

**BOROUGH OF TELFORD & WREKIN**  
**Madeley Neighbourhood Development Plan Decision Statement**  
**Regulation 19 Neighbourhood Planning (General) Regulations 2012**

**1. Summary**

- 1.1. Following a positive referendum result Borough of Telford & Wrekin ("Telford & Wrekin Council") is publishing its decision to make the Madeley Neighbourhood Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 which is now part of Telford & Wrekin Councils Development Plan.

**2. Background**

- 2.1. On 18<sup>th</sup> October 2012, Telford & Wrekin Council designated the area comprising the Parish of Madeley as a Neighbourhood Area for the purpose of preparing a Neighbourhood Plan in accordance with Part 2 of the Town and Country Planning (England), Neighbourhood Planning (General) Regulations 2012.
- 2.2. Following the submission of the Madeley Neighbourhood Development Plan (Examination Version) to Telford & Wrekin Council, the plan was publicised and representations were invited. The publicity period began on 24 February and ended on 8 April 2014.
- 2.3. Telford & Wrekin Council appointed an Independent Examiner, Mr John Parmiter, to review whether the Plan met the Basic Conditions and satisfied certain other criteria as required under the legislation and whether it should proceed to Referendum.
- 2.4. The Independent Examiner's report concluded that, subject to his recommended modifications being made, the Plan met the Basic Conditions set out in the legislation, had been prepared in accordance with all other legal requirements and should proceed to a Neighbourhood Planning Referendum.
- 2.5. Having considered each of the recommendations made in the Independent Examiner's report, and the reasons for them, Telford & Wrekin Council decided to make the recommended modifications to the draft Plan to secure

that it met the Basic Conditions set out in legislation. At its meeting on 18<sup>th</sup> September 2014, the Council agreed that the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.

2.6. A referendum was held on 29<sup>th</sup> January 2015 and 94% of those who voted were in favour of the plan.

2.7. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended requires that the Council must make the neighbourhood development plan if more than half of those voting have voted in favour of the plan.

2.8. The council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

### **3. Decision and Reasons**

3.1. With the Examiner's recommended modifications the Madeley Neighbourhood Development Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

3.2. The referendum held on 29<sup>th</sup> January 2015 met the requirements of the Localism Act 2011 posing the question: 'Do you want Borough of Telford & Wrekin to use the Neighbourhood Plan for Madeley to help it decide planning applications in the Neighbourhood area?'

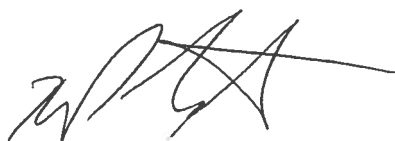
3.3. The count took place on Thursday 29<sup>th</sup> January 2015 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area. The results of the referendum were;

Response	Votes	% of votes cast
Yes	1877	94%
No	120	6%

Turnout – 16.57%	2009	
Electorate total	12,126	

3.4. Telford & Wrekin Council has assessed that the Plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any Convention rights (within the meaning of the Human Rights Act 1998).

3.5. The Madeley Neighbourhood Development Plan has now been made and planning applications in the area to which the Plan relates i.e. the administrative area of Madeley Town Council, must be considered against the Madeley Neighbourhood Development Plan, as well as existing planning policy, such as the Telford & Wrekin Council Local Development Framework Core Strategy, Saved Policies of the Wrekin Local Plan and the National Planning Policy Framework and Guidance.



Richard Partington, Managing Director, Telford & Wrekin Council

This statement is dated 14<sup>th</sup> April 2015