



Breckland
COUNCIL

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.)	Yaxham Neighbourhood Plan - Making (adoption) of the Yaxham Neighbourhood Plan
Summary Background	To "make" the Yaxham Neighbourhood Plan as part of the statutory Development Plan for Breckland and update the district policies map with the relevant policies.
Author/Contact Officer	()
Ward(s) Affected	
Urgent?	No
Key Decision?	No
In Key Decision Plan?	No
Date Decision Taken	Tuesday, 30 May 2017
Date Published	Wednesday, 31 May 2017
Call-In Expiry	Wednesday, 7 June 2017
Exempt Information?	No
Decision (Action Agreed)	The Cabinet recommend to Full Council: <ol style="list-style-type: none">1) To confirm that Yaxham Neighbourhood Plan as per the referendum version is "made" as part of the statutory development plan for Breckland Council, as required by paragraph (4)(a) of section 38A of the Town and Country Planning Act.2) To publish the decision as required by paragraph (9) of section 38A of the Town and Country

	<p>Planning Act.</p> <p>3) To advise Yaxham Parish Council and any other prescribed persons about this, to meet the requirements of paragraph (10) of section 38A of the Town and Country Planning Act.</p> <p>4) To amend the Breckland District policies map, to meet the requirements of paragraph (9) of the Town and Country (Local Planning) (England) Regulations 2012.</p>
Reasons(s)	<p>It is recommended that Members endorse Option 1 as there was a positive vote in favour for making the Yaxham Neighbourhood Plan through a referendum and there is considered to be compliance with, rather than being incompatible, with the European obligations and Human Rights conventions.</p>
Options	<p>1) Cabinet to recommend to Full Council to “make” the Yaxham Neighbourhood Plan as “made” as part of the statutory development plan for Breckland Council, as required by paragraph (4)(a) of section 38A of the Town and 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>2) Cabinet to recommend to Full Council to refuse to make the Yaxham 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>
Further Information	<p>Made Yaxham Neighbourhood Plan_cabinet_report - draft _apr2017 FINAL Legend Yaxham NP Version V2 NP4Yaxham Plan to be Made - final version</p>