

Geoff

I am looking through the papers you delivered by hand yesterday.

I am somewhat concerned that your covering letter of 27 May 2008 states that "...the Environment Agency decided that it was not prepared to attend meetings.....and so discussions between this Council's Officers and the Applicant's team proceeded without the Agency's involvement" and "It must be noted that as a direct result of the Environment Agency's refusal to participate in discussions.....".

Paras 26-27 of PPS25 state that "LPAs should contact the Environment Agency....to allow discussion of the case" and "...all parties (the LPA, the Environment Agency and the applicant) should discuss and agree the course of action which would need to be taken to enable the Environment Agency to withdraw its objection".

Circular 4/2006 also requires a statement to be submitted "...of the issues involved in the decision including the outcome of the discussions between the Local Planning Authority, the Environment Agency and the applicant....".

Whilst you have included copies of correspondence between B&NES and the EA, there is no evidence of any discussions that have taken place between the parties, nor a statement detailing the outcome of any discussions. Your report to the 19 March 2008 committee does state in para 6.8, however, that a representative from the EA would be available at the meeting to give further advice. Is there a note of that advice or the discussion that took place?

In the circumstances, we won't start the 21 day period of consideration until you can provide a statement that sets out details of any attempts by the parties to discuss this objection and evidence to show that the EA refused to attend any meetings.

Regards

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