

NOTICE OF EXECUTIVE DECISION

The attached decision was made by the Portfolio Holder for Planning.

The decision will come into force and may then be implemented, on the expiry of five working days after the publication of this notice, unless called in by the Review Committee.

Signed 
for Assistant Director, Democratic Services

Dated 30 January 2018

For further information please contact Member Services on 01702 318140 or email: memberservices@rochford.gov.uk

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EXECUTIVE DECISION BY PORTFOLIO HOLDER FOR PLANNING

SUBJECT: MEMORANDUM OF UNDERSTANDING – ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION STRATEGY

1 DECISION MADE

- 1.1 Acknowledge the need for a Memorandum of Understanding (MoU) - Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS) as an effective means to discharge the Council's Duty to Co-operate responsibilities with other Essex Councils, and Natural England, in relation to this specific strategic and cross-boundary matter; and
- 1.2 Agree for the Assistant Director, Planning and Regeneration Services, to sign the MoU – Essex Coast RAMS (as previously circulated at Appendix A to the Key Report) on behalf of the Council and ensure that it is discharged at an operational level.

2 KEY DECISIONS DOCUMENT REFERENCE No: 17/17

3 REASON FOR DECISION

- 3.1 The Council is required to comply with relevant legislation in discharging its responsibilities as a plan-maker such as the Conservation of Habitats and Species Regulations 2017. In signing the MoU, the Council will demonstrate that it is fulfilling the Duty to Co-operate in relation to the integrity of Natura 2000 sites, both in respect of neighbouring authorities and also in respect of Natural England, which is also a Duty to Co-operate body.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The alternative option considered is that the Council could acknowledge the issues, but choose not to sign the MoU. However, this would not overcome the need for the Council to consider the potential impact of its emerging new Local Plan on Natura 2000 sites, as well as in combination with other authorities as a strategic, cross-boundary matter. It would also have an impact on the Council's ability to discharge its legal responsibilities under the Conservation of Habitat and Species Regulations 2017 and the Localism Act 2011 through failing to comply with the Duty to Co-operate.

5 NAME OF PORTFOLIO HOLDER

- 5.1 Cllr I. H. Ward

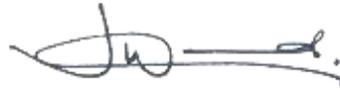
6 DECLARATIONS OF INTEREST

- 6.1 None.

7 LEAD OFFICER

7.1 Matthew Thomas (Assistant Director, Planning and Regeneration Services).

I confirm that the above decision does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.



Portfolio Holder Signature: _____

Date of Decision: 30 January 2018

Note: Please ensure that Member Services are provided with the original of the decision on the day it is taken (or by 10.00 am the following morning at the latest) to enable publication.