**RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY**  
(Not a Key Decision)  

Date of Decision: 21 May 2019  
Executive Decision or 'Other Decision' to be published?: Yes

<table>
<thead>
<tr>
<th>TITLE:</th>
<th>Examiner's Report for the Burscough Parish Neighbourhood Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>DECISION:</td>
<td>That the Examiner's recommendations to make modifications to the Burscough Parish Neighbourhood Plan be accepted and the Neighbourhood Plan be approved to proceed to referendum.</td>
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<tr>
<td>AUTHORITY:</td>
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<tr>
<td>Minute Number:</td>
<td>Item 98</td>
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<tr>
<td>Relevant Body:</td>
<td>Cabinet</td>
</tr>
<tr>
<td>Date of meeting when the delegation was agreed:</td>
<td>12 March 2019</td>
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<td>REASONS FOR DECISION:</td>
<td>The reasons for the decision are as set out below.</td>
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**1.0 BACKGROUND**

1.1 The designated neighbourhood area for the Burscough Parish Neighbourhood Plan covers Burscough Parish only, which comprises Burscough West and Burscough East wards in their entirety and part of Scarisbrick ward. West Lancashire Borough Council Cabinet approved the designated Burscough neighbourhood area on 11 November 2014.

1.2 Burscough Parish Council has been responsible for preparing the Plan, including an 8-week pre-submission public consultation on a draft of the Plan that took place between 11 August and 6 October 2017. West Lancashire Borough Council, in the role of local planning authority (LPA), has fulfilled its statutory duty to support the Parish Council in the preparation of the Plan. The Parish Council submitted the Neighbourhood Plan and other supporting documentation to the local planning authority on 18 September 2018 and progressing the Plan from this point onwards then became the responsibility of the Borough Council.

1.3 As part of the requirements of the Neighbourhood Planning (General) Regulations 2012, the Borough Council undertook a compliance check of the submitted Neighbourhood Plan in relation to it meeting relevant legislation and requirements. Once officers were content that the Submission version Neighbourhood Plan
satisfied the compliance check, public consultation on the submitted Plan was held for 6 weeks between 9 January and 20 February 2019.

2.0 CURRENT POSITION

2.1 Following the close of the public consultation on the submitted Plan, officers collated the responses received and sent them, along with the Submission NP and supporting evidence, to an independent Examiner for examination. The Examiner considered whether the Plan meets legal requirements and certain "basic conditions" and issued his report on the Examination on 30 April 2019. This report is attached.

2.2 The Examiner concluded that, subject to the policy modifications set out in this report, the Plan meets the "basic conditions" and was prepared in line with all relevant legal requirements, and so recommended that the Plan, once modified, proceeds to Referendum.

3.0 RECOMMENDATIONS AND DECISIONS

3.1 The Council has a duty to provide advice and assistance on Neighbourhood Plans submitted to the Council and to make arrangements for a Referendum following a favourable Examiner’s Report. The Burscough Parish Neighbourhood Plan has been prepared in accordance with the procedural requirements set out in The Neighbourhood Planning (General) Regulations 2012 (as amended) and, subject to the modifications proposed in the Examiner’s Report, the Neighbourhood Plan is considered to meet the necessary ‘Basic Conditions’. As such, the modified Neighbourhood Plan should now proceed to Referendum.

4.0 FINANCIAL AND RESOURCE IMPLICATIONS

4.1 The Borough Council’s duty to support the preparation of the Burscough Parish Neighbourhood Plan has had, and will continue to have, financial and staff resource implications. A total grant of £25,000 of funding is potentially available to the local authority from DCLG to enable fulfilling our statutory duty to support. However, £20,000 of this can only be claimed once a neighbourhood plan has been successfully examined and the date for a local referendum has been set. The Borough Council previously received the remaining £5,000 following the neighbourhood area designation in 2014, the majority of which has been spent on the Habitats Regulations Assessment Screening of the Neighbourhood Plan.

4.2 Therefore, the Borough Council has incurred costs for input on the preparation of the Neighbourhood Plan and public consultation and examination of the submitted Neighbourhood Plan and will now incur costs facilitating the Referendum. While the £20,000 that the Council are now able to claim will cover the costs of public consultation and examination, it will not fully cover the costs of the referendum or the officer resource utilised in supporting the preparation of the Plan. It is estimated that the referendum (which only covers the Parish of Burscough) will cost at least £18,000.
4.3 A further financial consideration is that, once a neighbourhood plan is 'made', 25% of any CIL income received from applications determined after the Plan is 'made' must be passed to the Parish Council, as opposed to the current 15%. Depending on the nature and size of applications that are granted after the Plan is 'made', this could mean a significant sum of CIL monies being redirected from strategic infrastructure (where funding decisions are made by the Borough Council) to local infrastructure in Burscough Parish (decided upon by the Parish Council).

5.0 SUSTAINABILITY IMPLICATIONS

5.1 Part of the evidence for the Burscough Parish Neighbourhood Plan included a Sustainability Appraisal, and so the sustainability of the policies within the Neighbourhood Plan have been considered in its preparation and examination. One of the basic conditions that the Plan has been examined against (and found to meet) is whether it contributes to the achievement of sustainable development.

6.0 EQUALITY IMPACT ASSESSMENT

6.1 This decision does not have any direct impact on members of the public, employees, elected members and/or stakeholders, therefore no Equality Impact Assessment is required.

7.0 BACKGROUND DOCUMENTS

7.1 There are no background documents (as defined in the 2012 or 2014 Regulations) in making this Decision.

8.0 FOR FURTHER INFORMATION PLEASE CONTACT:

Contact Officer: Peter Richards
Directorate & Service: Development and Regeneration
Telephone No: 01695 585046
Fax No: N/A
Email Address: peter.richards@westlancs.gov.uk

DATE OF DECISION: 21 May 2019

Decision Taker: John Harrison

Signature: 

In Consultation with: N/A

Signature: 

# NOTES

<table>
<thead>
<tr>
<th>(Executive Decisions)</th>
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<tbody>
<tr>
<td><strong>1.</strong> ANY CONFLICT OF INTEREST DECLARED BY THE PORTFOLIO HOLDER</td>
<td>(Only required where decisions taken in consultation with):</td>
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<tr>
<td><strong>2.</strong> IF CONFLICT OF INTEREST EXISTS, DETAILS OF DISPENSATION GRANTED BY THE HEAD OF THE PAID SERVICE:</td>
<td></td>
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<td>('Other Decisions')</td>
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<tr>
<td><strong>3.</strong> THE NAMES OF ANY COUNCILLOR WHO HAS DECLARED A CONFLICT OF INTEREST IN RELATION TO THE DECISION</td>
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## Appendices

Appendix A – The Examiner's Report on the Burscough Parish Neighbourhood Plan