

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E2780

Freshford & Limpley Stoke Neighbourhood Plan

Date of Meeting	4-Nov-15
The Issue	<i>This Report outlines the results of the referendums for the Freshford & Limpley Stoke Neighbourhood Plan and recommends that both Neighbourhood Plans are made and brought into force.</i>
The decision	<p>RESOLVED (unanimously) that:</p> <p>The Cabinet make and bring into force the Freshford & Limpley Stoke Neighbourhood Development Plan as part of the Development Plan for the Freshford & Limpley Stoke Neighbourhood Area, in accordance with Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”) (as amended by the Localism Act, 2011).</p>
Rationale for decision	<p>The Localism Act 2011 has reformed the planning system to give local people new rights to shape the development of the communities in which they live.</p> <p>The Act provides for a new type of community-led initiative known as a Neighbourhood Plan which sets out the policies on the development and use of land in a parish or ‘Neighbourhood Area’.</p> <p>The Council has a duty to assist communities in the preparation of a Neighbourhood Development Plan and orders and to take plan through a process of examination and referendum and to bring the Neighbourhood Plan into force. Once the Plan has been ‘made’ by the Council there is a six week period where legal challenges can be submitted. No legal challenges to the Plan are anticipated.</p> <p>As this Plan falls partly within the local authority area of Bath & North East Somerset Council and partly within the area of Wiltshire Council, the decision to ‘make’ the Plan will be made by both Councils. In line with the Neighbourhood Planning Protocol (version dated 9th September 2015) for Bath and North East Somerset, the decision to make the Plan is for the Council’s Cabinet. In respect of Wiltshire Council, the decision making power has been delegated to the Associate Director for Economic Development and Planning who will be making his decision on the same day of the meeting of this Cabinet.</p> <p>Call In</p> <p>The Council has a legal duty to make the Plan and bring it into force as soon as reasonably practicable after the referendum. It is therefore considered that this decision falls within the exceptions to call in contained in rule 5 of the Call In Procedure Rules, namely, that the effect of call in would be to cause the Council to miss the statutory deadline.</p>

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**Other options
considered**

No other options were considered given that the Council has a duty to make the Plan and bring it into force.

The Decision is subject to Call-In within 5 working days of publication of the decision