

## EXECUTIVE DECISION NOTICE

<b>Date of Decision</b>	18 July 2024
<b>Decision Taker(s) Portfolio holder</b>	Cllr Shane Bartlett
<b>Designation</b>	Planning
<b>Subject Matter</b>	The Sturminster Marshall Neighbourhood Plan 2023 to 2033 – Independent Examiner’s Report and Progress to Referendum
<b>Decision</b>	<p>a) The Sturminster Marshall Neighbourhood Plan 2023 to 2033, as modified (please see Appendix B), can proceed to referendum.</p> <p>b) A recommendation to ‘make’ the Sturminster Marshall Neighbourhood Plan 2023 to 2033 be made to a Cabinet meeting after the referendum if the result of the referendum is in support of making the plan and there are no other issues identified that would go against such a decision.</p>
<b>Reason for the Decision</b>	To progress the Sturminster Marshall Neighbourhood Plan 2023 to 2033 to referendum so that pending a favourable vote, the plan can be ‘made’.
<b>Alternative Options considered and rejected</b>	<p>The Council can decide not to follow the recommendations of the Examiner, but it must set out its reasons for doing so.</p> <p>The Council has agreed to accept all of the Examiner’s recommendations made within his report (Appendix A).</p>
<b>Consultees</b>	The plan has been subject to a large amount of public consultation as it has been progressed.
<b>Budget Implications</b>	On making a formal decision to progress a neighbourhood plan to referendum, the Council has previously become eligible for a grant of £20,000. The grant has been intended to cover the costs associated with the Council’s input into the production of a neighbourhood plan including the examination and referendum. The amount of neighbourhood plan grant support that is available to local planning authorities for the 2024/25 financial year has not been confirmed yet. However, it is anticipated that the previous level of grant support provided will continue. A

	grant of £20,000 will be sufficient to cover the costs associated with the examination and referendum.
<b>Legal Implications</b>	A legal challenge could theoretically be made against a decision to proceed to referendum. Such a challenge could be made on the basis that the neighbourhood plan, as modified, does not meet the basic conditions, is not compatible with the Convention rights or because it does not comply with the definition of a neighbourhood development plan. However, the independent Examiner has considered these matters in light of all of the comments received during the public consultation and examination periods. Given the evidence before them, officers consider that there is no basis for reaching a different view to the Examiner.
<b>Any Conflict of Interest?</b>	None.
<b>Reference Documents</b>	<ul style="list-style-type: none"> <li>• Appendix A: Examiner's Report</li> <li>• Appendix B: Sturminster Marshall Neighbourhood Plan 2023 to 2033 – Referendum Version</li> </ul>

Signed:  .....

Date: 18 July 2024

**Designation: Portfolio Holder for Planning and Emergency Planning**