

COVERING NOTE FOR MINUTES

1. PURPOSE

To remind Members of the discussions surrounding the minute of application 12/00761/COU which was considered by the Planning Committee on 23 October 2012, but the minutes of that meeting were not confirmed but requested to be amended at the November meeting. The minutes of the November meeting were then considered to be incorrect, as were the minutes of the December meeting. The purpose of this discussion is to recap on the discussion to explain why the minutes of the January meeting are as attached.

2. RECOMMENDATION

- 2.1 It is recommended that the consideration of the minutes of the previous meeting be delayed until after application 13/00002/CONDIT has been determined.
- 2.2 The minutes of the meeting held on 22 January be amended to state that the minutes of the meetings on 23 October, 18 November and 20 December be confirmed and signed by the Chairman (without amendment).

3. BACKGROUND

- 3.1 At the meeting on 23 October 2012, Members considered application 12/00761/COU which was for "change of use of land and building for dog training and dog shows" at Upper Grange Farm, Ratby Lane, Markfield. Discussion was around the number of days of shows per year, the method of checking this, and the use of various parts of the site. The application was approved, against officer recommendation.
- 3.2 At the following meeting on 20 November when the minutes of the 23 October meeting were considered, some Members felt that the minute was incorrect as it should only have referred to use of the land and not the building. Officers agreed to look back at the notes and clarify this, bringing the minutes back to the December meeting of the Committee for amendment or confirmation.
- 3.3 At the meeting on 18 December 2012, it was confirmed that the application title had been for "change of use of land and building for dog training and dog shows", which had been approved by Members and the decision issued on that basis. Regardless of the intention of Members' in making their decision, it was confirmed that whilst they had discussed the issue of the land and the building, they had not been clear in making the decision.
- 3.4 Officers reported on 18 December that they had had a meeting with the applicant and his legal representative following the November meeting of the Committee, and it had been understood that they would submit a new application seeking to amend the conditions set out in the decision notice for application 12/00761/COU. However since this meeting the applicant had indicated that he would not be submitting a new application.
- 3.5 It was therefore agreed at the meeting on 18 December that the minutes of the 23 October and 20 November would be agreed as a correct record as Members were aware that it was not possible to 'un-do' their decision, and that the best solution was to ask the applicant to submit a new application to amend the conditions. The Chairman requested that, if received in time, this application be considered at the January meeting of the Committee, and also that the fee for submitting the application be waived.

- 3.6 At the meeting on 22 January 2013 when considering the minutes of the December 2012 meeting, Members again stated that the minutes were incorrect as they didn't agree to amend the 23 October minutes to refer to use of the land and not the building with regard to application 12/00761/COU. This was noted.
- 3.7 It is now, however, argued that this change is not necessary as the previous meeting had agreed to seek a new application, and not to change the minutes of any of the previous meetings as this would change the decision of the previous meetings and was not possible. It is therefore recommended at this point that minutes of the meetings all stand as written and subsequently agreed and that the resolution of the meeting on 18 December 2012 be pursued as the only solution.