

Minutes

of a meeting of the

Cabinet



Listening Learning Leading

held on Tuesday 10 July 2018 at 9.00am
Meeting Room 1, 135 Eastern Avenue, Milton Park, OX14 4SB

Present:

Cabinet members: Councillors Felix Bloomfield, Kevin Bulmer, David Dodds, Paul Harrison, Lynn Lloyd and Caroline Newton

Officers: Ben Coleman, Steve Culliford, Andrew Down, Adrian Duffield, William Jacobs, Suzanne Malcolm, Adrianna Partridge, Ian Price, Margaret Reed, Mark Stone and Christopher Wheeler

Other councillors: Sue Cooper and David Turner

Apologies: Jane Murphy, Anna Badcock and Bill Service tendered apologies.

7 Minutes

RESOLVED: to approve the minutes of the meeting held on 7 June 2018 as a correct record and agree that the Chairman sign them as such.

8 Declaration of disclosable pecuniary interest

None

9 Urgent business and chairman's announcements

None

10 Public participation

None

11 Benson Neighbourhood Plan

Cabinet received the head of planning's report on the Benson Neighbourhood Plan. The referendum for the plan took place on 28 June 2018, at which residents voted for its adoption.

Councillor Sue Cooper addressed Cabinet, welcoming the making of the neighbourhood plan but asking Cabinet to encourage delivery of a Benson relief road before any new housing development commenced.

The Cabinet member for planning updated Cabinet. In the ordinary course of events the council would proceed to make the plan part of its development plan. However, the European Court of Justice made a judgment on 12 April 2018 in a case commonly referred to as the 'People Over Wind'. This case might have implications for the neighbourhood plan relating to how the Habitats Regulation Assessment screenings were carried out as part of the plan's process. The Habitats Regulation Assessment formed part of the European Union obligations that neighbourhood plans must be in conformity with, or not in breach of, before the plan could be included as part of this council's development plan when determining planning applications. Consequently, the council was seeking legal advice. Pending receipt of this advice, consideration of the neighbourhood plan needed to be deferred. Cabinet concurred.

RESOLVED: to defer consideration of the making of the Benson Neighbourhood Development Plan as part of this council's development plan, pending receipt of legal advice on whether the neighbourhood plan is compliant with the European Court of Justice Judgment of 12 April 2018 (known as the People Over Wind judgment) relating to the Habitats Regulation Assessment.

12 Watlington Neighbourhood Plan

Cabinet received the head of planning's report on the Watlington Neighbourhood Plan. The referendum for the plan took place on 28 June 2018, at which residents voted for its adoption.

Councillor Sue Cooper addressed Cabinet, welcoming the making of the neighbourhood plan but asking Cabinet to encourage delivery of a Watlington relief road before any new housing development commenced.

The Cabinet member for planning updated Cabinet. Normally the council would proceed to make the plan part of its development plan. However, the European Court of Justice made a judgment on 12 April 2018 in a case commonly referred to as the 'People Over Wind', which might have implications for the neighbourhood plan relating to how the Habitats Regulation Assessment screenings were carried out as part of the plan's process. The Habitats Regulation Assessment formed part of the European Union obligations that neighbourhood plans must be in conformity with, or not in breach of, before the plan could be included as part of this council's development plan when determining planning applications. Consequently, the council was seeking legal advice. Cabinet concluded that consideration of the neighbourhood plan should be deferred pending receipt of this legal advice.

RESOLVED: to defer consideration of the making of the Watlington Neighbourhood Development Plan as part of this council's development plan, pending receipt of legal advice on whether the neighbourhood plan is compliant with the European Court of Justice Judgment of 12 April 2018 (known as the People Over Wind judgment) relating to the Habitats Regulation Assessment.

13 Exclusion of the Public

RESOLVED: to exclude members of the press and public from the meeting for the following item of business under Part 1 of Schedule 12A Section 100A(4) of the Local Government Act 1972 and as amended by the Local Government (Access to Information) (Variation) Order 2006 on the grounds that:

- i. it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act, and
- ii. the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14 New office accommodation

Cabinet agreed a site development option for the redevelopment of the former council office site at Crowmarsh Gifford.