



BRECKLAND COUNCIL

DELEGATED DECISION RECORD

This records a key or other decision taken by an Executive Member or the Cabinet in accordance with the Council’s scheme of Delegations (as set out in Section D of Part 3 of the Council’s Constitution).

Unless the Leader and the Chairman of the Overview and Scrutiny Commission certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five working days after the publication of the decision, unless called in under the call-in procedures as set out in Section D of Part 3 of the Council’s Constitution.

Portfolio/Cabinet	Cabinet
Report Title (& Reference No.)	Mattishall Neighbourhood Plan - Making (adoption) of the Mattishall Neighbourhood Plan (Cabinet Minute No. 106/17)
Summary Background	To bring the Mattishall Neighbourhood Plan into effect following the Referendum.
Author/Contact Officer	Susan Heinrich (Neighbourhood Planning Coordinator)
Ward(s) Affected	Mattishall
Urgent?	No
Key Decision?	No
In Key Decision Plan?	No
Date Decision Taken	Tuesday, 17 October 2017
Date Published	Tuesday, 17 October 2017
Call-In Expiry	N/A
Exempt Information?	No
Decision (Action Agreed)	<p><u>RECOMMEND</u> to Full Council that:</p> <ol style="list-style-type: none"> 1) the Mattishall Neighbourhood Plan, as written at the time of the Referendum, be confirmed and “made” as part of the statutory Development Plan for Breckland Council, as required by paragraph (4)(a) of Section 38A of the Town & Country Planning Act; 2) this decision be published as required by paragraph

	<p>(9) of Section 38A of the Town & Country Planning Act;</p> <p>3) Mattishall Parish Council and any other prescribed persons be advised about this to meet the requirement of Paragraph (10) of Section 38A of the Town & Country Planning Act; and</p> <p>4) the Breckland District Policies map be amended, to meet the requirement of Paragraph 9 of the Town & Country (Local Planning) (England) Regulations 2012.</p>
<p>Reasons(s)</p>	<p>That Members endorse Option 1 of the report as there was a positive vote in favour for making the Mattishall Neighbourhood Plan through a Referendum and there was considered to be a compliance with, rather than being incompatible, with European obligations and Human Rights conventions.</p>
<p>Options</p>	<p><u>Option 1</u></p> <p>To “make” the Mattishall Neighbourhood Plan and be “made” as part of the statutory Development Plan for Breckland Council, as required by paragraph (4)(a) of Section 38A of the Town & Country Planning Act as “...<i>more than half of those voting to have voted in favour of the Plan...</i>”, and to undertake the required publication, advise the Parish Council and other prescribed persons and subsequently update the District Policies Map.</p> <p><u>Option 2</u></p> <p>To refuse to “make” the Mattishall Neighbourhood Plan where “...<i>it considers that the Plan would breach, or would otherwise be incompatible with any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998)...</i>”</p>
<p>Further Information</p>	<p>Mattishall Neighbourhood Plan - Making (adoption) of the Mattishall Neighbourhood Plan Appendix 1 for Mattishall Neighbourhood Plan - Making (adoption) of the Mattishall Neighbourhood Plan</p>