



Clifton upon Teme Neighbourhood Plan

Decision Statement published pursuant to Section 38A (9) and (10) Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

At its Council meeting on the 28 November 2017, Malvern Hills District Council decided to make the Clifton upon Teme Neighbourhood Plan under 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended). The Clifton upon Teme Neighbourhood Plan now forms part of the Development Plan for Malvern Hills District.

Reasons for the Decision

The Clifton upon Teme Neighbourhood Plan meets the Basic Conditions and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the Referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the Referendum on 5 October 2017.

Background

The Clifton upon Teme Neighbourhood Plan was prepared by Clifton upon Teme Parish Council, which is the relevant body for the purposes of neighbourhood plan preparation. The application to designate the parish of Clifton upon Teme as a Neighbourhood Area for the purposes of preparing a neighbourhood plan was approved by Malvern Hills District Council in September 2013.

The Parish Council published the draft Clifton upon Teme Neighbourhood Plan for pre-submission consultation between 4 July and 26 August 2016, in line with regulation 14 of the Neighbourhood Planning (General) Regulations 2012.

The Parish Council submitted the draft Clifton upon Teme Neighbourhood Plan and supporting documents (including a Basic Conditions Statement and Consultation Statement) to the District Council in November 2016. The submitted Plan was

published by the District Council for public consultation between 16 December 2016 and 10 February 2017.

Malvern Hills District Council, with the consent of Clifton upon Teme Parish Council, appointed an independent examiner, Mr Richard High, to review the Plan and consider whether it should proceed to referendum.

The Examiner's Report was received on 28 July 2017. The examiner recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan will meet the Basic Conditions and legal requirements. The examiner also recommended that the area for the referendum be based on the designated neighbourhood area which the Plan relates to.

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the District Council to make the Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help to decide planning applications in the area.

A local referendum was held in Clifton upon Teme on 5 October 2017 to decide whether the local community were in favour of the Clifton upon Teme Neighbourhood Plan. From the votes recorded, 122 out of 132 (92.4%) of those who voted were in favour of the Plan. The turnout of electors was 25.5%.

The District Council has also assessed and concluded that the Plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). As such, the District Council decided at the Full Council meeting on 28 November 2017 to make (adopt) the Clifton upon Teme Neighbourhood Plan so that it is part of the statutory Development Plan for Malvern Hills District, sitting alongside the South Worcestershire Development Plan and other material considerations in determining planning applications in the parish of Clifton upon Teme.

Inspection of Decision Statement and made Neighbourhood Plan

This decision statement can be viewed on the Malvern Hills District Council and Clifton upon Teme Parish Council websites:

<https://www.malvernhills.gov.uk/clifton-upon-teme>

<https://clifton-upon-teme-pc.org.uk/>

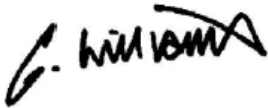
In accordance with Regulation 20 of the Regulations, the Clifton upon Teme Neighbourhood Plan can be viewed on the Malvern Hills District Council and Clifton upon Teme Parish Council websites:

<https://www.malvernhills.gov.uk/clifton-upon-teme>

<https://clifton-upon-teme-pc.org.uk/>

Paper copies of this statement and the made Clifton upon Teme Neighbourhood Plan can also be viewed at:

- Malvern Hills District Council, Council House, Avenue Road, Malvern, WR14 3AF (*Monday-Friday 9am-5pm*)
- Malvern Library, Graham Road, Malvern, WR14 2HU (*Monday, Thursday and Friday 9am-5.00pm, Tuesday and Wednesday 9am-7pm and Saturday 9am-4pm*)



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29 November 2017