

**Public**  
**Key Decision - Yes**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Sawtry Village Neighbourhood Plan examination outcome and progression to referendum

**Meeting/Date:** Overview & Scrutiny (Performance and Growth)  
– 6 September 2023  
Cabinet – 19 September 2023

**Executive Portfolio:** Executive Councillor for Planning

**Report by:** Chief Planning Officer

**Ward(s) affected:** Sawtry

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### **Executive Summary:**

Following the examination of Sawtry Village Neighbourhood Plan 2022-2036 this report proposes acting upon the Examiner's report to accept the modifications proposed and progress to referendum on the 9 November 2023.

### **Recommendation(s):**

That Cabinet:

1. Agree that the District Council should act upon the Examiner's report to accept the recommended modifications and progress the neighbourhood plan to referendum.

## **1. PURPOSE OF THE REPORT**

- 1.1 The report seeks agreement to act upon the Examiner's report into Sawtry Village Neighbourhood Plan 2022-2036 leading to a referendum on whether or not it should be brought into force as part of the statutory development plan. It also sets out a timetable for this process.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 Sawtry Parish Council produced a submission version of their Neighbourhood Plan which was available for comment between 12 April 2023 to 24 May 2023.
- 2.2 Huntingdonshire District Council, in discussion with Sawtry Parish Council, appointed an independent examiner, David Hogger BA MSc MRTPI MCIHT, to review whether the submitted Neighbourhood Plan met the basic conditions as required by legislation. The Examiner's Report on Sawtry Village Neighbourhood Plan 2022-2036 was received 31 July 2023.
- 2.3 The Examiner sent their report to the local planning authority and Sawtry Parish Council. The Examiner is required to set out one of three options:
1. That the neighbourhood plan proceeds to referendum as submitted;
  2. That the neighbourhood plan is modified by the local planning authority to meet the basic conditions and the modified version proceeds to referendum; or
  3. That the neighbourhood plan does not proceed to referendum as it fails to meet the basic conditions and/ or legislative requirements and cannot be modified to do so.
- 2.4 The Examiner recommended that with appropriate modifications the neighbourhood plan would meet the basic conditions against which it is required to be tested and so should progress to referendum. These were discussed and agreed with representatives of Sawtry Parish Council.
- 2.5 The modified version of the Neighbourhood Plan, the Examiner's report and draft Decision Statement setting out the modifications considered by the Examiner as necessary to enable the submission neighbourhood plan to meet the required basic conditions are all included as Appendices to this report.
- 2.6 Huntingdonshire District Council has limited options in how to respond to the examiner's recommendations:
- a) Act upon the Examiner's report and progress the neighbourhood plan to referendum, whether or not the Examiner recommends modifications are necessary to meet the basic conditions;
  - b) Propose to take a decision substantially different from the Examiner's recommendation which is wholly or partly as a result of new evidence, or a different view taken by the local planning authority about a particular fact; or

- c) Decide not to progress the neighbourhood plan in light of the Examiner's report - this is only permissible where '3.' above is the case.

2.7 Having regard to the options set out in paragraph 2.6:

- It is considered that the modifications will enable Sawtry Village Neighbourhood Plan 2022-2036 to meet the basic conditions required; and
- There is no new evidence, or a different view taken by the local planning authority about a particular fact to indicate that option 'b)' in paragraph 2.6 should be followed.

### **3. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION**

- 3.1 Following approval by Cabinet, preparations will be made for a referendum to be held on the Sawtry Village Neighbourhood Plan 2022-2036 in accordance with the Regulations.
- 3.2 In addition to considering whether the neighbourhood plan meets the basic conditions the Examiner is required to recommend on the area to be covered by the referendum. In this instance they recommended that the referendum area be the same as the Sawtry Neighbourhood Plan area, approved by the District Council.
- 3.3 There is a statutory requirement through The Neighbourhood Planning (Referendums) Regulations 2012 (as amended) for 28 working days' notice to be given before the referendum is held. There is also a requirement that the referendum is held within 56 working days of the decision that the neighbourhood plan should proceed to referendum, unless there is an existing planned polling opportunity that the referendum could be combined with which the qualifying body (Sawtry Parish Council) have agreed. A potential date for the referendum has been discussed with Democratic Services. Holding the referendum on 9 November 2023 is proposed, which would meet both time requirements. This provisional date has been discussed with representatives of Sawtry Parish Council, and they have indicated that they support this date.
- 3.4 At the referendum residents will be able to vote on the question: 'Do you want Huntingdonshire District Council to use the Neighbourhood Plan for Sawtry to help it decide planning applications in the neighbourhood area?'
- 3.5 If a majority of votes cast by residents are 'yes', Full Council will be asked to 'make' the neighbourhood plan at its next available meeting, which, assuming that the referendum is held on 9 November 2023, would be on 13 December 2023. The plan will then become part of the statutory development plan for Huntingdonshire.

#### **4. COMMENTS OF OVERVIEW & SCRUTINY**

- 4.1 The Panel discussed the Sawtry Village Neighbourhood Plan examination outcome and progression to referendum at its meeting on 6th September 2023.
- 4.2 Councillor Martin praised the hard work of the Parish Council and those involved in the development of the Plan, a sentiment which was echoed by the Executive Councillor.
- 4.3 Following questions from Councillor Gleadow, the Panel heard that a Conservation Statement has not been produced for Sawtry. However the Neighbourhood Plan policies do use the Landscape and Townscape SPD which will be used to inform planning decisions and guide development proposals. The Panel further heard that due to not being able to contact landowners, it had been recommended by the Examiner to remove these portions of land within two of the recommended green spaces identified within the Plan.
- 4.4 Following the discussion, the Panel were informed that their comments would be added to the Cabinet report in order for Cabinet to make a decision on the recommendations.

#### **5. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

- 5.1 Progressing Sawtry Village Neighbourhood Plan 2022-2036 through to referendum links to the Corporate Plan 'Priority 2: Creating a better Huntingdonshire for future generations.'

#### **6. LEGAL IMPLICATIONS**

- 6.1 A Neighbourhood Plan must meet the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The Examiner's report has confirmed that the Sawtry Village Neighbourhood Plan 2022-2036, as proposed to be modified, meets all the basic conditions. Officers are satisfied that there are no conflicts with the basic conditions and legislative requirements.

#### **7. RESOURCE IMPLICATIONS**

- 7.1 As in previous years an Extra Burdens Grant of £20,000 can be claimed following the referendum, intended to meet the costs of the referendum and other resources involved in supporting the production of the neighbourhood plan.

#### **8. REASONS FOR THE RECOMMENDED DECISIONS**

- 8.1 The recommended decision is necessary to enable Sawtry Village Neighbourhood Plan 2022-2036 to proceed to referendum.

## **9. LIST OF APPENDICES INCLUDED**

Appendix 1 – Sawtry Village Neighbourhood Plan 2022-2036 – Referendum Version

Appendix 2 – The Examiner’s Report of Sawtry Village Neighbourhood Plan 2022-2036

Appendix 3 - The draft Decision Statement setting out the modifications considered by the Examiner as necessary to enable the submission neighbourhood plan to meet the required basic conditions.

## **10. BACKGROUND PAPERS**

- [Town and Country Planning Act 1990 \(as amended\)](#)
- [Planning and Compulsory Purchase Act 2004](#)
- [Localism Act 2011](#)
- [The Neighbourhood Planning \(Referendums\) Regulations 2012 \(as amended\)](#)
- [National Planning Practice Guidance \(Neighbourhood Planning\)](#)

## **CONTACT OFFICER**

Name/Job Title: Frances Schulz, Senior Planning Policy Officer  
Tel No: 01480 388432  
Email: frances.schulz@huntingdonshire.gov.uk