



# **ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE**

**5 December 2011**

# **REPORT**

**Subject Heading:**

**Requisition of Cabinet Decision –  
Proposed Ingrebourne Hill Extension**

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In accordance with paragraph 17 of the Overview and Scrutiny Committee rules, a requisition signed by two Members representing more than one Group (Councillors Michael Deon Burton and Denis Breading) have called in the decision of the Cabinet dated 16 November 2011. The text of the requisition appears at the end of this report (as Appendix A):

## **CABINET DECISION**

At its meeting on 16 November 2011, Cabinet considered a report concerning the proposed extension of Ingrebourne Hill. (A copy of the Cabinet report is attached as Appendix B.)

**Cabinet RESOLVED:**

1. To agree in principle to the Council:
  - Entering into a conditional Option Agreement with Ingrebourne Valley Limited to allow them a secure period within which to seek planning consent and the necessary environmental

- permits for the proposed inert waste depositing to form the Ingrebourne Hill extension; and within which,
- The Council undertake public consultation under the requirements of S.123 (2A) of the Local Government Act 1972 concerning interests being granted in respect of public open space.
  - The agreement will include an income share between the company and the Council for the deposit of inert waste.
2. To agree in principle that the Option Agreement include a right for the company, once satisfactory planning permission and environmental permits obtained and statutory concluded, thereafter within a defined timescale to take a pre-agreed form of short lease for the depositing of the inert waste, together with an obligation to take a pre-agreed form of a 99 year lease from the Council for forestry planting and wetland management obligations when the depositing works are complete.
  3. To agree in principle to the Option Agreement giving the company the right to pass on the forestry planting and wetland management obligations by way of a co-terminus Management Agreement with DEFRA / the Forestry Commission on the payment to it of an agreed dowry from the company, subject to the acceptance of the scheme by the Forestry Commission.
  4. To agree that, once a planning permission has been applied for by the company, the Council initiate statutory consultation in accordance with S.123 (2A) Local Government Act 1972. Any objections received to be reported on at the earliest opportunity for consideration by Cabinet.
  5. To delegate to the Assistant Chief Executive – Legal & Democratic Services, in conjunction with the Property Strategy Manager, the responsibility for the completion of all necessary contractual documentation.

### **REASON FOR REQUISITION**

- A. To give Members of the Council the opportunity to give detailed consideration of the reasons, rationale and conclusions as advanced in the above proposal
- B. There are concerns as to the probity of the information presenting in support of logistics, enforcement of agreements and ideology

### **RECOMMENDATION**

**That the Committee considers the requisition of the decision of Cabinet and determines whether to uphold it.**