

ST ALBANS CITY AND DISTRICT COUNCIL

DECISION REGISTER

Portfolio(s) decision relates to:	Planning and Conservation	Name of Portfolio Holder:	Cllr Chris Whiteside
Name of decision maker:	Cllr Whiteside in Consultation with Peter Lerner, Head of Paid Service, and The Right Worshipful The Mayor, Jenny Stroud	Signature of decision maker:	Chris Whiteside
Name of relevant Overview and Scrutiny Committee:	Overview and Scrutiny Committee)Enterprise and Civic Environment)	Date of decision:	23 July 2003
Type of decision (<i>please tick</i>)	Key	Significant	Virement
			Other
			√ - urgent decision
Scheme of delegation reference under which decision is taken:	1.2.5		
Has this decision drawn upon confidential information? (<i>If yes – please set out what confidential information has been taken into account on a separate sheet</i>)	No		
<p>DECISION</p> <p>To approve the making of a Direction under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 1995 in respect of operations and development on land at Harpenden Road, St Albans.</p> <p>In arriving at my decision I have properly and thoroughly taken into account the legal, financial and workforce implications for the Council, including the requirements of the Human Rights Act 1998. My decision is within the Council’s policy and budget framework and complies with the regulations and procedures set out in the Constitution. In coming to my decision I have explicitly considered the Council’s corporate objectives and consulted with all relevant parties as appropriate and in accordance with the scheme of delegation.</p>			

REASON/S FOR THE DECISION

The basis for this decision is that the Council has received information that plots of agricultural land within the Metropolitan Green Belt at Harpenden Road, St Albans are being offered for sale. There is concern that prospective purchasers may wish the plots to be divided by some form of enclosure, which would have an adverse impact on the rural openness, character and appearance of the Green Belt. There have been six previous instances in this district where land had been similarly marketed and Article 4 Directions have been served. All six directions were confirmed by the Secretary of State. It was recommended that an Article 4 Direction be served in respect of the land at Harpenden Road removing permitted development rights for the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure. Confirmation is awaited on a further Article 4 Direction issued on 26 February 2003 on land at Sandridgebury Lane, St Albans.

As Portfolio Holder, under Rule 17 of the Overview & Scrutiny procedure rules I consider that the decision was urgent. Delay would prejudice the public interest, as there was felt to be an immediate threat to the openness of agricultural land within the Metropolitan Green Belt. Agreement by the Head of Paid Service and the Mayor was sought and obtained that the decision was reasonable and could be treated as urgent so that call-in does not apply.

OTHER OPTIONS CONSIDERED:	REASONS FOR REJECTING THESE OPTIONS
1. No action	Risk to openness of Green Belt countryside
2. article 4 direction without urgency procedure	Risk of enclosures being erected before it took effect

CONSULTEES

In making this decision, I have consulted the following people, in addition to the Mayor and HOPS:

Name	Position	Date of consultation	Outcome of consultation (may cross reference to supplementary/background sheets)
Cllr Stammers	Chairman Planning Committee.	Report by e-mail on 15 July 2003.	No objections received.
Cllr Heritage	Vice Chair Planning Committee.	Report by e-mail on 15 July 2003.	No objections received.
Cllr O'Donovan	District Ward Councillor	Copy of report, 16 July 03.	No objections received.
Cllr Schofield	District Ward Councillor	Copy of report, 16 July 03	No objections received.
Cllr Swendell	District Ward Councillor	Copy of report, 16 July 03.	No objections received.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985

Bibliography	Custodian	File location
Article 4 Direction, land at Bylands Meadow, Redbourn confirmed by Secretary of State 12 Sept 2002.	N Smith, Senior Planning Enforcement Officer 01727 866100 ext 2346	St Albans District Council St Peter's Street St Albans, Herts AL1 1JE
Five other Article 4 Directions confirmed by Secretary of State between 2000 and 2002	N Smith, Senior Planning Enforcement Officer 01727 866100 ext 2346	St Albans District Council St Peter's Street St Albans, Herts AL1 1JE
Report to Portfolio Holder on land at Harpenden Road written 15 Jul 2003	As Above	As Above