

RECORD OF EXECUTIVE DECISION

Tuesday, 14 June 2022

Decision No: (CAB 21/22 33871)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Growth
SUBJECT:	Nitrogen Mitigation Position Statement
AUTHOR:	Graham Tuck

THE DECISION

- (i) To note the Nitrogen Mitigation Position Statement for use in the determination of planning applications.
- (ii) To delegate authority to the Director of Legal & Business Services, after consultation with the Head of Planning and Economic Development, to sign 'section 33' legal agreements with nearby Councils and mitigation providers in-order to implement the Position Statement in accordance with the Habitat Regulations.
- (iii) To delegate authority to the Head of Planning and Economic Development following consultation with the Cabinet Member for Economic Development to make future changes to the specifics of the Position Statement provided this does not affect the overall approach.
- (iv) To delegate authority to the Head of Planning and Economic Development to make future changes to the technical detail of the approach (e.g. commencement date, data updates, detailed methodology changes, etc) provided that this does not affect the overall approach.

REASONS FOR THE DECISION

To ensure new development is permitted in accordance with the Habitat Regulations.

To delegate authority to the appropriate levels to ensure the necessary legal mechanisms are put in place and the specifics / detail of the Position Statement can be updated as required.

DETAILS OF ANY ALTERNATIVE OPTIONS

The alternative is not to put in place a Position Statement. However, the local planning authority must comply with the Habitat Regulations when granting

planning permission. Planning permissions issued by the Council could be challenged if no further action is taken.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 14th June 2022

Decision Maker:
The Cabinet

Proper Officer:
Claire Heatherl

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable)* *(this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

