

Ref:

613/15

Please leave blank for completion by DS officers

## Executive Decision Record

### A1 Service Area:

Planning

### A2 Title

Designation of Abbots Bromley Parish as a Neighbourhood Area for the purpose of the Parish Council preparing a Neighbourhood (Development) Plan.

### A3 Decision Taken By

Deputy Leader/ Chief Officer

### A4 Chief Officer

Please print name Sal Khan

Please sign

### A5 Leader/Deputy Leader

Please print name Cllr Julia Jessel

Please sign

### A6 Date of Decision

8<sup>th</sup> October 2015

### A7 Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?

No

#### A7.1 If yes, please state relevant paragraph from Schedule 12A LGA 1972.

Paragraph [ ]

### A8 Which Scrutiny Committee should this decision be submitted to?

(please tick as appropriate)

Scrutiny (Promoting Local Economic Growth) Committee

Scrutiny (Value for Money Council Services) Committee

Scrutiny (Protecting and Strengthening Communities) Committee

## B1 What is the Decision?

Following a 6 week public consultation held by ESBC recently, to designate Abbots Bromley Parish as a Neighbourhood Area. This is in accordance with the Neighbourhood Planning (General) Regulations 2012.

## B2 What are the reasons for the Decision?

Under Section 5 of the Neighbourhood Planning (General) Regulations 2012, a parish or town council, as a 'relevant' body under the Regulations, may apply to the Council to have their parish, or part of it, designated as a Neighbourhood Area. Once designated, the parish council may prepare a Neighbourhood (Development) Plan which, once it has successfully passed through the appropriate stages, including an examination, and a referendum of the parish's electorate, can be 'made' by the local planning authority - that is, it has similar weight to the Council's own Local Plan with respect to the parish area.

The Council has advertised the request for designation in accordance with Section 6 of the Regulations and allowed a 6 week period for comments. Several comments have been received on the designation, none of which are negative or contest the designation. The Parish Council has used this opportunity to publicise their work on the Neighbourhood Plan and encourage people to become involved in producing it.

## B3 What are the contributions to Corporate Priorities?

The support of Neighbourhood Plans is a Corporate Priority.

## B4 What are the Human Rights considerations?

There are no Human Rights issues arising from this decision.

## B5 What are the financial implications?

There are no financial issues arising from this decision. There are funding sources outside the Council that may be able to assist the Parish Council with the costs of preparing a Neighbourhood Plan. The Borough Council receives money from central government to fund its contribution to the Neighbourhood Plan process.

Revenue	2015/16	2016/17	2017/18

Capital	2015/16	2016/17	2017/18

## B6 Is the Decision wholly in accordance with the Council's policy framework?

Yes

### B6.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?

Yes/No (please delete as appropriate)

AND

The questions contained in this questionnaire are not to be altered in any way. If you have any queries regarding the contents of this document, please contact Andrea Davies Ext 1306 or refer to Part 3 Section 6 of the Constitution.

**B6.2 Has it got the appropriate approvals under those provisions?**

Yes/No *(please delete as appropriate)*

**B7 Is the Decision wholly in accordance with the Council's budget?**

Yes, see B5 above

**B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?**

Yes/No *(please delete as appropriate)*

AND

**B7.2 Has it got the appropriate approvals under those provisions?**

Yes/No *(please delete as appropriate)*

**B8 What are the Equalities implications?**

**B8.1** At this stage, only approval for the process to start is being sought. Once policies are produced in draft, the Council produces a full Health & Equalities Impact Assessment.

**B8.2**

**B9 What are the Risk Assessment implications?**

**B9.1** Positive (Opportunities/Benefits):

Assists Council in putting into practice the concept of localism and the provisions of the Localism Act 2011.

**B9.2** Negative (Threats):

That the Neighbourhood Plan is not in general conformity with the Council's own Local Plan. This risk is minimised by the support, advice and formal scrutiny given each NP by the Neighbourhood Planning Policy and Support Officers.

**B9.3** [The risks do not need to be entered in the Risk Register.] Any financial implications to mitigate against these risks are considered above.

**B10 What are the Legal Considerations?**

**B10.1** There are no significant legal issues arising from this decision. The Council will, however, monitor the preparation of the Neighbourhood Plan to ensure that it is prepared in accordance with the all relevant legislation and Regulations. The conduct of the Examination and the Referendum will be the responsibility of the Borough Council.

**B11 What are the Sustainability implications?**

**B11.1** The proposal would result in an overall positive effect in terms of sustainability (including climate change and change adaptation measures). The positive/negative impacts are set out below *(please refer to guidance notes)*.

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**B11.2 Positive (Opportunities/Benefits):**

The Neighbourhood Plan itself is likely to have positive benefits and opportunities for the Parish in terms of locally determined decisions on land use and planning applications.

**B11.3 Negative (Threats):**

There is scope for the Neighbourhood Plan to contain policies and proposals that are less sustainable, but this should be mitigated by the requirement that the Borough Council screen the Plan (with advice from the Environment Agency, Historic England and Natural England) as to whether or not it requires a Strategic Environmental Assessment (SEA) under European regulations.

**B12 What are the Health & Safety implications?**

**B12.1** A Risk Assessment has not been carried out and entered into Harriet for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

**B12.2**

**B12.3**

**B12.3.1 Positive (Benefits)**

**B12.3.2 Negative (Threats)**

**B13. Is this a Key Decision?**

No

**Note A Key Executive Decision is one where:**

- 1. REVENUE – Any contract or proposal with an annual payment or saving of more than £100,000**
- 2. CAPITAL – Any capital project with a value in excess of £150,000**
- 3. A decision which significantly affects communities living or working in an area comprising two or more wards.**

**B13.1 If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would seriously prejudice the public interest?**

Yes/No *(please delete as appropriate)*

**B13.2 If Yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?**

Yes/No *(please delete as appropriate)*

***NOTE: If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.***

**Please send the original signed document to Andrea Davies, Democratic Services.**