

## **Decision Statement –Tiptree Neighbourhood Plan 2022 - 2033**

### **Introduction**

Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of Neighbourhood Development Plans (and Orders) and to take plans through the processes of examination and referendum.

The Localism Act 2011 (Part 6, Chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.

This Decision Statement confirms that the modifications proposed by the examiner, in his report dated 15 December 2022, have been accepted by both Colchester City Council and Tiptree Parish Council. The draft Tiptree Neighbourhood Plan will be altered to reflect these changes and the Plan will proceed to referendum.

### **Background**

The Tiptree Neighbourhood Plan covers the area designated by Colchester Borough Council as the Neighbourhood Plan Area in February 2015.

Following the submission of the Tiptree Neighbourhood Plan to the Council, the Plan was published for 6 weeks between 30 August 2022 and 12th October 2022 inviting representations, in accordance with The Neighbourhood Planning (General) Regulations 2012 - Regulation 16.

Andrew Seaman BA (Hons) MA MRTPI was appointed by Colchester Borough Council with the consent of Tiptree Parish Council, to independently examine the Tiptree Neighbourhood Plan and to prepare a report of the examination.

The Examiner's Report, which was issued on 15 December 2022, concluded that subject to modifications recommended by the examiner being made to the document, the Tiptree Neighbourhood Plan met the Basic Conditions set out in legislation and should proceed to a referendum.

In recommending that the modified Plan proceed to referendum, the Examiner considered whether or not the referendum area should extend beyond the designated Neighbourhood Plan area. The examiner recommended that the referendum area be extended to include the Neighbourhood Plan area and the administrative area of Messing Cum Inworth Parish Council.

### **Decision**

Section 18 (1) c of the Neighbourhood Planning (General) Regulations 2012 requires the Local Planning Authority, in this case Colchester City Council, to outline what action to take in response to the recommendations of the Examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a Neighbourhood Plan.

Having considered each of the recommendations set out in the Examiner's Report and their reasoning, Colchester City Council in agreement with Tiptree Parish Council has

decided to accept the modifications to the draft Tiptree Neighbourhood Development Plan.

Colchester City Council agrees with the Examiner that the Referendum Area should be applied to the designated Neighbourhood Plan Area and the administrative area of Messing Cum Inworth Parish Council.

Colchester City Council accept that the changes are necessary to ensure that the draft Plan meets the Basic Conditions as set out in legislation.

The Examiner's Report including the appendix, outlines the recommendations of alterations to be made to the draft Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act).

### **Conclusion**

The Tiptree Neighbourhood Plan 2022 - 2033, as revised, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011, and can therefore proceed to referendum.

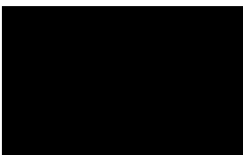
A referendum will now be held which will ask the question: "*Do you want Colchester City Council to use the Neighbourhood Plan for Tiptree to help it decide planning applications in the neighbourhood area?*". Further details regarding the referendum will be published in due course.

I recommend that the Tiptree Neighbourhood Plan 2022 - 2033 should proceed to a referendum based on the Neighbourhood Plan Area agreed by Colchester City Council in February 2015 and the administrative area of Messing Cum Inworth Parish Council.

I am taking the above decision as I agree with the advice set out in the Examiner's Report for the Tiptree Neighbourhood Plan in accordance under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38a of the 2004 Act) in relation to the Neighbourhood Plan.

I declare that I have no personal or prejudicial interest in respect of this decision.

Signed:

A solid black rectangular box redacting the signature of the Executive Director.

(Executive Director - Place)

Date: 20/12/2022