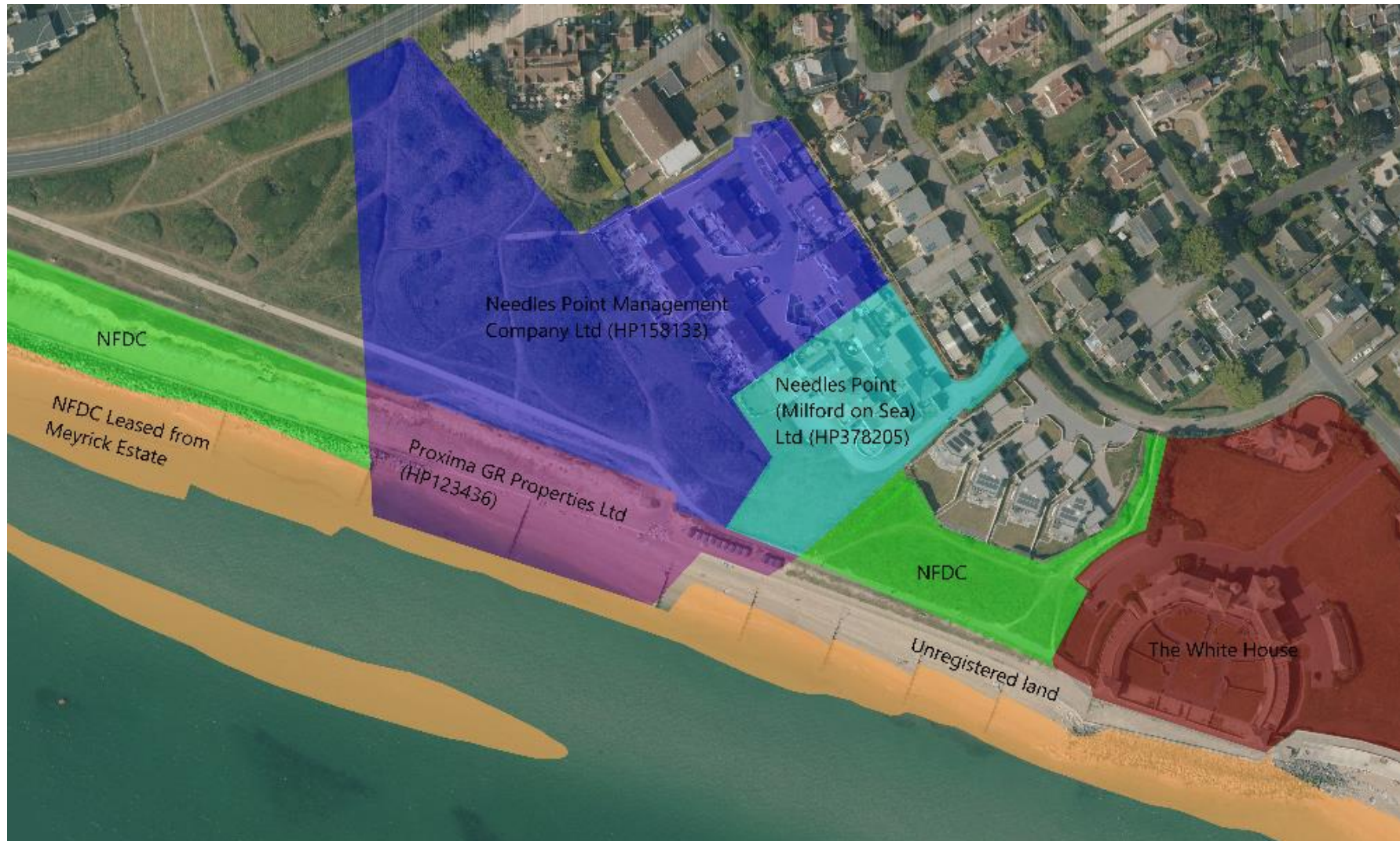
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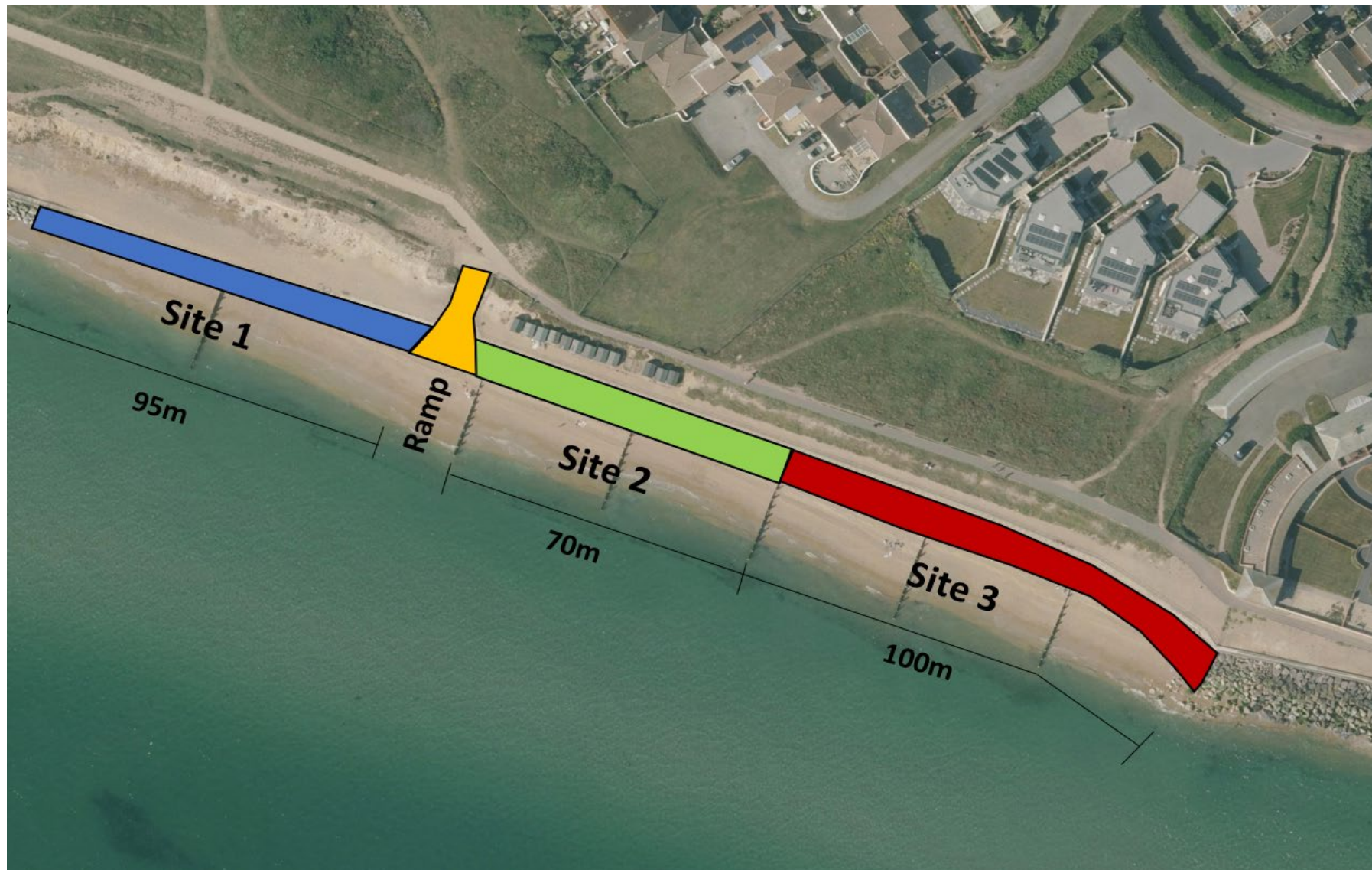
Background Papers:

Jacobs Report
Coast Protection Act 1949



APPENDIX 2 – LAND OWNERSHIP





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Annex 1 – Delegation of Powers to Officers – New Powers

Source	Power Delegated	Delegated to
Town and County Planning Act 1990 Section 74B and 74C	After having ensured that all statutory requirements have been complied with, either grant, modify or refuse a request to modify a condition relating to construction working hours.	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Senior Development Management Officer.
Town and County Planning Act 1990 Section 93B, 93C, 93D, 93E, 93F	After having ensured that all statutory requirements have been complied with, determine applications for additional environmental approval to extend a planning permission that has not been automatically extended by 93A.	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Senior Development Management Officer.
Business and Planning Act 2020 Section 1 – 10	To determine applications for pavement licences, take enforcement action and revoke licences.	Executive Head, or Service Manager, or Licensing Manager, or Licensing Compliance Officer, or Licensing Assistants or Highways Technician.
Licensing Act 2003 Section 172F-L	To deal with modification of premises licences to authorise off-sales for a limited period.	Executive Head, or Service Manager, or Licensing Manager, or Licensing Compliance Officer, or Licensing Assistants or Highways Technician.

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 1	Town and Country Planning Act 1990 <u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> Planning and Compulsory Purchase Act 2004	<p>After having ensured that all statutory requirements have been complied with, and after considering all representations received, to approve all types of application submitted under the Acts provided that:-</p> <p>(1) they accord with the provisions of the appropriate development plan documents, other adopted policy guidance or development brief standards</p> <p>(2) they comply with all the relevant adopted local authority standards</p> <p>(3) the decisions would not conflict with any objections received from an elected District Council member within the specified consultation period</p> <p>(4) that a member of the Planning Committee has not requested that the planning application should be determined by the Planning Committee</p> <p>(5) the decision would not conflict with an objection</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader<u>Development Management Team Leader</u>, or Principal Planning Officer, Planning Implementation and Policy Team Leader<u>Planning Performance Team Leader</u>, or Senior Planning Officer<u>Senior Development Management Officer</u>, or Senior Enforcement Officer<u>Senior Planning Officer - Enforcement</u></p>	<p>Council 34 of 17/10/16 PDC 26 of 09/11/16 Planning 30 of 12/12/18 43 of 13/03/19</p>

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		received from a statutory consultee received within the specified consultation period		
		(6) the decision would not conflict with an objection from the Town or Parish Council received within the specified consultation period		
		(7) in all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she shall report the matter to the Committee		
		Subject to:- (i) the prior completion of such Agreements as the Service Manager Planning and Building Control deems appropriate to secure controls over the development or financial contributions/works for the benefit of the community, in accordance with planning policies and guidance (ii) the imposition of such conditions as the Service Manager Planning and Building Control deems appropriate		

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>Note: Decisions may be made that are not in accordance with policy solely with respect to the requirement for the provision of affordable housing where the development is of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 sqm under Policy CS15 of the Core Strategy.</p>		
PLG 2	<p>Town and Country Planning Act 1990 <u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> Planning and Compulsory Purchase Act 2004</p>	<p>After having ensured that all statutory requirements have been complied with, and after considering all representations received, to refuse all types of application submitted under the Acts where he or she is satisfied that the proposals are contrary to the provisions of the appropriate development plan documents, planning policy guidance and circulars, do not comply with relevant adopted local authority standards or would be contrary to established planning practice and would cause demonstrable harm to an interest of acknowledged importance, provided that:</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader<u>Development Management Team Leader</u>, or Principal Planning Officer<u>Planning Implementation and Policy Team Leader</u><u>Planning Performance Team Leader</u>, or Senior Planning Officer<u>Senior Development Management Officer</u>, or Senior Enforcement Officer<u>Senior Planning Officer - Enforcement</u></p>	<p>Council 34 of 17/10/16 PDC 26 of 09/11/16 Planning 30 of 12/12/18 43 of 13/03/19</p>

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>(1) The decision would not conflict with any representation submitted by an elected District council member within the specified consultation period</p> <p>2) The decision would not conflict with any representations submitted by the Town or Parish Council within the specified consultation period</p> <p>(3) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority failing which he or she shall report the matter to the Committee</p> <p>Note: Decisions may be made that are not in accordance with policy solely with respect to the requirement for the provision of affordable housing where the development is of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 sqm under Policy CS15 of the Core Strategy.</p>		

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 3	Local Government Act 1972 s.101	To decide deemed reasons for refusal where notification has been received from the Department of the Environment of an appeal on the grounds of non-determination	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/1 Planning 30 of 12/12/18 43 of 13/03/19
PLG 4	Town and Country Planning Act 1990 (s.70A and s.70B) <u>(as amended)</u>	To decline to determine an application for planning permission (applies where a similar application has been dismissed on appeal within 2 years)	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 5	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.81A and s.81B)	To decline to determine an application for relevant consent	Senior Enforcement Officer Senior Planning Officer - Enforcement Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader Development Management Team Leader , or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 6	Planning (Hazardous Substances) Act 1990 <u>(as amended)</u>	To approve applications for hazardous substance consent, to impose conditions and to agree minor amendments to previously approved proposals provided that:- (1) They accord with the provisions of the appropriate development plan documents, other adopted policy guidance or	Development Control Team Leader Development Management Team Leader , or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
		development brief		
		(2) They comply with all the relevant adopted local authority standards	<u>Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	
		(3) The decision would not conflict with any objections received from an elected District Council member within the specified consultation period		
		(4) The decision would not conflict with an objection received from a statutory consultee or Town or Parish Council received within the specified consultation period		
		(5) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she shall report the matter to the Committee.		
		To refuse applications submitted under the Act where:-		
		(1) He or she is satisfied that the proposals are contrary to the provisions of the appropriate		

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>development plan, planning policy guidance and circulars, do not comply with relevant adopted local authority standards or would be contrary to established planning practices and would cause demonstrable harm to an interest of acknowledged importance and</p> <p>(2) The refusal would accord with the advice of the Health and Safety Executive in respect of the application</p> <p>Provided that:-</p> <p>(1) The decision would not conflict with any representation submitted by an elected District Council member within the specified consultation period</p> <p>(2) The decision would not conflict with any representation received from a Town or Parish Council within the specified consultation period</p> <p>(3) In all cases the Service Manager Planning and Building Control considers it prudent to exercise his or her delegated authority, failing which he or she</p>		

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		shall report the matter to the Committee		
PLG 7	Town and Country (General Regulations) 1992 (Regs.3 and 4) <u>(as amended)</u>	<p>To approve applications submitted under Regulations 3 and 4, after having ensured that all the statutory regulations have been complied with and after considering all representations received provided that the decision:-</p> <p>(1) Accords with the provisions of the appropriate development plan documents, other adopted policy guidance or development brief</p> <p>(2) Complies with all the relevant adopted local authority standards</p> <p>(3) Would not conflict with any objections from an elected District Council Member or Town or Parish Council received within the specified consultation period</p> <p>(4) Would not conflict with an objection from a statutory consultee received within the specified consultation period</p>	<p>Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u>, or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u>, or Senior Planning Officer <u>Senior Development Management Officer</u>, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u></p>	<p>Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19</p>

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		<p>(5) In all cases is one which the Service Manager Planning and Building Control considers it prudent to make under his or her delegated authority. Failing which he or she shall report the matter to Committee</p> <p>Subject to such conditions as he or she deems it appropriate to impose</p>		
PLG 8	Town and Country (General Regulations) 1992 (Regs.3 and 4) <u>(as amended)</u>	To approve minor variations to consents issued under these regulations, provided the changes are not material or do not increase the impact of the development on any individual or interested groups	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 9	Town and Country Planning Act 1990	To deal with minor modifications to approved plans, non-material	Executive Head, or Chief Planning Officer, or	Council 34 of 17/10/16

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	<u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u>	and minor material amendments, and to vary or to discharge conditions imposed on consents	Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer , or Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Planning Officer <u>Development Management Officer</u> , or Assistant Planning Officer <u>Development Management Case Officer</u>	Planning 30 of 12/12/18 43 of 13/03/19
PLG 10	Town and Country Planning Act 1990 (s.55) <u>(as amended)</u> Town and Country Planning Act (Demolition of Buildings) Direction 1992 Town and Country	To determine whether prior approval is required for the demolition of buildings, or whether further details should be submitted on the method of demolition	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer Planning Implementation and Policy Team Leader <u>Planning</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
	Planning (General Permitted Development Order) 1995 <u>2015</u> <u>(as amended)</u>		Performance Team Leader, or Senior Planning Officer <u>Senior Development Management Officer, or Senior Enforcement Officer</u> <u>Senior Planning Officer - Enforcement</u>	
PLG 11	Town and Country Planning Act 1990 <u>(as amended)</u> (s.55 as amended) and Town and Country Planning (General Permitted Development Order) 1995 <u>2015</u> <u>(as amended)</u>	To decide whether prior approval is required and if so to determine if approval should be given	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader, or Principal Planning Officer</u> Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader, or Senior Planning Officer</u> <u>Senior Development Management Officer, or Senior Enforcement Officer</u> <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 12	Town and Country Planning (General Permitted Development Order) 1995 <u>2015</u> <u>(as amended)</u>	To determine if prior approval is required and if so to determine if approval should be given for agricultural and forestry development	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader, or Principal</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
			Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement	
PLG 13	Town and County Planning (General Permitted Development) Order 1995 , as amended (including the most recent amendment in Statutory Instrument 2013 No 1104) 2015 (as amended)	To make all decisions and to take all actions in respect of prior notification applications. (all existing “prior approval” delegations under the Council’s Scheme of Delegation updated to reflect this new delegation) Note: A protocol has been developed to cover this process	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader Development Management Team Leader , or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 14	Town and Country Planning Act 1990 (s 106) (as	To enter into planning obligations in respect of land	Executive Head, or Chief Planning Officer, or Service Manager, or	Council 34 of 17/10/16 Planning

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
	<u>amended</u>)		Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Principal Planning Officer, or Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Development Control Team Leader <u>Development Management Team Leader</u>	30 of 12/12/18 43 of 13/03/19
PLG 15	Town and Country Planning Act 1990 (s 106A and s 106 BA) <u>(as amended)</u>	Determination of applications for discharge or modification of planning obligations and issue of the notice of decision	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Team Leader <u>Planning Performance Team Leader, or Senior Planning Officer</u> Senior Development Management Officer, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	
PLG 16	Town and Country Planning Act 1990 (s 106) <u>(as amended)</u>	To consider applications for the exercise of discretion that is allowed within the terms of a planning legal agreement and to determine the application	Executive Head, or Chief Planning Officer, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader, or Principal Planning Officer</u> Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader, or Senior Planning Officer</u> Senior Development Management Officer, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 17	Town and Country Planning Act 1990 (s 171C) <u>(as</u>	Service of Planning Contravention Notices (requires information on operations on	Executive Head, or Chief Planning Officer, or Service Manager, or	Council 34 of 17/10/16 Planning

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	<u>amended)</u>	land and persons with an interest in the land, where there is a suspected breach of planning control)	Solicitor, or Development Control Team Leader/Development Management Team Leader, or Principal Planning Officer Planning Implementation and Policy Team Leader/Planning Performance Team Leader, or Senior Planning Officer Senior Development Management Officer, or Planning Officer Development Management Officer, or Assistant Planning Officer Development Management Case Officer, or Senior Enforcement Officer Senior Planning Officer - Enforcement, Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Planning Enforcement Officer, or Enforcement Case Officer	30 of 12/12/18 43 of 13/03/19
PLG 18	Town and Country	To serve notices to require	Executive Head, or Chief	Council

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
	Planning Act 1990 (s 215) <u>(as amended)</u>	proper maintenance of land	Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader, or Principal Planning Officer</u> Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader, or Senior Planning Officer</u> Senior Development Management Officer, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 19	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> s.3(1)	To serve Building Preservation Notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer or Service Manager, or Development Control Team Leader <u>Development Management Team Leader, or Principal Planning Officer</u> Planning	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference	
			Implementation and Policy Team Leader <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Senior Conservation and Building Design Officer, or Conservation Officer		
56	PLG 20	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> s.4(1)	To serve a Building Preservation Notice by affixing it to the building	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
	PLG 21	Town and Country Planning Act 1990 <u>(as amended)</u> (s.187A)	Service of Notices for compliance with conditions on planning consent	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
			Leader, or Principal Planning Officer, Planning Implementation and Policy Team Leader <u>Planning Performance Team</u> Leader, or Senior Planning Officer <u>Senior Development</u> Management Officer, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Planning Officer, or Assistant Planning Officer <u>Development</u> Management Case Officer , Implementation Officer, or Site Monitoring Officer, or Planning Case Enforcement Officer, or Enforcement Case Officer	
PLG 22	Town and Country Planning Act 1990 <u>(as amended)</u> (s.183) Water Industry Act 1991	To determine if it is expedient, and to issue and serve Stop Notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
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PLG 23	Town and Country Planning Act 1990 <u>(as amended)</u> (s.171E to s.171H) Town and Country Planning (Temporary Stop Notice) (England) Regulations <u>20052013</u>	To determine whether or not to issue a Temporary Stop Notice.	Management Team Leader, or Principal Planning Officer Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader, or Senior Planning Officer</u> Senior Development Management Officer, or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			<u>Officer - Enforcement</u>	
PLG 24	Town and Country Planning Act 1990 <u>(as amended)</u> (s.94)	To serve completion notices	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 25	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.54(1))	To authorise execution of works urgently necessary for the preservation of an unoccupied Listed Building	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Conservation and Building Design Officer, or Conservation Officer	Council 34 of 17/10/16
PLG 26	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.54(5))	To give notice of intention to carry out the works	Executive Head, or Chief Planning Officer, or Service Manager, or Senior Conservation and Building Design Officer, or Conservation Officer in	Council 34 of 17/10/16

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			consultation with the Executive Head, or Chief Planning Officer, or Service Manager or Solicitor	
PLG 27	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.55(2))	To give notice requiring payment of the expenses of the works	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 28	Town and Country Planning Act 1990 <u>(as amended)</u> (s.191-193)	To determine applications for a Certificate of Lawful Use or Certificate of Lawful Development	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			<u>Officer - Enforcement</u>	
PLG 29	Town and Country Planning Act 1990 <u>(as amended)</u> (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.38)	To determine whether it is expedient to take enforcement action	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Planning Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 30	Town and Country Planning Act 1990 <u>(as amended)</u> (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.38 and s.74)	Issue and service of enforcement notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 31	Town and Country Planning Act 1990 <u>(as amended)</u> (s.173A) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.38 and s.74)	Variation to, or withdrawal of, enforcement notice	Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader Development Management Team Leader , or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 32	Town and Country Planning Act 1990 <u>(as amended)</u> (s.178) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.42 and s.74)	i) Execution of works required by an enforcement notice	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader Development Management Team Leader , or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer Senior Planning Officer - Enforcement in consultation with the Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
		(ii) To recover expenses reasonably incurred by the Council	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 33	Town and Country Planning Act 1990 <u>(as amended)</u> (s.178) Planning (Listed Buildings and Conservation	To sell materials removed in executing works required by an Enforcement Notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Development Control Team Leader Development Management Team Leader , or Principal Planning Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	Areas) Act 1990 <u>(as amended)</u> (s.42(3) and s.74(3)) Public Health Act 1936 (s.275)		Planning Implementation and Policy Team Leader Performance Team Leader, or Senior Planning Officer Senior Development Management Officer, or Senior Enforcement Officer Senior Planning Officer - Enforcement	
PLG 34	Town and Country Planning Act 1990 (s.187B) <u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.44A and s.73(3))	To seek an injunction	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader Development Management Team Leader, or Principal Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader, or Senior Planning Officer Senior Development Management Officer, or Senior Enforcement Officer Senior Planning Officer - Enforcement	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 35	Town and Country Planning Act 1990 <u>(as amended)</u> (s.97 and 99) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.23) and (s.74(3))	To make an order to revoke or modify Planning Consent, Listed Building Consent or Conservation Area Consent	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 36	Town and Country Planning Act 1990 <u>(as amended)</u> (s.198, 199 and 201)	(i) To make, modify, confirm, decide not to confirm, vary and revoke tree preservation orders	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
		(ii) To decide whether a tree preservation order should be made at the request of a District Councillor, when the arboricultural officers do not consider there is justification	Executive Head, or Chief Planning Officer, or Service Manager in consultation with the Chairman and Vice-Chairman of Planning	Council 34 of 17/10/16

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to Committee	Minute Reference
PLG 37	Town and Country Planning Act 1990 <u>(as amended)</u> (s.207)	Issue of notices requiring replanting of trees subject to a Tree Preservation Order	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 38	Town and Country Planning Act 1990 <u>(as amended)</u> (s.214A)	To seek injunctions to restrain actual or apprehended breach of a Tree Preservation Order	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 39	Town and Country Planning Act 1990 <u>(as amended)</u> (s.198 and s.211) and Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> , (s.69)	To determine applications to do works to trees that are subject to protection by a Tree Preservation Order, and to impose such conditions on any consent as he or she deems appropriate	Executive Head, or Chief Planning Officer, or Service Manager, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader, or Senior Tree Officer	Council 34 of 17/10/16 Planning 43 of 13/03/19 19 of 11/09/19 37 of 12/02/20
PLG 40	Town and Country Planning Act 1990 <u>(as amended)</u> (s.211) Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> , (s.69)	To determine whether or not to object to prior notification of an intention to do works to a tree within a conservation area	Executive Head, or Chief Planning Officer, or Service Manager, or Environmental Design Team Leader, or Development Management Team Leader, or Policy and Plans Team Leader, or Senior Tree Officer	Council 34 of 17/10/16 Planning 43 of 13/03/19 19 of 11/09/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 41	Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> (s.89) Town and Country Planning Act 1990 <u>(as amended)</u> (s.330(1) and s.330(2)) Miscellaneous Provisions Act 1976 (s.16)	To require information on interests in land and its use	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 42	Local Government Act 1972 s.101	Development by County Council of their own land - to respond to consultations	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PLG 43	Town and Country Planning Act 1990 <u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> Planning (Hazardous Substances) Act 1990, (including Regulations thereunder) Local Government (Miscellaneous Provisions) Act 1976 Local Government Act 1972 (s.101 and s.222)	To initiate, defend, conduct and settle legal proceedings on behalf of the Council in respect of any of the functions of the Council which are delegated to the Committee	Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 44	Town and Country Planning (Environmental Impact Assessment) Regulations <u>1999</u> <u>2017</u>	To make a decision in respect of any issue required to be made under the regulations	Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Executive Head, or Chief Planning Officer, or Service Manager, or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
			Planning Officer Planning Implementation and Policy Team Leader Planning Performance Team Leader, or Senior Planning Officer Senior Development Management Officer, or Senior Enforcement Officer Senior Planning Officer - Enforcement	
PLG 45	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To issue notices of authority to remove all or part of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 34 of 17/10/16
		In the event of disagreement between the officers and the town and parish council and/or local ward members, to issue notice of authority to remove all or part of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following consultation with the Chairman and Vice-Chairman of Planning Committee	Council 34 of 17/10/16
PLG 46	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To issue hedgerow retention notices in respect of hedgerows falling within the definition of an important hedgerow	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local	Council 34 of 17/10/16

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Ward Members	
PLG 47	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To withdraw hedgerow retention notices in respect of hedgerows	Executive Head, or Chief Planning Officer, or Service Manager following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 34 of 17/10/16
PLG 48	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.7)	To prosecute for the unlawful removal of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 49	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.8)	To issue notices requiring the planting of a replacement hedgerow	Executive Head, or Chief Planning Officer, or Service Manager	Council 34 of 17/10/16
PLG 50	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.11)	To seek an injunction to prevent the actual or apprehended removal of a hedgerow	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 51	Environment Act 1995 (s.97) Hedgerow Regulations 1997	To seek a warrant to enter premises	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	(Regs.13 and 14)			
PLG 52	Anti-Social Behaviour Act 2003 (s.68(2))	To determine whether or not to proceed with a complaint	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 53	Anti-Social Behaviour Act 2003 (s.68 (3) (4) and (5))	To decide whether a high hedge is affecting the complainant's reasonable enjoyment of a domestic property and, if so, what action (if any) should be taken to remedy the adverse effect or prevent its recurrence. To issue such notifications, other than remedial notices, required by these sections to give effect to that decision.	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			<u>Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> in consultation with the Local Ward Councillor(s)	
PLG 54	Anti-Social Behaviour Act 2003 (s.68 (4) and s.69)	To issue remedial notices	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor as instructed by Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer Planning Implementation and Policy Team Leader <u>Planning Performance Team Leader</u> , or Senior Planning Officer Senior Development Management Officer , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 55	Anti-Social Behaviour Act 2003 (s.68 (8))	To refund the fee paid when a Tree Preservation Order is placed on the hedge subject of the complaint	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control	Council 34 of 17/10/16 Planning 30 of 12/12/18

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
			Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	43 of 13/03/19
PLG 56	Anti-Social Behaviour Act 2003 (s.70)	To withdraw a remedial notice, waive or relax a requirement of a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor in consultation with Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior</u>	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			<u>Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u>	
PLG 57	Anti-Social Behaviour Act 2003 (s.75)	To institute proceedings where action has not been taken to comply with a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 58	Anti-Social Behaviour Act 2003 (s.77)	To execute works required by a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team Leader</u> <u>Planning Performance Team Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> , or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> in consultation with Executive Head, or Chief Planning Officer, or	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Service Manager, or Solicitor	
PLG 59	Anti-Social Behaviour Act 2003 (s.77)	To take appropriate action to recover costs reasonably incurred by the Council in securing compliance with a remedial notice	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor	Council 34 of 17/10/16
PLG 60	Planning Act 2008 Infrastructure Planning (Environmental Impact Assessment) Regulations <u>2009</u> <u>2017</u>	To respond to consultations under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team <u>Leader</u> <u>Development Management Team</u> <u>Leader</u> , or <u>Principal Planning Officer</u> Planning Implementation and Policy Team Leader <u>Planning Performance Team</u> <u>Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> ; or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Planning Officer	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 61	Town and Country Planning Act 1990 (<u>as amended</u>)	To determine applications for lawfulness of proposed use or development in respect of	Executive Head, or Chief Planning Officer, or Service Manager, or	Council 34 of 17/10/16 Planning

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
	(s.191-193)	householder applications	Development Control Team Leader <u>Development Management Team</u> <u>Leader</u>	43 of 13/03/19
PLG 62	Planning Act 2008 Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 <u>2017</u> , Localism Act 2011 and any amending legislation	To respond to consultations under the Act	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control Team Leader <u>Development Management Team</u> <u>Leader</u> , or Principal Planning Officer <u>Planning Implementation and Policy Team</u> Leader <u>Planning Performance Team</u> <u>Leader</u> , or Senior Planning Officer <u>Senior Development Management Officer</u> ; or Senior Enforcement Officer <u>Senior Planning Officer - Enforcement</u> , or Planning Development Management Officer following written consultation with local ward councillors	Council 34 of 17/10/16 Planning 30 of 12/12/18 43 of 13/03/19
PLG 63	Community Infrastructure	To exercise all powers and duties and to take all necessary	Executive Head, or Chief Planning Officer, or	Council 34 of 17/10/16

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

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No	Source	Power Delegated	Delegated to	Minute Reference
	Levy Regulations 2010 (as amended)	action and make all decisions including the making of all determinations and declarations, the service, variation and withdrawal of notices except the following: The determination and granting of applications for relief in exceptional circumstances	Service Manager, or Planning Implementation and Enforcement Team Leader Planning Performance Team Leader Executive Head, or Chief Planning Officer, or Service Manager, Planning Implementation and Enforcement Team Leader or Planning Performance Team Leader in consultation with the Chairman of the Planning Committee	Planning 43 of 13/03/19
		To make all necessary applications through the courts and to take all such actions as may be necessary for implementation	Executive Head, or Chief Planning Officer, or Service Manager, or Solicitor, or Planning Implementation and Enforcement Team Leader Planning Performance Team Leader	
PLG 64	Conservation of Habitats and Species Regulations 2010 2017	To make an appropriate assessment, approve a development or otherwise exercise all powers and duties, to take all necessary action and make all decisions on behalf of	Executive Head, or Chief Planning Officer, or Service Manager, Development Management Team Leader, Planning	Planning 9 of 12/06/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
		the Local Planning Authority or a Competent Authority.	Performance Team Leader, or Principal Planning Officer Senior Planning Officer <u>Senior Development Management Officer</u>	
PLG 65	Conservation of Habitats and Species Regulations 2017	To make an appropriate assessment, approve a development or otherwise exercise all powers and duties, to take all necessary action and make all decisions on behalf of the Local Planning Authority or a Competent Authority.	Executive Head, or Chief Planning Officer, or Service Manager, or Development Management Team Leader, or Planning Performance Team Leader, or Principal Planning Officer Senior Planning Officer <u>Senior Development Management Officer</u>	Planning 9 of 12/06/19

FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
PLG Auth1	Town and Country Planning Act 1990 <u>(as amended)</u> Planning (Listed Buildings and Conservation Areas) Act 1990 <u>(as amended)</u> Planning (Hazardous Substances) Act 1990 <u>(as amended)</u> Planning and Compulsory Purchase Act 2004 <u>(as amended)</u>	In respect of any function which is delegated to the Committee, to enter premises for the purposes of the Acts and any amending statutes or regulations made pursuant to the Acts	Executive Head, or Chief Planning Officer, Service Manager, Development Management Team Leader, Principal Planning Officer, Senior Planning Officer Senior Development Management Officer, Planning Development Management Officers, Assistant Planning Officers Development Management Case Officers, Planning Technicians, Building Control Manager, Senior Building Control Surveyor, Assistant Building Control Surveyors, District Building Control Surveyors, Planning Implementation and Enforcement Planning Performance Team Leader, Senior	Council 34 of 17/10/16 Planning 43 of 13/03/19 46 of 20/05/20

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
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			Enforcement Planning Officer - Enforcement , Planning Enforcement Officer, Implementation Officer, Site Monitoring Officer, Planning Case Officer, Planning Enforcement Case Officer, Principal Planning Policy Team Leader, Policy Officer, Senior Planning Policy Officer, Planning Policy Officer, Senior Conservation and Building Design Officer, Conservation Officers, Landscape Architect, Urban Designer, Landscape and Open Space Project Officer, Solicitor, Committee Administrator, Environmental Design Team Leader, Senior Tree Officer, Tree Officer, Ecologist, Senior Environmental Design Officer, Open Spaces	
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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
			Development Officer.	
PLG Auth2	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.12)	Authorisation to Enter Premises	Executive Head, or Chief Planning Officer, Service Manager, Committee Administrator, Solicitor, Landscape Architect, Landscape and Open Space Project Officer, Environmental Design Team Leader, Senior Tree Officer, Tree Officer, Ecologist, Senior Environmental Design Officer, Open Spaces Development Officer.	Council 34 of 17/10/16 Planning 43 of 13/03/19 46 of 20/05/20
PLG Auth3	Anti-Social Behaviour Act 2003 (s.70)	To enter land for the purposes of the Act and any amending statutes or regulations made pursuant to the Acts	Executive Head, or Chief Planning Officer, or Service Manager, or Development Control <u>Development Management</u> Team Leader, or Principal Planning Officer, or Senior Planning Officer <u>Senior Development</u>	Council 34 of 17/10/16 Planning 43 of 13/03/19

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FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING COMMITTEE

AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
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			<p>Management Officer, or Planning Implementation and Enforcement <u>Planning Performance</u> Team Leader, or Senior Enforcement Planning Officer - <u>Enforcement</u>, or Planning Enforcement Officer, or <u>Planning Development</u> Management Officer, or Assistant Planning Officer<u>Development</u> <u>Management Case</u> <u>Officer</u>, Implementation Officer, or Site Monitoring Officer, or Planning Case Officer, or Planning Enforcement Case Officer, or Environmental Design Team Leader, or Senior Tree Officer, or Tree Officer.</p>	
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