

## **The Neighbourhood Planning (General) Regulations 2012 (as amended)**

### **Maltby Neighbourhood Plan Examination Decision Statement (Regulation 18)**

**19 December 2023**

#### **Summary**

Following an independent examination, Rotherham Metropolitan Borough Council (the Council) can now confirm that the Maltby 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/3>

A hard copy of the Neighbourhood Plan documents and this Decision Statement can be inspected at the following locations (during opening hours):

- Maltby Library, High Street, Maltby, Rotherham, S66 8LD during normal opening hours
- Riverside Library, Main Street, Rotherham, S60 1AE during normal opening hours

#### **Background**

The Council formally designated the Maltby Parish as the Maltby Neighbourhood Area at the Cabinet and Commissioners' Decision Making Meeting on 10 April 2017.

Following the submission of the Maltby Neighbourhood Plan to the Council, the Plan was publicised, and representations were invited for more than six weeks, from 30th June to 21st August 2023.

The Council appointed an independent examiner, Mr Christopher Collison BA(Hons), Dip TP, MBA, MRTPI, to examine whether the Maltby 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/3445/post-examination-report>

The Examiner's Report concludes:

*"I recommend to Rotherham Metropolitan Borough Council that the Maltby Neighbourhood Development Plan for the plan period up to 2028 should, subject to the modifications I have put forward, be submitted to referendum..... I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Rotherham Metropolitan Borough Council as a Neighbourhood Area on 10 April 2017".*

## **Recommendations, Decisions and Reasons**

Regulation 18(2) 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 Maltby 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 on Thursday 8<sup>th</sup> February 2024** in the area that has been formally designated as the Maltby Neighbourhood Area, posing the question:

"Do you want Rotherham Metropolitan Borough Council to use the neighbourhood plan for Maltby to help it decide planning applications in the neighbourhood area?"

Further information about the referendum will be made available in due course on the Council's website at: [www.rotherham.gov.uk/elections](http://www.rotherham.gov.uk/elections)