



**EXECUTIVE DECISION RECORD  
Cabinet Member**

**REF No: 86/23**

<b>A1</b> Service Area	Planning Policy
<b>A2</b> Title	Regulation 10a Review of The Local Plan
<b>A3</b> Decision Taken By	Cabinet Member
<b>A4</b> Chief Officer	Please print name: Tom Deery  Please sign name: Signed via email 30/10/2023
<b>A5</b> Leader / Deputy Leader	Please print name: Cllr R Hawkins  Please sign name: Signed via e-mail 30/10/2023
<b>A6</b> Date of Decision	31/10/2023

**Confidentiality**

<b>A7</b> Is this Decision confidential by containing exempt information as described in Schedule 12A of the Local Government Act 1972?	No
<b>A7.1</b> If yes, please state relevant paragraph from Schedule 12A LGA 1972.	

**Conflict of Interest**

Are there any conflicts of interest to declare? Yes/No *(please delete as appropriate)*

(If “Yes” please contact the Chief Executive before making the Decision. A note of dispensation should be attached).



### **Scrutiny/Audit**

**A8** Which Committee should this decision be submitted to? *(Please tick as appropriate)*

Scrutiny (Value for Money Council) Committee

Scrutiny (Regeneration Development and Market Hall) Committee

Scrutiny (Health and Wellbeing) Committee

Scrutiny (Climate Change and Environment) Committee

Audit Committee

<b>B1</b> What is the Decision?	The ESBC Local Plan 2015 is in date and is fully effective for decision making. There is no requirement to update the local plan at this time
<b>B2</b> What are the reasons for the Decision?               <b>B2</b> Alternative options considered and rejected?	<p>This EDR relates to a report which reviews the Council's Local Plan in line with policy SP6 of the Local Plan and Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2017 as amended, in light of changes to national planning policy and guidance to date and expected changes to the plan making process following the enactment of the Levelling up and Regeneration Bill. The assessment has considered a range of factors including appeal decisions, delivery of the Local Plan, consistency with revised national planning policy and progress of the Levelling Up and Regeneration Bill. The assessment concludes that the Local Plan can still be regarded as being up to date however recommends continued progress on a number of evidence base documents.</p> <p>At this stage the only options to consider are whether to start the Local Plan review the plan or not. Any future Local Plan will consider a range of options associated with future development including scale and location.</p>
<b>B3</b> What are the contributions to Corporate Priorities?	This paper supports RAD19, 'Monitor performance of the Local Plan'.
<b>B4</b> What are the Human Rights considerations?	There are no Human Rights issues arising from this decision.

### **Financial Implications**

<p><b>B5</b> What are the financial implications?</p>	<p>The main financial issues arising from this decision are as follows:</p> <p>The report relating to this EDR recommends that the ESBC 2015 Local Plan is up to date following a review in accordance with the regulations.</p> <p>In order to implement the Levelling Up and Regeneration Bill, this report further identifies additional work will be required to establish an evidence base. The current approved Medium Term Financial Strategy makes provision for a future review of the Local Plan, with £0.433m included directly within the budgets and £0.492m held within a specific earmarked reserve.</p> <p>The current Local Plan and any future evolution of it, influences household and business growth in the borough. Household and business growth then impact on tax collection and demand for services, which have financial implications for the MTFS.</p> <p>The Local Plan also sets the context of planning agreements which in certain circumstances can include a requirement for developers to assist the Council in funding additional infrastructure.</p>
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Revenue	2023/24	2024/25	2025/26

Capital	2023/24	2024/25	2025/26

The finance section has been approved by the following member of the Financial Management Unit:	Please print name: James Hopwood  Please sign name:
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### Policy Framework

<b>B6</b> Is the Decision wholly in accordance with the Council's policy framework?	Yes
<b>B6.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
<b>B6.2</b> Has it got the appropriate approvals under those provisions?	Yes
<b>B7</b> Is the Decision wholly in accordance with the Council's budget?	Yes
<b>B7.1</b> If No, does it fall within the urgency provisions (Part 3 of the Constitution)?	NA
<b>B7.2</b> Has it got the appropriate approvals under those provisions?	

### Equalities Implications

<b>B8</b> What are the Equalities implications:
<b>B8.1</b> Positive (Opportunities/Benefits): N/A
<b>B8.2</b> Negative (Threats): N/A

### Risk Assessment

<b>B9</b> What are the Risk Assessment implications:
<b>B9.1</b> Positive (Opportunities/Benefits):
<b>B9.2</b> Negative (Threats) There is a risk that by not taking the appropriate action and announcing that the Local Plan is still considered up to date for decision making that the Authority could be in position of 'planning by appeal'
<b>B9.3</b> The risks do not need to be entered in the Risk Register. Any financial implications to mitigate against these risks are considered above.

### Legal Considerations

**B10** What are the Legal Considerations:

**B10.1** There are no significant legal issues arising from this decision

**This section has been approved by the following member of the Legal Team**

Please print name: Sherrie Grant

Please sign name Signed via e-mail 27/10/2023

### **Sustainability Implications**

**B11** What are the Sustainability implications:

**B11.1** There are no implications in the context of this decision and associated report. Future decisions on the Local Plan could have an impact on climate change, which would be considered in those reports, and through the sustainability appraisal of a future local plan. It is expected that any new Local Plan will set out through new policies how planning can achieve the pathway to net zero in line with national strategy and the East Staffordshire Climate Change Action Plan.

**B11.2** Positive (Opportunities/Benefits):

**B11.3** Negative (Threats):

### **Health & Safety Implications**

**B12** What are the Health & Safety implications:

**B12.1** A Risk Assessment has not been carried out and entered into Safety Media for all significant hazards and risks because there are no significant hazards or risks arising from this decision.

## Key Decision

**B13** Is this a Key Decision?      Yes

**Note: A Key Executive Decision is one where:**

1. **REVENUE** – Any contract or proposal with an annual payment or saving of more than £100,000
2. **CAPITAL** – Any capital project with a value in excess of £150,000
3. A decision which significantly affects communities living or working in an area comprising two or more wards.

<b>B13.1</b> If this is a Key Decision, is this an urgent decision such that a delay caused by use of the Call-in Procedure would <u>seriously</u> prejudice the public interest?	No
<b>B13.2</b> If yes, has the Mayor or in his/her absence the Deputy Mayor or in his/her absence the Chair of the relevant Scrutiny Committee agreed that the decision will be exempt from Call-in?	NA

**NOTE:** If this decision is subject to the Call-in Procedure it will come into force, and may then be implemented, on the expiry of 3 working days after publication – unless 10 Members of the Council call in the decision.

Please send the original signed document to [andrea.davies@eaststaffsbc.gov.uk](mailto:andrea.davies@eaststaffsbc.gov.uk)