

# NORTH HERTFORDSHIRE DISTRICT COUNCIL

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29 January 2021

**By email to [mary.cook@townlegal.com](mailto:mary.cook@townlegal.com)**

Dear Ms Cook,

## **BARKWAY – BK3**

Thank you for your letter dated 27 November 2020 and I apologise for the delay in responding to you. I have addressed below the specific paragraphs in your letter to the Inspector that you have directed to the Council.

The Council's proposed main modifications relating to site BK3 were produced under the delegated authority granted by Full Council in April 2017, when agreeing to submit the Local Plan for examination. The delegation of authority is shown in the Examination Library within document ORD1. This states:

*That delegated powers be granted to the Head of Development and Building Control, in consultation with the Executive Member for Planning and Enterprise, to produce such additional documentation as is required (including documentation requested by the appointed Inspector and the proposing of main modifications) before and during the examination of the Local Plan*

The above powers were exercised by myself as the relevant officer to whom the powers are delegated, in consultation with Cllr Clark, who is the relevant executive member. In particular:

On 17 November 2020 Nigel Smith explained to myself and Cllr Clark via email his intention to raise whether the Council should continue to support the allocation of site BK3 in the regular briefings that occur with us on the plan.

The relevant briefing took place on 18 November 2020 where Mr Smith explained his concerns in continuing to support the allocation of site BK3. After the meeting, he produced a note setting out those concerns in written form which was circulated to myself and Cllr Clark.

North Hertfordshire District Council, Council Offices, Gernon Road, Letchworth Garden City, Hertfordshire, SG6 3JF

Anthony Roche: Managing Director

[www.north-herts.gov.uk](http://www.north-herts.gov.uk)

On 19 November 2020, after receiving the written note, I agreed with Mr Smith's suggestion that the Council should propose main modifications to delete the site and the note was formally published as ED210.

I attach the emails demonstrating the above and the note. I hope this satisfied the queries you have raised as to whether proper authority was given for these proposed main modifications.

You will of course be well aware that the Council itself has no power to effect any main modifications to the plan but can only suggest them to the Inspector who will consider those suggestions and make any recommendation in relation to them that he considers appropriate. It is therefore a matter for the Inspector whether the plan does or does not include BK3.

Yours sincerely



**Ian Fullstone**  
Director – Regulatory  
North Hertfordshire District Council

Enc:

Email from Nigel Smith to Ian Fullstone, Cllr Clark & others, 17 November 2020  
Note provided by Nigel Smith on site BK3, 18 November 2020  
Email from Ian Fullstone to Nigel Smith, Cllr Clark & others, 19 November 2020