



**Middlesbrough Council Local Planning Authority
Marton West Neighbourhood Plan 2016 – 2029**

REGULATION 18 DECISION STATEMENT (proceeding to referendum)

Introduction

1. In accordance with the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood plans and to progress their neighbourhood plans through examination, referendum and to 'make' the Plan.
2. In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Middlesbrough Borough Council have produced this 'Decision Statement' in relation to the Marton West Neighbourhood Plan. This statement confirms that the modifications proposed by the Examiner's Report on the Marton West Neighbourhood Plan have been accepted by the Council and the Plan has been consequently amended. The Plan can now proceed to referendum.
3. The Examiner's Report and submission Marton West Neighbourhood Plan, including supporting documents, can be viewed on the Council's website at: <http://www.middlesbrough.gov.uk/index.aspx?articleid=7787>
4. Hard copies of the documents can also be viewed at the Civic Centre, Middlesbrough Council, Middlesbrough, TS1 9FY.

Background

5. On 18 June 2013 Middlesbrough Council designated the Marton West Neighbourhood Area and Marton West Neighbourhood Forum for the purpose of preparing a Neighbourhood Plan. The plan area covers the Marton West Ward, which lies solely within the Middlesbrough Local Planning Authority Area.
6. Marton West Neighbourhood Forum, the qualifying body, submitted the draft Marton West Neighbourhood Plan and supporting documents to Middlesbrough Council in November 2015.
7. Following submission of the Marton West Neighbourhood Plan, Middlesbrough Council publicised the Plan and supporting documents and invited representations during the consultation period which ran from 15 January to 25 February 2016.

8. Middlesbrough Council, with the consent of Marton West Neighbourhood Forum, appointed an independent examiner, Rosemary Kidd, DipTP, MRTPI, to review the Plan and consider whether it should proceed to referendum.
9. The Examiner's Report was received in May 2016 and recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990).
10. In accordance with the legislation (Schedule 4B s12 Town and Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner's recommendations, what modifications to make to the Plan and whether the Plan should proceed to referendum.
11. If the Local Planning Authority is satisfied that the Plan can proceed to referendum, it is also required to consider whether the Referendum Area should be extended beyond the Marton West Neighbourhood Area (Schedule 4B s.12(8) Town and Country Planning Act 1990).

Local Planning Authority Decision

12. Having considered the Examiner's Report, Middlesbrough Council confirms that:
 - all the Examiner's recommended modifications, are accepted and agreed.
 - the Marton West Neighbourhood Plan, incorporating all the recommended modifications, should proceed to referendum as the Plan:
 - meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)
 - meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)
 - is compatible with the European Convention on Human Rights and complies with the Human Rights Act 1998
13. Modifications in order to correct errors/inaccuracies resulting from the amendments made in light of the Examiner's Report.
 - the recommended modifications do not comprise revisions that would affect the overall Sustainability Appraisal (SA) findings presented in the SA Report, and the revisions will not have significant environmental effects which were not previously assessed through the SA (incorporating Strategic Environmental Appraisal) process.

14. It is also agreed to proceed to a referendum based on the Marton West Neighbourhood Area as approved by the Council on 18 June 2013.
15. This decision has been made in accordance with the relevant legislation, guidance and advice and in response to the recommendations made in the Examiner's Report.
16. Not less than 28 days before the date of the referendum the Council must publish on their website and make available an information statement and specified documents (which will include the Marton West, as revised). These documents will be made available during the referendum period for inspection at the Council's Civic Centre and Marton Library.