

Minutes

OF A MEETING OF THE

Cabinet



Listening Learning Leading

HELD AT 6.00 PM ON THURSDAY 11 JULY 2013

COUNCIL CHAMBER, COUNCIL OFFICES, CROWMARSH GIFFORD

Present:

Mrs Ann Ducker, MBE (Chairman)

Ms Anna Badcock, Mrs Judith Nimmo-Smith and Mr Bill Service

Apologies:

Mr David Dodds and Reverend Angie Paterson tendered apologies.

Officers:

Mr Steve Bishop, Mr David Buckle, Mr Matt Prosser, Mrs Anna Robinson, Mr Ian Price, Mrs Jennifer Thompson and Mr Miles Thompson

Also present:

Mrs Celia Collett, MBE
Mr Michael Welply

1 Declaration of disclosable pecuniary interest

Mrs A Ducker stated that as Mr Dodds had declared an interest and absented himself from all discussions on the Thame Neighbourhood Plan, he was not attending tonight's meeting as this was the only item on the agenda.

2 Minutes of the previous meeting

RESOLVED: to approve the minutes of the meeting held on 11 April 2013 as a correct record and agree that the Chairman sign them as such.

RECOMMENDATION TO COUNCIL

3 Making the Thame Neighbourhood Plan part of the Development Plan for South Oxfordshire

Cabinet considered the report of the Head of Planning that asked Cabinet to recommend Council to make the Thame Neighbourhood Plan part of the Development Plan for South Oxfordshire. The independent examiner found that the plan, amended to include modifications proposed in his report, met the basic conditions and other requirements prescribed by the relevant legislation. The referendum met the requirements of the Localism Act 2011 and greater than 50 per cent of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The plan and its preparation did not breach and was not otherwise incompatible with any EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998.

Mr J Castle, local landowner, addressed Cabinet. He explained his interest in the details of the plan as he had a beneficial interest in Site F. He had been involved with the community for many years. He considered it premature to make the Thame Neighbourhood Plan part of the Development Plan for South Oxfordshire. A police investigation into possible breaches of the legal referendum expenditure limits by the 'Yes' campaign was ongoing. Given that the expenditure may have directly influenced the voting, the outcome of the referendum was open to question. He would prefer the decision to be deferred until the conclusion of the investigation.

Mr P Webb, local resident, addressed Cabinet. He said that in his opinion the Thame Neighbourhood Plan did not conform to the council's adopted core strategy and was therefore unsound. It should not become part of the development plan. Introducing Elms Field as an additional development site exceeded the remit of the neighbourhood plan; contradicted the commitments in the core strategy to no net loss of green space and to biodiversity; would lead to further difficulties with traffic and services; and impacted on the conservation area. Publicity for the referendum had implied there was no point in a 'no' vote as this would lead to the district council imposing housing on the town. The sources of the stated benefits to the town were unclear. A determination that the neighbourhood plan did not conform to the core strategy would be an opportunity to start again.

In response to the speakers, Mr Buckle and Mr Price stated the advice of the Head of Legal and Democratic Services. This was that even if there were criminal proceedings and a conviction it would not result in the referendum result being set aside. There is a six week period from publication of the referendum result within which a legal challenge of the conduct of the referendum can be brought by way of judicial review. That has passed and there has been no such challenge. Cabinet and Council may therefore act on the referendum result without awaiting the outcome of the criminal investigation. Mr Thompson stated that the Thame Neighbourhood Plan had been subjected to a full independent examination by a planning inspector where all parties had an opportunity to express their views. The inspector concluded that the plan put to the referendum was in conformity to the council's adopted core strategy.

Cabinet noted the advice and the referendum outcome and agreed to recommend Council to make the Thame Neighbourhood Plan part of the development plan.

RESOLVED: to recommend Council to make the Thame Neighbourhood Plan part of the Development Plan for South Oxfordshire.

The meeting closed at 6.20 pm
Chairman

Date