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# Cold Ash Neighbourhood Development Plan

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<b>Committee considering report:</b>	Extraordinary Council
<b>Date of Committee:</b>	20 February 2024
<b>Portfolio Member:</b>	Councillor Tony Vickers
<b>Date Portfolio Member agreed report:</b>	2 January 2024
<b>Report Author:</b>	Laila Bassett
<b>Forward Plan Ref:</b>	C4433

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## 1 Purpose of the Report

- 1.1 The Cold Ash Neighbourhood Development Plan (NDP) has been subject to independent examination. The Examiner has recommended that the NDP with modifications can proceed to referendum. However, the Examiner's decision is not binding and only West Berkshire District Council can decide if the NDP progresses to referendum. This report provides the evidence for the Council to make that decision.

## 2 Recommendations

- 2.1 To endorse the Decision Statement on the Cold Ash NDP which concludes that the Cold Ash NDP, with the inclusion of modifications, meets the Basic Conditions.
- 2.2 Because the modified Plan meets the Basic Conditions, it is recommended that:
- (a) The Plan should proceed to referendum;
  - (b) Upon a successful 'yes' vote at referendum, agreement is sought that the Cold Ash NDP is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire; and
  - (c) The authority to make minor alterations and corrections to the Cold Ash NDP as set out in Appendices D and E, prior to its proceeding to referendum, be delegated to the Service Lead, Planning and Economy, in consultation with the Portfolio Holder for Planning and Community Engagement.

### 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	<p>For the past few years, the Government has had a support programme in place to support the role of Local Planning Authorities (LPAs) in the neighbourhood planning process. It should be noted there are three types of neighbourhood plans – NDPs, Neighbourhood Development Orders, and Community Right to Build Orders.</p> <p>The support programme has recently been extended to cover the period 2023/24 and LPAs can make the following claims:</p> <ul style="list-style-type: none"> <li>• £20,000 in areas where a plan has not previously been adopted. The claim can only be made once the LPA has issued a decision statement detailing their intention to send a plan to referendum. This would apply to the Cold Ash NDP.</li> </ul> <p>The cost to the council is largely through officer time, and in the organisation of the independent examination and referendum. It is estimated that approximately 100 hours of officer time (direct support and excluding consultation responses) is required to support a community develop a neighbourhood plan, at a cost of approximately £2,500. This is based on the time given to support the development of the Stratfield Mortimer NDP.</p> <p>The cost of the Cold Ash NDP examination was £5,640.</p> <p>On average referendums cost £5,000 per ballot box to deliver, plus the officer time associated with arranging the referendum.</p>
<b>Human Resource:</b>	<p>Not applicable</p>
<b>Legal:</b>	<p>An adopted neighbourhood plan forms part of the development plan.</p> <p>The relevant legislation setting out the neighbourhood planning process is included in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>Qualifying Bodies (ie. Parish / Town Councils in parished areas, and Neighbourhood Forums in unparished areas) have the responsibility for leading the process; however, LPAs have a significant role in assisting certain stages of the process and</p>

Cold Ash Neighbourhood Development Plan

Implication	Commentary			
	ensuring that certain criteria are met. The procedure comprises several stages which following submission to the LPA become a statutory function who must undertake public consultation and examination. If the NDP is found to be satisfactory, a local referendum must take place (funded by the LPA) where more than 50% of those voting must agree to it, before the NDP is brought into legal force and becomes part of the development plan.			
<b>Risk Management:</b>	Not applicable			
<b>Property:</b>	Not applicable			
<b>Policy:</b>	National planning policy makes provision for the development of neighbourhood planning. An adopted plan forms part of the district's development plan.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		✓		Neutral impact as neighbourhood plans applies to all
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		Neutral impact as neighbourhood plans applies to all

Implication	Commentary		
<b>Environmental Impact:</b>	✓		Neighbourhood plans, in particular NDPs, can include policies which seek to protect the environment.
<b>Health Impact:</b>		✓	Not applicable
<b>ICT Impact:</b>		✓	Not applicable
<b>Digital Services Impact:</b>		✓	Not applicable
<b>Council Strategy Priorities:</b>	✓		<p>Having a neighbourhood plan meets the following priorities:</p> <ul style="list-style-type: none"> <li>• Tackling the Climate and Ecology Emergency – policies in neighbourhood plans provide the opportunity to protect and enhance the local environment for generations to come, whilst also increasing a community’s resilience to climate change.</li> <li>• A Prosperous and resilient West Berkshire – policies in neighbourhood plans can encourage development which supports a range of good quality local jobs, businesses, and services to meet the needs of local people. Policies can also make decisions on what type of housing is needed and where it should be built.</li> <li>• Thriving Communities with a Strong Local Voice – neighbourhood plans allow local communities to take the lead and enhance their local area, whilst also shaping where and how development takes place.</li> </ul>
<b>Core Business:</b>		✓	

Implication	Commentary			
Data Impact:		✓		
Consultation and Engagement:	<p>Paula Amorelli – Planning Policy Team Leader</p> <p>Katharine Makant – Service Lead: Planning &amp; Economy (Chief Planning Officer)</p> <p>Planning Advisory Group</p> <p>Operations Board</p> <p>The NDP has also been subject to substantial consultation during its production, and independent examination. It will need to pass a referendum of the local community before being adopted.</p>			

## 4 Executive Summary

- 4.1 Since 2019, Cold Ash Parish Council assisted by community volunteers, has been preparing a NDP. The purpose of the Cold Ash NDP is to provide planning policies to guide development in the designated Cold Ash Neighbourhood Area. The Neighbourhood Area covers the Parish of Cold Ash.
- 4.2 The Cold Ash NDP has been through independent examination. The Examiner has issued his final report which recommends that, subject to several modifications, the Plan can proceed to referendum.
- 4.3 The Examiner’s report is not binding. West Berkshire District Council (WBDC) must determine if the Cold Ash NDP, as modified, meets the Basic Conditions, is compatible with the Convention rights, complies with the definition of a NDP, and the provisions that can be made by a NDP. WBDC must also determine if the plan should proceed to referendum.
- 4.4 On consideration of the recommendations and modifications contained within the Examiner’s report, officers have concluded that the modified plan meets the Basic Conditions, is compatible with the Convention rights, complies with the definition of a NDP, and the provisions that can be made by an NDP. Officers recommend that the modified Cold Ash NDP should proceed to referendum, and this is set out in a Decision Statement (see Appendix D).
- 4.5 If the Cold Ash NDP is successful at referendum, it will be adopted as part of the development plan for West Berkshire the day following the referendum (so as to allow for the possibilities of a legal challenge).

## 5 Supporting information

### Introduction

- 5.1 The 2011 Localism Act has encouraged communities and local people to come together and shape the future of their local areas through neighbourhood plans. There are three different types of neighbourhood plans – NDPs, Neighbourhood Development Orders, and Community Right to Build orders.
- 5.2 West Berkshire is entirely parished, and legislation requires that neighbourhood plans are developed by Parish and Town Councils assisted by community volunteers. However, there are several parishes within the district which are so small they do not meet the threshold and instead have a Parish Forum, provided they meet the requirements of legislation. In such cases, a Neighbourhood Forum would need to be formed to develop neighbourhood plans. Plans must be in general conformity with national planning policies and the strategic policies of the development plan.
- 5.3 Neighbourhood plans must be subject to consultation, independent examination, and a referendum. If successful at referendum, they form part of the statutory development plan for West Berkshire. In other words, they are used to assist in the determination of planning applications.

### Background

- 5.4 Cold Ash Parish Council, as the Qualifying Body, successfully applied for the designation of the Cold Ash Neighbourhood Area on 19 March 2018 under the Neighbourhood Planning (General) Regulations 2012 (as amended). Since the designation of the Neighbourhood Area, Cold Ash Parish Council alongside its residents, have been working together to create a plan and they produced a draft of this in March 2023 which they consulted on.
- 5.5 Following the submission of the Cold Ash NDP to WBDC on 20 June 2023, the Plan was publicised, and comments were invited from the public and stakeholders between 21 July and 1 September 2023.
- 5.6 At a meeting of Council on 5 October 2023, Members agreed that the Cold Ash NDP could proceed to independent examination. WBDC, in conjunction with Cold Ash Parish Council, appointed an independent examiner, Andrew Mead, to review whether the plan met the Basic Conditions required by legislation and should proceed to referendum. The independent examination of the Cold Ash NDP took place between November and December 2023. The Examiner's report was issued on 3 January 2024 and is included within Appendix C.
- 5.7 A NDP will meet the Basic Conditions if:
  - it has had regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
  - it contributes to the achievement of sustainable development;
  - it is in general conformity with the strategic policies of the Local Plan; and
  - it does not breach and is otherwise compatible with EU obligations.

## Cold Ash Neighbourhood Development Plan

5.8 Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) also prescribes the following Basic Condition:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).

5.9 The examiner concluded that with modifications to the green gaps, economic, public car parking and sunken lanes policies, the Plan meets the Basic Conditions and should proceed to referendum.

5.10 The Cold Ash NDP will guide development in the Parish of Cold Ash to 2039, and it contains 16 planning policies designed to preserve the distinctive rural villages of Cold Ash and Ashmore Green. It also seeks to enhance and protect the overall character and heritage of the Parish, whilst supporting development which meets identified needs in the most sustainable locations within the defined settlement boundaries of the villages.

5.11 The Plan also contains (inter alia) policies on dark skies, heritage, sunken lanes, sustainable transport, design and the rural economy. Iconic views are identified, where any development should be located and designed in such a way that does not significantly harm the views. Additionally, the Plan proposes six sites for Local Green Space designation.

## Proposals

5.12 Following the independent examination of the Cold Ash NDP and the receipt of the Examiner's report, WBDC is required to make a decision on the next steps. As set out in Part 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended) these are:

- (a) To decline to consider a plan proposal under paragraph 5 of Schedule 4B to the Town and County Planning Act 1990 (as amended) (as applied by section 38A of the Planning and Compulsory Purchase Act 2004 (as amended)) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 act;
- (b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
- (c) what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4B to the 1990 act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;
- (d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
- (e) whether to extend the area to which the referendum is (or referendums are) to take place; or

- (f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.

5.13 In accordance with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended), WBDC must produce a Decision Statement that sets out the Council's decision and the reasons for this. This is included in Appendix D.

5.14 The Decision Statement sets out that the recommendations and modifications made in the Examiner's report should be accepted. The modifications will ensure that the NDP meets the Basic Conditions.

5.15 WBDC published the submitted NDP and its supporting documents for a 6-week consultation which ran between 21 July and 1 September 2023. WBDC made representations on the submitted Plan, and within these it was identified that several minor amendments are required. The Examiner's report comments that these amendments are non-material in nature and would not affect the ability of the Plan to meet the Basic Conditions.

5.16 The Examiner also commented in his report that minor amendments to the supporting text of policy CAP5 (Minimising the Risk of Flooding) suggested by Thames Water are non-material in nature and do not affect the ability of the Plan to meet the Basic Conditions.

5.17 On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) were renamed as National Landscapes. The references in the NDP to the North Wessex Downs AONB need to be amended to North Wessex Downs National Landscape. Such an amendment is non-material in nature and does not affect the ability of the Plan to meet the Basic Conditions.

5.18 Details of the non-material amendments are included within the Decision Statement (Appendix D) and are also shown in the version of the NDP with modifications (Appendix E).

5.19 Members are asked to:

- (a) Endorse the Decision Statement on the Cold Ash NDP which concludes that the Cold Ash NDP, with the inclusion of modifications, meets the Basic Conditions;
- (b) Agree that the Cold Ash NDP, upon a successful 'yes' vote at referendum, is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire;
- (c) Agree that authority to make minor alterations and corrections to the Cold Ash NDP as set out in Appendices D and E, prior to its proceeding to referendum, be delegated to the Service Lead, Planning and Economy, in consultation with the Portfolio Holder for Planning and Community Engagement.

5.20 Officers are currently liaising with the Elections Team to determine a date that the referendum could take place should Members endorse the Decision Statement.



## 6 Options for consideration

- 6.1 That the recommendations of the Cold Ash NDP independent examiner are not followed, and the plan does not proceed to referendum. There is however no justification for following this approach.

## 7 Conclusion

- 7.1 The Examiner's report on the Cold Ash NDP recommended that with modifications, the Plan meets the Basic Conditions and should proceed to referendum. The Examiner's report is not binding, and it is for WBDC to make the final recommendation.
- 7.2 Officers have considered each of the Examiner's recommendations and modifications and have decided on an action to take in response to each recommendation and what modifications should be made to the Plan to be satisfied that the Basic Conditions are met. This is set out in the Decision Statement. The Decision Statement concludes that the Cold Ash NDP, with the inclusion of several modifications, should proceed to referendum.
- 7.3 If the majority of those who vote in the referendum are in favour of the draft NDP (a successful 'yes' vote), WBDC must make the NDP within eight weeks (unless there is a legal challenge) part of the West Berkshire development plan. Officers consider that the NDP should be adopted, as part of the development plan for West Berkshire, as soon as practicable after the referendum.
- 7.4 Following a successful 'yes' vote at referendum it is proposed that the Cold Ash NDP automatically will be adopted by WBDC as part of the development plan and be used in part for the determination of planning applications.

## 8 Appendices

- 8.1 Appendix A – Equality Impact Assessment Stage 1
- 8.2 Appendix B – Data Protection Impact assessment – Stage 1
- 8.3 Appendix C – Cold Ash NDP Examiner's Report
- 8.4 Appendix D – Cold Ash NDP Decision Statement
- 8.5 Appendix E – Cold Ash NDP with Modifications

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### Background Papers:

None

### Subject to Call-In:

Yes:  No:

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- The item is due to be referred to Council for final approval
  - Delays in implementation could have serious financial implications for the Council
  - Delays in implementation could compromise the Council's position
  - Considered or reviewed by Scrutiny Commission or associated Committees or Task Groups within preceding six months
  - Item is Urgent Key Decision
  - Report is to note only

**Wards affected:** Chieveley and Cold Ash, Newbury Clay Hill (part), Thatcham West (part), Thatcham North West (part).

**Officer details:**

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Job Title: Principal Planning Officer  
Tel No: 01635 519 540  
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**Document Control**

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<b>Version:</b>	1.02	<b>Date Modified:</b>	3 January 2024
<b>Author:</b>	Laila Bassett		
<b>Owning Service</b>	Development and Regulation		

**Change History**

Version	Date	Description	Change ID
1	3 January 2023	Several amendments made to provide additional clarity	PA

## Appendix A

### Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.*

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<p><b>What is the proposed decision that you are asking the Executive to make:</b></p>	<p>To resolve that the Cold Ash NDP can be sent for independent examination under Regulation 17 of the Neighbourhood Planning (General) Regulations 2012.</p>
<p><b>Summary of relevant legislation:</b></p>	<p>The relevant legislation setting out the neighbourhood planning process is included in the following:</p> <ul style="list-style-type: none"> <li>• Localism Act 2011;</li> <li>• Neighbourhood Planning (General) Regulations 2012 (as amended)</li> <li>• Town and Country Planning Act 1990 (as amended)</li> <li>• Planning and Compulsory Purchase Act 2004 (as amended)</li> <li>• Conservation of Habitats and Species Regulations 2017</li> </ul>
<p><b>Does the proposed decision conflict with any of the Council’s priorities for improvement?</b></p> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>If yes, please indicate which priority and provide an explanation</b></p>
<p><b>Name of Budget Holder:</b></p>	<p>Katharine Makant</p>
<p><b>Name of Service/Directorate:</b></p>	<p>Development and Regulation / Place</p>
<p><b>Name of assessor:</b></p>	<p>Laila Bassett</p>
<p><b>Date of assessment:</b></p>	<p>15 December 2023</p>
<p><b>Version and release date (if applicable):</b></p>	

<p><b>Is this a .... ?</b></p>		<p><b>Is this policy, strategy, function or service ... ?</b></p>	
<p><b>Policy</b></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<p><b>New or proposed</b></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p><b>Strategy</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	<p><b>Already exists and is being reviewed</b></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

<b>Function</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Is changing</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Service</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

<b>(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To help deliver the government’s policy for neighbourhood planning in the parish of Cold Ash.
<b>Objectives:</b>	To allow the community of Cold Ash to development planning policies to shape the future of their communities.
<b>Outcomes:</b>	Completion and adoption of a NDP for the parish of Cold Ash.
<b>Benefits:</b>	<p>If the Cold Ash NDP receives a successful ‘yes’ vote at referendum, then it will hold the same weight as the Local Plan and form part of the development plan for West Berkshire.</p> <p>Cold Ash Parish Council will receive 25% of CIL receipts should the plan be successful at referendum.</p> <p>Delivery of government policy regarding neighbourhood planning.</p> <p>Give more control to the local community of Cold Ash to shape their community going forward.</p>

<b>(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?</b>		
<i>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)</i>		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age	<p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the</p>	<p>Neighbourhood Planning legislation, National Planning Policy Framework (NPPF), National Planning Practice Guidance</p>
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		

Sex	<p>development of the neighbourhood plan.</p>
Sexual Orientation	<p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p> <p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p> <p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p> <p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p>

	Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.	
<b>Further Comments:</b>		
None		

<b>(3) Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please provide an explanation for your answer:</b> Neighbourhood Planning allows communities to shape the future of their local area in land use planning terms.	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Please provide an explanation for your answer:</b> Development of a neighbourhood plan should have a positive impact upon a local community as all members of the community are encouraged to engage with the process of developing the plan.	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a EqlA 2.

If an EqlA 2 is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.

<b>(4) Identify next steps as appropriate:</b>	
<b>EqlA Stage 2 required</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Owner of EqlA Stage Two:</b>	
<b>Timescale for EqlA Stage Two:</b>	

Name: Laila Bassett

Date: 15 December 2023

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.

## Appendix B

### Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via [dp@westberks.gov.uk](mailto:dp@westberks.gov.uk)

Directorate:	Place
Service:	Development and Regulation
Team:	Planning Policy
Lead Officer:	Laila Bassett
Title of Project/System:	Cold Ash Neighbourhood Development Plan
Date of Assessment:	15 December 2023

#### Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p><i>Note – sensitive personal data is described as “ data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will you be processing data on a large scale?</b></p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Will any decisions be automated?</b></p> <p><i>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

## **Cold Ash NDP Examiner's Report**

See separate attachment.

## **Cold Ash NDP Decision Statement**

See separate attachment.

## **Cold Ash NDP with Modifications**

See separate attachment.