



# South Tyneside Council

## Whitburn Neighbourhood Plan

### South Tyneside Council: Regulation 19 Decision Statement

#### Decision

South Tyneside Council's Cabinet of 7 September 2022 has resolved that Whitburn Neighbourhood Plan be formally 'made' i.e. brought into legal force as part of the statutory Development Plan for South Tyneside. This means that the Whitburn Neighbourhood Plan will be used to help decide planning applications in the Neighbourhood Area.

#### Reasons for making the decision

On 23 February 2022 the report of the independent Examiner for the Plan was received by the Council. The report recommended that the Plan proceed to referendum subject to certain modifications.

The Council's Cabinet of 15 June 2022 was asked to consider the report of the Examiner. The Cabinet authorised the 'referendum version' of the Plan (including all the Examiner's recommendations) proceed to referendum. The question asked at the referendum was: *'Do you want South Tyneside Council to use the neighbourhood plan for Whitburn Neighbourhood Area to help it decide planning applications in the neighbourhood area?'*

92.4% of the votes cast voted in favour which means that the referendum has been passed. The local authority is required by legislation to make the Plan if more than half of those voting have voted in favour of the Plan.

As a matter of law the authority can only refuse to make the Plan if it would breach or be otherwise incompatible with retained EU obligations or human rights obligations. The authority has assessed that the Whitburn Neighbourhood Plan, including its preparation does not breach, or is otherwise incompatible with, retained EU obligations or human rights obligations.

The Council's Cabinet of 7 September 2022 therefore agreed that, in accordance with the statutory requirements, the Whitburn Neighbourhood Plan be formally 'made' i.e. brought into legal force as part of the statutory Development Plan for South Tyneside.

#### Document availability

This Decision Statement and the 'made' Neighbourhood Plan may be viewed on the Council's Neighbourhood Planning webpage for Whitburn. This statement is also being sent to:

- The qualifying body, namely Whitburn Neighbourhood Forum
- To any person who asked to be notified of the decision

This Decision Statement, together with the 'made' Neighbourhood Plan will also be made available inspection at Whitburn library during normal opening hours and at the offices of the Council:

- Address: Town Hall and Civic Offices, Westoe Road, South Shields, NE33 2RL
- Opening hours: 10am to 3pm Monday to Friday

**This decision statement is dated 08/09/2022.**