


## Record of individual Cabinet member decision

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

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| <b>Decision made by</b>                                      | Councillor Debby Hallett   |
| <b>Key decision?</b>   | No   |
| <b>Date of decision</b><br>(same as date form signed)        | 28 April 2022  |
| <b>Name and job title of officer requesting the decision</b> | Andrew Lane – Planning Policy Team Leader  |
| <b>Officer contact details</b>                               | Tel: 01235 422600<br>Email: <a href="mailto:andrew.lane@southandvale.gov.uk">andrew.lane@southandvale.gov.uk</a>   |
| <b>Decision</b>  | <ol style="list-style-type: none"> <li>1. To authorise the Joint Local Plan to proceed to Issues consultation. Consultation documents to be published in consultation with the Cabinet Member for Corporate Services and Transformation, and the Head of Service for Policy and Programmes, for a 6-week consultation.<br/><br/>This is in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).</li> <li>2. That prior to consultation commencement, officers prepare an online, interactive version of the Issues document, as well as a desktop-published version.</li> <li>3. To publish alongside the Issues Consultation any necessary supporting documents, including: <ul style="list-style-type: none"> <li>• Sustainability Appraisal (SA) Screening and Scoping Report - May 2022</li> <li>• Habitats Regulations Assessment (HRA) Scoping Report - May 2022</li> <li>• Draft Settlement Assessment Methodology - May 2022</li> <li>• Duty to Cooperate Scoping Document - May 2022</li> </ul> </li> </ol> |
| <b>Reasons for decision</b>                                  | Local planning authorities must prepare a local plan, setting planning policies for their area, in a manner consistent with national policy, in accordance with the National Planning Policy Framework (NPPF) and Section 19 of the Planning and Compulsory Purchase Act 2004 (as  |

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|   | <p>amended).</p> <p>Vale of White Horse and South Oxfordshire district councils are working together to produce a Joint Local Plan.</p> <p>Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) stipulates public consultation as part of the process of local plan preparation in its formative stages, where local authorities should invite <i>‘representations about what a local plan with that subject ought to contain’</i>.</p> <p>The NPPF, at paragraph 16c, also requires <i>‘early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees’</i>.</p> <p>Consultation at an early stage in plan-making allows public views regarding current issues to be considered as part of the preparation of the Joint Local Plan.</p> <p>The publication of an Issues consultation document will therefore facilitate timely and effective progression and preparation of the Joint Local Plan for Vale of White Horse and South Oxfordshire District Councils.</p> |
| <p><b>Alternative options rejected</b></p>        | <p><b>1: Consulting on Issues at a later date:</b> This would delay the progress of the Joint Local Plan, prevent Planning Policy from gathering early views for consideration in plan-making and also prevent the team from meeting the Joint Local Plan timescales set out in the current Joint Local Development Scheme.</p> <p><b>2: Consulting on the Issues in combination with options/preferred options:</b> This would delay the opportunity for people to comment on the issues that the Joint Local Plan should consider. A combined consultation would not allow reflection of comments to influence the preferred options.</p>  |
| <p><b>Climate and ecological implications</b></p> | <p>The Issues consultation emphasises the councils have a commitment and a duty to tackle the climate emergency, reduce carbon emissions, increase biodiversity and reverse nature’s decline.</p> <p>Key themes for the document have been informed by the Corporate Plans, and these include ‘Reducing Carbon Emissions’ and ‘Nature Recovery and landscape’.</p> <p>The draft vision for the Joint Local Plan also emphasizes goals for:</p> <ul style="list-style-type: none"> <li>• ‘carbon neutral districts, for current and future generations’</li> <li>• ‘a place where local residents can reach the facilities they need for everyday living on foot, bicycle or by zero-emission and low carbon transport choices’</li> <li>• and for districts ‘where people are safe from pollution, flooding, and the effects of climate change’.</li> </ul> <p>Alongside the Joint Local Plan, the councils will prepare a ‘Sustainability</p>   |

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|  | Appraisal' (SA) and a 'Habitats Regulations Assessment' (HRA). These documents make sure the Joint Local Plan considers the relevant environmental, social, and economic issues and minimises any potential negative impacts. The councils are at the scoping report stages for these documents and they will be published alongside the Issues consultation.   |                |   |
| <b>Legal implications</b>  | <p>The Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a local plan for their area.</p> <p>The Issues consultation is being undertaken in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) (principally Regulation 18) and the councils' adopted Joint Statement of Community Involvement (2021).</p> |                |   |
| <b>Financial implications</b>  | <p>The cost of preparing the Issues documents and undertaking their consultation can be accommodated within existing team budgets (Planning Policy and Communications Teams). The councils have set aside funding to cover the costs of preparing the Joint Local Plan and consulting on it at key stages.</p> <p>There are no other financial implications arising.</p>  |                |   |
| <b>Other implications</b>  | None  |                |   |
| <b>Background papers considered</b>  | <p>Background reference documents:</p> <ul style="list-style-type: none"> <li>• National Planning Policy Framework</li> <li>• National Planning Practice Guidance</li> <li>• Vale of White Horse District Council Local Plan 2031 Part 1</li> <li>• Vale of White Horse District Council Local Plan 2031 Part 2</li> <li>• South Oxfordshire Local Plan 2035.</li> </ul>  |                |   |
| <b>Declarations/ conflict of interest? Declaration of other councillor/ officer consulted by the Cabinet member?</b> | N/A   |                |   |
| <b>List consultees</b>   | <b>Name</b>   | <b>Outcome</b> | <b>Date</b>   |
|  | Ward councillors  |                |   |
|  | Legal<br><a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>   |                | No comment - Sent on 07-04-22 with deadline of 13-04-22 |
|  | Finance<br><a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>   |                | No comment - Sent on 07-04-22 with deadline of 13-      |

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|   |   |   |   | 04-22   |
|   | <a href="mailto:hadminandpayroll@southandvale.gov.uk">hadminandpayroll@southandvale.gov.uk</a>  |   |   | No comment - Sent on 07-04-22 with deadline of 13-04-22 |
|   | <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>  | Heather Saunders<br>Corporate Energy Officer            | In support of the ICMD  | 11.04.2022  |
|   | <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>  | Lynne Mitchell  | Support this ICMD. As this progress to other stages Equality Impact Assessments will need to be considered. | 12/04/22  |
|   | <a href="mailto:healthandsafety@southandvale.gov.uk">healthandsafety@southandvale.gov.uk</a>  | Debbie Porter   | No further comments at this time  | 12/04/22  |
|   | <a href="mailto:risk@southandvale.gov.uk">risk@southandvale.gov.uk</a>  | Allison Holliday<br>Risk and Insurance Officer          | Agreed  | 08.04.2022  |
|   | <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>  | Andy Roberts<br>Communications and Engagement Team Lead | Agreed  | 14/04/22  |
|   | Senior Management Team<br><a href="mailto:ExecutiveSupportS@Southandvale.gov.uk">ExecutiveSupportS@Southandvale.gov.uk</a>                                |   |   |   |
| <b>Confidential decision?</b><br>If so, under which exempt category?                              | No  |   |   |   |
| <b>Call-in waived by Scrutiny Committee chairman?</b>   | Not applicable. Joint Scrutiny to consider the Issues consultation on 20 June, during the consultation period.  |   |   |   |
| <b>Has this been discussed by Cabinet members?</b>  | Not applicable.   |   |   |   |
| <b>Cabinet portfolio holder's signature</b><br>To confirm the decision as set out in this notice. | Signature Cllr Debby Hallett<br><br>_____<br>Date <u>28 April 2022</u> |   |   |   |

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

| For Democratic Services office use only |   |             |
|---|---|-------------|
| Form received                           | Date: 28 April 2022                           | Time: 16:16 |
| Date published to all councillors       | Date: 29 April 2022                           |             |
| Call-in deadline                        | Not applicable as this is not a key decision. |             |

## Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.  
Tel. 01235 422520 or extension 2520.  
Email: [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk)
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
  - refer the decision back to the Cabinet portfolio holder for reconsideration or
  - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
  - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

## Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

**A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:**

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**
- (c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
  - Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
  - Changes to the household waste collection policy (affects all households in the district)
  - Reviewing a housing strategy (could have a significant impact on residents in many wards)
  - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
  - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

**The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.**