

MID SUFFOLK DISTRICT COUNCIL

URGENT ACTION - NO SPECIFIC POWERS

ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH CHAIRMAN OF THE DISTRICT COUNCIL

SERIAL NO: MSDC - 0018

SUBJECT MATTER:

Formal adoption by Mid Suffolk District Council of the Drinkstone Neighbourhood Plan following a majority 'yes' vote at the local referendum held on 6 May 2021.

Specifically:

1. That the Drinkstone Neighbourhood Plan be formally 'made' (adopted) as part of the District Council's Development Plan and be used to help determine planning applications where relevant.
2. That a Decision Statement (*see draft attached*) be published with immediate effect.

MEETING TO WHICH MATTER RELATES:

Full Council. A report seeking formal adoption this neighbourhood plan would normally be taken to the next available Full Council meeting. That would be on Thursday 22 July 2021. However, doing so would mean the Council is in breach of the prescribed date for making (adopting) a neighbourhood development plan.

REASON FOR ACTION BEING TAKEN OUT OF MEETING:

To enable Mid Suffolk District Council to meet its statutory obligation under Regulation 18A(1) of the Neighbourhood Planning (General) Regulations 2012 (as amended) by 'making' (adopting) the Drinkstone Neighbourhood Plan within the prescribed period (i.e., by no later than Friday 2 July 2021).

BACKGROUND:

1. On 9 June 2020, Mid Suffolk Cabinet resolved that the Drinkstone Neighbourhood Plan should proceed to a local referendum. At that time, regulations linked to the Coronavirus Act 2020 meant that no referendum could take place until May 2021 at the earliest. The referendum was held on Thursday 6 May 2021.
2. The count took place on 10 May 2021 and more than 50% of those who voted were in favour of the Plan. The declared result was:

Response	Votes Cast	% of total
Yes	239	82.9%
No	47	17.1%
Other	2	-
Total	288	100%

Electorate: 507

Ballot Papers Issued: 288

Turnout: 56.8%

3. The relevant regulations require that, if the majority of those who vote in a referendum are in favour of the draft Plan, then that Plan must be 'made' (adopted) by the local planning authority within 8 weeks beginning with the day immediately following that on which the last applicable referendum was held. In light of the declared result, no other option can be considered.
4. The District Council is only able to exercise further discretion at this point if it considers that this Plan would be in breach of any environmental legislation or any of the Convention Rights (within the meaning of the Human Rights Act, 1998). The Plan is not in breach of either pieces of legislation.
5. The report presented to Cabinet on 9 June 2020 confirmed that the Drinkstone Neighbourhood Plan, as modified to incorporate the Examiner's Recommendations, complies with the Basic Conditions as set out in Paragraph 8(2), Schedule 4B the Town and Country Planning Act, 1990. Accordingly, the Drinkstone Neighbourhood Plan should be duly made.

FINANCIAL IMPLICATIONS:

The Drinkstone Neighbourhood Plan once 'made' (adopted) enables the Parish Council to receive 25% of any Community Infrastructure Levy receipts from development in its area.

ACTION AUTHORISED:

To 'make' (adopt) the Drinkstone Neighbourhood Plan as part of the District Council's Development Plan and to issue a decision statement to this effect within the prescribed time period.

DATE ACTION AUTHORISED:

I have been consulted on this matter details of which are given above and have no observations to make.

Signed:

Dated: 19 May 2021

Chair of Mid Suffolk District Council

I being the duly authorised officer authorise the taking of the action referred to above.

Signed:

Dated: 19 May 2021

Chief Executive

Details reported to Council for noting.

- (NOTE: (i) This form to be completed and given to Committee Services for inclusion in the Register of Delegated Action and for reporting to the appropriate Committee. The signature of the Chief Executive should be obtained prior to the form being sent to Committee Services.
- (ii) If the Chairman is not available within a day to sign the form, please send it to Committee Services who will then arrange the necessary signature.)