



Date of Meeting: 25 June 2019

Lead Member: Cllr David Walsh – Portfolio Holder for Planning

Lead Officer: Ed Gerry - Planning Policy Team Leader

Executive Summary:

The Milborne St Andrew Neighbourhood Plan has recently been subject to independent examination. The purpose of this report is to consider the content of the Examiner’s Report and agree that the plan, as modified, can proceed to referendum on the basis that it meets the basic conditions, is compatible with the Convention rights, and complies with the definition of a neighbourhood development plan.

Equalities Impact Assessment:

Part of the independent examiner’s role is to consider whether the neighbourhood plan would breach, or otherwise be incompatible with any of the Convention rights within the meaning of the Human Rights Act 1998. No issues were raised by him in this regard.

Budget:

Once a referendum date has been set, the Council becomes eligible for a grant of £20,000. This grant is intended to cover the costs associated with the Council’s input into the production of the neighbourhood plan including the examination and referendum. The grant of £20,000 will be sufficient to cover the costs associated with the examination and referendum.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: LOW

Residual Risk LOW

No risks identified for this stage. Neighbourhood plans that successfully pass the referendum stage will become part of the development plan and therefore, subject to a successful outcome at the referendum, this plan will be used when determining future planning applications in the Civil Parish of Milborne St Andrew.

Other Implications:

The referendum will be organised by Electoral Services. Ongoing support for the plan will

be provided by Planning and Community Services.

Recommendation:

The following recommendations are made:

- (a) members agree that the Milborne St Andrew Neighbourhood Plan 2018 to 2033, as modified (please see Appendix B), can proceed to referendum; and
- (b) a recommendation to 'make' the Milborne St Andrew Neighbourhood Plan 2018 to 2033 be made to the next 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.

Reason for Recommendation:

To progress the Milborne St Andrew Neighbourhood Plan to referendum so that pending a favourable vote, the plan can be 'made'.

Appendices:

Appendix A: Examiner's Report

Appendix B: Final Version of Neighbourhood Plan (Tracked Changes version)

Background Papers:

Documents relating to the submission and examination of the Milborne St Andrew Neighbourhood Plan can be accessed via the following link:

<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/milborne-st-andrew.aspx>

Officer Contact

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1. Background and Reason Decision Needed

- 1.1. The neighbourhood plan area for Milborne St Andrew was formally designated by North Dorset District Council (NDDC) on the 16 June 2014. Following significant amounts of consultation and research Milborne St Andrew Parish Council (the Qualifying Body) submitted the Milborne St Andrew Neighbourhood Plan to the District Council in October 2018. NDDC consulted on the submission version of the plan. The consultation period was from Friday 18 January 2019 to Friday 1 March 2019.
- 1.2. The District Council (prior to the formation of Dorset Council) subsequently made arrangements for an independent examination of the plan as required by The Neighbourhood Planning (General) Regulations 2012 (as amended). The examination was conducted by Mr David Kaiserman BA DipTP MRTPI and Dorset Council and the

Parish Council were sent a copy of the Examiner's Report (Appendix A) on the 13 May 2019.

- 1.3. The Examiner's Report concludes that, subject to a number of recommended modifications, the plan should proceed to referendum. Officers have considered each recommended modification proposed and consider that they, along with some minor changes to correct errors, should be incorporated within an amended neighbourhood plan and that the amended plan should proceed to referendum. Milborne St Andrew Parish Council has confirmed that it accepts the recommended modifications set out in the Examiner's Report. The proposed modifications and corrections to the plan are set out in the proposed final version of the plan. Please see Appendix B.
- 1.4. It is currently anticipated that the referendum will be held in August 2019. Subject to a successful outcome at the referendum stage officers will recommend that the plan is 'made' by Dorset Council. If 'made' the plan will become part of the development plan for the area it covers. Consequently, the plan will be used when determining future planning applications in the Civil Parish of Milborne St Andrew.