

Agenda Item No: 13(i)



Cabinet recommendations for consideration by Council at the Meeting of the Council on Thursday, 25 February 2016

Cabinet – 7 January 2016

47 Adoption ‘Making’ of the Ringmer Neighbourhood Plan

The Cabinet considered Report No 2/16 which related to the proposed adoption of the Ringmer Neighbourhood Plan as part of the statutory development plan.

The Localism Act 2011 allowed local communities to shape their areas by enabling town and parish councils to prepare neighbourhood development plans, a detailed legislative framework for which was set out in the Neighbourhood Planning (general) Regulations 2012. Neighbourhood planning had been enthusiastically taken up by many of the towns and parishes in the District, with 10 plans at various stages of preparation.

Once adopted, a neighbourhood plan formed part of the statutory development plan and sat alongside the Local Plan that had been prepared by the Local Planning Authority. Part of Ringmer parish was within the South Downs National Park for which the South Downs National Park Authority was preparing a Local Plan that covered the entire National Park. Once adopted, that would replace the Lewes District Local Plan (or Core Strategy which was currently at an advanced stage) in the areas within the National Park. In the event that planning permission was sought in areas that were covered by an adopted neighbourhood plan, the application needed to be determined in accordance with both the neighbourhood plan and the Local Plan.

There were some legally prescribed stages that needed to be undertaken in the preparation of a neighbourhood plan, namely:

It needed to be subject to examination by an independent examiner;

Subject to a positive outcome from such an examination, it then

proceeded to a referendum; and

Where it was subject to a successful referendum, and the local planning authority was satisfied that European Union and human rights obligations had been met, then it was a legal requirement to bring the plan into force as soon as was reasonably practicable.

Paragraph 3 of the Report set out details relating to progress of the Ringmer Neighbourhood Plan which had been the subject of a referendum on 12 November 2015 at which the following question had been posed to eligible voters:

“Do you want Lewes District Council and the South Downs National Park Authority to use the Neighbourhood Plan for Ringmer Parish to help it decide planning applications in the neighbourhood area?”

42% of registered electors had recorded votes, 1444 votes of which were cast in favour of ‘yes’; against 128 in favour of ‘No’. It was declared that more than half of those who had voted had done so in favour of the Ringmer Neighbourhood Plan.

In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum it was for the Council to ‘make’ the neighbourhood plan so that it formally became part of the development plan for Lewes District. The South Downs National Park Authority would also formally adopt the neighbourhood plan.

Resolved:

47.1 That the Officers be congratulated for the work that they had undertaken in respect of the process associated with the Ringmer Neighbourhood Plan.

DBSD

It was further

Recommended:

47.2 That the Ringmer Neighbourhood Plan be formally adopted as part of the statutory development plan for the district, as set out in Report No 2/16.

DBSD (to note)

Reasons for the Decision:

The Ringmer Neighbourhood Plan has undergone a successful examination and received a majority vote in favour at a referendum.

To comply with the Localism Act which requires local planning authorities to ‘make’ a neighbourhood development plan as soon as reasonably practicable following a successful referendum.

(Note: Councillor Gardiner declared his personal, non-prejudicial interest in this item as he had participated in the drafting process associated

with the Neighbourhood Plan. However, he was not a voting Member of the Cabinet).

† *The Recommendation, and not the Resolution, in the above Minute is for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 2/16 which was circulated with the agenda papers for the meeting of the Cabinet on 7 January 2016. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.

51 Contract Procedure Rules

The Cabinet considered Report No 6/16 which related to proposed revised Contract Procedure Rules (CPRs). A copy of the proposed revised Rules was appended to the Report.

CPRs formed part of the Council's Constitution and determined how Officers contracted with external bodies. The CPRs ensured lawfulness and best practice in terms of the procurement of services, supplies or works. Clear and up-to-date CPRs played a key role in ensuring that best value was achieved for the authority and that the Council was not exposed to risk.

Local authority procurement was an evolving area which was subject to scrutiny and challenge. The current CPRs had been approved in 2009 and needed to be revised to ensure that they reflected current law, best practice and the environment in which the Council was currently operating.

The Public Contracts Regulations 2015 implemented the 2014 EU Public Sector Procurement Directive and a range of other reforms. They largely applied to public contracts that exceeded certain value thresholds.

The Council was currently sharing a range of services with Eastbourne Borough Council in addition to shared senior management roles, and in October 2015 the Cabinets of both councils had approved the outline business case for wider integration of services and workforces.

It was clear that the future would entail staff working across multiple organisations to deliver shared and closely integrated services. It was therefore important that staff could work to a set of common policies, rules and procedures in key areas, and therefore the revised CPRs would be put forward for adoption by both councils. An equivalent Report to Report No 6/16 had been considered by Eastbourne Borough

Council's Audit & Governance Committee at its meeting on 2 December 2015 and by its Cabinet on 9 December 2015, both of which had resolved to recommend the revised CPRs, as appended to Report No 6/16, with the exception of rule 18.1A, which applied only to Lewes District Council, for approval by Eastbourne Borough Council's full Council.

Paragraphs 2.9 and 2.10 of the Report set out details relating to the modernisation of CPRs whilst paragraphs 2.11 and 2.12 thereto outlined a summary of the revisions.

Recommended:

51.1 That, subject to the text at the beginning of paragraph 2.3.1.f being amended to read "In the case of Eastbourne Borough Council only: contracts made to.....", the revised Contract Procedure Rules, as appended to Report No 6/16, be approved.

DCS (to note)

Reasons for the Decision:

To reflect the Public Contracts Regulations 2015 which came into force last year.

To achieve a standard set of Contract Procedure Rules for Lewes District Council and Eastbourne Borough Council.

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Since Cabinet's consideration of the draft Contract Procedure Rules document, it has been amended to incorporate the new European Union Thresholds which were updated from 1 January 2016; and paragraph 14.3 inadvertently referred to £75,000 and has been corrected to read £100,000 to align with paragraph 16.1. The amended version of the Rules is attached.

NB: The Rules will need to be updated when the new Concessions Regulations and Utilities Regulations come into force in April.

53 Meetings Timetable 2016/2017

The Cabinet considered Report No 8/16 which set out the proposed meetings timetable for the 2016/2017 municipal year for which the draft timetable had been circulated to all councillors and Chief Officers for comment.

Paragraphs 4 to 9 of the Report set out details relating to the constraints that had needed to be taken into account when compiling the timetable:

Recommended:

53.1 That the meetings timetable for the 2016/2017 municipal year, as shown in Appendices A and B to Report No 8/16, be approved and adopted.

ADCS (to note)

Reason for the Decision:

To facilitate the smooth running of the Council's business in the municipal year 2016/2017.

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