

# **Ryton on Dunsmore Neighbourhood Plan Decision Statement (Regulation 18 of the Neighbourhood Planning (General) Regulations 2012)**

## **Summary**

1. Following an independent examination undertaken by written representations, Rugby Borough Council has accepted the findings of the examination report and confirms that the Ryton on Dunsmore Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
2. This decision statement and the examination report are available on the Borough Council's website and on request.

## **Background**

3. Following an application by Ryton on Dunsmore Parish Council (as the Neighbourhood Plan Qualifying Body), on 11 October 2016 Rugby Borough Council formally designated Ryton on Dunsmore Parish as a Neighbourhood Area.
4. Ryton on Dunsmore Parish Council carried out a pre-submission consultation of the Neighbourhood Plan between 7 January 2019 to 18 February 2019 (Regulation 14).
5. The Neighbourhood Plan was then submitted to Rugby Borough Council on 1 May 2019 in accordance with Regulation 15. A Public consultation was then carried out between 25 June 2019 to 6 August 2019 (Regulation 16)
6. Rugby Borough Council appointed an independent Examiner, to examine whether the Ryton on Dunsmore Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Ryton on Dunsmore Neighbourhood Plan should proceed to a referendum (Regulation 17).
7. The Examiner's Report recommended a number of modifications so that the Ryton on Dunsmore Neighbourhood Plan was able to comply with the 'basic conditions' and other relevant statutory provisions, and that the draft plan as modified can be submitted for referendum.
8. The Examiner's Report (February 2020) concludes by stating:

"In summary, subject to the suggested changes, the Plan would comply with the legal requirements set out in Paragraph 8(1) and 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and the relevant regulations relating to the preparation of a Neighbourhood Development Plan."

and;

“Hence further to the modifications proposed within this submission, I recommend that the Ryton on Dunsmore Neighbourhood Development Plan should proceed to a Referendum.”

### **Recommendations, Decisions and Reasons**

9. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to 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).
10. Rugby Borough Council, in agreement with Ryton on Dunsmore Parish Council, have accepted the recommended modifications, and the Neighbourhood Plan has been updated accordingly so that it can comply with the ‘basic conditions’ and provisions as set out in legislation. The decision to formally accept the findings of the report, and consequently progress to a referendum, was made on 7 September 2020.
11. In accordance with Government guidance, by deciding to accept the findings of the examination report and the intention to proceed to referendum, the Ryton on Dunsmore Neighbourhood Plan is afforded significant weight in determining planning applications.
12. To meet the requirements of the Localism Act 2011 a referendum which asks the question, ‘Do you want Rugby Borough Council to use the Ryton on Dunsmore Neighbourhood Plan to help it decide planning applications in the Ryton on Dunsmore Neighbourhood Area?’ will be held in the area formally designated as the Ryton on Dunsmore Neighbourhood Area.
13. The date on which the referendum is to be arranged is as soon as is reasonably practicable after 6<sup>th</sup> May 2021 in accordance with the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, and guidance in relation to Neighbourhood Planning.
14. If more than 50% of those voting in the referendum vote ‘yes’, the Neighbourhood Plan will become part of the statutory development plan for the area, alongside the Rugby Borough Local Plan.