

CABINET
15 SEPTEMBER 2020

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: STRATEGIC PLANNING MATTERS - ADDENDUM

REPORT OF THE SERVICE DIRECTOR - REGULATORY

EXECUTIVE MEMBER: EXECUTIVE MEMBER FOR PLANNING & TRANSPORT

- 1.1. This addendum to the report sets out further details about progress for the Baldock, Bygrave and Clothall Neighbourhood Plan examination since the Strategic Matters report was finalised.
- 1.2. The examiner issued a “fact check” report during August to the District Council and the Steering Group. Officers sent comments to the examiner but representatives from the Steering Group were on holiday and unable to respond within the deadline set by the examiner.
- 1.3. Comments from the Steering Group were sent to the examiner once they were able to consider the report. However, the examiner stated that he had already issued the report, attached as Appendix A to this addendum, and that there was no further opportunity to make any amendments to the report and that the examination was effectively closed.
- 1.4. The relevant acts and neighbourhood planning regulations allow the Council to make modifications to the neighbourhood plan to ensure that the neighbourhood plan meets the basic conditions. These modifications normally follow the examiner’s recommendations, but they can be different, if clear reasons are given. If the Council is minded to propose that the modifications should be different to those that are recommended by the examiner, those changes must be subject to further consultation.
- 1.5. In this case, it is considered that there are reasonable grounds to depart from the examiner’s recommended modifications as the Baldock Neighbourhood Plan Steering Group have raised a number of specific issues which can be addressed through some specific modifications to the neighbourhood plan.
- 1.6. Officers will work with the Baldock, Bygrave and Clothall Neighbourhood Plan Steering Group to draft the proposed modifications and undertake the necessary public consultation. It is considered that the additional modifications can be consulted on during the autumn period and that the results of that consultation can be reported back to Cabinet at the earliest possible opportunity.
- 1.7. Officers consider that, under the relevant Act and regulations, developing and consulting upon the proposed modifications does not, in itself, require a decision by Cabinet. However, any subsequent recommendation to Cabinet on whether to proceed to referendum will (i) be informed by the consultation exercise identified above and (ii) be a Key Decision as the Baldock, Bygrave and Clothall Neighbourhood Planning Area covers several electoral wards. Support is therefore sought for the proposed way forward.

- 1.8. It is proposed that an additional recommendation should be added to the Strategic Planning Cabinet report:
 - 2.2 That the Service Director – Regulatory in consultation with the Executive Member for Planning & Transport:
 - i. Develops modifications to the Examiner’s recommendations in consultation with the Baldock, Bygrave and Clothall Neighbourhood Planning Group; and
 - ii. Approves public consultation on those modifications to inform a decision on the Inspector’s report to be made by Cabinet at the earliest opportunity.
- 1.9. The powers for the Council to consider the report of a Neighbourhood Plan examiner and determine the most appropriate course of action are set out in the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended). There are no further implications beyond those identified in the existing Strategic Planning Matters report.