

# DECISION NOTICE



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Team and Report  
Author , on 5  
January 2018

## **NOTICE OF DECISION MADE BY PORTFOLIO HOLDER DECISION: GAMBBA-JONES 1:17**

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(To be made available at the main offices of the Council and sent to all members of the Council within 3 working days of the decision.)

The Council's Constitution (Standing Order 28 – Recording of Executive Decisions; Part 3 Section D4 – Delegations to Cabinet members; and Part 4 D Access to Information Procedure Rules) requires that when any decision is made by an individual Portfolio Holder a record of the decision, including a statement of the reasons for it and any alternative options considered and rejected, must be prepared and published normally **within 3 working days**.

In accordance with this requirement notice is hereby given that Councillor R Gambba-Jones, being the Portfolio Holder for Place, made the decision detailed below on 4<sup>th</sup> January 2018. This decision is a key decision.

**This notice is published on 5<sup>th</sup> January 2018.**

In accordance with the terms of the Constitution (Part 3 Section D – Overview and Scrutiny (including Call-In Procedures)), the decision detailed below will come into force, and may then be implemented, on Monday 15 January 2018 (i.e. following the expiry of 5 working days following the date of publication of this notice) unless during that period a notice, where either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members formally request in writing (requests for Call-In must be given on a form designed for that purpose, and must be signed by each subscriber to the call-in) to the Senior Legal Officer (or such other officer as is nominated by the Senior Legal Officer) before the end of the five clear Working Day period specified in the above paragraph in relation to a particular decision by the Leader, a Cabinet Member or Cabinet, a Sub-Committee of Cabinet or an officer, then that decision shall be referred to the Performance Monitoring Panel. Such request must contain a justifiable reason for the reference and one or more of the signatories to the reference must forward to the Senior Legal Officer at least five clear Working Days before the date of the Committee which is to consider the matter a brief explanation or statement as to the

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concerns of the signatories in the matter, and what alternative decision(s) that member/those members consider should be taken. (The call-in period expires at 5pm on the 5<sup>th</sup> working day following publication of this notice, or 4.30pm if the 5<sup>th</sup> working day is a Friday.)

This key decision was not included within the published Key Decision Plan, but the Portfolio Holder considered that a decision needed to be taken so that the decision could be implemented from 17 January 2018 because the Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 were made on 20 December 2017 and would come into force on 17 January 2018. The Portfolio Holder was therefore of the opinion that it was not possible to defer the decision and the decision was made urgently under Part 4 D Rule 12. Prior to the decision being made the Chairman of the Performance Monitoring Panel was informed that an urgent decision was being made. The requirements of the Council's Constitution (Part 4 D Rule 12) have been met.

**Matter to which decision relates**

Changes to Planning Application Fees – To agree the increase in and additional Planning Application Fees applicable from 17 January 2018 as set out in the Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 (report of the Executive Director Place enclosed).

***DECISION (IF URGENT PROVIDE REASONS)***

That the increase in and additional Planning Applications Fees applicable from 17 January 2018 as set out in the Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 be agreed.

That the additional planning application fee income be re-invested in the Planning Service.

***ALTERNATIVE OPTIONS CONSIDERED AND REJECTED***

Option 1. Do nothing (not recommended)

The option is not available as the increase in Planning Fees has been brought in by Government as secondary legislation and applies to all Local Planning Authorities.

Option 2. Agree the increase in Planning Fees but do not re-invest the additional income in the Planning Service (not recommended)

The additional fee income is required in order that there is an adept, agile and fully resourced Planning Service.

**REASON OR REASONS FOR THE DECISION**

The Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 were made on 20 December 2017 and come into force 28 days later on 17 January 2018.

The additional planning application fee income will be re-invested in the Planning Service.

***Conflicts of interest declared by an executive member, relating to the decision, and any dispensations granted***

None

**REPORT**

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| 1 | Gambba-Jones 1:17 - Changes to Planning Application fees -<br>To agree the increase in and additional Planning Application fees<br>applicable from 17 January 2018 as set out in the Town and Country<br>(Fees for Applications, Deemed Applications, Requests and Site Visits)<br>(England) (Amendment) Regulations 2017 (report of the Executive<br>Director Place enclosed) | (Pages<br>1 - 16) |
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