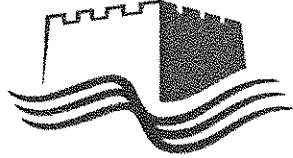


<b>Individual Mayoral Decision Proforma</b>  Decision Log No: 208	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Ann Sutcliffe, Corporate Director of Place	<b>Classification:</b> Unrestricted
<b>Spitalfields Neighbourhood Plan Examiner's Report and Referendum</b>	

<b>Is this a Key Decision?</b>	Yes
<b>Decision Notice Publication Date:</b>	20 July 2021
<b>General Exception or Urgency Notice published?</b>	General exception notice published 29 July 2021
<b>Restrictions:</b>	N/A
<b>Reason for seeking an Individual Mayoral Decision</b>	Statutory timelines require a decision to be made within five weeks of receiving final examiner's report – this requires a decision to be taken by 19 August at the latest, which does not meet any existing Cabinet timetables.

## EXECUTIVE SUMMARY

The Spitalfields Neighbourhood Plan has been the subject of an independent examination process. On 15 July 2021, the Council and the Neighbourhood Forum received the examiner's final report on the neighbourhood plan, and the Forum has produced a tracked change edit of the plan in line with the recommendations contained in the examiner's report. The examiner has recommended that the plan meets the basic conditions for proceeding to referendum, subject to the recommended modifications.

The Town and Country Planning Act 1990 (as amended) requires the Council to now make a decision on the Examiner's recommendations and come to a conclusion as to whether the neighbourhood plan meets the basic conditions and legal requirements, or could do so if modifications were made to the draft Plan, and should therefore proceed to a referendum.

The Mayor is recommended to agree with the examiner that the plan meets the basic conditions and legal requirements for neighbourhood plans (subject to some modifications) and should therefore proceed to referendum. As the Spitalfields Neighbourhood Area is a business area, there will be both a residential referendum and a business referendum. Planning officers have considered the examiner's recommendations and see no justified reason to depart from them.

The alternative options would be to decide that the plan does not meet the basic conditions and legal requirements and cannot be modified to do so; or to decide that the plan meets the basic conditions and legal requirements without the need for some or all of the examiner's proposed modifications. Given the examiner's clear reasoning throughout her report when explaining why modifications are necessary and how they allow the plan to meet the basic conditions and legal requirements, officers cannot see how either of these alternative options could be justified.

Other relevant matters, including details of the proposed modifications, the consultation process for the neighbourhood plan, the legal and procedural basis of neighbourhood plans, the comments of the finance and legal teams, and equalities implications are set out in the attached report.

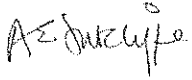
## **DECISION**

1. To note Appendix 1: Report on Spitalfields Neighbourhood Plan 2020-2035 and Appendix 2: Tracked Changes Version of the Spitalfields Neighbourhood Plan, and agree with the Examiner's recommendation that the plan meets the basic conditions subject to modifications being made, can therefore proceed to referendum, and that the referendum area should be the same as the designated neighbourhood area.
2. To agree that Appendix 3: Referendum Version of the Spitalfields Neighbourhood Plan should proceed to referendum, with a referendum area that is the same as the designated neighbourhood area, in accordance with Schedule 4B of the Town and Country Planning Act 1990. As the area is designated as a Business Neighbourhood Area, two referendums should be held on the neighbourhood plan – one a residential referendum, and the other a business referendum.

**APPROVALS**

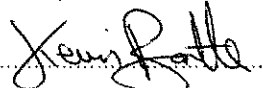
**1. Corporate Director proposing the decision or his/her deputy**

I approve the attached report and proposed decision above for submission to the Mayor. I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.

Signed .....  ..... Date 03/08/2021

**2. Chief Finance Officer or his/her deputy**

I have been consulted on the content of the attached report which includes my comments.

  
Signed ..... Date 3/8/2021

**3. Monitoring Officer or his/her deputy**

I have been consulted on the content of the attached report which includes my comments.

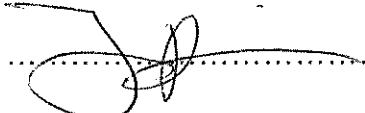
I confirm that this decision:-

is urgent and subject to the 'General Exception' provision at paragraph 18 of the Access to Information Procedure Rules.

  
Signed ..... Date 05/08/2021

**4. Mayor**

I agree the decision proposed in the recommendations above for the reasons set out in paragraphs 3-7 in the attached report.

Signed .....  ..... Date 9/8/21..

