

Cambridge City Council

Record of Officer Delegated Decision

South Newnham Neighbourhood Plan – Receipt of Examiners Report and Decision to Proceed to Referendum

Decision taken:

1. That Cambridge City Council should act upon the conclusions in the Examiner's Report on the South Newnham Neighbourhood Plan (see Appendix 1) and that the Neighbourhood Plan should proceed to a referendum as set out by the national regulations
[Link to appendix 1](#)
2. the 'referendum' version of the South Newnham Neighbourhood Plan (as set out in Appendix 2)
[Link to Appendix 2](#)
3. the 'referendum' version of the South Newnham Neighbourhood Plan be given significant weight in decision making and that the area for the referendum should be the Neighbourhood.

Decision of: Stephen Kelly, Joint Director of Planning.

Reference: The scheme of delegation was considered and agreed by Cambridge Planning Transport and Scrutiny Committee (PTSC) on 28 September 2023. The scheme of delegation for decisions on any neighbourhood plans in Cambridge (as set out in the report to PTSC): takes account of the lessons learnt in South Cambridgeshire; is in accordance with national legislation and regulations; is in accordance with Cambridge City Council's constitution; and shares the responsibility across the Executive Councillor, the Joint Director of Planning, officers and full Council depending on the nature of the decision being made and taking account of any statutory timescales for decisions where they are imposed.

For decisions where an Examiner has recommended that the neighbourhood plan (with any necessary modifications) can proceed to referendum: the Joint Director of Planning makes decision on whether to send the neighbourhood plan to referendum, in consultation with the Executive Councillor for Planning, Building Control and Infrastructure.

Date of decision: 2 December 2024.

Matter for Decision:

The purpose of this report is to consider the conclusions of the Examiner's Report on the South Newnham Neighbourhood Plan, and whether those conclusions should be acted upon and therefore that the Neighbourhood Plan should proceed to referendum. This includes considering whether the Examiner's recommended modifications to the Neighbourhood Plan should be made, and whether the Council agrees that the Neighbourhood Plan meets the Basic Conditions.

As set out in the Legal Compliance Check (Appendix 3), the independent Examiner appointed to examine the Neighbourhood Plan has concluded that subject to a series of recommended modifications set out in his report that the submitted Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum. A 'referendum' version of the Neighbourhood Plan has been prepared taking account of the Examiner's recommended modifications. The 'referendum' version of the plan also includes some additional minor modifications to update parts of the plan.

[Link to appendix 3](#)

The draft South Newnham Neighbourhood Plan submitted to Cambridge City Council met the requirements in the legislation, and Cambridge City Council publicised the neighbourhood plan for more than 6 weeks, invited comments, notified any consultation body referred to in the consultation statement and sent the draft neighbourhood plan to independent Examination. Following the Examination, Cambridge City Council has determined that the 'Referendum' version of the South Newnham Neighbourhood Plan is ready for a public referendum (Schedule 4B of the Town and Country Planning Act 1990 (as varied by s38A & 38C of the Town and Country Planning Act)).

a. Consultation with South Newnham Neighbourhood Forum (the Qualifying Body)

Officers, in conjunction with South Newnham Neighbourhood Forum, have reviewed the Examiner's conclusions and recommended modifications, and officers and the Neighbourhood Forum have agreed each of the recommended modifications considered necessary by the Examiner for the Neighbourhood Plan to meet the Basic Conditions. Additional non-material modifications to the Neighbourhood Plan have been agreed with South Newnham Neighbourhood Forum.

This Decision Statement, the 'Referendum' version of the Neighbourhood Plan, and the Basic Conditions and Legal Compliance Check undertaken by officers have been shared with and agreed by South Newnham Neighbourhood Forum.

b. Consultation with the Executive Councillor for Planning, Building Control and Infrastructure.

This decision statement, the 'Referendum' version of the Neighbourhood Plan, and the Basic Conditions and Legal Compliance Check undertaken by officers have been

shared with the Executive Councillor for Planning, Building Control and Infrastructure.

Any alternative options considered and rejected:

Where an Examiner has concluded that the Neighbourhood Plan meets the Basic Conditions (with or without modifications) and is legally compliant, and therefore that the Neighbourhood Plan should proceed to referendum, the Council has limited options in how to respond. The options are as follows:

Option 1: Act upon the conclusions in the Examiner's Report, including making any recommended modifications to the Neighbourhood Plan, and proceed to referendum, provided that the Council confirms that the Basic Conditions have been met.

Option 2: Take a decision substantially different from the Examiner's conclusions, wholly or partly as a result of new evidence or fact, or a different view is taken by the Council as to a particular fact, including that the Council is unable to confirm that the Basic Conditions have been met.

Officers have concluded that Option 1 should be followed for the reasons set out in this Report. Officers agree with the Examiner's conclusions, including his recommended modifications to the Neighbourhood Plan, and agree that the Neighbourhood Plan should proceed to referendum. Officers have concluded that Option 2 should be rejected as there is no new evidence or fact, and officers are able to confirm that the Basic Conditions have been met.

Reason for the decision including any background papers considered:

The Examiner's Report on the South Newnham Neighbourhood Plan is dated 6 November 2024. The Examiner concludes that subject to a series of recommended modifications the Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum. He also recommends that the referendum should be held within the neighbourhood area only.

National regulations and planning guidance for Neighbourhood Plans require that the Council considers the conclusions of the Examiner's Report, and whether those conclusions should be acted upon and therefore that the Neighbourhood Plan should proceed to referendum. This includes considering whether the Examiner's recommended modifications to the Neighbourhood Plan should be made, and whether the Council agrees that the Neighbourhood Plan meets the Basic Conditions. The Council's decision must be published in a decision statement. This report is the Council's decision statement for the purposes of those regulations.

The Council will set a date for the referendum after the decision statement is published. Until the referendum takes place the Referendum version of the Plan will be given significant weight in decision making by the Council as stated by the government in their revised regulations.

Conflict of interest and dispensation granted by Chief Executive: None.

Comments: None.

Contact for further information: Lizzie Wood, Principal Planning Policy Officer, Greater Cambridge Shared Planning.