

**Dinnington St John's Neighbourhood Plan
Decision Statement (Regulation 18(2))**

30 April 2020

Summary

Following an independent examination, Rotherham Metropolitan Borough Council (the Council) can now confirm that the Dinnington St John's Neighbourhood Plan will proceed to a Neighbourhood Referendum.

This decision statement, along with further information, is available on the Council's neighbourhood planning webpage at <https://www.rotherham.gov.uk/planning-development/neighbourhood-plan/2>. It will also be made available at the Council's main offices at Riverside House, Main Street, Rotherham, S60 1AE and at Dinnington Library, Laughton Road, Dinnington, Rotherham, S25 2PP. These premises are currently closed to the public as part of the response to the Coronavirus pandemic; however, the decision statement will be accessible during normal office hours once these premises re-open to the public.

Background

The Council formally designated the Dinnington St John's Civil Parish as the Dinnington St John's Parish Neighbourhood Area at the Cabinet and Commissioners' Decision Making Meeting on 11 July 2016. Following the submission of the Dinnington St. John's Neighbourhood Plan to the Council, the Plan was publicised and representations were invited for six weeks from 7 November to 20 December 2019.

The Council appointed an independent examiner, Mr Terry Heselton BA (Hons) Dip TP MRTPI, to examine whether the Dinnington St. John's Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990.

The Report of the Independent Examination (the Examiner's Report) recommended a number of modifications so that the plan is able to comply with the 'basic conditions', and that the draft plan as modified can be submitted for referendum. These recommended modifications are provided in the Examiner's Report which is available on the Council's website at: <https://www.rotherham.gov.uk/downloads/file/1616/dinnington-st-johns-report-27th-march-2020> The Examiner's Report finally concludes:

"I therefore recommend that the Neighbourhood Plan should proceed to Referendum based on the Dinnington St John's Neighbourhood Area as designated by Rotherham MBC on 11 July 2016".

Recommendations, Decisions and Reasons

Regulation 18 of The Neighbourhood Planning (General) Regulations 2012, requires the local planning authority to outline what action it will take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).

The Council accepts all of the modifications and the reasons put forward in the Examiner's Report. The Council is therefore satisfied that, subject to these modifications as specified being made, the Dinnington St John's Neighbourhood Plan meets the legal requirements and basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention Rights and complies with the provision made by or under s.38A and s.38B of the Planning & Compulsory Purchase Act 2004. The Council is therefore satisfied that the Plan can proceed to referendum.

To meet the requirements of the Localism Act 2011, a referendum will be held in the area that has been formally designated as the Dinnington St John's Neighbourhood Area, posing the question "Do you want Rotherham Metropolitan Borough Council to use the neighbourhood plan for Dinnington St John's Neighbourhood Area to help it decide planning applications in the neighbourhood area?"

In accordance with The Coronavirus Act 2020 and The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, any referendum that would have taken place in the period 16 March 2020 to 5 May 2021 will now take place on 6 May 2021. This date may be brought forward by future legislation, if medical and scientific advice leads to the relaxation of social distancing rules.

Further information about the referendum can be found on the Council's website at www.rotherham.gov.uk/elections