

## Officer Delegated Decision

**Date: 12 August 2025**

**Decision:**

That the Council agrees the minor (non-material) modifications, set out in Appendix A, are made to the Loders Neighbourhood Plan.

Scheme of delegation

Under the Officer Scheme of Delegation (April 2019), the Executive Director of Place has the power (138) "To undertake all action in relation to any function of the Council concerning neighbourhood planning" including the power relating to the making and approval of any neighbourhood development plan, neighbourhood development order and/or community right to build order whether under any Town and Country Planning Legislation or otherwise.

This power does not apply to the final determination as to whether to formally 'make' (adopt) a neighbourhood development plan. However, given this decision relates to agreeing minor (non-material) modifications to a plan that has already been formally 'made' (adopted) this limitation in the Officer Scheme of Delegation is not applicable.

The Local Scheme of Nomination sets out which functions have been nominated by the Executive Director of Place and any conditions or limitations. This includes the power, as set out above, 'To undertake all action in relation to any function of the Council concerning neighbourhood planning' including the power relating to the approval of any neighbourhood development plan under any Town and Country Planning Legislation or otherwise. The only condition/limitation is that the relevant Portfolio Holder (Cllr Bartlett, Portfolio Holder for Planning and Emergency Planning) is consulted.

(Decisions included can be executive or non-executive in nature, depending on the delegation given. Please state if the delegation was granted by the Cabinet or any other Committee or is detailed within the Scheme of Delegation in the Council's Constitution.)

**Key Decision:**

**Yes / No**

Please see definition below.

**Reason(s) for Decisions:**

Proposed Area

The neighbourhood plan area for Loders was designated by West Dorset District Council in February 2013. Following significant amounts of consultation and research Loders Parish Council (the Qualifying Body) submitted the Loders Neighbourhood Plan, and associated documents, to West Dorset District Council in July 2015. The submitted plan was subject to consultation, independent examination and then a referendum. The referendum was held on 5 May 2016 and a majority of those who voted in the referendum voted in favour of the plan.

Consequently, the neighbourhood plan was formally made by West Dorset District Council on 21 July 2016.

Loders Parish Council has proposed that some minor updates are made to the plan. These are detailed in Appendix A to this report. Officers have considered each of the modifications proposed and consider that they would not affect the policies in the plan. Under the relevant legislation<sup>1</sup> it is possible for a local planning authority, subject to the agreement of the relevant Qualifying Body (in this instance Lodors Parish Council), to make minor (non-material) modifications to a 'made' plan without the need to go to consultation, examination or referendum. That is what is proposed in this instance.

It should be noted that as a result of a Community Governance Review the parish boundary for Lodors has changed and, consequently, part of the neighbourhood area now falls within Shipton Gorge Parish. Shipton Gorge Parish Council has agreed to the minor modifications proposed.

#### Recommendation

Officers have considered the modifications set out in Appendix A and are of the view that they are minor (non-material) modifications that do not need to be subject to consultation, examination or referendum. Consequently, it is recommended that the Council agrees the minor (non-material) modifications.

#### **Decision Maker** (Name and Title):

Ed Gerry, Community Planning Manager

#### **Alternative options considered and rejected:**

The Council could choose to not agree to the minor (non-material) modifications proposed. However, officers have considered each of the modifications proposed and are of the view that they are minor (non-material) modifications. Consequently, there is no basis for not agreeing to the modifications that have been proposed by Lodors Parish Council.

**Any conflict of interest declared by any member consulted:** N/A

**Any dispensation granted in respect of any declared conflict of interest:** N/A

#### **Definition of Key Decisions**

Key decisions are defined in the Constitution as decisions of the Cabinet which are likely to -

- "(a) result in Dorset Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates namely where the sum involved would exceed £500,000; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral wards in Dorset."

#### **How to complete this pro forma:-**

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<sup>1</sup> Which includes Section 61M(4) of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38C(2)(c) of the Planning and Compulsory Purchase Act 2004

- (1) The date of the decision.
- (2) A brief description of the decision.
- (3) The reasons for the decision.
- (4) Officer title.
- (5) Details of any alternative options considered and rejected by the officer when making the decision.
- (6) Any conflict of interest declared by any member who had been consulted by the officer which relates to the decision.
- (7) Any dispensation granted by the Head of Paid Service in respect of any declared conflict of interest.

**N.B Please avoid using acronyms**