



Lead Member Decision
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Decision: Consideration of the Examiner's Report for the Mid-Cherwell Neighbourhood Plan

Decision taker: Councillor Colin Clarke, Lead Member for Planning

Decision Date: 1 February 2019

Is decision subject to Call-in? Yes

Deadline for Call-in: Noon on 6 February 2019

Is decision Exempt? No

Is decision urgent? No

Summary

The Mid-Cherwell Neighbourhood Plan (submission draft as proposed to be modified) has been examined by an independent examiner. The examiner has produced a report and the Council as the Local Planning Authority is required to consider the report's recommendations; determine whether the Plan, incorporating modifications, should proceed to a referendum; and, confirm the area covered by the referendum.

Decision

Resolved

- (1) That the Examiner's recommendations and modifications (Annexe 1 and 2 to this decision) be approved, to enable the Plan, incorporating the recommended modifications (Annexe 3 to this decision), to proceed to a referendum.
- (2) That the area for the referendum be approved as being the designated Neighbourhood Plan area in accordance with the examiner's recommendations, noting that there will be no extension to the area.
- (3) That the issue of a 'decision statement' confirming the Lead Member's decision including that the Plan will now proceed to referendum, be authorised.
- (4) That the Assistant Director – Planning and Economy be authorised to make any minor presentational changes and corrections necessary to ready the Plan for referendum.

Reasons for Decision

The submission Mid Cherwell Neighbourhood Plan has been independently examined and is recommended by the Examiner for referendum subject to the incorporation of modifications. Officers agree with the Examiner's conclusions. They consider that with the incorporation of his recommended modifications the Plan meets the requisite Basic Conditions and should proceed to referendum. The referendum area should be the designated Neighbourhood Plan Area.

Options Considered

The following alternative options are available but are not recommended for the reasons as set out:

Option 1: Not to approve some of the Examiner's recommendations but to proceed to a referendum.

Officers agree with all of the Examiner's recommendations. Where a Local Planning Authority proposes to make a decision that differs from the Examiner's recommendations then further consultation would be needed. This would take more time and have cost implications.

Option 2: Not to accept the Examiner's recommendations and not to proceed to a referendum.

Officers agree with the Examiner's recommendations. This option could only be justified if the Examiner recommends that the Plan should not proceed to a referendum, or the Council is not satisfied that the plan has met the procedural and legal requirements.

Option 3: To extend the area in which the referendum is to take place.

Officers agree with the Examiner's recommendations. There is no need to extend the referendum area.

Conflicts of Interest Declared and Dispensations Granted by Head of Paid Service

None

Information about this decision statement

Call-in

Notice of call-in must be submitted in writing, by email or text to the Chief Executive by the deadline specified above, and must state the reason or reasons why "call-in" has been requested;

Call-in can be requested by any six non-executive members of the Council.

However, if at any point during a municipal year the total number of opposition councillors is six or less the total number of non-executive members required to call-in a decision shall be the total number of opposition councillors less two.

Decisions not called-in by the deadline specified above will become effective immediately the deadline has expired (unless they are recommendations to the Council).

The Council has stipulated that the call-in procedure should not be used to challenge decisions as a matter of course and should be used only when fully justified.

Yvonne Rees
Chief Executive