

To: City Executive Board
Date: 20 June 2017
Report of: Head of Planning, Sustainable Development and Regulatory Services
Title of Report: Headington Neighbourhood Plan

| Summary and recommendations | |
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| Purpose of report: | To consider the Headington Neighbourhood Plan for adoption so that it can become part of the Oxford Development Plan |
| Key decision: | Yes |
| Executive Board Member: | Cllr Alex Hollingsworth, Board Member for Planning and Regulatory Services |
| Corporate Priority: | Strong and Active Communities; Meeting Housing Needs; A Vibrant and Sustainable Economy; A Clean and Green Oxford |
| Policy Framework: | None |
| Recommendations: That the City Executive Board resolves to: | |
| <ol style="list-style-type: none"> 1. Agree to 'make' the Headington Neighbourhood Plan; 2. Recommend Council to adopt the Headington Neighbourhood Plan as part of the Council's development plan for the Headington neighbourhood area. | |

| Appendices | |
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| Appendix 1 | Headington Neighbourhood Plan 2017 – 2032 |
| Appendix 2 | Risk Register |

Introduction and background

1. The Localism Act 2011 introduced new rights and powers to enable communities to get directly involved in planning for their areas. Neighbourhood planning allows interested communities to come together through a Neighbourhood Forum to produce a Neighbourhood Plan. Once a Neighbourhood Plan is adopted or 'made' it will become part of the statutory development plan, and therefore an important consideration when making decisions on planning applications.

2. Stages to date:

- The Headington Neighbourhood Area was designated by Oxford City Council on 23 April 2014.
- The Draft Headington Neighbourhood Plan 2017-2032 was submitted by the Headington Neighbourhood Forum on 13 June 2016
- The Submission Stage Consultation (Regulation 16) took place for 6 weeks between Friday 26 August 2016 and Friday 7 October 2016
- The Examination period began on the 7th October 2016 (via written representations)
- Examiners report was received on 4 January 2017. The Examiner was satisfied with the Plan subject to a number of recommended changes to policies in the plan and that the Plan should proceed to referendum.

The Referendum

3. On Thursday 4 May 2017, the referendum on the Headington Neighbourhood Plan took place. The question asked of residents within the Headington Neighbourhood Plan Area was:

Do you want Oxford City Council to use the neighbourhood plan for Headington to help it decide planning applications in the neighbourhood area?

Results were announced late on Thursday 4 May 2017 and were as follows:
Yes: 3,310; No: 543. (Turnout: 38%)

The City Council's responsibility following the referendum

4. As more than half of those voting in the referendum voted in favour of the Plan the Council has a duty to 'make' the plan. This is a legislative requirement (*Planning and Compulsory Purchase Act 2004 s38A (4a)*).
5. The City Council would not be under the duty to 'make' the Plan if they consider that 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) (*Planning and Compulsory Purchase Act 2004 s38A(6)*). This is not considered to be the case and therefore the City Council is able to use its duty to 'make' the Plan.
6. Officers are pleased that the Neighbourhood Plan has been supported by the community and recognises the hard work undergone by the Neighbourhood Forum to get to this position.

Environmental Impact

7. A combined Strategic Environmental Assessment and Habitat Regulations Assessment Screening Statement was submitted as part of the supporting evidence to the examination. The conclusions of this statement consider that the Headington Neighbourhood Plan is unlikely to have significant environmental effects on the environment and is unlikely to impact on the Oxford Meadows SAC.

Financial Implications

8. Once the Headington Neighbourhood Plan is 'made' the neighbourhood portion of the Community Infrastructure Levy receipts generated locally that can be retained and spent locally increases from 15 to 25%.

Legal Issues

9. The Council has a statutory duty to support Neighbourhood Plans pursuant to Section 61G(5) of the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by Section 38A of the Planning and Compulsory Purchase Act 2004, the Neighbourhood Planning (General) (Amendment) Regulations 2015 and the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations.
10. Timely decision taking is important particularly at the start and at the end of the process and certain decisions must be taken within prescribed time periods. These are set out in the Neighbourhood Planning (General) (Amendment) Regulations 2015 and the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, which amend the Neighbourhood Planning (General) Regulations 2012. Importantly, Councils must now "make" a neighbourhood plan (which brings the plan into full legal force) within 8 weeks of a "yes vote at Referendum.
11. Once made a neighbourhood plan will become the development plan for the area concerned. For this reason the Council is to be asked to adopt the Neighbourhood Plan as part of the Oxford Development Plan

Level of risk

12. The Risk Register is attached at Appendix 2.

Equalities Impact

13. Consideration has been given to the public sector equality duty imposed by s149 of the Equalities Act 2010. Having paid due regard to the need to meet the objectives of that duty the view is taken that the duty is met.

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| Report author | Richard Wyatt |
| Job title | Senior Planner |
| Service area or department | Planning, Sustainable Development and Regulatory services |
| Telephone | 01865 252704 |
| e-mail | rwyatt@oxford.gov.uk |

Background Papers: None

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