

LOCAL GOVERNMENT ACT 2000

**REGISTER OF URGENT  
DECISIONS OF THE EXECUTIVE**

**NORTH DEVON COUNCIL CONSTITUTION**  
– Appendix 12



Reference No:

- 
- 1) **SUBJECT:** Response to Mid Devon Local Plan Review Proposed Main Modifications.
- 2) **REQUESTED DECISION:** Submit a formal representation objecting to Main Modification MM40 to Policy J27 (Land at Junction 27 of the M5).
- 3) **STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:** The formal consultation period ends on 17<sup>th</sup> February 2020. Mid Devon's Local Plan is currently being examined by an Inspector. MM40 requires a full Retail and Leisure Impact Assessment to accompany an application for a designer outlet shopping centre at Junction 27. This is necessary to assess the potential impact on existing town centres, however as worded the policy only requires the impact assessment to be submitted. Whilst the purpose for this modification is for impacts to be properly and adequately assessed, the proposed policy wording does not require the assessment to be considered, nor the resultant impacts being addressed or mitigated adequately. This should be incorporated into the policy.

By making a formal objection before the deadline, it would be 'duly made' and will be considered by the Inspector at Mid Devon's current local plan's examination hearing sessions. It is understood that adjoining Local Planning Authorities may be making similar responses. However, without a 'duly made' representation, the Inspector would not consider this issue and potential impacts on town centres within North Devon would not be safeguarded. Similar responses made by several surrounding authorities would strengthen the response.

- 4) **FINANCIAL IMPLICATIONS:** (NOTE: Please state if there are any financial implications. If so, state if there are sufficient funds within the agreed budget. If there are not sufficient funds, please state how the decision will be financed)

Officer time and expenses to make a response can be met within existing staff capacity and revenue budget (planning policy team). Development as proposed east of Junction 27 could have economic implications on future retail turnover within Barnstaple and/or South Molton town centres.

- 5) **ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:** Not submitting an objection before the deadline would prevent the Inspector from considering the perceived impacts during the current Mid Devon's local plan examination. Other Councils may object on similar grounds but they would not be considering (directly) the economic impacts of the development upon North Devon towns.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED: None

7) A NOTE OF ANY DISPENSATION IF GRANTED: None

8) THE CONSENT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE WAS OBTAINED ON: N/A.

9) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in rule 10 of appendix 15 (Access to Information Procedural Rules) and the advice of a political advisor): N/A

■

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Lead Member	Yes	17/1/2020
Ward Member(s)	N/A	
Chief Executive		10/2/2020
Head of Service (name)		10/2/2020
Legal		10/2/2020
Finance		10/2/2020

11) APPROVED BY DECISION TAKER



12) NOT APPROVED BY DECISION TAKER

13) DATE THAT DECISION WAS TAKEN:

12/2/20