



**COTSWOLD**  
DISTRICT COUNCIL

Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>CABINET MEMBER FOR THE PLANNING DEPARTMENT, TOWN AND PARISH COUNCILS DECISION-MAKING MEETING - 11 MARCH 2021</b>
Report Number	<b>ITEM 1</b>
Subject	<b>NEIGHBOURHOOD PLANNING: REGULATION 18 DECISION ON THE EXAMINER'S REPORT ON THE PRESTON NEIGHBOURHOOD DEVELOPMENT PLAN</b>
Wards affected	Siddington and Cerney Rural directly
Accountable member	Councillor Clive Webster - Cabinet Member for the Planning Department, Town and Parish Councils. Email: <a href="mailto:clive.webster@cotswold.gov.uk">clive.webster@cotswold.gov.uk</a>
Accountable officer	Joseph Walker, Community Partnerships Officer Tel: 01285 623146 Email: <a href="mailto:joseph.walker@publicagroup.uk">joseph.walker@publicagroup.uk</a>
Summary/Purpose	To consider whether the Preston Neighbourhood Plan, as modified, meets the Basic Conditions required by the Localism Act, and therefore proceeds to referendum
Annexes	Annex A - Examiner's Report on Preston Neighbourhood Plan Annex B - Preston Neighbourhood Plan referendum version Annex C - Table of Modifications
Recommendation/s	<i>That the Cabinet Member for the Planning Department, Town and Parish Councils considers the recommendations of the examiner, and the proposed modifications, and agrees that the Plan meets the Basic Conditions.</i>
Corporate priorities	The Council has a duty to support neighbourhood planning. 'Ensure that all services delivered by the Council are delivered to the highest standard.'
Key Decision	No
Exempt	No
Consultees/ Consultation	The draft plan was consulted upon by the parish council, and subsequently by the District Council, in line with the statutory requirements of the Neighbourhood Planning process.

## **I. BACKGROUND**

- 1.1. Preston Parish Council (PPC) applied to this Council in May 2017 to designate a neighbourhood area. The area applied for, and subsequently approved, was the entirety of Preston Parish. Since that point, a steering group consisting of local residents and consultancy support has consulted locally, reviewed and developed a local evidence base, and drafted a plan, the Preston Neighbourhood Development Plan (PNDP). This plan was duly consulted upon in early 2020 (Regulation 14 pre-submission consultation) – a consultation to which this Council responded – and representations were considered in preparing a submission draft. Following the submission of this draft to the Council last year, consultation was launched in September 2020, closing on 2 November.

## **2. MAIN POINTS**

- 2.1. Following the prescribed process for neighbourhood plans, Cotswold District Council procured an independent examination of the Preston Neighbourhood Development Plan (NDP) from an experienced examiner, Andrew Mead ('the examiner'). This examination process is typically carried out using written representations, so is effectively a desk-based exercise, usually supplemented with a visit to the neighbourhood area. The examiner issued his final report on 28 January 2021.
- 2.2. The examiner concluded that the NDP, as amended following his recommendations, meets the Basic Conditions laid out in law for neighbourhood plans, and should proceed to referendum, and that the referendum covers the area of the plan, that is, Preston Parish.
- 2.3. It is the role of this Council to make the changes recommended by the examiner, in consultation with the qualifying body. It should be noted that the examiner's recommendations are exactly that, and are not binding. These recommendations (contained in the examiner's report at Annex A2 and subsequent modifications are highlighted in table form at Appendix C, and have been made to the submission draft plan at Appendix 'B'.
- 2.4. Subject to the decision on this report, the PNDP will proceed to referendum in May 2021, alongside the other ballots scheduled for this date, including two other neighbourhood plans. This timeframe is within the usual window for a neighbourhood plan to proceed to referendum. However, it should be noted that due to Covid-19 pandemic emergency provisions, the plan can be given significant weight in decision-making after this decision, so far as the plan is material to an application (NPPG Paragraph: 107 Reference ID: 41-107-20200513, Revision date: 13 05 2020).

## **3. FINANCIAL IMPLICATIONS**

- 3.1. This decision will enable the Council to draw down grant from the Ministry of Housing Communities and Local Government. While this is set at a standard rate of £20,000, in this instance it will cover the costs of the examination and the referendum, as well as other cash costs incurred on this plan.

## **4. LEGAL IMPLICATIONS**

- 4.1. Making a decision on this report is a statutory duty. While the Council is expected to take on board the examiner's findings, these are non-binding, and the decision is the Council's. This decision will give the plan significant weight in planning decisions, as noted above, but will still need to be subject to a referendum and a final, formal decision to make the plan.

## **5. RISK ASSESSMENT**

- 5.1. This is part of a statutory process and a decision that must be made. To mitigate the risk that there is challenge to the Council's decision, the Council has participated fully in this process to ensure that the presented plan and the preparatory process is technically and legally robust.

## **6. EQUALITIES IMPACT**

- 6.1. Not required for this decision.

## **7. CLIMATE CHANGE IMPLICATIONS**

- 7.1. None for this decision.

## **8. ALTERNATIVE OPTIONS**

- 8.1. None for this decision.

## **9. BACKGROUND PAPERS**

- 9.1. None.

(END)