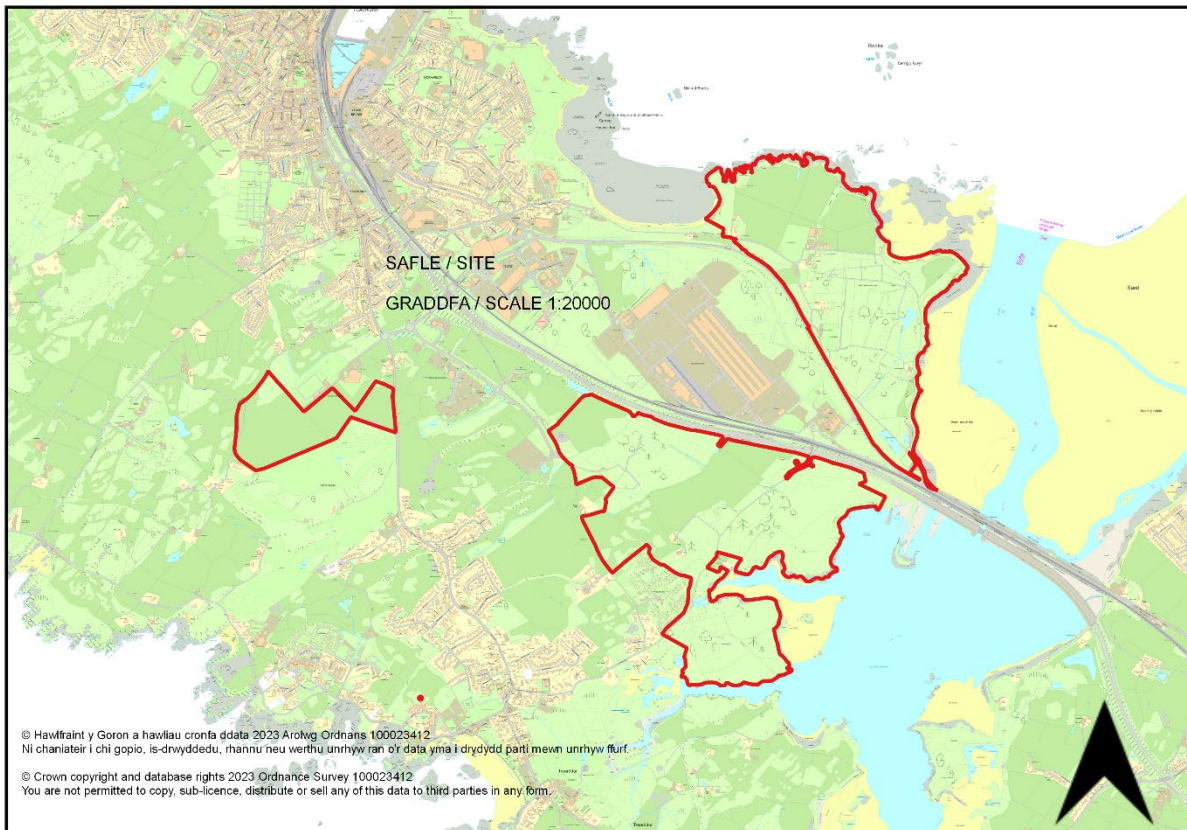


Application Reference: S106/2020/3

Applicant: Land and Lakes (Anglesey) Limited

Description: Submission of 'Penrhos Coastal Park Welsh Language Scheme' under Section 1. (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.1.1 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their Maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008 /Rev 03 dated 03/03/2016.

Site Address: Land and Lakes, Penrhos Coastal Park, Holyhead



Report of Head of Regulation and Economic Development Service (Rhys Jones)

Recommendation: Defer

Reason for Reporting to Committee

On the 30th January 2023, the Council received a letter from Richard Buxton Solicitors on behalf of their client, challenging the validity of the Land & Lakes Planning Permission. The letter alleged:

- a. That the works undertaken are not “material operations” for the purposes of section 56(4) TCPA;
- b. Condition 30 has not been discharged prior to the works, with the result that those works are unlawful and incapable of implementing the Permission; and
- c. Given the expiry of the deadline set by the Permission for implementation in Condition 4, the Permission has lapsed.

Given the need for the Council to assess these allegations, it was decided that the three applications relating to Land & Lakes due to be presented to the Planning & Orders Committee on the 1st of February 2023 should be deferred. This would provide the Council with sufficient time to consider the contents of this letter and respond accordingly.

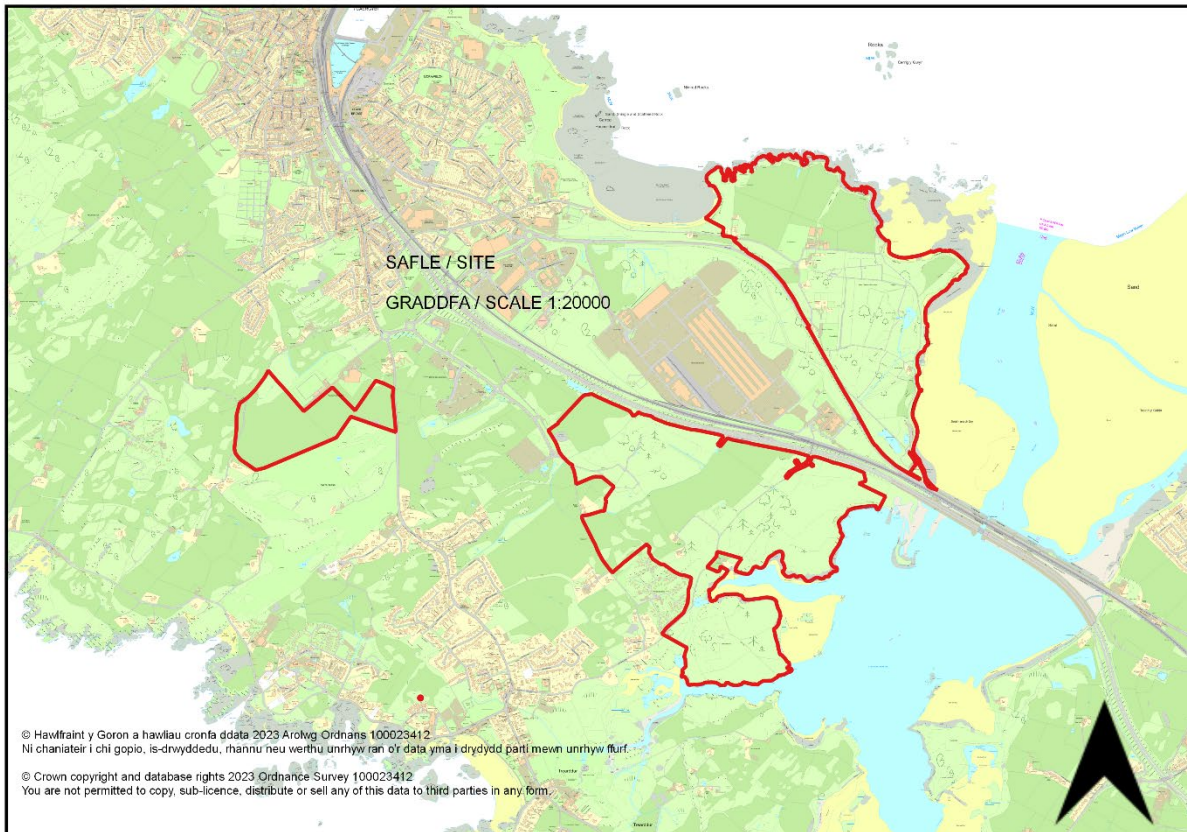
Owing to the complexity of the matters raised and the high profile of the matter, Council officers are still considering the matters raised in the letter and it is recommended that these applications are again deferred.

Application Reference: COMP/2021/1

Applicant: Land and Lakes (Anglesey) Limited

Description: Submission of information necessary to discharge sections; Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy – Penrhos Coastal Park Phase. Schedule 8, clause 12.1; Ancient Woodland Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme - Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit - Penrhos Coastal Park Phase. Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase. Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase. Schedule 11, Section 1, Clause 1.1; Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EIA/ECON at

Site Address: Land and Lakes, Penrhos Coastal Park, Holyhead



Recommendation: Defer

Reason for Reporting to Committee

On the 30th January 2023, the Council received a letter from Richard Buxton Solicitors on behalf of their client, challenging the validity of the Land & Lakes Planning Permission. The letter alleged:

- a. That the works undertaken are not “material operations” for the purposes of section 56(4) TCPA;
- b. Condition 30 has not been discharged prior to the works, with the result that those works are unlawful and incapable of implementing the Permission; and
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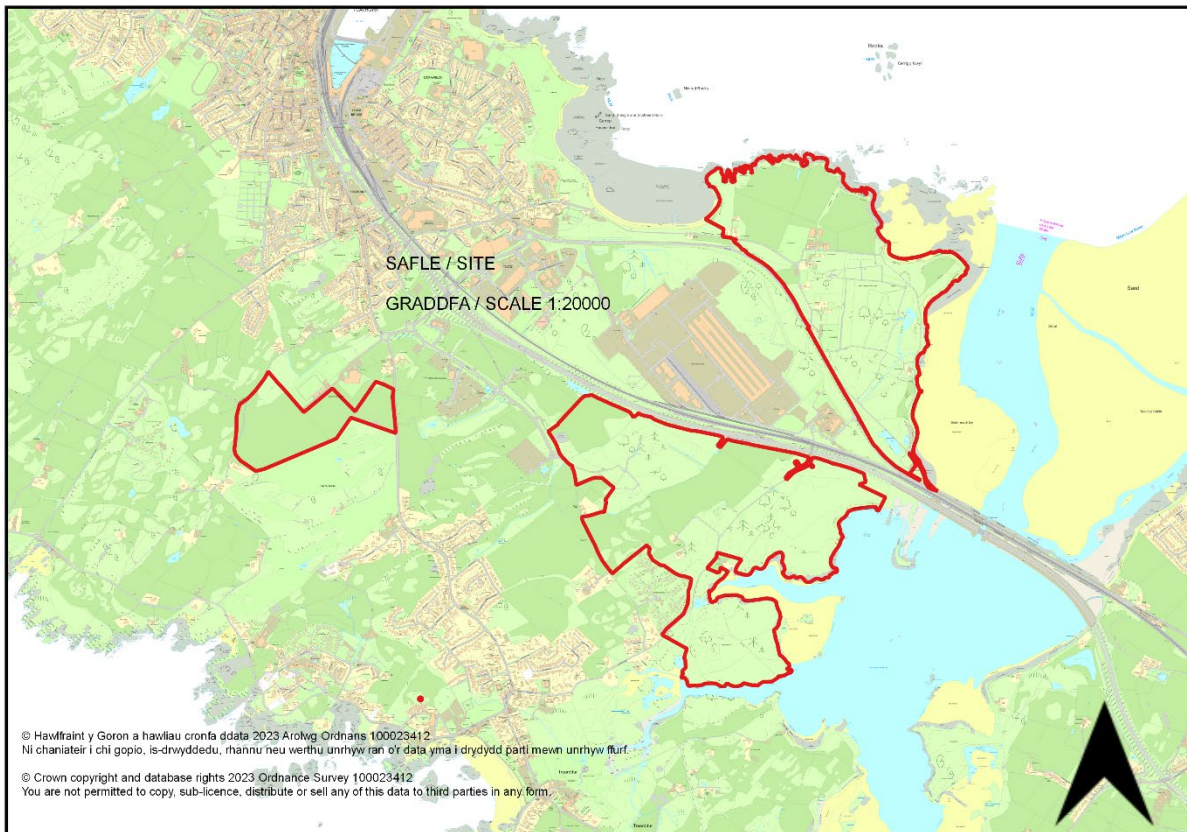
Owing to the complexity of the matters raised and the high profile of the matter, Council officers are still considering the matters raised in the letter and it is recommended that these applications are again deferred.

Application Reference: 46C427L/COMP

Applicant: Land and Lakes (Anglesey) Limited

Description: Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON at

Site Address: Land and Lakes, Penrhos Coastal Park, Holyhead



Report of Head of Regulation and Economic Development Service (Rhys Jones)

Recommendation: Defer

Reason for Reporting to Committee

On the 30th January 2023, the Council received a letter from Richard Buxton Solicitors on behalf of their client, challenging the validity of the Land & Lakes Planning Permission. The letter alleged:

- a. That the works undertaken are not “material operations” for the purposes of section 56(4) TCPA;

- b. Condition 30 has not been discharged prior to the works, with the result that those works are unlawful and incapable of implementing the Permission; and
- c. Given the expiry of the deadline set by the Permission for implementation in Condition 4, the Permission has lapsed.

Given the need for the Council to assess these allegations, it was decided that the three applications relating to Land & Lakes due to be presented to the Planning & Orders Committee on the 1st of February 2023 should be deferred. This would provide the Council with sufficient time to consider the contents of this letter and respond accordingly.

Owing to the complexity of the matters raised and the high profile of the matter, Council officers are still considering the matters raised in the letter and it is recommended that these applications are again deferred.