

Cabinet Meeting Resolution

**Executive
Forward Plan
Reference**

E2805

Clutton Neighbourhood Plan

Date of Meeting	4-Nov-15
The Issue	<i>This Report outlines the results of the referendums for the Clutton 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 Clutton Neighbourhood Development Plan as part of the Development Plan for the Clutton 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 Neighbourhood Development Plan and orders and to take a Plan through a process of examination and referendum and to bring the Neighbourhood Plan into force.</p> <p>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>In line with the Neighbourhood Planning Protocol (version dated 9th September 2015) the decision to make the Plan is for the Council’s 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>
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