

Committee:	Cabinet	Date:
Title:	Saffron Walden Neighbourhood Plan	Thursday, 7 July 2022
Portfolio Holder:	Councillor John Evans, Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan	
Report Author:	Demetria Macdonald, Planning Policy Officer dmacdonald@uttlesford.gov.uk	Key decision: No

Summary

1. The Saffron Walden Neighbourhood Plan has been successful at examination. The Examiner's Report ([Appendix 1](#)) received on 28 April 2022 recommends that the Saffron Neighbourhood Plan proceed to referendum subject to the recommended modifications being made to the Plan. A schedule of the recommended modifications are presented in [Appendix 2](#). The Saffron Walden Neighbourhood Plan with modifications is appended in [Appendix 3](#).

Recommendations

2. That Cabinet accepts the Independent Examiner's recommended modifications to the Saffron Walden Neighbourhood Plan in full as set out in the Schedule at Appendix 2 and note the recommendation that the amended Saffron Walden Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Saffron Walden to establish whether the plan should form part of the Development Plan for Uttlesford District Council.
3. That Cabinet approves the holding of a referendum relating to the Saffron Walden Neighbourhood Plan and, that it will include all the registered electors in Saffron Walden Parish.

Financial Implications

4. The referendum will initially be funded by Uttlesford District Council at a cost of £13,531.86 for the examination. After the referendum UDC will be able to claim £20,000 funding from the Department for Levelling Up, Housing and Communities which will cover the cost of the examination and the referendum.

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
6. None

Impact

7.

Communication/Consultation	The plan has undergone significant community involvement in its preparation.
Community Safety	The plan deals with community safety and will have a generally positive effect on residents' health and wellbeing through its objectives and policies.
Equalities	The Plan aims to meet the needs of all residents in the Parish. The Examiner considered this Basic Condition and concluded that the Plan does not breach and is otherwise compatible with EU obligations and human rights requirements.
Health and Safety	The Plan and policies promote the health and well-being of the residents.
Human Rights/Legal Implications	This matter has been considered by the Examiner and he has considered this Basic Condition and concludes that the NDP does not breach and is otherwise compatible with EU obligations and human rights requirements.
Sustainability	The plan deals with sustainability of the town and the Examiner has confirmed the sustainability of this Plan.
Ward-specific impacts	Saffron Walden Parish
Workforce/Workplace	None

Situation

8. The Saffron Walden Neighbourhood Plan was submitted for examination commencing 20 May 2021 following a six-week consultation period and a further two weeks to give all interested parties an opportunity to consider whether the new NPPF July 2021 had any implications for the Plan.
9. The examination was conducted via written representations (the examiner decided that a public hearing would not be required).
10. On 5 October 2021 the Examiner issued a Note of Interim Findings advising the identification of several matters that would significantly change the plan as originally produced. Saffron Walden TC and UDC provided the examiner with written clarifications.

11. A further Focussed Consultation on Significant Modification was undertaken from 1 March to 21 March 2022.
12. The examiner's report, detailing recommendations was received on 28 April 2022. (see Appendix 1).
13. Saffron Walden Town Council and Uttlesford District Council have worked together and agreed on the recommended modifications and produced a modified Draft Saffron Walden Neighbourhood Plan (see Appendix 3).

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
Potential intervention by the Secretary of State under Reg 31A(1) Neighbourhood Planning (General) Regs 2012; this must be requested in writing and with reasons by the Qualifying Body, i.e. SWTC, since the Council has failed to take a decision to send a plan to referendum within 5 weeks of the receipt of the Examiner's Report on 28 April 2022. A decision by cabinet was therefore required by 2 nd June 2022. Intervention has to be requested therefore likely risk at level 3	2 Based on the current Cabinet submission timetable a decision is likely to be made at the 7 July 2022 Cabinet Meeting.	Delay in holding a Referendum and the consequential implications (in particular judicial review from interested parties other than SWTC) regarding the lesser weight thereby attributable to the Saffron Walden Neighbourhood Plan in the context of the Friends School, Mount Pleasant Road, Saffron Walden, Essex CB11 4AL application to be determined by the Planning Inspectorate under reference UTT/22/1040/PINS.	Formal request for an extension of time sent to Saffron Walden Town Council on 7 June 2022 and on 8 June 2022 an extension of time granted to 7 July 2022 whilst reserving the right to write to the Secretary of State should a Decision be further delayed. Discussions regarding a provisional Referendum date have been held and subject to Cabinet approval this will take place on 15 th September 2022.

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.