

Rutland County Council

Catmose, Oakham, Rutland, LE15 6HP. Telephone 01572 722577 Facsimile 01572 758307

Ladies and Gentlemen,

A meeting of the **PLANNING AND LICENSING COMMITTEE** will be held in the Council Chamber, Catmose, Oakham, Rutland, LE15 6HP on **Tuesday, 18th December, 2018** commencing at 7.00 pm when it is hoped you will be able to attend.

Yours faithfully

Helen Briggs Chief Executive

Recording of Council Meetings: Any member of the public may film, audio-record, take photographs and use social media to report the proceedings of any meeting that is open to the public. A protocol on this facility is available at www.rutland.gov.uk/my-council/have-your-say/

AGENDA

1) APOLOGIES

To receive any apologies from Members.

2) MINUTES

To confirm the minutes of the Planning and Licensing Committee held on 20 November 2018.

3) DECLARATIONS OF INTERESTS

In accordance with the Regulations, Members are invited to declare any disclosable interests under the Code of Conduct and the nature of those interests in respect of items on this Agenda and/or indicate if Section 106 of the Local Government Finance Act 1992 applies to them.

4) PETITIONS, DEPUTATIONS AND QUESTIONS

To receive any petitions, deputations and questions from members of the Public in accordance with the provisions of Procedure Rule 93.

Any petitions, deputations and questions that have been submitted with prior formal notice will take precedence over questions submitted at short notice. Any questions that are not considered within the time limit shall receive a written response after the meeting and be the subject of a report to the next meeting.

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Requests to speak on planning applications will also be subject to the RCC Public Speaking Rules.

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The total time allowed for this item shall be 30 minutes.

5) PLANNING APPLICATIONS

To receive Report No. 239/2018 from the Strategic Director for Places. (Pages 3 - 18)

6) APPEALS REPORT

To receive Report No. 240/2018 from the Strategic Director for Places. (Pages 19 - 22)

7) ANY OTHER URGENT BUSINESS

To consider any other urgent business approved in writing by the Chief Executive and Chairman of the Committee.

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DISTRIBUTION MEMBERS OF THE PLANNING AND LICENSING COMMITTEE:

Mr E Baines (Chairman) Mr J Dale (Vice-Chair) Mr O Bird Ms R Burkitt Mr B Callaghan Mr G Conde Mr W Cross Mr R Gale Mr A Lowe Mr A Lowe Mr A Mann Mr M Oxley Mr A Walters

OTHER MEMBERS FOR INFORMATION

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Rutland County Council

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Appeals Report

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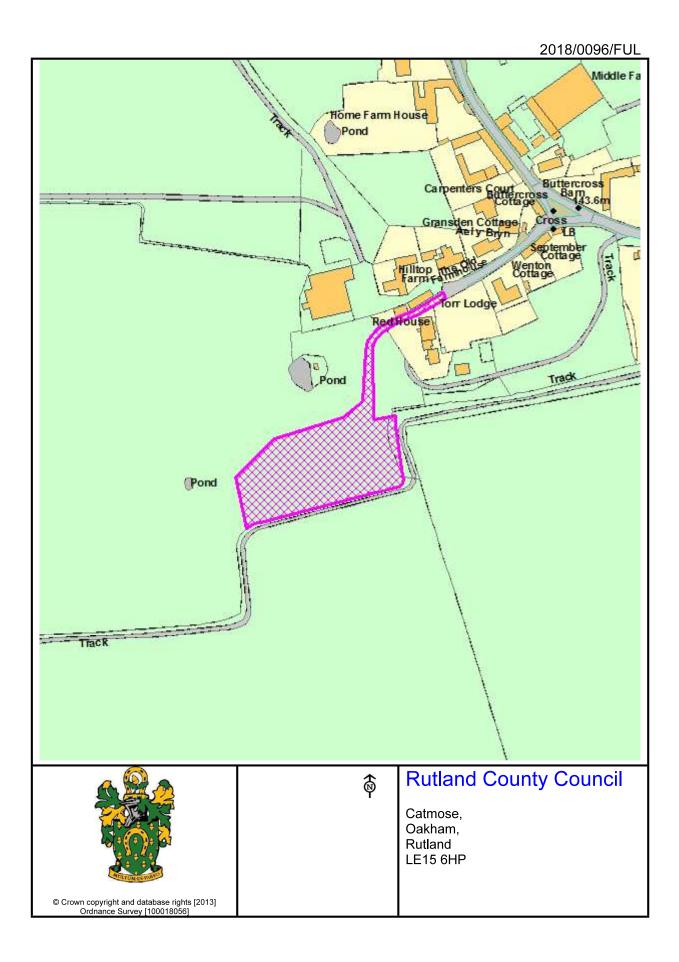
REPORT NO: 239/2018

PLANNING AND LICENSING COMMITTEE

PLANNING APPLICATIONS TO BE DETERMINED BY THE PLANNING AND LICENSING COMMITTEE

REPORT OF THE STRATEGIC DIRECTOR FOR PLACES (ENVIRONMENT, PLANNING, TRANSPORT & HIGHWAYS)

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Application:	2018/0096/FUL			ITEM 1
Proposal:	Change of use from agricultural land to glamping site, including erection of 3 no. safari glamping tents and associated works.			
Address:	Land Adj To Red House, Main Street, Barrow, Rutland			
Applicant:	Mr J Conen	Parish		Barrow
Agent:	Tony Ansell, Rutland	Ward		Cottesmore
	Planning			
Reason for presenting to Committee:		Objections and policy considerations		
Date of Committee:		18 December 2018		

EXECUTIVE SUMMARY

The proposal is to create a sustainable tourist facility that would not be obtrusive in the landscape and would attract a level of traffic that is acceptable and safe. The revised access avoids damage to common land and the proposal would not have a level of impact on residential amenity as to make it unacceptable. The scheme complies with the development plan and there are no material considerations that would lead to a recommendation of refusal.

RECOMMENDATION

APPROVAL, subject to the following conditions:

is considered acceptable.

 The development shall be begun before the expiration of three years from the date of this permission.
REASON – To comply with the requirements of Section 91 of the Town and Country

Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18/08/005, Tent Base GA (WT3 Plus), both received 12 August 2018, the Biolan Greywater Filtration system and the Biolan Separating dry toilet. REASON – For the avoidance of doubt and in the interests of proper planning.
- The use of the site shall be limited to 3 glamping tents as approved and no other accommodation of any description shall be provided on the site.
 REASON – For the avoidance of doubt, to ensure that the use is limited in its impact on the local road network and the community and to allow the Local Planning Authority to consider the impact of any further proposals.
- 4. The development hereby permitted shall not be used otherwise than for the provision of short let holiday accommodation. The glamping tents shall not be occupied as permanent dwellings and shall not be occupied by any one person for a period exceeding 28 days in any calendar year. REASON – The site is in a location where new permanent residential accommodation would not be acceptable in policy terms. However use for tourism/holiday purposes only
- 5. No development above ground level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also identifies all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection during development.

REASON – To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development.

6. All changes in ground levels, fencing, hard landscaping and planting, shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species. REASON – To ensure that the landscaping is carried out at the appropriate time and is

REASON – To ensure that the landscaping is carried out at the appropriate time and is properly maintained.

- No music or other amplified sounds, audible beyond the application site boundary, shall be allowed on the site at any time.
 REASON – In the interests of the amenities of nearby residents.
- There shall be no form of lighting used outside the glamping tents hereby approved other than hand held lanterns or torches at any time.
 REASON –To ensure that no light pollution is caused in this rural area which is otherwise free from light pollution.
- No lodge shall be occupied until such time as the honesty shop is open and available for customers to use.
 REASON – To assist the sustainability credentials of the site and offset some of the additional car journeys that would be attracted to the site
- 10. The honesty shop shall only be used for the sale of goods in the following list:
 - Tea, coffee, sugar and milk
 - Eggs
 - Bread
 - Newspapers
 - Small children's toys for use on site e.g. kites and balls
 - Torches and lanterns
 - Local maps, books and tourist information
 - DVD's and books for sale and hire, and
 - Goods produced on farms within a 5 mile radius

The shop shall not be used for general retail sales of other goods of any kind not related to the tourism use of the site.

REASON – This is a rural location where an unrestricted A1 use would not be appropriate. The shop is allowed to provide a service to campers and local residents for farm and camping related goods only, in the interest of sustainability and the viability of shops in nearby settlements

11. The use of the glamping tents shall not commence until such time as the composting toilets and greywater filtration systems have been installed and are in a fully operational condition.

REASON – To prevent pollution of the ground.

Site & Surroundings

1. The site is located to the west of the village of Barrow and comprises a field laid to grass and used for hay and silage crops as well as seasonal grazing. The land is relatively flat

nearer to the village but then slopes away with long views across the Vale of Catmose to the west. There is a high hedge and trees along the southern and eastern boundaries. The remaining boundaries are currently open onto the applicants land but would be defined and planted up.

Proposal

- 2. The proposal started life as a scheme for 5 glamping units with access across land designated as village green/common land, meaning that improvements to the access required by highways could not be undertaken.
- 3. The scheme has been revised from 5 units down to 3, utilising the existing access along Main Street through the applicants own access and land. They would be sited on the flatter part of the site nearer to the house, thus avoiding the more sloping ground going away for the village to the west.
- 4. The units themselves have also been revised as they were originally taller with space in the roof. They are now conventional single storey units similar to the ones approved and in use at Belton in Rutland. The dimensions would be 11.5m long, 3.55m high and 5.4m wide. They would have dark green canvas roofs with brown side panels.
- 5. The 3 units would be on a smaller site area than originally proposed, and would include some screen planting and a parking area.
- 6. Foul waste would be to composting toilets. Grey water would be collected in above ground filter tanks under the timber decks. The filtered water soaks into the ground.
- 7. The revised plans are attached as an Appendix.

Relevant Planning History

8. None

Planning Guidance and Policy

National Planning Policy Framework

- Ch 2 Achieving Sustainable development
- Ch 6 Building a strong competitive economy
- Ch 12 Achieving well designed places
- Ch 15 Conserving and enhancing the natural environment

The Rutland Core Strategy (2011)

CS1 – Sustainable Development Principles

New development in Rutland will be expected to:

- a) minimise the impact on climate change and include measures to take account of future changes in the climate; (see Policy CS19 and 20)
- b) maintain and wherever possible enhance the county's environmental, cultural and heritage assets; (see Policies CS21 and 22)
- be located where it minimises the need to travel and wherever possible where services and facilities can be accessed safely on foot, by bicycle or public transport; (see Policy CS4 and CS18)
- d) make use of previously developed land or conversion or redevelopment of vacant and under-used land and buildings within settlements before development of new green field

land;(see Policy CS4)

- e) respect and wherever possible enhance the character of the towns, villages and landscape; (see Policies CS19, 20, 21, 22)
- f) minimise the use of resources and meet high environmental standards in terms of design and construction with particular regard to energy and water efficiency, use of sustainable materials and minimisation of waste; (see Policies CS19 and 20)
- g) avoid development of land at risk of flooding or where it would exacerbate the risk of flooding elsewhere (see Policy CS19);
- h) contribute towards creating a strong, stable and more diverse economy (see Policies CS13, 14, 15, 16, and 17)
- i) include provision, or contribute towards any services and infrastructure needed to support the development (see Policy CS8)

CS4 – Location of Development:

Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs.

CS15 – Tourism:

The strategy for tourism is to:

a) allow provision for visitors which is appropriate in use and character to Rutland's settlements and countryside;

d) allow new tourism provision and initiatives in Oakham and Uppingham and villages where these would also benefit local communities and support the local economy;

CS16 – The Rural Economy

The strategy for the rural economy is to:

a) encourage agricultural, horticultural and forestry enterprises and farm diversification projects where this would be consistent with maintaining and enhancing the environment, and contribute to local distinctiveness;

Site Allocations and Policies DPD (2014)

SP1 – Presumption in favour of sustainable development

SP7 – Non-residential development in the countryside:

Sustainable development in the countryside will be supported where it is (inter alia): b) essential for sport, recreation and visitors facilities for which the countryside is the only appropriate location

e) New employment growth comprising small scale sustainable rural tourism, leisure or rural enterprise that supports the rural economy and communities.

SP15 – Design & Amenity

c) Amenity – light pollution

SP25 – Lodges, Log Cabins, Chalets and self-serviced holiday accommodation:

Outside of the Rutland Water and Eyebrook Reservoir Areas, Lodges, Log Cabins, Chalets and similar forms of self-serviced holiday accommodation will only be acceptable where:

a) provision is made to minimise disruption and prevent pollution;

b) they are well related to an existing tourism attraction or recreation facility;

c) they are located with convenient access to supporting facilities;

- d) they would not result in an unacceptable increase in the amount of car travel;
- e) they are not detrimental to environmental, amenity and highway considerations; and
- f) they are not detrimental to visual amenity and the appearance of the landscape;

Criteria b) and d) are not included in Policy SP24 (caravan and camp sites), as applicable to Ketton, but these 2 polices are proposed to be amalgamated in the new Local Plan and will include all criteria.

The Rutland Landscape Character Assessment (2003) was used as the evidence base for the preparation of the Development Plan. This identifies that the site is in area D(i) (Landscape of the Rutland Plateau – Cottesmore Plateau sub area) but also on the edge of B, (Vale of Catmose).

The recommended landscape objectives for 'Rutland Plateau - Cottesmore Plateau' are to conserve and manage the parks, avenues and other designed landscapes and the historic mosaic of agriculture, parkland and woodland wherever it occurs and, elsewhere, the more open, elevated, mixed arable and pastoral agricultural plateau landscapes, restoring and reinstating distinctive features such as hedgerows, hedgerow trees, copses, spinneys, dry stone walls and woodlands especially where they would filter views of the airfields, military barracks and mineral and related industrial operations. To conserve and enhance and where possible extend the semi-natural habitats of species-rich, calcareous grasslands and typical limestone woodlands and to conserve historic landscape features.

The recommended Landscape Objectives for the Vale of Catmose is to conserve, enhance and, where necessary, restore the generally quiet, calm, rural, pastoral or mixed-agricultural vale character, with its compact stone and tile villages, regular field pattern across a broad, generally flat-bottomed valley basin surrounded by higher land and wooded skylines. To increase woodland cover throughout the Vale especially with small - medium sized, linear woodlands and belts of native broadleaved species which would strengthen the form and line of the landscape and link existing woodlands and other semi-natural habitats. To safeguard the landscape setting of Oakham.

Consultations

9. RCC Highways

No objections - the (revised) proposed development will not significantly increase traffic along Main Street and therefore highways have no objections.

10. Footpaths Officer

No objection

11. Ecology

The Ecology Survey submitted in support of the application (Hillier Ecology, July 2017) identified that no evidence of protected species was recorded on site, and that the site was generally considered to be unsuitable to support protected species. However, Appendix 2 of the report shows the 'survey area' of being the main site, but not the access road which is included within the red line boundary. Aerial photos suggest that the access road is wooded and may therefore have suitability for badgers; has this been surveyed? I am not sure if the access road will be upgraded and confirmation of this would be useful.

The proposed application site appears to be on existing grassland, some of which will be lost to the development. We would recommend that the quality of the existing habitats on site is determined, prior to the determination of the application. This should include an assessment of the grassland and the hedgerows, in accordance with national standards. The report indicates that semi-improved grassland is present on site; but I am not able to find any information on the quality of the habitat, or an assessment of the site against Local Wildlife Site criteria, as is required within our Habitat Survey Protocol. Further information on the potential land-take from the development may also be helpful prior to the commissioning of an additional survey if the information requested has not been obtained.

Revised Scheme:

The revised proposals have decreased the size of the site. This will have less of an impact on local biodiversity.

My previous comments relate to a request for a habitat survey of the site, however, I understand from the planning officer that the site is not botanically rich. The revised proposals include new planting for biodiversity enhancement. This is welcome and we would have no objections to the application, provided that the planting mixes used are suitable, both being native and suitable for the area. We would welcome a copy of the proposed landscaping species mixes for comment and approval.

12. Environmental Protection

Comments awaited

Neighbour Representations

- Approximately 13 local residents objected to the original scheme on the basis that the access was across village green, impact on residential amenity and visual impact. Typical comments were as follows:
 - This hamlet has a no through road which barely manages residents car plus agricultural vehicles and will be truly stretched to cater for extra traffic.
 - The access the applicant favours is a muddy track designated as village green/common land
 - If this application is passed further applications may be applied for by other people in this hamlet.
 - There are no amenities here which means cars will be in constant use.
 - Concern that the track across the adjacent paddock may be used, closer to the rear of existing houses (although some suggested this would be preferable)
 - The peace and quiet in this tranquil hamlet will be totally destroyed.
- 14. On the revised scheme for 3 units and alternative access:
 - Some residents have re-iterated their concerns about traffic and safety of the revised access for pedestrians, children and animals,
 - Access is narrow and single track no passing places
 - Impact of traffic noise on residential amenity
 - Restraint village
 - Overall impact on tiny quiet village
 - Precedent,
 - Site is not sustainable,
 - No roadside footpaths to Market Overton or Cottesmore
 - Visual impact
 - Noise from the site
 - Noise from people walking back form pubs late at night
 - On-going concerns about land ownership
 - Security to existing property
 - Viability of 3 units could lead to more?
 - Other glamping site don't have access through their respective village
 - Sewage to be controlled

15. Other comments

- The use of the alternative access meets our objection to the original access
- Reduction in scale is welcomed

Planning Assessment

16. The main issues are policy, sustainability, visual impact, residential amenity, highway safety and pollution.

Planning Policy

- 17. The main relevant policies for this development are set out above. The scheme comprises a small scale tourism and leisure facility that, whilst it will attract a certain amount of car borne traffic, would not constitute an unacceptable increase. The countryside is the only appropriate location and it would not cause disturbance or disruption or be detrimental to environmental or amenity considerations. It would have a very limited impact on visual amenity, only being visible in long views from the west. This would be consistent with the decision at Ketton earlier in the year where a scheme for 50 tents was approved in a location where the visual impact would potentially be greater than on this site.
- 18. Any potential light pollution can be controlled by conditions.
- 19. The scheme complies with the relevant policies in this case.

Sustainability

- 20. The site is located in an isolated location but is no further from services and amenities than the site at Ketton where a camp site was approved earlier in the year. The distances form the site to services and attractions are as follows:
 - Market Overton shop and PH (via PROW) = 1700m
 - Lodge Trust Café etc. (via road) = 1800m
 - PH in Cottesmore (via Road or Mill Lane PROW) = 2900m
 - Cottesmore P.O./Chip shop (via Mill Lane PROW) = 2775m
 - Supermarket, Burley Road = 7600m
 - Oakham Town Centre = 9000m
 - Hambleton Bakery = 4500m
 - Rutland Water (Barnsdale) = 8300m
- 21. By comparison, the recently approved Ketton Camp Site was 2900m to the PH in Ketton by road and a PROW and 3500m to P.O. and shop in village.
- 22. Other sites where glamping tents have been allowed are at Exton, Greetham and Belton.
- 23. To balance this however, Members will recall the refusal and subsequent dismissed appeal at Preston which was relatively close to Uppingham.
- 24. The applicant states that in order to help reduce unnecessary vehicle movements, it is proposed that an "honesty shop" will be located in one of the outbuildings adjacent to Red House as shown on the plan. This will have a range of essential provisions from toiletries to convenience food. It should also be noted that there is also a daily delivery of milk and other provisions to Red House via Milk & More. Guests will be able to order additional provisions from Milk & More. Orders can be placed as late as 9pm and will be delivered to Red House will be available for guests the following morning.

25. The applicant states that as there is a wide network of Bridleways nearby, he is working with Barrow Stables to provide stabling for guest's horses (confirming that no horseboxes will visit this site). He considers that the proposal will make a positive contribution to the local economy.

Residential Amenity

- 26. A resident states that there are 42 properties in the village at present. The 2001 Census stated that there were 67 residents.
- 27. The tents would have 6 bed spaces including a cabin bed for 2 children as they are aimed at families. Occupiers of the 3 tents would add up to a maximum of 18 people if fully occupied. The applicant states that glamping sites usually work on the basis of 40% occupancy. As there are no amenities in Barrow itself, it is unlikely that the use of the site would lead to a loss of residential amenity such that it would be unacceptable.
- 28. In terms of potential noise pollution, previous permissions that are sited close to dwellings have had conditions imposed that restrict the use of amplified sound or excessive lighting. Similar conditions are recommended here.
- 29. The nearest houses to the site belong to the applicant and his Father in law, who lives adjacent. The next nearest is the farmhouse, 102 metres to the north. The next nearest are 2 properties on Main Street, approximately 130 metres from the site boundary, sited beyond the applicants house, which is a substantial 2 storey property.
- 30. The scheme would thereby comply with the amenity elements of SP15.

Visual Impact

- 31. The site slopes away from the village and is just visible in long views from the west on a public footpath and even further way on the road from Whissendine to Ashwell. However, the revised scheme sites only 3 units on the flatter part of the applicants land, nearer to the existing buildings and a hedge/tree backdrop. Coupled with the colour of the tents and the additional screening proposed, this is adequate to minimise visual impact to the point where it would not be sustainable as a reason for refusal.
- 32. The tents would not be visible from a public place in the village. The scheme complies with the relevant elements of SP15 and SP25.

Highway Safety

- 33. The access would be down a section of Main Street that is narrow. It is approximately 100 metres from the junction at the top of the street to the entrance to the applicants property. There appear to be 6 vehicular accesses off this section including the applicant's property and an adjacent farm at the end where the road widens slightly and splits into those 2 drives.
- 34. The access to the 4 tent site at Belton is through the village and then 725 metres along Lambley Lodge Lane which is also narrow. There has not been any known conflict on that Lane, which is also part of the Macmillan Way footpath, and the feared erosion of the verges has not materialised.
- 35. Whilst there will be occasions where 2 vehicles meet, the highway authority does not consider that the amount of traffic generated by the proposal would cause a hazard to highway safety. On that basis the scheme complies with the highway safety elements of SP15.

Pollution

36. The applicant proposes to use dry composting toilets and grey water interceptors. The final comments of Environmental protection are awaited.

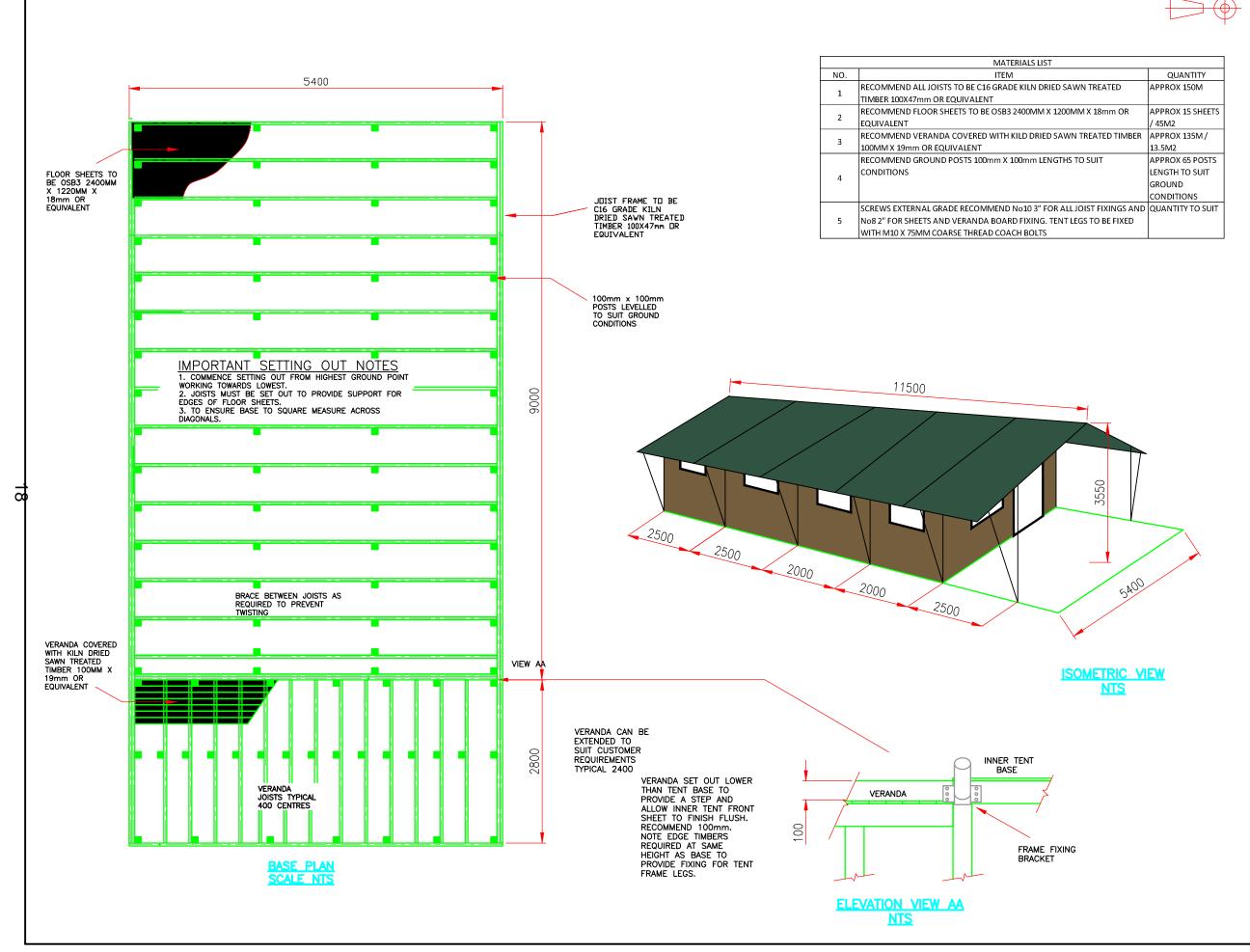
Conclusion

37. Whilst there is clearly concern from local residents regarding the potential impact of this scheme on the village, the reduced scale, revised access, proposed landscaping, limited visual impact, limited impact on residential amenity and lack of objection from any consultees means that there is no reason to refuse the proposal. The scheme complies with the development plan and whilst it might not be the most sustainable of locations it is consistent with some decisions made elsewhere and would make a small but positive contribution to the local economy.

2018/0096/FUL

rec'd 02/09/2018





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1. Dimensions are not to be scaled from This drawing, any dimensions not shown are to be checked on site.

NOTES:

2018/0096/FUL rec'd 02/09/2018 This Drawing and information contained within is Copyright © Clear Sky Safari Tents					
- FIRST ISSUE Rev Description		BS Drawn	Chk'd	App'd.	16/01/16 Date
Clear Sky SAFARI TENTS					
Clear Sky TEL: 0845 2996484 The Barn Mount Pleasant Farm Seven Mile Lane Peckham Bush Kent TM12 SNE WT3 PLUS					
Originated By BS	Drawn By BS	Checked B	(Approved B	ly
Date 28/11/16	Date 28/11/16	Date		Date	
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TENT BASE GA

WT3 PLUS BASE

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REPORT NO: 240/2018

PLANNING AND LICENSING COMMITTEE

18th December 2018

APPEALS

Report of the Strategic Director for Places

Strategic Aim:	Ensuring the im	nsuring the impact of development is managed		
Exempt Information		No		
Cabinet Member Responsible:		Councillor Gordon Brown - Deputy Leader; Portfolio Holder for Planning Policy & Planning Operations		
Contact Officer(s	,	n, Strategic Director for ironment, Planning & Highways)	Tel: 01572 758868 singram@rutland.gov.uk	
	Justin Johns Control Man	son, Development ager	Tel: 01572 720950 jjohnson@rutland.gov.uk	
Ward Councillor	s All			

DECISION RECOMMENDATIONS

That the Committee notes the contents of this report

1. PURPOSE OF THE REPORT

1.1. This report lists for Members' information the appeals received since the last meeting of the Planning & Licensing Committee and summarises the decisions made.

2. APPEALS LODGED SINCE LAST MEETING

2.1 None

3. DECISIONS

3.1 APP/A2470/D/18/3208065 – Lindsay Taylor – 2018/0275/FUL 81 Welland Way, Oakham, Rutland LE15 6SZ Single storey extension Delegated Decision Appeal Allowed 15/11/2018

 3.2 APP/A2470/W/18/3202829 – Mr P Andrews – 2017/1112/FUL Junction of New Road, Bridge Street, Ryhall, Stamford PE9 4HJ Extension to and conversion of shop to dwelling including partial demolition of existing building. Delegated decision Appeal Dismissed 19/11/2018

4 APPEALS AGAINST ENFORCEMENTS LODGED SINCE LAST MEETING

4.1 None

5. ENFORCEMENT DECISIONS

5.1 None

6. CONSULTATION

6.1 None

7. ALTERNATIVE OPTIONS

7.1 Alternatives have not been considered as this is an information report

8. FINANCIAL IMPLICATIONS

8.1 None

9. LEGAL AND GOVERNANCE CONSIDERATIONS

9.1 As this is only a report for noting it has not needed to address authority, powers and duties.

10. EQUALITY IMPACT ASSESSMENT

10.1 An Equality Impact Assessment (EqIA) has not been completed for the following reason; because there are no relevant service, policy or organisational changes being proposed.

11. COMMUNITY SAFETY IMPLICATIONS

11.1 There are no such implications.

12. HEALTH AND WELLBEING IMPLICATIONS

12.1 There are no such implications

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

13.1 This report gives details of decisions received since the last meeting for noting.

14. BACKGROUND PAPERS

14.1 There are no such implications

15. APPENDICES

15.1 None

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.

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