

RUSHMOOR BOROUGH COUNCIL RECORD OF EXECUTIVE DECISION



Decision taken by individual Cabinet member/officer (delete as appropriate)

(All sections must be completed (mark "N/A" as applicable))

DECISION MAKER *(Name and designation)*

Tim Mills: Head of Economy Planning and Strategic Housing

DECISION AND THE REASON(S) FOR IT

To make and consult on the following Article 4 directions within the Borough:

- Article 4 Direction removing Permitted Development rights within Classes MA of Part 3 of Schedule 2 of the General Permitted Development Order at 16 of the Boroughs Strategic or Locally Employment Sites as defined in the Rushmoor Local Plan (2019). This is to ensure that that consideration is given to the loss of employment floorspace and its associated impacts through the planning process.
- Article 4 Direction removing Permitted Development rights within Classes M, MA and N of Part 3 of Schedule 2 of the General Permitted Development Order at select parts of the boroughs defined Town and District Centres. The introduction of residential properties into the identified areas could undermine the council's aspirations to support the vitality and viability of its town and district centres. The introduction of an Article 4 direction will require such proposals to be considered through the submission of a planning application which will be determined against the policies in the Local Plan.

Evidence papers have been prepared to justify the introduction of the Article 4 directions in accordance with the National Planning Policy Framework and Planning Practice Guidance.

DATE DECISION TAKEN

01/03/2022

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

(Those examined by officers and generated by consultation, etc)

Not to make the two Article 4 directions.

ANY CONFLICTS OF INTERESTS DECLARED

(conflict of interests of any executive member who is consulted by the officer which relates to the decision. A note of dispensation should be attached).

Sign _____

(Decision ma

Signed _____ **(Planning and Economy Portfolio Holder)** _____
(Cabinet member consultee where applicable)

Designation _____

Please send completed form to Chris Todd, Democracy and Community

Guidance notes for using this form

Recording executive decisions

New regulations¹ came into effect on 10 September 2012, under which Council officers and Cabinet members are required to record every decision they take which is connected to the discharge of a function which is the responsibility of the Executive (Cabinet). This applies whether the decision is taken by an officer or an individual Cabinet member. This record must be published on the Council's website.

Which executive decisions must be recorded?

The regulations state that any decision connected to the discharge of a function, which is the responsibility of the Cabinet, must be recorded and published. However, at Rushmoor we are restricting the recording requirement to those decisions that are 'closely' (rather than remotely) connected with the discharge of a function of the Cabinet. For guidance, this includes any decision that is either:

- A 'key decision'; or
- Delegated to an officer(s)/Cabinet member at a Cabinet meeting; or
- Delegated to an officer in consultation with a Cabinet member (within the scheme of delegation or authorised at Cabinet); or
- Any executive decision, whether or not it is in the Cabinet Scheme of Delegation, where there is a reasonable expectation of public interest in the matter being decided because it may have an impact on a community living or working in Rushmoor; or
- The subject of urgent action outside the Scheme of Delegation

Decisions which are administrative in nature – for example, purchasing low value items or are otherwise minor or routine, need not be recorded.

In addition, some decisions would be considered exempt from publication because, for example, they affect particular individuals rather than the public in general or concern the business affairs of any person (including the Council) where the information could be claimed to be commercially sensitive.

What are key decisions?

Key decisions are not usually taken by individual Cabinet members or officers, unless specifically delegated by the Cabinet.

A key decision is one which is likely to:

- result in the Council incurring expenditure or making savings which are significant in as much as they will have a material effect on the level of Council tax or balances or contingencies in relation to the Council's overall budget¹; or
- be significant in terms of its effects on communities living or working in an area comprising two or more wards within the Borough

¹ approximately £100,000 or more