

# Chichester District Council

CABINET

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## Birdham Parish Neighbourhood Plan

### 1. Contacts

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### 2. Recommendations

- 2.1. That the Decision Statement as set out in the appendix be published.
- 2.2. That the examiner's recommendation that, subject to modifications as set out in the decision statement the Neighbourhood Development Plan proceed to referendum, be approved.

### 3. Background

- 3.1. The examination into the Birdham Neighbourhood Plan Submission Plan has now been completed and the examiner's report published. The examiner's summary and conclusion at the beginning of the report is of particular note as it clearly sets out the examiner's general findings.
- 3.2. The examiner has carefully considered the contents of the Birdham Neighbourhood Plan in relation to the requirements of the Basic Conditions. In order to ensure the Neighbourhood Plan meets these requirements the Examiner recommends a number of modifications that should be made to the Plan. Subject to the inclusion of these modifications (which relate principally to revisions to the wording and content of policies), she finds that the Plan would meet the basic conditions.
- 3.3. On the basis that the Plan is amended to accommodate the identified modifications, the Examiner then goes on to recommend that the draft Plan as modified should be submitted for referendum.
- 3.4. The Decision Statement (attached as an appendix to this report) sets out the examiner's recommended modifications along with the justification for each of them. This Decision Statement has been produced jointly with Birdham Parish Council.
- 3.5. It is also the examiner's role to consider the referendum area and whether or not it is appropriate if the Plan is to proceed to referendum. In this respect the examiner considers that the referendum area should extend to the Plan area, comprising the parish boundary in accordance with the designated area as confirmed on 4 December 2012.

#### **4. Outcomes to be achieved**

- 4.1. That the Decision Statement for the Birdham Neighbourhood Plan is agreed for publication and that the Plan, subject to the modifications set out in the Decision Statement, proceeds to referendum.

#### **5. Proposal**

- 5.1. In the light of the examiner's recommendation, it is proposed that the Decision Statement is agreed for publication. It is further proposed that the Birdham Neighbourhood Plan should be modified as set out in the Decision Statement and should then proceed to referendum.

#### **6. Alternatives that have been considered**

- 6.1. That the Council does not agree the Decision Statement for publication and the Birdham Neighbourhood Plan cannot proceed to referendum.

#### **7. Resource and legal implications**

- 7.1. The referendum will incur appropriate costs in line with the Council's duties and procedures. These costs will be met from existing budgets.

#### **8. Consultation**

- 8.1. Birdham Parish Council and the local member have been involved in the completion of the Decision Statement and have agreed its contents.
- 8.2. The Development Plan and Infrastructure Panel has considered this report and supports its recommendations.

#### **9. Community impact and corporate risks**

- 9.1. There may be a negative community impact if the Birdham Neighbourhood Plan is not agreed to proceed to referendum. The Parish Council and community may lose confidence in the neighbourhood planning process.

#### **10. Other Implications**

<b>Crime &amp; Disorder:</b>	None
<b>Climate Change:</b>	None
<b>Human Rights and Equality Impact:</b>	None
<b>Safeguarding and Early Help:</b>	None

#### **11. Appendix**

- 11.1 Birdham Neighbourhood Plan Decision Statement

#### **12. Background Papers**

- 12.1. None