



Redbourn Neighbourhood Plan

Decision Statement

This document sets out the decision of St Albans City and District Council on whether to make the Redbourn Neighbourhood Plan under section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended), following a positive referendum result.

Background

St Albans City and District Council approved the designation of the neighbourhood plan area for the Redbourn Neighbourhood Plan in 2013. The Neighbourhood Plan Area covers the current parish boundary.

The Redbourn Neighbourhood Plan was submitted to St Albans City and District Council and, following a statutory six week publicity period, was the subject of an independent examination.

St Albans City and District Council, with the agreement of the qualifying body (Redbourn Parish Council), appointed an independent examiner for the Redbourn Neighbourhood Plan.

The examination was carried out by way of written representations. The examiner's final report was received 20 December 2022. It contains the Examiner's findings on legal and procedural matters and their assessment of the Redbourn Neighbourhood Plan against the basic conditions. The Examiner's Report concludes that, subject to relatively minor modifications, the Redbourn Neighbourhood Plan satisfies the basic conditions and legal requirements and should proceed to referendum.

In February 2023 Policy Committee accepted the Examiner's recommendations that the Redbourn Neighbourhood Plan (with the recommended modifications) should proceed to referendum. In February 2023 a 'Decision Statement' was published in accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 which set out the decision of St Albans City and District Council on whether the Redbourn Neighbourhood Plan could proceed to referendum and its reasons for its decision.

The Redbourn Neighbourhood Plan referendum took place on 4 May 2023. Voters were asked the question 'Do you want St Albans City and District Council to use the Neighbourhood Plan for Redbourn to help it decide planning applications in the neighbourhood area?' Voters were given the opportunity to vote YES or NO.

The results were as follows:

	Votes Recorded	Percentage
Number of votes cast for YES	1,443	89%
Number of votes cast for NO	186	11%

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more answers than required	0
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	26
Total	26

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

The Council is 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 right (within the meaning of the Human Rights Act 1998).

St Albans City and District Council at its Council meeting formally decided to 'make' the Redbourn Neighbourhood Plan as a statutory planning document at its meeting on 12 July 2023.

Decision

St Albans City and District Council 'makes' the Redbourn Neighbourhood Plan as a statutory planning document in accordance with Section 38A (4) (a) of the Planning and Compulsory Purchase Act 2004.

Reasons

Neighbourhood Plans enable local communities to shape and direct sustainable development in their local area.

The reason for the decision to 'make' the Redbourn Neighbourhood Plan is that subject to the Examiner's suggested modifications, the Redbourn Neighbourhood Plan has been independently examined and has been found to meet the Basic Conditions as set out in paragraph 8 of Schedule 4B, of the Town and Country Planning Act 1990 (as amended).

The Redbourn Neighbourhood Plan has been endorsed by the community at referendum and otherwise complies with all the legal requirements of Plan production. The Redbourn Neighbourhood Plan meets European legislation and is compatible with the European Convention on Human Rights (within the meaning of the Human Rights Act 1998), and complies with the relevant provisions made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).

This decision statement and the Redbourn Neighbourhood Plan can be viewed on St Albans City and District Council's website at www.stalbans.gov.uk.