

REFERENDUM AND ADOPTION OF MARPLE NEIGHBOURHOOD PLAN

Report of the Assistant Director for Place Making and Planning

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (NPPF paragraph 29).
- 1.2 Marple Neighbourhood Forum (MNF; “the Forum”) and the Council have been working together on the development of Marple Neighbourhood Plan (MNP; “The Plan”¹), Stockport’s third neighbourhood plan. The Plan has recently undergone an examination by an independent examiner.
- 1.3 Following the submission of the examiner’s report, the Forum and the Council have made relevant changes to the Plan.
- 1.4 This report is accompanied by: the updated version of the Plan and its appendices, implementing the Examiner’s recommendations; the Examiner’s report, and a revised Equalities and Impact Assessment.
- 1.5 This report also sets out the key progress on the Plan and the next stages in the process before it formally becomes part of the development plan for Stockport.
- 1.6 Members are recommended:
- to approve the final version of the Marple Neighbourhood Plan (MNP) and the Independent Examiner’s report;
 - to authorise officers to take the necessary steps to conduct a referendum in the Neighbourhood Area;
 - In the event that a majority of eligible votes are in favour, to approve the adoption of the MNP as part of the local development plan.

2. BACKGROUND

- 2.1 On 1st December 2016, the Forum was designated as the qualifying body and later re-designated on 18th November 2021². The Neighbourhood Area was approved for the MNP on 30th June 2016. A considerable amount of work has taken place since to prepare and review policy wording, and to consult with residents, landowners, developers and other stakeholders on the content of the

¹ The MNP may sometimes be referred to as the Marple Neighbourhood Development Plan (MNDP)

² The designation of the Forum lasts for 5 years from designation

MNP. Throughout the process the Forum and the Council have worked together to try to achieve the best plan for Marple.

2.2 The Council published the Plan for a public consultation during February and March 2023, with the Examiner appointed in May 2023. The examination was undertaken without the need for any formal public hearings. The Examiner sought a number of points of clarification from the Council and the MNF but was otherwise able to conduct the process based on submissions made by all interested parties throughout the process.

2.3 The Examiner concluded that the MNP meets the basic conditions and has recommended amendments to the Plan. He has concluded that the Council should proceed to a referendum once the amendments have been made. The process for that is addressed later in this report.

3. THE PLAN AND THE EXAMINER'S REPORT

3.1 The Examiner's Report ('the Report') covers all elements of the plan, including the background legislation and documents to which the MNP relates. The Report is organised into: 1) Summary; 2) Introduction; 3) Basic Conditions and Development Plan Status; 4) Background Documents and the Marple Neighbourhood Area; 5) Public Consultation; 6) The Neighbourhood Plan: Introductory Section; 7) The Neighbourhood Plan: Policies; 8) The Neighbourhood Plan: Other Matters; 9) Referendum.

3.2 The purpose of the examination is to ensure that the submission of the Plan meets statutory requirements (that it has been properly submitted), and that the Plan meets statutory "basic conditions" set out in the Localism Act and the 2012 Regulations. The basic conditions may be summarised briefly as ensuring:

- The Plan accords with national planning policy & guidance, and local strategic policies;
- The Plan would contribute to the achievement of sustainable development;
- The Plan is compatible with other legislation and obligations, notably: Strategic Environmental and Habitats Assessment; Human Rights Act 1998; Conservation of Habitats and Species Regulations 2017.

3.3 In summary, the report finds that the Plan meets the statutory requirements of Regulation 15(1)(a) of The Neighbourhood Planning (General) Regulations 2012. It also makes recommendations for amendments for the Plan to comply with basic conditions. Whilst each neighbourhood plan will be assessed on its own merits it is normal to expect such recommendations for amendments.

3.4 In the Report summary, the Examiner concludes and recommends that:

- the Plan (modified as recommended) meets the basic conditions, contributes to the achievement of sustainable development, is in general conformity with the strategic policies contained in the development plan

- for the area of the authority (or any part of that area), does not breach and is otherwise compatible with EU obligations, and is not likely to have a significant effect on a European site;
 - the modified Plan should proceed to a referendum.
- 3.5 The MNP previously covered seven main areas with 23 policies in total: Town Centre (3 policies); Getting Around (3); Housing (3); Natural Capital and Climate Change (4); Community Space (5); Heritage & Tourism (3) and Business & Employment (2). As a result of the recommendations in the Report, 18 policies have been amended and 5 have been proposed for deletion.
- 3.6 The amendments include changes that remove ambiguity, ensure policies are in line with national policy, remove references that are not supported by evidence, and correct errors. All the amendments are detailed and explained in full in the attached Examiner's report.
- 3.7 The Council and the MNF have had the opportunity to assess the Examiner's report and have discussed the proposed amendments and their implications for the plan. Both parties are agreed that the reasons for the amendment of policies are understood and the changes required do not undermine the key purposes of those policies.
- 3.8 The consequential changes have been made to the Plan that accompanies this report. It should be noted, however, that the summary of compliance of the Plan with local and national policies contained within Section 4 of the Basic Conditions Statement at Appendix 6 has not been revised to reflect the Examiner's changes to policies, as this statement was correct at the time of publication to meet Regulation 16 in February/March 2023.

4. REFERENDUM

- 4.1 The relevant legislation (Schedule 4B to the Town and Country Planning Act 1990 (as amended)) requires that:
- the local planning authority considers the Examiner's report;
 - the local planning authority (being satisfied that the plan meets the relevant requirements referred to in the 1990 Act) to arrange a referendum;
 - if more than half of those who vote in the referendum are in favour of the neighbourhood plan, the local planning authority must adopt the plan within 8 weeks of the vote.
- 4.2 It should be noted that, once adopted, the Plan becomes part of the local development plan and is taken into account when considering applications for development in the Neighbourhood Area. It will remain in place when a new Local Plan for Stockport replaces the Core Strategy, and for the duration of its intended plan life, subject to reviews of the plan by the Forum.

- 4.3 A person is entitled to vote if, at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area.
- 4.4 Officers in the Planning section are liaising with colleagues in the Elections Office in order to undertake this referendum, subject to approval of the plan at this meeting. The intention is to hold the referendum prior to the pre-Election publicity period on 21st March 2024, following the publication of the usual election notice.
- 4.5 It is noted that comments were made on this report by Members at Marple Area Committee on 29 November 2023 relating to public engagement ahead of voting at the referendum, in particular how young people will be involved, the voting options available, and the scope for voting digitally rather than in person. Members should be made aware that the referendum will be held in accordance with legislation in Schedule 4B to the Town and Country Planning Act 1990 (as amended).
- 4.6 Consequently, this will be a binary vote to accept or reject the plan and voting will be undertaken in the normal way. However, officers will consider other forms of engagement such as social media to promote the referendum, and will work closely with the Forum to advertise and promote the referendum as far as is possible to help reach those who are eligible to vote.

5. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 5.1 The Council has already provided ongoing support to the Neighbourhood Forum in the preparation of the plan, funded through existing service budget.
- 5.2 This decision will commit resources to the costs of a referendum in the Neighbourhood Area, initially from service budget.

6. LEGAL CONSIDERATIONS

- 6.1 The Council risks being at variance from legislation: if it does not approve a referendum; or if it fails to adopt the neighbourhood plan if the result of the referendum is in favour.

7. HUMAN RESOURCES IMPACT

- 7.1 There are no new or additional human resources impact issues arising.

8. EQUALITIES IMPACT

- 8.1 An Equalities Impact Assessment (EqIA) was undertaken in support of the Regulation 16 consultation version and has been revised to take account of changes arising from the Examiners' recommendations, and is attached with this report.

9. ENVIRONMENTAL IMPACT

- 9.1 The Strategic Environmental Assessment (SEA) screening for Regulation 16 can be found on the Council's website at [Marple neighbourhood plan and appendices - Stockport Council](#). No likely significant environmental impacts were identified.

10. CONCLUSIONS AND RECOMMENDATIONS

- 10.1 The Marple Neighbourhood Plan has been through a comprehensive process of development, consultation and examination, in accordance with the regulations and guidance.
- 10.2 The recommendations of the Examiner are to amend the Plan in accordance with his recommendations and to proceed to a referendum in accordance with the relevant legislation.
- 10.3 Having reviewed the Examiner's report, officers find no reason to disagree with the Examiner's findings.
- 10.4 In accordance with legislation, Council is asked to approve the Marple Neighbourhood Plan to go to referendum and therefore for that plan to form part of the development plan for Stockport in the event that it receives majority support at that subsequent referendum.

BACKGROUND PAPERS

The latest Equalities Impact Assessment (amended following Examiner's comments), the Marple Neighbourhood Plan, the appendices to the Plan, and Marple Neighbourhood Plan Examiner's Report are attached as background papers.

Anyone wishing to inspect the above background papers or requiring further information should contact Michael Whitehead on Tel: 0161 218 1517 or by email on michael.whitehead@stockport.gov.uk.