

CABINET MEMBER DECISION RECORD TEMPLATE

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:

Responsible Officer: Mark Axford, Principal Planning Policy Officer

Subject: Dorset Heathlands Planning Framework - Memorandum of Understanding

Decision taken: Adopt the Dorset Heathlands Planning Framework - Memorandum of Understanding (MOU)

Reasons for the decision: To establish a MOU and operational arrangements for the Dorset Heathland Planning Framework to come into effect from the 1st September 2014. The MOU is required between the Councils in South East Dorset in order to establish a coordinated approach to mitigating urban pressures on the designated heathland areas.

The MOU and Operational Arrangements are attached as Appendix 1 for information.

Call-in and Urgency: This decision is subject to the Council's call-in procedure.

Background: The Dorset Heathland Planning Framework (The Framework) came into effect in January 2007. To administer the framework the local authorities of Bournemouth, Christchurch, Dorset, East Dorset, Poole and Purbeck agreed a joint approach that would be overseen by an Executive group with one member representation from each local authority.

In 2013 the Executive requested a review of the operation of 'The Framework' and a Task and Finish group was established to undertake this. This group made its final report to The Executive at its meeting on 5 March 2014. The recommendations agreed at the Executive Group are set out in paragraph 2.1 of the attached operational arrangements. As a result of these recommendations new operational arrangements were required and the MOU has been drafted to ensure that all Councils in the area commit to the ongoing requirement to mitigate impacts of development on the heathland.

Options - and reasons for rejection: Two options are available, either adopt the MOU or do not adopt the MOU. It is proposed that the MOU is adopted in order to:

- enable a coordinated approach across the sub region towards implementing the heathland framework;
- ensure that financial contributions collected through CIL or Section 106 contributions are committed towards heathland mitigation infrastructure and the costs of the Urban Heath Partnership as agreed at the Executive Group on the 5th March 2014; and

- to engender good working practice and relationships with other partners, including statutory partners Natural England.

The review has been prompted by, and subsequently supported by, Bournemouth Members on the Executive Group.

Consultations undertaken: The MOU and operational arrangements have been subject to consultations at officer level with all SE Dorset authorities and partner bodies as set out in the operational arrangements at paragraph 1.1. The Planning Policy framework, which the MOU and operational arrangements ultimately support, have been subject to extensive public consultation, these policies are namely the Local Plan Core Strategy Policy CS33 and the Dorset Heathland Supplementary Planning Document.

Finance/Resource Implications: At the Executive Group on the 5th March 2014 members agreed to fund through either CIL or Section 106 contributions the ongoing provision of Heathland mitigation infrastructure and the Urban Heaths Partnership. Without such a commitment, as the competent authority, the Council would be unable to grant planning applications for residential development.

Members at Cabinet and Council have recently agreed to consult on the Draft Preliminary CIL Charging Schedule and associated Regulation 123 list that states the Council will continue to fund the heathland framework through developer contributions secured through CIL and section 106 contributions.

Name: Feriser Tasdelen
Date: 21/08/14

Signature:

Legal implications: Failure to have in place a workable solution to mitigating the impact of development upon the European designated heathland site has no direct legal implications unless the Council was minded to approve residential planning applications without such a mechanism. In this circumstance the Council would be in breach of the Habitat Regulations.

Name: Tanya Coulter
Date: 21/08/14

Signature:

Risk assessment: No risk assessment has been carried out because this portfolio decision will not result in a change to council policy.

Name: Mark Axford
assessment)
Date: 26/8/14

Signature: (of Officer completing

Impact Assessments: No EINA or environmental assessment has been carried out because

this portfolio decision will not result in a change to council policy.

Information for/not for publication: Information is for publication.

Background papers: The MOU and operational arrangements are attached as Appendix 1.

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No			

* Delete as appropriate

Decision taken by:

Councillor David Smith

Cabinet Portfolio for Planning and Environment

Signed:

Date of decision: 8 September 2014

Date of publication of record of decision: 12 September 2014

Date decision effective – that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel:

17 September 2014

