

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

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Grafham and Ellington Neighbourhood Plan

**Meeting/Date:** Council – 23 February 2022

**Executive Portfolio:** Executive Councillor for Strategic Planning

**Report by:** Strategic Growth Manager

**Ward(s) affected:** Great Staughton (Grafham and Ellington Parishes)

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### **Executive Summary:**

The Referendum on the Grafham and Ellington Neighbourhood Plan was held on 27 January 2022 and resulted in an 95.7% '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 Grafham and Ellington 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 Grafham and Ellington 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 Grafham and Ellington Neighbourhood Plan must therefore be 'made'.

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

The Council is

### **RECOMMENDED**

**To 'make' the Grafham and Ellington 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 Grafham and Ellington Neighbourhood Plan should be officially 'made' such that it becomes part of the statutory development plan for Huntingdonshire.

## **2. BACKGROUND**

- 2.1 The joint Grafham and Ellington Neighbourhood Area was formally designated on 3 September 2019 following public consultation. Following substantial local consultation to aid with preparation of the plan it was submitted for statutory consultation which took place between 12 July and 27 August 2021. The submission neighbourhood plan, its supporting evidence base and all responses to the statutory consultation were subject to an independent examination commencing on 6 September 2021 with the final report issued on 4 October 2021.
- 2.2 The examination confirmed that the Grafham and Ellington 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 Grafham and Ellington Neighbourhood Plan that led them to conclude there would be any breach of the European Convention on Human Rights. They also confirmed that the Grafham and Ellington Neighbourhood Plan is compatible with EU obligations arising from the Habitats Regulations Assessments and other directives (retained under UK law).
- 2.3 The outcome of the examination and proposed changes were reported to Overview and Scrutiny Committee (Performance and Growth) on 3 November 2021 and Cabinet on 18 November 2021. Arising from these it was agreed that the Grafham and Ellington Neighbourhood Plan as proposed to be modified should progress to referendum.

## **3. ANALYSIS**

- 3.1 The referendum was held on 27 January 2022 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 Grafham and Ellington to help it decide planning applications in the neighbourhood area?'
- 3.2 A total of 956 people were eligible to vote in the referendum; 280 ballot papers were issued representing a turnout of 29.3%. The number of votes cast in favour of 'Yes' was 268, the number of votes in favour of 'No' was 12 with 0 ballot papers rejected where the intended vote could not be clearly determined. This indicated a majority of 95.7% voting in favour of using the Grafham and Ellington Neighbourhood Plan to help decide planning applications within the designated neighbourhood area.

- 3.3 As the Grafham and Ellington 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 Grafham and Ellington 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 Grafham and Ellington Parish Councils to an increased proportion of CIL receipts from development within the neighbourhood area, up from 15% to 25%.

#### **5. TIMETABLE FOR IMPLEMENTATION**

- 5.1 Grafham and Ellington 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 Grafham and Ellington Neighbourhood Plan links to and supports the delivery of the Council's Corporate Plan (2018-2022) specifically:
- People – Develop stronger and more resilient communities to enable people to help themselves
  - Support community planning including working with parishes to complete Neighbourhood Plans

#### **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 Grafham and Ellington 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 (retained under UK law).

#### **8. RESOURCE IMPLICATIONS**

- 8.1 An additional 10% of CIL receipts within the neighbourhood area will be passed over to Grafham and Ellington Parish Councils. 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 Grafham and Ellington Neighbourhood Plan.

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

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

## **10. LIST OF APPENDICES INCLUDED**

Appendix 1 – Grafham and Ellington Neighbourhood Plan

## **11. BACKGROUND PAPERS**

[Overview and Scrutiny Committee \(Performance and Growth\) on 3 November 2021](#)

[Cabinet on 18 November 2021](#)

[The Neighbourhood Planning \(Referendums\) Regulations 2012 \(as amended\)](#)

[National Planning Practice Guidance \(Neighbourhood Planning\)](#)

[Grafham and Ellington Neighbourhood Plan Referendum webpage](#)

[Neighbourhood Planning webpage](#)

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