

Cherwell District Council

Executive

7 June 2021

Notification of Decision taken by the Corporate Director – Environment & Place under Urgency Powers: Weston-on-the Green Neighbourhood Plan

Report of Assistant Director – Planning & Development

This report is public

Purpose of report

To inform the Executive of a decision taken under urgency powers by the Corporate Director – Environment & Place regarding the Weston-on-the-Green Neighbourhood Plan.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the urgent decision taken by the Corporate Director – Environment & Place presented at Appendix 1

2.0 Introduction

- 2.1 The Constitution states that the Corporate Director – Environment & Place may make an urgent decision in relation to an Executive function (in consultation with the relevant Member(s) if it is in the best interests of the Council and/or residents. Such a decision has been taken in relation to the Weston-on-the-Green Neighbourhood Plan in the interest of the Plan's 'making' within statutory timeframes following a successful referendum. On 19 May 2021, Council formally 'made' the Plan having regard to the Corporate Director's decision.

3.0 Report Details

- 3.1. The Weston-on-the-Green Neighbourhood Plan received majority support at a referendum held on 6 May 2021. Following a successful referendum, the Council is legally required to formally 'make' the Neighbourhood Plan within a prescribed eight-week period from the day after the referendum, which is by 1 July 2021. As the scheduled meeting of Council on 19 July would not have enabled the making of the plan within the prescribed period, there would have been a breach of the Council's duty had it waited. The only lawful options were to present the Plan to

Council on 19 May or call a special meeting before 1 July. The balance of advantage was clearly in favour of an urgent report to the 19 May meeting.

- 3.2. To enable that to happen, and in the absence of a meeting of the Executive in May, the Corporate Director – Environment & Place needed to take an urgent decision with a recommendation to Council. Appendix 1 to this report shows that on 19 May, the Corporate Director decided to recommend to Council that it formally ‘make’ the Weston-on-the-Green Neighbourhood Plan within the prescribed period so that it continued to have effect as part of the statutory Development Plan for the district.
- 3.3. Subsequently on 19 May, Council ‘made’ the Plan and the Assistant Director – Planning and Development was authorised to issue and publicise a Decision Statement.

4.0 Conclusion and Reasons for Recommendations

- 4.1 In line with the Constitution this report is informing Executive of a decision that was taken by the Corporate Director – Environment & Place under urgency powers.

5.0 Consultation

Cllr Collin Clarke – Lead Member for Planning, who supported and endorsed the decision taken under urgency powers.

6.0 Alternative Options and Reasons for Rejection

There are no alternative options.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report as it is reporting urgent action already taken. The cost of ‘making’ the Neighbourhood Plan is being met from within existing budgets. A Government grant of £20,000 has also been received following the decision of the Executive to proceed to referendum in July 2020.

Comments checked by:

Karen Dickson, Strategic Finance Business Partner, 01295 221900

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Legal Implications

- 7.2 The noting of the urgent decision taken ensures compliance with the Council’s constitution.

Comments checked by:
Matthew Barrett, Planning Solicitor, 01295 753798
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Risk Implications

- 7.3 The noting of the urgent decision taken ensures compliance with the Council's constitution.

Comments checked by:
Louise Tustian, Head of Insight and Corporate Programmes, 01295 221786
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Equality & Diversity Implications

- 7.4 There are no equality and diversity implications arising directly from this report as it is reporting urgent action already taken.

Comments checked by:
Emily Schofield, Acting Head of Strategy, 07881 311707
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8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Launton and Otmoor

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

Document Information

Appendix number and title

- Appendix 1 – Urgent Decision by Corporate Director – Environment & Place

Background papers

None

Reference Papers

Weston-on-the-Green Neighbourhood Plan -

<https://www.cherwell.gov.uk/info/221/neighbourhood-plans/402/weston-on-the-green-neighbourhood-plan>

Report Author and contact details

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