

**West Oxfordshire District Council
Executive Decision Notice**

Shilton Neighbourhood Plan: Regulation 19 Decision Statement

| Purpose of Decision | To “make” (bring into force) the Shilton Neighbourhood Plan as part of the statutory development plan. | | | | | | | | | |
|-----------------------|--|------------------|-------|------------------|-----|-----|-----|----|----|-----|
| Decision Delegated by | Cabinet decision – 22 July 2015 (informed through a report of the Head of Planning and Strategic Housing – Item 8. Neighbourhood Development Plans) | | | | | | | | | |
| Decision Delegated to | Extract of Cabinet minutes (22 July 2015): “That as statutorily required, in the event of a positive vote at any future referendum (i.e. where greater than 50% of those who vote, vote in favour of the Neighbourhood Plan) the Plan be “made” (e.g. adopted) in order for it to become part of the development framework against which planning applications for that Neighbourhood Area be determined;” | | | | | | | | | |
| Decision made | To make the Shilton Neighbourhood Plan | | | | | | | | | |
| Date of Decision | 2 September 2019 | | | | | | | | | |
| Reasons | <p>West Oxfordshire District Council, in accordance with regulation 4(3)(b)(iv)(bb) of the Neighbourhood Planning (Referendums) Regulations 2012 confirmed in a statement (Head of Planning and Strategic Housing - dated 5 November 2018) that the District Council was satisfied that the draft Shilton Neighbourhood Plan meets the basic conditions required. This statement followed suitable modifications to the Plan made in response to modifications recommended in the external independent examination of the Neighbourhood Plan (Independent Examiner’s Report – dated 13 December 2018).</p> <p>The Neighbourhood Plan was cleared for referendum which was held on 29 August 2018. More than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the neighbourhood area (see Declaration of Result of Poll – 29 August 2018). Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the District Council must make the neighbourhood Plan if more than half of those voting have voted in favour of the plan.</p> <p>The referendum held on 29 August 2018 met the requirements of the Localism Act 2011. The referendum posed the question: “Do you want West Oxfordshire District Council to use the Neighbourhood Plan for Shilton to help decide planning applications in the neighbourhood area?” The results of the referendum were:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Answer</th> <th>Votes</th> <th>Percent of total</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>115</td> <td>89%</td> </tr> <tr> <td>No</td> <td>30</td> <td>21%</td> </tr> </tbody> </table> <p>Note: turnout: 29.34%</p> | Answer | Votes | Percent of total | Yes | 115 | 89% | No | 30 | 21% |
| Answer | Votes | Percent of total | | | | | | | | |
| Yes | 115 | 89% | | | | | | | | |
| No | 30 | 21% | | | | | | | | |

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| | <p>The Basic Conditions Statement notes that the Plan has had regard to the fundamental rights and freedoms under the European Convention on Human Rights and complies with the Human Rights Act. Indeed the Independent Examiner concluded that there is nothing in the Plan that would lead to a conclusion that there has been any breach. In accordance with this conclusion, the District Council's assessment of the plan, including its preparation, concluded that it does not breach nor is incompatible with the relevant legislation.</p> <p>The Decision Statement confirms that Shilton Neighbourhood Plan can now be made. The Decision Statement and the Neighbourhood Plan can be viewed on the Council's website: http://www.westoxon.gov.uk/shilton.</p> <p>Printed copies can be viewed during normal opening hours at:</p> <ul style="list-style-type: none"> • West Oxfordshire District Council, Elmfield, New Yatt Road, Witney OX28 1PB |
| Alternatives Considered | Not relevant |
| Conflicts of Interest | None |
| Dispensations | Not required |
| Related Decisions | Cabinet – 22 July 2015 |

Giles Hughes

Chief Executive Officer
West Oxfordshire District Council

2 September 2019