
Adoption of Catshill and North Marlbrook Parish Neighbourhood Plan

Relevant Portfolio Holder	Councillor Adam Kent, Deputy Leader and Portfolio Holder for Planning and Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning, Regeneration and Leisure Services
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Wards Affected	Catshill North, Catshill South, Marlbrook
Ward Councillor(s) consulted	Yes
Relevant Strategic Purpose(s)	<ul style="list-style-type: none">• Run and Grow a Successful Business• Affordable and Sustainable Homes• Communities which are Safe, Well Maintained and Green• The Green Thread runs through the Council Plan

1. RECOMMENDATIONS

The Cabinet RESOLVE that:-

- 1) The result of the referendum on the Catshill and North Marlbrook Parish Neighbourhood Plan, held on 7th October 2021, is duly noted
- 2) A recommendation is made to the next meeting of Council that the Catshill and North Marlbrook Parish Neighbourhood Plan be 'made' (formally adopted) immediately, in accordance with the relevant legislation¹.

2. BACKGROUND

- 2.1 The Catshill and North Marlbrook Parish Neighbourhood Plan (CNMNP), which is attached at Appendix 1, was submitted by Catshill and North

¹ As set out in the 'Legal Implications' (Section 4) section of this report.

Marlbrook Parish Council ('the qualifying body') to the District Council in January 2021.

- 2.2 Following Cabinet approval (February 2021), the plan was subject to a statutory six-week representations period from 25th February – 8th April 2021 and was subsequently examined by an independent neighbourhood plan examiner.
- 2.3 The final examiner's report, attached as Appendix 2, was received in June 2021 and recommended that the CNMNP met the 'basic conditions'², subject to a series of minor modifications, and should therefore proceed to a public referendum.
- 2.4 A referendum for the CNMNP was held on Thursday 7th October 2021 within the Parish. The 'Declaration of Result' is attached at Appendix 3. This shows a majority 'Yes' vote (88% of those who voted) to the referendum question posed.

3. FINANCIAL IMPLICATIONS

- 3.1 Work already carried out by Officers in assisting the Parish Council in preparing the CNMNP has been incorporated into ongoing workloads for the Strategic Planning and Conservation team.
- 3.2 Following the decision to proceed to referendum, the District Council became eligible for funding of £20,000 from the Ministry of Housing, Communities and Local Government's (MHCLG) neighbourhood planning grant. Once received, the grant will allow the Council to recoup departmental costs as well as fund examination and referendum costs.
- 3.3 The overall cost of the referendum is estimated by the Electoral Services Manager to be £8,819.12. The total cost of the independent examination was £3,966.65.

4. LEGAL IMPLICATIONS

² As defined at paragraph 8(2) Schedule 4B of the 1990 Town and Country Planning Act.

- 4.1 The CNMNP has been produced in accordance with the relevant neighbourhood planning legislation arising from the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 4.2 Following submission of the CNMNP to the District Council in January 2021, officers reviewed all submission documents and were satisfied that, with the approval of Cabinet, the neighbourhood plan was able to proceed to a statutory representation period, independent examination, and referendum, should the plan be deemed to meet the basic conditions. Subsequently, the independent examination into the CNMNP confirmed that the basic conditions were met subject to a small number of minor modifications to the plan.
- 4.3 An information statement was published on 27th August 2021 declaring that a referendum on the CNMNP was to be held. This ensured that no fewer than 28 days', excluding weekends and bank holidays, notice was provided as required by Regulation 4(1) of the Neighbourhood Planning (Referendums) Regulations 2012.
- 4.4 The question asked in a neighbourhood planning referendum is standardised as set out in Schedule 1(1) of the Neighbourhood Planning (Referendums) Regulations 2012. To comply with this legislation, the question therefore posed for the referendum was:

Do you want Bromsgrove District Council to use the Neighbourhood Plan for Catshill and North Marlbrook Parish to help it decide planning applications in the neighbourhood area?

- 4.5 The referendum area, on the advice of the independent examiner, was identical to the designated neighbourhood area of the CNMNP; that is, coterminous with the boundary of Catshill and North Marlbrook Parish. As a result, eligibility to vote in the referendum consisted of anyone who was 18 years of age or above on the date of the referendum, and who was registered to vote within the referendum area.

- 4.6 From a total of 5,198 eligible voters, 822 ballot papers were issued (a turnout of 15.81%) with one ballot being rejected. The result of the referendum was as follows:
- Yes – 723 (87.96%)
 - No – 98 (11.92%)

The 'Declaration of Result' for the referendum is included at Appendix 3 for information.

- 4.7 Within a previous report to Cabinet in February 2021, with reference to the neighbourhood plan process, it was stated "*Should a referendum result in a 'Yes' vote that the CNMNP be made, it is proposed that the CNMNP be brought back to meetings of both Bromsgrove District Cabinet and Full Council to approve the adoption of the Catshill and North Marlbrook Parish Neighbourhood Plan*".

- 4.8 In light of the above, this report seeks a recommendation from Cabinet that the meeting of Council on 3rd November 2021 approves the CNMNP to be 'made' in accordance with the relevant legislation, in particular Section 38A paragraph 4(a) of the 2004 Planning and Compulsory Purchase Act, which states that, "*A local planning authority to whom a proposal for the making of a neighbourhood development plan has been made...must make a neighbourhood development plan to which the proposal relates if in each applicable referendum under that Schedule (as so applied) more than half of those voting have voted in favour of the plan*".

5. STRATEGIC PURPOSES - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The CNMNP, being a plan for the development and use of land, supports the following District Council strategic purposes:
- *Run and Grow a Successful Business* – the neighbourhood plan includes planning policies within the topic area of 'commerce and community'. Objectives of these policies include supporting local businesses and retail outlets by improving shopfront appearances (Policies COM1 and

COM2) and supporting local employment opportunities through business start-ups and home working (Policies COM3 and COM4).

- *Affordable and Sustainable Homes* – the neighbourhood plan includes planning policies within the topic area of ‘housing and infrastructure’. Objectives of these policies include providing housing which meets the needs of local residents and ensuring priority is given to affordable homes, the elderly and homes for first time buyers (Policy H2).
- *Communities which are Safe, Well Maintained and Green* - the neighbourhood plan includes planning policies within the topic area of ‘environment’, and specifically the protection and enhancement of the local green infrastructure network. Objectives of these policies include developing a green infrastructure plan for the parish (Policies ENV1, ENV2 and ENV3) and protecting existing formal open spaces and newly designated local green spaces from loss or encroachment (Policies ENV4 and ENV5).

Climate Change Implications

- 5.2 A green thread runs through the Bromsgrove District Council Plan. The CNMNP supports this green thread with the neighbourhood plan’s environment topic area objective to “promote and support measures to assist in combatting climate change”. It seeks to do this specifically through policies on sustainable design and construction (H3 and ENV8), sustainable drainage systems for major developments (ENV9) and the need for permeable surfacing where parking proposals are made at the front of properties (ENV10) to reduce the risk of flooding from surface water runoff.

6. OTHER IMPLICATIONS

Equalities and Diversity Implications

- 6.1 The CNMNP has been subject to numerous Parish Council led events and public meetings to publicise the preparation of the plan and inform its development. One of the stated aims of the Parish Council’s consultation process was, “To engage with as wide a range of people as possible, using a variety of approaches, communication and consultation methodologies”.

- 6.2 A pre-submission (Regulation 14) public consultation was also undertaken to enable further community engagement and allow changes to the plan to be made prior to its submission to the District Council. Further detail of all engagement can be found in the CNMNP Consultation Statement listed within the background papers section at the end of this report.

Operational Implications

- 6.3 Despite responsibility for the production of the CNMNP belonging to the qualifying body (Catshill and North Marlbrook Parish Council), the District Council has worked closely with the neighbourhood plan steering group in the preparation of the plan, since designation of the neighbourhood area in October 2016.
- 6.4 During this time, considerable officer resource has been spent advising and supporting members of the neighbourhood plan steering group. Officers have advised on matters concerning planning legislation and regulations, alignment with the District Council's statutory planning framework, and provided information to help comply with other legal requirements such as strategic environmental assessment (SEA) and habitat regulation assessment (HRA).
- 6.5 Officers from the Strategic Planning and Conservation team have worked with the BDC Electoral Services team to arrange the referendum in line with all statutory requirements.

7. RISK MANAGEMENT

- 7.1 The CNMNP is not a plan produced directly by the District Council, however when 'made' it will become part of the statutory development plan for decisions made by the local planning authority within Catshill and North Marlbrook Parish (the designated neighbourhood area).
- 7.2 The District Council has met its duty to support the progression of the CNMNP, including publicising the statutory consultation and arranging independent examination and referendum. It now has a duty to formally 'make' the neighbourhood plan as outlined at paragraph 4.8 above.

- 7.3 Implementation of the CNMNP will make a positive contribution to the achievement of sustainable development within Catshill and North Marlbrook Parish. It will provide a complementary part of the development plan alongside the Bromsgrove District Plan, for planning decisions taken within the designated neighbourhood area.

8. APPENDICES and BACKGROUND PAPERS

Appendices

Appendix 1: CNMNP referendum version, August 2021

Appendix 2: CNMNP Examiner's Report, June 2021

Appendix 3: Declaration of Result of Poll, October 2021

Background Papers

CNMNP Basic Conditions Statement, December 2020

CNMNP Consultation Statement, December 2020

BROMSGROVE DISTRICT COUNCIL

Cabinet
2021

20th October

9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Cllr Adam Kent	6 th October
Lead Director / Head of Service	Ruth Bamford	6 th October
Financial Services	James Howes	6 th October
Legal Services	Claire Felton	6 th October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	Anna Wardell Hill / Kath Manning	Ongoing consultation as plan was prepared.