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EXECUTIVE DECISION RECORD

A1 Service Area	Planning
A2 Title	Marchington and Borough Road / Station Street Burton Upon Trent Conservation Area Amendment Adoption
A3 Decision Taken By	Deputy Leader
A4 Chief Officer	Please print name: Sal Khan Please sign: 
A5 Deputy Leader	Please print name: Cliff Jones Please sign name: 
A6 Date of Decision	20 th Jun 

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"/>



Ref:

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Scrutiny (Economic Growth, Communities and Health) Committee	
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B1 What is the Decision?	To adopt the Conservation Area Boundary Amendments for Marchington and Borough Road/Station Street Burton Upon Trent
B2 What are the reasons for the Decision?	<p>Local Planning Authorities have a statutory duty to designate and amend conservation areas as and where appropriate under the Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 69). The purpose of Conservation Areas as prescribed in the Act is to protect 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. The review of such areas is covered under Section 71.</p> <p>The Council has a statutory duty to consult on the conservation area appraisals in accordance with Section 69 the Planning (Listed Buildings and Conservation Areas) Act 1990, including boundary amendments for a period of six weeks. This boundary amendment consultation took place between October and November 2016. The Council received 3 representations in total for the proposed conservation boundary amendments.</p>
B3 What are the contributions to Corporate Priorities?	It is considered that the review of conservation areas and the production of conservation area appraisals relates directly to the corporate priority 'protecting and strengthening communities'. Conservation areas status provides residents with a sense of wellbeing in terms of residents having a special sense of place and historic character.
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?	There are no financial issues arising from this decision.

Revenue	2018/19	2019/20	2020/21

Capital	2018/19	2019/20	2020/21

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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 

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 An equality and health impact assessment is not required

Risk Assessment

B9 What are the Risk Assessment implications:

B9.1 Positive (Opportunities/Benefits): The document will support heritage policies as outlined in the Local Plan.

B9.2 Negative (Threats): None

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:

There are no significant legal issues arising from this report however, it should be noted that for land owners that may fall within areas which are marked for inclusion within the conservation area boundary then their permitted development rights will change where residents would be subject to some additional planning restrictions. These include:

- Planning permission will now be required for the demolition of all unlisted buildings in the area.
- Planning applications for development which would in the opinion of the local planning authority affect the character or appearance of the conservation area must be given publicity and representations received as a result of the publicity must be taken into account in determining the application.
- It becomes an offence subject to certain exceptions to cut down, top, lop, uproot, wilfully damage or wilfully destroy any tree in the area except with the consent of the local planning authority.
- The local planning authority are now under a duty to formulate and publish proposals for the preservation and enhancements of the area.

The list of restrictions as stated above are included on the site notices.

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 Positive: Conservation area designation promotes the long-term wellbeing of the historic environment and prevents inappropriate demolition. The process of demolition has climate change implications; as such works can use significant amounts of energy. This is not just relevant to the demolition works but also the embodied energy contained within the buildings that may be subsequently lost.

B11.2 Negative: Conservation area status of some areas of the borough may resist some climate change apparatus and technology from being used in prominent locations as they may have a negative impact upon the historic significance of such areas. However, relevant planning proposals should be assessed in order to promote appropriate technology in conservation areas.

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
<p>Note: A Key Executive Decision is one where:</p> <ol style="list-style-type: none"> 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?	Yes/No/NA (<i>please delete as appropriate</i>)
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 (<i>please delete as appropriate</i>)

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