

Ref:

696 / 116

Please leave blank for completion by DS officers

Executive Decision Record

A1 Service Area:

Planning

A2 Title

Making the Anglesey Neighbourhood Plan

A3 Decision Taken By

Leader and Chief Officer (*please delete as appropriate*)

A4 Chief Officer

Please print name Sal Khan

Please sign

A5 Leader/Deputy Leader

Please print name Cllr Julia Jessel

Please

A6 Date of Decision

28 July 2016

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?

To officially 'make' or adopt the Anglesey Neighbourhood Plan, after successful referendum on 21st July 2016.

B2 What are the reasons for the Decision?

The Anglesey Neighbourhood Plan were subject to referenda on Thursday 21st July 2016. In the referenda the question asked was:

Do you want East Staffordshire Borough Council to use the neighbourhood plan for Anglesey to help it decide planning applications in the neighbourhood area?

The results of the referenda in the two parishes were as follows:

Anglesey:

353 votes (7.23% turnout)

313 Yes

39 No

1 rejected

The Referendum result was a 'yes' vote of more than 50% therefore in accordance with section 38A(4) of the 2004 Act (and Regulation 19 of the Neighbourhood Planning 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.

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.

B3 What are the contributions to Corporate Priorities?

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 priority of 'Protecting and Strengthening Communities – love where you live'.

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. All Neighbourhood Planning expenses are paid for using DCLG Neighbourhood Planning grant funding.

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

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

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 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.

B8.2

B9 What are the Risk Assessment implications?

B9.1 Positive (Opportunities/Benefits):

B9.2 Negative (Threats):

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

B10 What are the Legal Considerations?

B10.1 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.

B11 What are the Sustainability implications?

B11.1 There are no sustainability issues, as the Plan has passed examination and therefore meets national policy on sustainable development.

B11.2 Positive (Opportunities/Benefits):

B11.3 Negative (Threats):

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.