




Please leave blank for completion by DS officers

EXECUTIVE DECISION RECORD

A1 Service Area	Planning
A2 Title	Neighbourhood Planning Protocol
A3 Decision Taken By	Deputy Leader
A4 Chief Officer	Please print name: Sal Khan Please sign name: 
A5 Deputy Leader	Please print name: Gill Jones Please sign name: 
A6 Date of Decision	20 th 

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.	

Scrutiny

A8 Which Scrutiny Committee should this decision be submitted to?	(Please tick as appropriate) ✓
Scrutiny (Audit & Value for Money Council Services) Committee	<input type="checkbox"/>
Scrutiny (Economic Growth, Communities and Health) Committee	<input checked="" type="checkbox"/>

B1 What is the Decision?	To adopt the Neighbourhood Planning Protocol
B2 What are the reasons for the Decision?	The Localism Act 2011 placed a legal duty on local planning authorities to support and advise groups that want to do neighbourhood planning. This protocol has been prepared to demonstrate how the Council has to date, and will continue to fulfil this duty. The protocol goes through what the Council will do at each stage of plan preparation and signposts to separate assistance which is available to Neighbourhood Planning groups
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'. The Corporate Plan 2018/2019 includes a target, PSC30 to introduce new a new Neighbourhood Planning protocol by June 2018
B4 What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

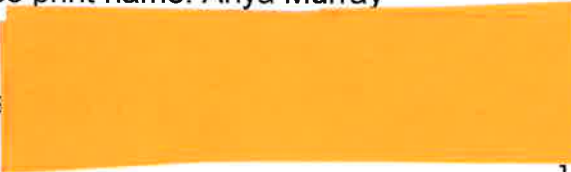
Financial Implications

B5 What are the financial implications?	The main financial issues arising from this decision are as follows: There are financial issues arising from this Report. Whilst all costs associated with examining and taking Neighbourhood Plans to referendum are paid for from a DCLG support grant, which is paid out once a referendum date has been published, the costs for reviewing neighbourhood plans are only applicable in situations where a referendum is necessary. For those reviews where a referendum is not required, the cost of the independent examination will fall to the Borough Council. To date, the costs of independent examination have ranged from £4,500 to £7,800.

	<p>Costs of independent examination of Neighbourhood Plan Reviews possibly covered by:</p> <p>a) Grant funding b) Remainder reserve c) 20% Planning Fee income</p> <p>Rather than additional requirement from MTFS.</p>
--	---

Revenue	2018/19	2019/20	2020/21
Grant announcement not yet clear. Meeting independent examiner costs estimates @ 2 x £6000 per year	12,000	12,000	12,000

Capital	2018/19	2019/20	2020/21
Not applicable			

<p>The finance section has been approved by the following member of the Financial Management Unit:</p>	<p>Please print name: Anya Murray</p> <p>Please </p>
--	---

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)?	NA
B6.2 Has it got the appropriate approvals under those provisions?	
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)?	NA
B7.2 Has it got the appropriate approvals under those provisions?	

Equalities Implications

B8 What are the Equalities implications: An Equalities and Health Impact Assessment will be carried out on Neighbourhood Plans post – referendum

Risk Assessment

B9 What are the Risk Assessment implications:

B9.1 Positive (Opportunities/Benefits): East Staffordshire supporting local communities in preparing development plans for their local area

B9.2 Negative (Threats):

Should problems arise with NDP policies ESBC could be seen as obstructing Localism.

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

Legal Considerations

B10 What are the Legal Considerations:

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

Ensuring compliance with the 'Neighbourhood Planning (General) Regulations 2012' and associated amendments

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

Please print name: Angela Wakefield

Please sign name: 

Sustainability Implications

B11 What are the Sustainability implications:

B11.1 Each Neighbourhood Plan will need to go through a Strategic Environmental Assessment (SEA) screening opinion, which along with the final plan will be sent to Historic England, Natural England and the Environment Agency

Health & Safety Implications

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.

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 seriously prejudice the public interest?

Yes/No/NA (*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/NA (*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@eaststaffsbc.gov.uk