

Cabinet Meeting: Monday, 04 August 2025

Question from: Andrew Dobson

Question to: Councillor Patient, Deputy Leader and Cabinet Member with responsibility for Climate Action and Housing

QUESTION

I read with interest Mr Pickles question at the last Cabinet "Government Inspector Jenkins imposed detailed conditions for the Planning Appeal Decisions 17/00114/VAR and 17/00113/WAM. Can the Council please confirm that they will instruct their officers to ensure that all the conditions will be fully complied with and exactly in accordance with the wording shown by the Government Inspector?" and the response "Once an alleged breach of planning control has been brought to the attention of the Local Planning Authority, there are a number of options available to the Council as to how they may respond to the alleged breach... LPAs are under a duty to act in a manner which is proportionate to the breach having regard to the impact the breach has on the local area and the Local Plan."

The Cabinet will recall a Motion at 24 July 2024 Council meeting included Resolution 2 This Council resolves to "Do everything within its power to prevent any potential health and environmental impacts that the proposed incinerator could have on the local community and residents. Moreover, the Council will impose any relevant sanctions on the applicants should the rules stipulated in the environmental permit and Planning application be breached."

Will the Cabinet confirm it will instruct its Officers to unilaterally and proactively monitor and inspect the implementation and operation to comply with the resolution that it will "impose any relevant sanctions on the applicants should the rules stipulated in the environmental permit and Planning application be breached?"

Response

The Local Planning Authority does not and cannot proactively supervise the implementation of Planning Permissions. Notwithstanding this, officers will continue to liaise with the operator and local community. As explained in response to the previous question, if an alleged breach of planning control is identified, there are several options available to the Council as to how they may respond to the alleged breach. LPAs are under a duty to act in a manner which is proportionate to the breach having regard to the impact the breach has on the local area and the Local Plan, so the steps taken will depend on the precise circumstances of the case.

Pollution Control Officers will follow a monitoring and compliance plan which has been developed to ensure that operation of the plant is in accordance with the conditions of the environmental permit, in order to protect the health and the environment. Should any conditions be breached, this will result in appropriate action being taken.