

**The Neighbourhood Planning (General) Regulations 2012
Wickersley Neighbourhood Plan Decision Statement (Regulation 19)
May 2022**

1. Summary

1.1 Following a positive referendum result on the 5 May 2022 Rotherham Council is publicising its decision to ‘make’ the Wickersley Neighbourhood Development Plan part of the Development Plan for Rotherham in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

2. Background

2.1 Wickersley Parish Council, as the qualifying body, successfully applied for the parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012) (as amended) on 11 December 2017.

2.2 Following submission of the Wickersley Neighbourhood Plan to the Council the plan was publicised, and comments were invited from the public and stakeholders. The consultation period closed on Monday 25 October 2021.

2.3 The Council appointed an independent Examiner; Mr Christopher Collison BA (Hons), Dip TP, MBA, MRTPI to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

2.4 The Examiner’s Report concluded that the plan met the basic conditions, and that subject to the modifications proposed in his report, the plan should proceed to a referendum.

2.5 A referendum was held on the 5 May 2022 where a majority of the voters were in favour of the plan.

2.6 Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that the Council must make the Neighbourhood Plan if more than half of those voting have voted in favour of the plan.

2.7 The Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3. Decision and Reasoning

3.1 The referendum held on 5 May 2022 met the requirements of the Localism Act

2011; it was held in the parish of Wickersley and posed the question: ' "Do you want Rotherham Metropolitan Borough Council to use the Neighbourhood Plan for Wickersley to help it decide planning applications in the neighbourhood area?"

3.2 The result was declared on 6 May 2022. Greater than 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area.

3.3 The results of the referendum were:

Electorate	6,193
Verified ballot papers	1,811
Turnout	29.24%
The number of votes cast in favour of a 'Yes'	1,455
The number of votes cast in favour of a 'No'	334
Rejected ballot papers	22

3.4 The Council has assessed that the plan including its preparation does not breach, and would not otherwise be incompatible, with, any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3.5 At the Council meeting on 25 May 2022 it was resolved that the Wickersley Neighbourhood Development Plan is formally adopted as part of the Statutory Development Plan for the borough of Rotherham.

3.6 In accordance with the Regulations and the Council's procedure the Wickersley Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Wickersley Neighbourhood Development Plan, as well as existing planning policy, such as the Rotherham Local Plan and its successors and the National Planning Policy Framework and Guidance.