

CABINET



TUESDAY, 22 MARCH 2022 - 4.00 PM

PRESENT: Councillor Mrs J French (Chairman), Councillor I Benney, Councillor S Clark, Councillor Miss S Hoy, Councillor Mrs D Laws, Councillor A Lynn, Councillor P Murphy and Councillor C Seaton

APOLOGIES: Councillor C Boden (Chairman) and Councillor S Tierney

CAB52/21 PREVIOUS MINUTES

The minutes of the meeting held 24 February 2022 were agreed and signed.

CAB53/21 UPDATE ON PROGRESS WITH WISBECH LEVELLING UP FUND REGENERATION PROJECT

Members considered the Update on Progress with Wisbech Levelling Up Fund Regeneration Project report presented by Councillor Seaton.

Councillor Hoy praised the good work that has been done to date and is looking forward to picking the projects. She is also impressed with how officers have put together the place shaping work with the work done so far by other consultants as that and the levelling up work seem so massively different.

Cabinet AGREED to note the contents of this report and the positive progress being made towards the development of a LUF Round 2 bid, namely:

- **The Wisbech Master Plan is now at a draft stage with the Plan due to be completed and project selection for the LUF bid expected to take place in the coming weeks**
- **Experienced LUF bid supporting consultant appointed**
- **Phase 1 of the MP funded thinkingplace work for the wider district completed**
- **Anglian Water and partners are funding Stage 2 of the thinkingplace district place shaping work**

CAB54/21 INVESTMENT BOARD UPDATE

Members considered the Investment Board Update report presented by Councillor Benney.

Cabinet AGREED to note the annual report from the Investment Board.

CAB55/21 IMMEDIATE ARTICLE 4 DIRECTION

Members considered the Immediate Article 4 Direction report presented by Councillor Mrs Laws.

Councillor Mrs Laws said that if agreed, there should be a press notice in the Fenland Citizen,

although an additional notice could be placed in the Peterborough Telegraph, but this would cost at least £600, a minimum 21-day consultation period, multiple site notices, notification to the Secretary of State, a press release and information via FDC's social media.

Councillor Murphy said he was surprised with what was happening as he had never heard this before. He agreed the Article 4 was needed but would like to know what can be done to stop this situation happening again.

Councillor Mrs French invited Nick Harding to respond as Head of Planning. He said if the situation was to arise again, the options would be to either do nothing or go down the same route with an immediate Article 4 Direction. We could take out an injunction but that would be quite extreme and would have to be legally appropriate given the situation that was faced and only if no other means of enforcement or control was available.

Councillor Mrs French said that, like Councillor Murphy, she had never heard of this before and asked what will happen where people have already brought plots. Nick Harding advised that where someone has purchased a plot and undertaken what is currently permitted development, we can take no action against them. With the introduction of Article 4, that would remove certain permitted development rights as prescribed in the notice and planning consent would have to be given. If development is undertaken that requires consent after the notice is served, we can investigate and decide if it is acceptable. We do not have to take enforcement action; we must make a judgement and decide what our decision would have been if an application had been made. Councillor Mrs French thanked Nick Harding.

Councillor Murphy asked if the vendors have been told of the implications of their actions and if not, should they be told when anything like this happens. He also asked if we can we find out through Land Registry who owns the fields and whether solicitors have been used. Nick Harding responded that with Article 4 in place this would be revealed in subsequent property searches. He cannot say what has happened with what had taken place, but he can find out the details of all plot holders. He pointed out that a Notice must be published before anything takes effect and anything that requires planning permission that has taken place will be looked at separately.

Cabinet AGREED to authorise the serving of an immediate Article Direction to remove permitted development rights as set out in Section 1 of this report a) to d) and authorise a full survey of the site be carried out to be funded from the Planning Reserve.

CAB56/21 DRAFT 6 MONTH CABINET FORWARD PLAN

Councillor Mrs French presented the draft six-month Cabinet Forward Plan for information.

2.19 pm

Chairman