

## MID SUFFOLK DISTRICT COUNCIL

### URGENT ACTION - NO SPECIFIC POWERS

### ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH THE CABINET MEMBER FOR PLANNING

**SERIAL NO: MSDC - 0022**

#### **SUBJECT MATTER:**

Formal adoption by Mid Suffolk District Council of the 'Thorndon Neighbourhood Plan 2018 – 2036' following a majority yes vote at the local referendum held on 24 February 2022.

Specifically:

1. That the Thorndon 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 attached*) be published with immediate effect.

#### **MEETING TO WHICH MATTER RELATES:**

The change to operational procedures (effective from Sept. 2021) now means that neighbourhood plans with majority 'yes' votes at referendum can be 'made' (adopted) outside of a report to the next Full Council meetings, but still requires the decision to be signed-off by the Chief Executive in consultation with the relevant Cabinet Member for Planning.

#### **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 Thorndon Neighbourhood Plan within the prescribed time period.

#### **BACKGROUND:**

1. On 27 May 2021, Mid Suffolk Cabinet resolved that subject to modification, the Thorndon Neighbourhood Plan should proceed to a referendum. With those modifications having been satisfactorily completed, the referendum took place on 24 February 2022.
2. The count took place on 25 February 2022. The declared result was:

<b>Response</b>	<b>Votes Cast</b>	<b>% of total</b>
Yes	178	92.23%
No	15	7.77%
Other	0	-
<b>Total</b>	<b>193</b>	<b>100%</b>

Electorate: 615    Ballot Papers Issued: 193    Turnout: 31.38%

3. 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 EU obligations 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 27 May 2021 confirmed that the Thorndon 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 Thorndon Neighbourhood Plan should be duly made.

**FINANCIAL IMPLICATIONS:**

The Thorndon 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 Thorndon Neighbourhood Plan as part of the District Council's development plan and to issue a statement to this effect within the prescribed period.

**DATE ACTION AUTHORISED:**

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

Signed: ..... Councillor David Burn .....

Dated: 2 March 2022

Cabinet Member for Planning, Mid Suffolk District Council

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

Signed: ..... Arthur Charvonja .....

Dated: 2 March 2022

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 Cabinet Member for Planning is not available within a day to sign the form, please send it to Committee Services who will then arrange the necessary signature.)