

EXECUTIVE DECISION RECORD

REF No EDR586.23

A1 Service Area	Planning Policy
A2 Title	Adoption of the Abbots Bromley Neighbourhood Plan 2021
A3 Decision Taken By	Leader
A4 Chief Officer	Please print name: Tom Deery Please sign name: Approval by email 010623
A5 Leader / Deputy Leader	Please print name: Councillor Rob Hawkins Please sign name: Approval by email 010623
A6 Date of Decision	2 nd June 2023

Confidentiality

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.	N/A

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓
Scrutiny (Audit & Value for Money Council Services) Committee	
Scrutiny (Community Regeneration, Environment and Health and Well Being) Committee	✓

<p>B1 What is the Decision?</p>	<p>To 'Make' the Abbots Bromley Neighbourhood Plan after the successful referendum on 4th May 2023.</p>
<p>B2 What are the reasons for the Decision?</p>	<p>The Abbots Bromley Neighbourhood Plan Referendum was held on Thursday 4th May 2023. The results are as follows:</p> <p>Yes: 445</p> <p>No: 79</p> <p>Doubtfuls: 11</p> <p>Turnout: 35.76%</p> <p>The Referendum result was a 'yes' vote of more than 50% therefore in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 Act (and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012) the local planning authority must publish a decision statement setting out the decision (please see the separate 'decision statement') and the reasons for making that decision. The LPA must also send a copy of the decision statement to the qualifying body and any person who asked to be notified of the decision.</p> <p>Regulation 20 of the neighbourhood planning regulations states that the LPA must publish the neighbourhood plan on their website and details of where a copy can be inspected.</p>
<p>B3 What are the contributions to Corporate Priorities?</p>	<p>Neighbourhood Plans will form part of the statutory development plan for the borough when 'made' and as such will form part of the planning framework used for decision making on planning applications made in the Neighbourhood Plan areas. It is therefore of relevance to the Corporate Plan 2022/23 priority of supporting growth in East Staffordshire</p>
<p>B4 What are the Human Rights considerations?</p>	<p>There are no Human Rights issues arising from this decision.</p>

Financial Implications

B5 What are the financial implications?	All Neighbourhood Planning expenses are currently paid for using DCLG Neighbourhood Planning grant funding.
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The finance section has been approved by the following member of the Financial Management Unit:	Please print name: Anya Murray Please sign name: Approval by email 010623
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Policy Framework

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)?	N/A
B6.2 Has it got the appropriate approvals under those provisions?	N/A
B7 Is the Decision wholly in accordance with the Council's budget?	Yes
B7.1 If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	N/A
B7.2 Has it got the appropriate approvals under those provisions?	N/A

Equalities Implications

B8 What are the Equalities implications: None
B8.1 Positive (Opportunities/Benefits): N/A
B8.2 Negative (Threats): N/A
B8.3 The subject of this decision is [not] a policy, strategy, function or service that is new or being revised. An equality impact assessment is not required.

B8 What are the Equalities implications: None

B8.4 [The equality impact assessment identified the following actions to be carried out:] N/A

Risk Assessment

B9 What are the Risk Assessment implications: See below.

B9.1 Positive (Opportunities/Benefits):

By adopting the Neighbourhood Plan, formal weight is given, thus concluding the Neighbourhood Plan process.

B9.2 Negative (Threats):

By not adopting the Neighbourhood Plan, we would be in breach of the Neighbourhood Planning regulations.

B9.3 The risks do not need to be entered in the Risk Register.

Legal Considerations

B10 What are the Legal Considerations: See below.

B10.1 The main legal issues arising from this decision are as follows:

ESBC has a legal obligation (via the 2004 Act and NP regulations) to take the decision to 'make' a Neighbourhood Plan should it get over 50% 'yes' votes at referendum.

This section has been approved by the following member of the Legal Team:
Sherrie Grant

Please print name: Sherrie Grant

Please sign name: [Approval by email 120523](#)

Sustainability Implications

B11 What are the Sustainability implications: See below.

B11.1 The proposal would result in an overall positive effect in terms of sustainability. The positive/negative impacts are set out below.

B11.2 Positive (Opportunities/Benefits):

B11 What are the Sustainability implications: See below.
The Neighbourhood Plan sets policies for housing development, character and design, natural environment and community facilities. These policies will help to shape development in the Abbots Bromley designated area.
B11.3 Negative (Threats): N/A

Health & Safety Implications

B12 What are the Health & Safety implications: None.
B12.1 A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.
B12.2 [The significant hazards and risks have been identified in the Safety Media Risk Assessment numbered []. Any financial implications to mitigate against these hazards and risks are considered above.] N/A
B12.3 Control measures and an action plan have been identified for any significant hazards and risks identified in the risk assessment. N/A
The positive/negative impacts are set out below
B12.3.1 Positive (Benefits) N/A
B12.3.2 Negative (Threats) N/A

Key Decision

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 <u>seriously</u> prejudice the public interest?	N/A
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?	N/A

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@eaststaffsbc.gov.uk