

27th July 2023



**BABERGH DISTRICT COUNCIL
OFFICER DECISIONS NOTICE**

**OFFICER DECISIONS MADE UNDER THE SCHEME OF DELEGATIONS BY
THE CHIEF EXECUTIVE – BABERGH DISTRICT COUNCIL**

THIS IS NOT A KEY DECISION

The following decision has been taken by Officer Delegation and will come into effect on 28th July 2023.

Officer Delegated Decision made on 27th July 2023.

Decision: To 'make' (adopt) the Leavenheath Neighbourhood Plan 2022 - 2037 as part of the District Council's development plan and to issue a statement to this effect within the prescribed period.

Key Decision: No

Subject to Call In: No

Reason for Decision: To enable the District Council to meet its statutory obligation under Regulation 18A(1) of the Neighbourhood Planning (General) Regulations 2012 by 'making' (adopting) the Leavenheath Neighbourhood Plan within the prescribed time period.

Background:

The Leavenheath Neighbourhood Plan (the 'Plan') has been prepared in accordance with relevant regulations.

A referendum was held on 19 July 2023 at which more than half of those who voted did so in favour of the Plan. In such cases, the Plan must be 'made' (adopted) by the Local Planning Authority within a prescribed eight week time period and, in light of the declared result, no other option can be considered.

The District Council is only able to exercise further discretion at this point if it considers that this Plan would be in breach of any EU obligations or any of the Convention Rights (within the meaning of the Human Rights Act, 1998). The Council is satisfied that the Plan is not in breach of these obligations.

The Council is also satisfied that the Leavenheath Neighbourhood Plan, as modified by the Examiner's recommendations, complies with the basic conditions as set out in Paragraph 8(2), Schedule 4B the Town and Country Planning Act, 1990.

The 'making' (adoption) of the Leavenheath Neighbourhood Plan also enables the Parish Council to now receive 25% of any Community Infrastructure Levy receipts arising from newly granted development proposals in the designated plan area.

Alternative Options Considered and Rejected: None

Any Declarations of Interest Declared: Not applicable

Any Dispensation Granted: Not applicable