

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### **PART 1 – PUBLIC DOCUMENT**

#### **SERVICE DIRECTORATE: Regulatory**

#### **1. DECISION TAKEN**

- 1.1 To amend the start date of the immediate Article 4 Directions approved by Cabinet on 13 September 2022 from 3<sup>rd</sup> to 5<sup>th</sup> October 2022.

#### **2. DECISION TAKER**

- 2.1. Ian Fullstone, Service Director – Regulatory in consultation with Cllr Ruth Brown, Executive Member for Planning, Enterprise and Transport and Cllr Ian Mantle, Deputy Executive Member for Planning, Enterprise and Transport.

#### **3. DATE DECISION TAKEN**

4 October 2022

#### **4. REASON FOR DECISION**

- 4.1 Under Article 4 Direction regulations, it is a requirement to give notice to the owners and occupiers of the properties affected by the new Article 4 Directions on the day that the Article 4 Direction comes into force. In the Cabinet report (13 September 2022) the date for the immediate Article 4 Directions to become effective was the 3 October 2022. However, there are postal strikes Friday to Saturday which would delay sending the letter of notice to the owners and occupiers. The new date (5 October 2022) is proposed to fulfil this requirement.
- 4.2 In the Article 4 Direction Cabinet Report (13 September 2022) recommendation 2.4 grants delegated powers to the Service Director and the Portfolio Holder of Planning, Enterprise and Transport to proceed the Article 4 Directions.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 No alternative options considered.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

- 6.1 The Executive Member for Planning, Enterprise and Transport has been kept informed on the matters set out in this report.

#### **7. FORWARD PLAN**

- 7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

**8. BACKGROUND/ RELEVANT CONSIDERATIONS**

8.1 See Article 4 Direction Cabinet Report 13 September 2022.

**9. LEGAL IMPLICATIONS**

9.1. No change from the Article 4 Cabinet Report 13 September 2022.

9.2. The Legal Team are satisfied that the delegated powers given to the Service Director and the Portfolio Holder of Planning, Enterprise and Transport can be used to change the start date of the immediate Article 4 Direction.

**10. FINANCIAL IMPLICATIONS**

11.1 No change from the Article 4 Cabinet Report 13 September 2022.

**11. RISK IMPLICATIONS**

11.1 No change from the Article 4 Cabinet Report 13 September 2022.

**12. EQUALITIES IMPLICATIONS**

12.1 No change from the Article 4 Cabinet Report 13 September 2022.

**12. SOCIAL VALUE IMPLICATIONS**

12.1 No change from the Article 4 Cabinet Report 13 September 2022.

**13. HUMAN RESOURCE IMPLICATIONS**

13.1 No change from the Article 4 Cabinet Report 13 September 2022.

**14. ENVIRONMENTAL IMPLICATIONS**

14.1 No change from the Article 4 Cabinet Report 13 September 2022.

**15. BACKGROUND PAPERS**

15.1 [Article 4 Direction Cabinet Report 13/09/22](#)

**NOTIFICATION DATE**

4 October 2022



**Signature of Executive Member Consulted .....**

Cllr Ruth Brown, Executive Member for Planning, Enterprise and Transport

**Date 4 October 2022**



**Signature of Decision Taker .....**

Ian Fullstone, Service Director - Regulatory

**Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.  
Call-in does not apply to NON-EXECUTIVE DECISIONS**