

Public

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Bury Village Neighbourhood Plan

Meeting/Date: Council – 19 May 2021

Executive Portfolio: Executive Councillor for Strategic Planning

Report by: Strategic Growth Manager

Ward(s) affected: Ramsey

Executive Summary:

The Referendum on the Bury Village Neighbourhood Plan was held on 6 May 2021 and resulted in an 92.4% 'Yes' vote in support of making the Neighbourhood Plan as part of the statutory development plan. As this exceeds the required threshold of 50% of the votes cast the Council is required to formally 'make' the Bury Village Neighbourhood Plan unless the Council considers that it would be incompatible with any EU or human rights obligations. As part of the statutory development plan the Bury Village Neighbourhood Plan would be used to help decide planning applications within the neighbourhood area.

It is not considered that making the plan would be incompatible with an EU or human rights obligation and the Bury Village Neighbourhood Plan must therefore be 'made'.

Recommendation:

The Council is

RECOMMENDED

To 'make' the Bury Village Neighbourhood Plan in the form attached as Appendix 1 such that it becomes part of the Statutory Development Plan for Huntingdonshire with immediate effect.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to consider whether the Bury Village Neighbourhood Plan should be officially 'made' such that it becomes part of the statutory development plan for Huntingdonshire.

2. BACKGROUND

- 2.1 The Bury Neighbourhood Area was formally designated on 7 October 2015. Following substantial local consultation to aid with preparation of the plan it was submitted for statutory consultation which took place between 19 September 2019 and 31 October 2019. The submission neighbourhood plan, its supporting evidence base and all responses to the statutory consultation were subject to an independent examination commencing on 5 November 2019 with the final report issued on 19 December 2019.
- 2.2 The examination confirmed that the Bury Village Neighbourhood Plan should move forward to referendum subject to modifications and confirmed that it complied with the specified basic conditions, was properly prepared by the qualifying body, covered the designated plan area, did not contain any excluded development and contained policies that related to the development and use of land. The examiner's report also confirmed that there was nothing in the Bury Village Neighbourhood Plan that led them to conclude there would be any breach of the European Convention on Human Rights. They also confirmed that the Bury Village Neighbourhood Plan is compatible with EU obligations arising from the Habitats Regulations Assessments and other directives.
- 2.3 The outcome of the examination and proposed changes were reported to Overview and Scrutiny Committee (Performance and Growth) on 8 January 2020 and Cabinet on 23 January 2020. Arising from these it was agreed that the Bury Village Neighbourhood Plan as proposed to be modified should progress to referendum.
- 2.4 The referendum was scheduled to take place on 26 March 2020 however was postponed due to the Coronavirus pandemic. In response to the pandemic Government guidance and the enactment of the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 postponed all elections and referendums until 6 May 2021.

3. ANALYSIS

- 3.1 The referendum was held on 6 May 2021 where the statutorily set question was posed asking residents of the designated neighbourhood area: 'Do you want Huntingdonshire District Council to use the Neighbourhood Plan for Bury to help it decide planning applications for the neighbourhood area?'

- 3.2 A total of 1,458 people were eligible to vote in the referendum; 632 ballot papers were issued representing a turnout of 43.3%. The number of votes cast in favour of 'Yes' was 583, the number of votes in favour of 'No' was 44 with 4 ballot papers rejected where the intended vote could not be clearly determined. This indicated a majority of 92.4% voting in favour of using the Bury Village Neighbourhood Plan to help decide planning applications within the designated neighbourhood area.
- 3.3 As the Bury Village Neighbourhood Plan was endorsed by more than the required threshold of 50% of those voting the Council must now 'make' the Neighbourhood Plan such that it becomes part of the statutory development plan for Huntingdonshire unless the Council considers that it would be incompatible with any EU or human rights obligations. It is not considered that making the plan would be incompatible with an EU or human rights obligation and the Bury Village Neighbourhood Plan must therefore be 'made'.

4. KEY IMPACTS / RISKS

- 4.1 The key impacts of this are the reiteration of the importance of the planned system with town and parish councils and residents of the neighbourhood plan area having the opportunity to positively influence how their community grows in the future.
- 4.2 Successful 'making' of a Neighbourhood Plan entitles Bury Parish Council to an increased proportion of CIL receipts from development within the neighbourhood area, up from 15% to 25%.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 Bury Village Neighbourhood Plan will become part of the statutory development plan with immediate effect.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 Making the neighbourhood plan will help achieve the Corporate Plan aspiration to 'Develop stronger and more resilient communities to enable people to help themselves'.

7. LEGAL IMPLICATIONS

- 7.1 Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to 'make' the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour. The Council is content that the Bury Village Neighbourhood Plan meets the specified basic conditions, does not breach the European Convention on Human Rights and is not incompatible with EU obligations arising from the Habitats Regulations Assessments and other directives.

8. RESOURCE IMPLICATIONS

- 8.1 An additional 10% of CIL receipts within the neighbourhood area will be passed over to Bury Parish Council. This may have implications on resource availability for infrastructure projects provided by this Council. Additional support, both financial and partnership working, may be sought to help deliver some of the projects identified in the Bury Village Neighbourhood Plan.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 The Council has a statutory obligation to 'make' the Bury Village Neighbourhood Plan now that it has successfully passed the referendum stage.

10. LIST OF APPENDICES INCLUDED

Appendix 1 – Bury Village Neighbourhood Plan

11. BACKGROUND PAPERS

Overview and Scrutiny Committee (Performance and Growth) 8 January 2020
<http://modern.gov.huntsdc.gov.uk:8070/ieListDocuments.aspx?CId=10235&MId=7635&Ver=4>

Cabinet 23 January 2020
<http://modern.gov.huntsdc.gov.uk:8070/ieListDocuments.aspx?CId=256&MId=7586&Ver=4>

The Neighbourhood Planning (Referendums) Regulations 2012 (as amended)
<http://www.legislation.gov.uk/ukdsi/2012/9780111525050/contents>

National Planning Practice Guidance (Neighbourhood Planning)
<https://www.gov.uk/guidance/neighbourhood-planning--2>

Bury Village Neighbourhood Plan Webpage
<https://www.huntingdonshire.gov.uk/planning/neighbourhood-planning/bury-village-neighbourhood-plan/>

Neighbourhood Planning Webpage
<https://www.huntingdonshire.gov.uk/planning/neighbourhood-planning/>

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