

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Correspondence address:

North Hertfordshire District Council, PO Box 10613, Nottingham, NG6 6DW

Telephone: (01462) 474000

Text Phone: (01462) 474800

DX324201, Nottingham 59



Mary Cook
Town Legal LLP
10 Throgmorton Avenue
London
EC2N 2DL

Our Ref: ED210
Your Ref: RAN001/0002/MC
Contact: Nurainatta Katevu
Direct Dial No: 01462 474364
Fax No: 01462 474227
E-Mail Address: Nurainatta.katevu@north-herts.gov.uk

29 January 2021

By email to 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

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