

PFCC Decision Report

Report reference number: PFCC/172/22
Classification: OFFICIAL
Title of report: Walton Police Station - Unilateral Undertaking
Area of county / stakeholders affected: District of Tendring
Report by: Patrick Duffy – Head of Estates Chief Officer: Mark Gilmartin (Director of Support Services) Date of report: 22 nd November 2022 Enquiries to: Patrick.Duffy@essex.pnn.police.uk

1. Executive Summary

This Decision Report seeks approval for the engrossment of a Unilateral Undertaking Agreement (Deed) to secure a planning obligation which will take effect following a grant of planning permission and implementation of the proposed change of use of the former Walton Police Station to residential dwelling status.

2. Recommendations

The recommendation to the PFCC is to engross the attached Unilateral Undertaking Agreement (Deed), thus enabling the planning application to progress for change of use and to agree to meet the Essex Coast Recreation Disturbance Avoidance Mitigation Strategy by providing a contribution of £137.71 for the single dwelling.

3. Background to the Proposal

A planning application has been submitted to Tendring District Council (TDC) for a change of use for the former Walton Police Station to a residential dwelling. The change of use will enable the process of selling the property, as residential buyers might struggle to mortgage the property if the use was not changed. There is a strong risk that it may also reduce our market reach, thus potentially impacting upon the sale value.

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During the planning process, which is ongoing, all dwellings within a defined area are required to contribute towards the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy. A payment of £137.71 is required as a contribution to secure the planning obligation. Tendring District Council have requested a Unilateral Undertaking Agreement (Deed) in accordance with the strategy and will not determine the planning application until the Agreement (Deed) is sealed.

4. Proposal and Associated Benefits

The proposal is to engross the Unilateral Undertaking Agreement (Deed) to enable the planning obligation to be met thus allowing the planning application to progress for approval.

5. Options Analysis

Not to engross the Unilateral Undertaking Agreement - Rejected – This would prevent the planning application from being progressed and will impact the marketing capability, the sale value and the monetary benefit anticipated from the sale of the property as a residential dwelling.

6. Consultation and Engagement

There has been no consultation or engagement on this decision report.

7. Strategic Links

There are no strategic links associated to this decision report.

8. Police operational implications

There are no operational implications associated with this decision report.

9. Financial implications

A contribution of £137.71 towards the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy will be required to secure the planning obligation.

10. Legal implications

There are no negative legal implications arising from the Unilateral Undertaking Agreement (Deed). The Deed has been reviewed and accepted by Tendring District Council's Legal Team with an additional mandatory fee payment made for this service.

11. Staffing implications

There are no staffing or resource implications associated with this decision report.

12. Equality and Diversity implications

It is not considered that an Equality Impact Assessment is required for this decision report.

13. Risks and Mitigations

There are no operational risks arising from entering into the Unilateral Undertaking Agreement (Deed). If the Deed is not engrossed and issued, the planning application will not be progressed, and the property will need to be marketed with 'non-residential' status, which will affect the sale of the property and the maximisation of sale proceeds.

14. Governance Boards

The following decision has not been through any governance boards.

15. Links to Future Plans

There are no links to future plans associated with this decision report.

14. Background Papers and Appendices

Appendix A - Unilateral Undertaking Agreement – OFFICIAL SENSITIVE (*Not to be Published*)



Walton - Planning
RAMS- Sect 106 Und

Appendix B - Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (Publish)

https://consultations.essex.gov.uk/place-services/the-essex-coast-rams-spd/supporting_documents/Essex%20Coast%20RAMS%20SPD_January%202020.pdf

Appendix C - Tendring District Council adoption the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD).

https://www.tendringdc.gov.uk/sites/default/files/documents/planning/Planning_Policy/RAMS/TDC%20Essex%20Coast%20RAMS%20SPD%20Adoption%20Statement_AC.pdf

Appendix D - Estate Strategy 2018 – 2023


<http://www.essex.pfcc.police.uk/finance-reporting/publications/police-estates-strategy/>


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Report Approval

The report will be signed off by the OPFCC Chief Executive and Treasurer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O. Sign: 
Print: ..Darren Horsman - Deputy Monitoring Officer
Date: 02.12.2022

Chief Finance Officer / Treasurer Sign: 
Print: ..Janet Perry.....
Date: 19 December 2022

Publication

Is the report for publication? YES X
NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

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If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet? YES NO X
2. Of Appendix? YES X NO

If 'YES', please provide details of required redaction:

The Deed of Rectification contains personal information protected under the Data Protection Act

Date redaction carried out:

Treasurer / Chief Executive Sign Off – for Redactions only
If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign:
Print:

Chief Executive/Treasurer

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: ROGER HIRST

PFCC/~~Deputy PFCC~~

Date signed: 21st December 2022

I do not agree the recommendations to this report because:

.....
.....
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Sign:

Print:

PFCC/Deputy PFCC

Date signed: