**Medway Council Local Planning Authority**

**Hoo St Werburgh and Chattenden Neighbourhood Plan 2023 to 2040**

REGULATION 18 DECISION STATEMENT (proceeding to referendum)

1. Introduction

1.1 In accordance with the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood plans and to progress their neighbourhood plans through examination, referendum and to ‘make’ the Plan.

1.2 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 Medway Council has produced this ‘Decision Statement’ in relation to the Hoo St Werburgh and Chattenden Neighbourhood Plan (Hoo St Werburgh and Chattenden NP). This statement confirms that the modifications proposed in the Examiner’s Report on the Hoo St Werburgh and Chattenden NP have been accepted by Medway Council and the Plan has been consequently amended. The Plan can now proceed to referendum.

1.3 [View the supporting documents and the Examiner’s Report and Referendum version of Hoo St Werburgh and Chattenden Neighbourhood Plan](https://www.medway.gov.uk/info/200149/planning_policy/142/neighbourhood_planning/6)

Hard copies of the documents can also be viewed during normal opening hours at:

Hoo Library, Church Street, Hoo St Werburgh, ME3 9AL

Chattenden Community Centre, Swinton Avenue, Chattenden, Rochester, Kent ME3 8PH

Strood Community Hub, 133 High Street, Strood, Kent ME2 4TJ

Chatham Community Hub, Dock Road, Chatham, Kent ME4 4TX

Medway Council offices, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

2. Background

2.1 On 18 December 2018 Medway Council designated the Hoo St Werburgh and Chattenden Neighbourhood Area, for the purpose of preparing a Neighbourhood Plan. The plan area is consistent with the parish council boundary, and lies solely within the Medway Council Local Planning Authority Area.

2.2 Hoo St Werburgh and Chattenden Parish Council, the qualifying body, submitted the draft Hoo St Werburgh and Chattenden NP and supporting documents to Medway Council in October 2023.

2.3 Following submission of the Hoo St Werburgh and Chattenden Neighbourhood Plan, Medway Council publicised the Plan and supporting documents and invited representations during the consultation period which ran from 8 January to 19 February 2024.

2.4 Medway Council, with the consent of Hoo St Werburgh and Chattenden Parish Council, appointed an independent examiner, Andrew Matheson, to review the Plan and assess whether it should proceed to referendum.

2.5 The Examiner’s Report was received in August 2024 and recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990). The examiner also recommended that the area for the referendum should be based on the designated neighbourhood area which the Plan relates to.

2.6 In accordance with the legislation (Schedule 4B paragraph 12 Town and Country Planning Act 1990), the Local Planning Authority must decide what action to take in response to the examiner’s recommendations, what modifications to make to the Plan and whether the Plan should proceed to referendum.

2.7 If the Local Planning Authority is satisfied that the Plan can proceed to referendum, it is also required to consider whether the Referendum Area should be extended beyond the Hoo St Werburgh and Chattenden Neighbourhood Area (Schedule 4B paragraph 12(8) Town and Country Planning Act 1990).

3. Local Planning Authority Decision

3.1 Having considered the Examiner’s Report the Local Planning Authority confirms that:

* The Examiner’s recommended modifications are accepted and agreed. The modifications have been agreed and are supported by the Local Planning Authority in the interests of ensuring that the Hoo St Werburgh and Chattenden NP meets the basic conditions, improving precision for accurate interpretation of the Plan, and making necessary minor edits to the Plan.
* The Hoo St Werburgh and Chattenden NP, incorporating all the recommended modifications and consequential modifications, should proceed to referendum as the Plan:
* meets the basic conditions in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended);
* is compatible with Convention Rights (the European Convention on Human Rights) and complies with the Human Rights Act 1998;
* is compliant with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.
* The recommended modifications will not have significant adverse environmental effects. A draft Strategic Environment Assessment and Habitats Regulations Assessment Screening Report was prepared for the Hoo St Werburgh and Chattenden NP and consultation was carried out with the statutory consultees.
* It agrees with the Examiner’s recommendation to proceed to a referendum based on the Hoo St Werburgh and Chattenden Neighbourhood Area as approved by the Council.

3.2 This decision has been made in accordance with the relevant legislation, guidance and advice and in response to the recommendations made in the Examiner’s Report.

3.3 Not less than 28 days before the date of the referendum the Council must publish on its website and make available an information statement and specified documents (which will include the Hoo St Werburgh and Chattenden NP, as revised in light of the Examiner’s recommendations). These documents will be made available during the referendum period for inspection including at libraries and community buildings in Medway.