
TITLE: ADOPTION OF THE SUTTON NEIGHBOURHOOD PLAN

Committee: Full Council

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1.0 ISSUE

1.1 Following the successful referendum on 2 May 2019 (result announced 3 May 2019), the Sutton Neighbourhood Plan needs to be formally 'made' by East Cambridgeshire District Council and thereby be formalised as part of the Development Plan (alongside the 2015 Local Plan) for East Cambridgeshire. Please note that the word 'made' is the word used in legislation when referring to Neighbourhood Plans, and means to all intents and purposes 'adopted'.

2.0 RECOMMENDATION(S)

2.1 That the Council:

- (A) congratulates Sutton Parish Council on its preparation of a Neighbourhood Plan and a successful referendum outcome, becoming the second parish council to do so in East Cambridgeshire; and
- (B) formally makes the Sutton Neighbourhood Plan (as attached at Appendix 1) part of the Development Plan for East Cambridgeshire with immediate effect.

3.0 BACKGROUND/OPTIONS

3.1 At the Parish Council's request, the Sutton Neighbourhood Area was designated by East Cambridgeshire District Council in January 2015. This paved the way for a Neighbourhood Plan to be prepared.

3.2 Following preliminary consultation and evidence gathering, the Sutton Neighbourhood Plan was submitted to the Council by Sutton Parish Council on 28 November 2018. As required by legislation, the District Council then published the Plan, for the purpose of final consultation, in November 2018 (consultation ran until mid January 2019). Following the publication period, the District Council submitted the Plan for independent examination. The examination was held in February and March 2019 and was carried out through written representations. No public hearing session was required.

3.3 The examiner's report concluded that, subject to recommended modifications being followed (which were relatively minor in nature), the Sutton Neighbourhood Plan makes appropriate provision for sustainable development; has appropriate regard to national policy; is in general conformity with the

strategic policies in the development plan for the local area; and is compatible with EU obligations, including human rights requirements.

3.4 In March 2019, the Sutton Neighbourhood Plan was modified as per the examiner's recommendations. The District Council reviewed the modified plan, and was satisfied the Sutton Neighbourhood Plan meets the 'basic conditions' and other legal requirements, as detailed in the required Decision Statement (published 20 March 2019). Following publication of the Decision Statement, the Council proceeded to arrange a referendum.

3.5 The referendum was held on Thursday 2 May 2019, with voters in Sutton asked the following question (the question wording being set by legislation):

Do you want East Cambridgeshire District Council to use the neighbourhood plan for Sutton to help it decide planning applications in the neighbourhood area?'

3.6 Of the votes cast, 1,105 were in favour and 116 were against. 9 ballot papers were rejected.

3.7 With just over 90% of votes in favour, the Sutton Neighbourhood Plan received the majority support it needed. Following the referendum result, the Neighbourhood Planning Act (2017) automatically gave the Sutton Neighbourhood Plan the same legal status as a plan which has been made (or 'adopted') by the applicable District Council. Accordingly, since the referendum result, the Council has treated the Sutton Neighbourhood Plan as part of the Development Plan for the purposes of decision-making.

3.8 However, despite this automatic post-referendum legal position, East Cambridgeshire District Council is required to formally 'make' the Sutton Neighbourhood Plan part of the Development Plan for the district. There is no known legal basis for Full Council to 'reject' (or in any way amend) the plan.

4.0 ARGUMENTS/CONCLUSIONS

4.1 The Sutton Neighbourhood Plan received majority support at a duly held referendum of 2 May 2019 (result announced on 3 May 2019). The District Council is therefore required to 'make' the Sutton Neighbourhood Plan part of the Development Plan for East Cambridgeshire, as per the will of the majority of voters in Sutton. In doing so, legally it has the same status as the 2015 East Cambridgeshire Local Plan.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There are no financial implications arising from this decision. Costs incurred to date by the District Council (for example, officer support and referendum costs) have been broadly covered by the fixed £25,000 grant payable to East Cambridgeshire District Council by Government (a grant payable for each Neighbourhood Plan which reaches the referendum stage).

5.2 Equality Impact Assessment is not required.

6.0 APPENDICES

6.1 Appendix 1: Sutton Neighbourhood Plan (circulated separately)

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
	Room 12, The Grange, Ely	Edward Dade Strategic Planning Officer (01353) 616458 E-mail: edward.dade@eastcambs.gov.uk