

When telephoning, please ask for: Helen Tambini
Direct dial 0115 914 8320
Email democraticservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: 13 October 2021

Record of Decisions taken by Cabinet – Tuesday, 12 October 2021

At a meeting of the Cabinet held on Tuesday, 12 October 2021 the following decisions were reached on the items listed in the attached schedule.

The implementation of any key decisions are suspended until the call-in period has expired without a call-in being validly invoked.

Under the Rushcliffe Borough Council Constitution, call-in is available in respect to key decisions only.

The call-in deadline for any key decisions contained in this Decision Notice is before the end of the working day on Thursday, 21 October 2021. Subject to any call-in request being received, all the decisions will be actioned after Thursday, 21 October 2021.

Any Member of the Council shall be entitled to call for a decision to be suspended. To effect the call-in procedure, the appropriate form should be completed and returned to the Chief Executive by the end of the working day on Thursday, 21 October 2021.

ALLOCATION OF AFFORDABLE HOUSING CAPITAL BUDGET UPDATE

It was RESOLVED that the appointment of a suitably qualified consultant to assess the options for the Council in respect of a Council company or joint venture vehicle through which the Council may retain some form of interest in the dwellings funded by way of the Affordable Housing Capital Budget, be approved.

REASON FOR DECISIONS

To ensure that the options for the expenditure of the Affordable Housing Capital Budget both maximise affordable home delivery and offer good value for money.

Given the specialist area of work, an independent consultant is required to objectively review the options relating to the retention of a Council interest in affordable housing delivered by way of the Affordable Housing Capital Budget.

HICKLING PARISH NEIGHBOURHOOD PLAN

It was RESOLVED that:

- a) all of the Examiner's recommended modifications to the Hickling Parish Neighbourhood Plan be accepted, with the exception of Modifications 09 and 10;
- b) the Hickling Parish Neighbourhood Plan Decision Statement and its publications be approved;
- c) a six week consultation should be undertaken on the proposed decision not to accept Modifications 09 and 10; and
- d) a referendum on the Hickling Parish Neighbourhood Plan should not proceed at this time.

REASON FOR DECISIONS

The Borough Council as Local Planning Authority, has a statutory duty to assist in the production of Neighbourhood Plans where communities wish to produce them under the Localism Act 2011.

It is considered that two of the Examiners' recommended modifications are not necessary to meet the Basic Conditions and would make the policy less clear than the version included in the Submission draft of the Plan.

Modification 09 proposes revised wording to Policy H11 (The Wharf). The wording contained in the Submission draft plan is clear that any residential development on the site should not extend beyond the identified Limits to Development. The policy wording amendment proposed by the Examiner allows for "an inclusion of an additional small area of land beyond the defined Limits to Development, but only where it can clearly be demonstrated that this is required to facilitate the successful relocation of the business". The Examiner states in his report that his intention is to allow for necessary flexibility in the policy to allow for further negotiation between the site owner and the Parish Council. Although it may give the policy flexibility, it is considered that the proposed change is ambiguous and would introduce more uncertainty to the policy which would hamper effective decision making. Specific concern is the Examiner's use of the term "small" in respect of the area of land outside of the Limits to Development. This term is not defined or described in any more detail, which would make effective decision making in respect of a potential future planning application problematic. It is also unclear what type of circumstances would justify requiring the successful relocation of the business. It is assumed that this means financial viability and the requirement to release additional land to raise finance for a relocation, but this is not clearly set out. Critically, paragraph 66 of the Examiner's report states that "my view of this policy does not raise any issues as far as the basic conditions are concerned". As the role of the examination is to assess accordance with the Basic Conditions, it is not considered necessary or appropriate to make this change.

Modification 10 is a consequential amendment to Policy 10 (Housing Provision) allowing for the policy to accept development in relation to the Wharf site outside of the Limits to Development. The Examiner's recommendation is not accepted for the same reasons as set out above.

The Qualifying Body (Hickling Parish Council) has written to the Borough Council requesting that the recommendation in respect of Modification 09, The Wharf (Policy H11) is rejected and the original wording for the policy contained in the Submission draft plan is retained. The Parish Council is of the view that as the Examiner has stated in his report this change is not needed to meet the Basic Conditions then the change is unnecessary. It is considered, for the reasons set out above, that the Parish Council's view is reasonable.

The decision to propose not to accept Modifications 09 and 10 would, in accordance with relevant statutory requirements, require the Borough Council to invite further representations on this decision and for any representations to be considered before the Plan can proceed to referendum.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Sull', with a stylized flourish at the end.

Sanjit Sull
Monitoring Officer