

**Prepared for NLPC meeting on 03/07/2017 - Appendix A to Minute item 33/17:
To receive an update regarding St George's Barracks Military Working Dogs**

You will recall that our last meeting I informed you that a decision had been made to progress with the siting of 80 x containerised kennels by Sep 17 for a period of up to 2 years, with capacity for an increase of up to 320 dogs. I sought clarification on the issue, which had a significant potential impact upon the village. You will recall that RCC considered that the kennels were a permitted development under Part 19 of Schedule 2 to the Town and Country Planning Order 2015, which meant that no specific planning permission was required. The legislation relates to "any small ancillary building, works or equipment on Crown land required for operational reasons". A real concern for the Parish Council was that "the issue of noise cannot be controlled by the local authority if planning permission is not required. The Crown is also exempt from Statutory Nuisance' legislation". At our request there was a meeting at Catmose on Tue 23 May with CE RCC, Planners, 1MWD Regt and representatives of NL and EW PCs. As we agreed at the last meeting Cllr Smith attended to represent the PC and was joined by Mr Syd Overington, a former Cllr who had been involved in earlier discussions. Following the meeting Tim Smith and Syd Overington wrote a reports on the matter. I have since had conversations with CE RCC, our County Councillors and I have visited 1 MWD Regiment and viewed the site on which the new kennelling is located.

In summary – CE RCC has accepted that this whole saga was not well managed and that consultation was an essential element of the confidence building required between RCC and the Parish Council. It was accepted that NL rather than EW would be most affected. The RCC briefing paper contained a number of inaccuracies and had not been seen by the MoD Project Staff prior to the meeting on 23 May. The decision that planning permission was not required in this case was considered by CE RCC as being correct.

Mr Overington advised that provisions are made for referring matters back to Planning Committee in specified circumstances. In particular 7.4.1a)vii requires planning applications to be determined by Planning Committee where material objections have been lodged. However, there is no explicit provision for referral where material objections are known to exist in connection with a potentially 'permitted' development (as with the MWDs). If there were, then there would be a greater chance of appropriate scrutiny, and the use of Art. 4 powers could be invoked by Planning Committee where justified. An associated problem is that there is no statutory requirement for consultation on potentially permitted developments, in the first place - so restricted scope for (outside) objections, rather unfairly. However, I see nothing to prevent a LA from establishing internal procedures which allow the spirit and principles of 7.4.1a)vii to be extended to potentially permitted developments. Scrutiny could consider these questions.

However, in the course of the meeting on 23 May it was identified that the actual position was somewhat different to that laid down in the RCC briefing document. Having read Cllr Smith's notes and had a chance to visit the Regiment, the actual position is this:

- There will be 18 x Temporary Kennels placed within a secure fenced area providing an additional 72 kennels.
- Current holding is 64 kennels plus 16 Isolation Kennels

- The interim Regimental total of Military Working Dogs is 135, a potential increase of 72 Working Dogs, of which many may be deployed on operations/training at any one time.

102 and 105 MWD Squadrons will move from Germany between 29 May and 1 Oct they will bring:

- 113 Military Personnel
- 13 Families
- 20 Children – 11 of whom are of School age

The temporary kennels are of a proven design having been used on operations for some time. They are air conditioned / heated and include an external run and internal bedding and administrative areas.

The current plan is that the Regiment will move from St George's Barracks in 2020/21. Families will continue to be housed in Married Quarters in the area thereafter.

There remains an operational requirement for Military Working Dogs and there is a requirement to enable the Regiment to be housed in a single location.

SUMMARY

- RCC accept that they got it wrong, in respect of their failure to consult with Parish Councils as previously promised. The CE has made assurances that this lesson has been learnt. The requirement not to adopt Planning Permission processes was made by RCC Officers, and their decision is supported by CE.
- As planning permission is not required we have no planning decision to make.
- Our County Councillors both accept that this could have been handled better but that "we are where we are" and that further discussion would not be productive.
- The number of temporary kennels and dogs is greatly reduced from that originally briefed.
- The exact impact upon the village is not known but the Regiment have committed to review working practises if necessary. (Feeding times)
- There remains a national security and operational requirement for military working dogs.

My recommendation is that we move forward positively, but we must brief the village through a newsletter to all houses. We should maintain a watching brief and liaise with the Regiment as/when necessary.

Major Kemp will answer any particular operational questions that you may have.

PBG Cummings
Chairman
North Luffenham Parish Council