



Purpose: For Decision

Committee report

Committee	CABINET
Date	11 FEBRUARY 2021
Title	MOTION REFERRED FROM FULL COUNCIL
Report of	DIRECTOR OF REGENERATION

EXECUTIVE SUMMARY

1. A motion from Full Council meeting has been referred to Cabinet for consideration. The substantive elements of the motion are more appropriately considered having regard to the relevant council strategies. The recommendation seeks to direct the intention of the motion into the preparation of those strategies.

BACKGROUND

2. Councillor Lilley submitted a motion to the Full Council meeting of 18 November 2020. At the meeting the chairman advised that under Part 4A Procedure Rule 9 of the council's constitution, he had determined that as the subject matter of the motion came within the province of the Cabinet and it be referred without discussion. As a result, Full Council resolved that the motion be referred to Cabinet for discussion.

3. The motion moved by Cllr Lilley was:

"This Council wishes to recognise the importance of farming including tenant farmers on the Isle of Wight in achieving its climate emergency strategy, preserving and developing the IW UNESCO biosphere principles and status, the importance of local food production, managing environmentally the majority of Island greenfield land, and being a key attraction for tourism on the Isle of Wight.

This Council confirms and reaffirms its commitment to support farmers in sustainable farming on the Island and finding ways of protecting working farms and their Greenfields from being lost to housing development."

STRATEGIC CONTEXT

4. The issues raised through the motion are primarily environmental and land-use ones. As such it is considered that the most appropriate mechanisms for articulating council policy is through the relevant strategy documents.

5. The council strategies most relevant to the issues raised in the motion are the draft Climate and Environment Strategy and particularly the draft Island Planning Strategy. There is also connection to the work of the council's partners, particularly the AONB Partnership and Visit Isle of Wight.

CONSULTATION

6. No consultation has been required as a direct consequence of the motion. Internal and external consultation has either been undertaken or is planned for the emerging documents that are the most relevant to the issues covered in the motion. This consultation along with the evidence and information already collected by officers will be balanced against the motion.

FINANCIAL / BUDGET IMPLICATIONS

7. There are no direct financial implications arising from the consideration of the motion.

LEGAL IMPLICATIONS

8. While the motion does not explicitly refer to a specific current planning application or a potential development site, it is possible that due to the content of the motion a reasonably-minded person may link it to a planning application currently under consideration by the council as local planning authority.
9. As such those members who sit on the council's Planning Committee, or those who may be required to deputise on that committee may wish to carefully consider how they approach this motion and any accompanying discussion.
10. It is worth highlighting that while a motion endorsed by Full Council is capable of being a material consideration in the determination of a planning application, it cannot alter, replace or override existing local or national planning policy. The weight that any motion relevant to any particular proposal can have in the decision-making process is for the decision maker, in the case of a planning application, the local planning authority, to determine. It is for the council's local plan to establish and articulate its approach towards land use and managing new development, and for that approach to be tested through public engagement and independent examination.

EQUALITY AND DIVERSITY

11. There are no direct equality and diversity implications arising from the consideration of the motion. The emerging strategies most relevant to the motion identified earlier in this report will be subject to their own equalities impact assessment.

OPTIONS

12. It is suggested that two headline options are available to Cabinet in the consideration of the motion:

Option A - To note the motion.

Option B - To inform the mover of the council motion that the issues raised in the motion, insofar as they are relevant to the functions of the council, are taken into account in the preparation of the appropriate council strategies, particularly the Climate and Environment Strategy and the Island Planning Strategy.

RISK MANAGEMENT

13. The most significant risks associated with the consideration of the motion are identified in the legal implications section of this report. It is considered that any of the options mitigates the risks identified.

EVALUATION

14. The most appropriate manner of managing land use on the island is through the council's development plan and associated policies. In order to be effective and persuasive, the council's policy on land use matters should follow the proper policy process identified in the legal implications above.

RECOMMENDATION

15. Option B - To inform the mover of the council motion that the issues raised in the motion, insofar as they are relevant to the functions of the council, are taken into account in the preparation of the appropriate council strategies, particularly the Climate and Environment Strategy and the Island Planning Strategy.

BACKGROUND PAPERS

16. The draft Island Planning Strategy <https://www.iow.gov.uk/Residents/Environment-Planning-and-Waste/Planning-Policy-new/The-Island-Plan-Review/Surveys-and-Consultations>
The emerging Climate and Environment Strategy
<https://iow.moderngov.co.uk/ieListDocuments.aspx?CIId=170&MIId=327&Ver=4>

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