



Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Anne Marie Simpson
Key decision?	No
Date of decision (same as date form signed)	07/02/2025
Name and job title of officer requesting the decision	Tom Gill Planning Policy Officer (Neighbourhood)
Officer contact details	Tel: 07510 921689 Email: thomas.gill@southandvale.gov.uk
Decision	To recommend to Council: 1. To make the Thame Neighbourhood Development Plan 2, so that it continues to be part of the council's development plan. 2. To delegate to the Head of Policy and Programmes, in consultation with the appropriate Cabinet Member and in agreement with the Qualifying Body – Thame Town Council, the correction of any spelling, grammatical, typographical or factual errors together with any improvements from a presentational perspective.
Reasons for decision	1. The making of the Thame Neighbourhood Development Plan 2 (the Plan) would not breach, or otherwise be incompatible with, any EU or human rights obligations, including the following Directives: the Strategic Environmental Assessment Directive (2001/42/EC); the Environmental Impact Assessment Directive (2011/92/EU); the Habitats Directive (92/43/EEC); the Wild Birds Directive (2009/147/EC); the Waste Framework Directive (2008/98/EC); the Air Quality Directive (2008/50/EC); and the Water Framework Directive (2000/60/EC). In addition, no issues arise in respect of equality under general principles of EU law or any EU equality directive. In order to comply with the basic condition on the European Union legislation, South Oxfordshire District Council undertook a screening exercise (dated May 2021) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. As a result of this process, it concluded that the Plan was likely to have significant effects on the environment and accordingly would require an SEA. As a result of this conclusion, the Qualifying Body

commissioned a Strategic Environmental Assessment dated June 2023. The Strategic Environmental Assessment set out the introductions and background in sections 1 and 2. Section 3 sets out the scope of the SEA. Section 4, 5, 6, and 7 set out what the SEA has assessed and section 8 and 9 assess the environmental impact of the Neighbourhood Plan policies. Section 10 sets out the monitoring and next steps of the Plan. An addendum to the Report was published alongside the submitted Plan which set out how the changes made to the Plan following the pre-submission consultation impacted the Report. The Environmental Report was well considered and detailed. It assessed the environmental conditions in the neighbourhood area and appraised the policies (and reasonable alternatives) against the framework developed through the Scoping Report.

2. The Council screened the Plan's potential impact on EU Special Areas of Conservation (SACs), and this was completed in May 2021. The HRA screening report concluded that the Plan would not have any likely significant effects on the integrity of European sites in or around South Oxfordshire, either alone or in combination with other plans or programmes and that an Appropriate Assessment is therefore not required.
3. The council is satisfied that the Plan is in all respects fully compatible with Convention rights contained in the Human Rights Act 1988. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known.

Referendum

4. A referendum relating to the adoption of the Thame Neighbourhood Development Plan 2 was held on Thursday 6 February 2025.
5. The question which was asked in the Referendum was: *'Do you want South Oxfordshire District Council to use the Neighbourhood Plan for Thame to help it decide planning applications in the neighbourhood area?'*
6. The result was as follows:
 - a. Yes = 2035 votes (89.02%)
 - b. No = 248 votes (10.85%)
 - (Unmarked/void = 0.13%)
 - c. Turnout = 22.35%
7. The majority of local electors who voted, voted in favour of the Plan; therefore, the Thame Neighbourhood Development Plan 2 has become part of the council's development plan.
8. As the Plan was approved at the local referendum and the council is satisfied that the making of the Plan would not breach, or otherwise be incompatible with, any EU or human rights obligations, the council is required to make the Thame Neighbourhood Development Plan 2 so

	<p>that it continues to be part of the council’s development plan.</p>												
<p>Alternative options rejected</p>	<p>The council’s options are limited by statute. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 sets out that the council must make a neighbourhood plan if more than half of those voting at the referendum have voted in favour of the plan being used to help decide planning applications in the plan area.</p> <p>The only circumstance where the district council should not make this decision is where the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).</p> <p>Section 3 of the Neighbourhood Planning Act 2017, which came into force on 19 July 2017, amends section 38 of the Planning and Compulsory Purchase Act 2004 to ensure that neighbourhood plans have full legal effect once they have passed their local referenda. In the very limited circumstances that the council might decide not to make the neighbourhood development plan, it will cease to be part of the development plan for the area.</p> <p>In this case, the referendum result was in favour of the plan, and so the Thame Neighbourhood Development Plan 2 has become part of the council’s development plan. For the reasons set out in paragraphs 1 to 3, the council is satisfied that the Thame Neighbourhood Development Plan 2 would not breach or be incompatible with EU obligations or human rights legislation.</p>												
<p>Climate and ecological implications</p>	<p>Neighbourhood plans are high level planning policy documents. Their preparation is subject to Environment Impact Assessment Regulations and once adopted they influence the determination of planning applications.</p> <p>The Plan contributes to the achievement of sustainable development. Sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The output from the climate impact assessment tool below highlights the policies in the plan which have a positive impact for climate change and nature recovery.</p> <div data-bbox="491 1615 1385 2045" data-label="Figure"> <table border="1"> <thead> <tr> <th colspan="2">KEY</th> </tr> </thead> <tbody> <tr> <td style="background-color: #4CAF50;"></td> <td>Significant and/or long-term positive impact identified. No changes needed.</td> </tr> <tr> <td style="background-color: #8BC34A;"></td> <td>Slight or short-term positive impact identified. No changes needed but could be reviewed to improve.</td> </tr> <tr> <td style="background-color: #9E9E9E;"></td> <td>No net change/not applicable</td> </tr> <tr> <td style="background-color: #FFEB3B;"></td> <td>Slight or short-term negative impact identified. Review to identify possible improvements.</td> </tr> <tr> <td style="background-color: #F44336;"></td> <td>Significant and/or long-term negative impact identified. Changes needed before proceeding.</td> </tr> </tbody> </table> </div>	KEY			Significant and/or long-term positive impact identified. No changes needed.		Slight or short-term positive impact identified. No changes needed but could be reviewed to improve.		No net change/not applicable		Slight or short-term negative impact identified. Review to identify possible improvements.		Significant and/or long-term negative impact identified. Changes needed before proceeding.
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<p>Legal implications</p>	<p>The legal implications are set out elsewhere in the report on the basis of which it is considered that the council should now proceed to make the Thame Neighbourhood Development Plan 2. The process undertaken and proposed accords with planning legislation.</p>																						
<p>Financial implications</p>	<p>The Government makes funding available to local authorities to help them meet the cost of their responsibilities around neighbourhood planning. A total of £20,000 can be claimed for each neighbourhood planning area. In the case of neighbourhood plan reviews, a local planning authority may make only one claim for substantive modifications to a specific neighbourhood plan in their area within each 5-year window from the date that plan was first made. The council becomes eligible to apply for this additional grant once the council issue a decision statement detailing the intention to send the plan to referendum.</p> <p>Any costs incurred in the formal stages in excess of Government grants is borne by the council. Staffing costs associated with supporting community groups and progressing neighbourhood plans through the formal stages are funded by the council. It is expected that costs associated with progressing this neighbourhood plan can be met from within the existing</p>																						

<p>Other implications</p>	<p>neighbourhood planning budget.</p> <p>The council is required to comply with the statutory requirements (to consider whether the Thame Neighbourhood Development Plan 2 should be made following successful local referendum), which this recommendation seeks to achieve. In view of the considerations referred to elsewhere in this report, as the majority of those voting have voted in favour of the plan at its local referendum, a decision not to make the plan would place the council at risk of a legal challenge.</p>			
<p>Background papers considered</p>	<ol style="list-style-type: none"> 1. Thame Neighbourhood Plan 2 and supporting documents 2. National Planning Policy Framework (2024) 3. National Planning Policy Guidance (July 2014 and subsequent updates) 4. Soth Oxfordshire Local Plan 5. Strategic Environmental Assessment for the Thame Neighbourhood Plan 2 6. South Oxfordshire District Council SEA/HRA Screening Statement January 2023 7. Representations submitted in response to the Thame Neighbourhood Plan 2 8. Relevant Ministerial Statements 			
<p>Declarations/ conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?</p>	<p>None</p>			
<p>List consultees</p>		<p>Name</p>	<p>Outcome</p>	<p>Date</p>
<p>Ward councillors</p>	<p>Councillor: Pieter-Paul Barker</p>	<p>Agreed</p>	<p>20/02/25</p>	
	<p>Councillor: David Bretherton</p>	<p>No comments</p>	<p>23/01/25</p>	
	<p>Councillor: Kate Gregory</p>	<p>No comments</p>	<p>24/01/25</p>	
<p>Legal legal@southandvale.gov.uk</p>	<p>Nick Bennett Solicitor</p>	<p>No concerns to raise</p>	<p>21/01/25</p>	
<p>Finance Finance@southandvale.gov.uk</p>		<p>No comments</p>	<p>23/01/25</p>	
<p>Climate and biodiversity climateaction@southandvale.gov.uk</p>		<p>No comments</p>	<p>23/01/25</p>	
<p>Diversity and equality equalities@southandvale</p>	<p>Ruth Lewin-Leigh</p>	<p>No comments.</p>	<p>23/01/25</p>	

	.gov.uk			
	Property property@southandvale.gov.uk		No comments	23/01/25
	Communications communications@southandvale.gov.uk		No comments	23/01/25
Confidential decision? If so, under which exempt category?	No			
Call-in waived by Scrutiny Committee chairman?	n/a			
Has this been discussed by Cabinet members?	n/a			
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature Councillor Anne-Marie Simpson Date 07/02/2025			

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 07/02/2025	Time: 12.32
Date published to all councillors	Date: 07/02/2025	
Call-in deadline	Date: n/a	Time: n/a