



**November 2022**

**Tiverton Neighbourhood Plan**

**ADOPTION DECISION STATEMENT**

**REGULATION 19 – THE NEIGHBOURHOOD PLANNING (GENERAL)  
REGULATIONS 2012**

**1.0 Summary**

1.1 Mid Devon District Council is publishing its decision to ‘make’ the Tiverton Neighbourhood Plan part of the statutory development plan for Mid Devon District in accordance with Regulation 19 of The Neighbourhood Planning (General) Regulations 2012. This follows a positive referendum result on Thursday 17<sup>th</sup> November 2022.

**2.0 Background**

- 2.1 Tiverton Parish Council (as the qualifying body) applied to modify an existing Tiverton and Halberton area designation on the 21<sup>st</sup> August 2018, so that this would only cover Tiverton Parish, in its entirety. The Tiverton Neighbourhood Area was designated on 12<sup>th</sup> November 2018.
- 2.2 The Tiverton Neighbourhood Plan submission version was submitted to Mid Devon District Council on the 2<sup>nd</sup> December 2022. Mid Devon District Council undertook the statutory consultation, in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012, between 7<sup>th</sup> January 2022 and 18<sup>th</sup> February 2022.
- 2.3. Mid Devon District Council, with the agreement of Tiverton Parish Council, appointed an Independent Examiner (Deborah McCann) to assess whether the plan met the Basic Conditions required by legislation; and whether it should proceed to referendum.
- 2.4. The examination into the Plan was carried out by written representations and the Examiner’s report was received on the 27<sup>th</sup> July 2022. The report concluded that the Plan met the basic conditions and other statutory requirements, and subject to the modifications set out in her report, that the Plan should proceed to a local referendum.

2.5 On the 6<sup>th</sup> September 2022 Mid Devon District Council agreed the Examiner's modifications and the correction of errors to the Tiverton Neighbourhood Plan, and agreed that the plan should proceed to a local referendum. A Decision Statement was also approved and published for this.

### **3.0 Decision and Reasons**

3.1. The local referendum was held on the 17<sup>th</sup> November 2022 and met the requirements of the Localism Act 2011. It returned a 'yes' majority of 84.55 %, to the question:

*“Do you want Mid Devon District Council to use the neighbourhood plan for Tiverton to help it decide planning applications in the neighbourhood area?”*

3.2 The results of the local referendum were as follows:

Ballot papers	Votes Recorded
Number cast in favour of a Yes	1735
Number cast in favour of a No	314
Number of spoilt ballot papers	4
Total number of votes cast	2052
Electorate: 16681	Turnout: 12.30%

3.3. Following the positive referendum outcome, the Tiverton Neighbourhood Plan was 'made' (adopted) by Mid Devon District Council at a meeting of the Council on the 14<sup>th</sup> December 2022.

3.4. It is considered that the Plan meets the Basic Conditions set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990; complies with the provision made by or under Sections 38A and 38B of The Planning and Compulsory Purchase Act 2004 (as amended); and is compatible with EU obligations and Convention obligations (within the meaning of the Human Rights Act 1998).

3.5. The Tiverton Neighbourhood Plan now forms part of the development plan for the Tiverton Neighbourhood Area (the parish of Tiverton). In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the determination of planning applications in Tiverton Parish will need to be made in accordance with the development plan (i.e. the adopted Mid Devon Local Plan 2013 – 2033, the adopted Devon Minerals and Waste Plans, and the 'made' Tiverton Neighbourhood Plan), unless material considerations indicate otherwise.

### **4.0 Where to view this Adoption Decision Statement**

4.1. The Adoption Decision Statement can be viewed at:

Mid Devon District Council's Offices, Phoenix House, Phoenix Lane, Tiverton, Devon, EX16 6PP

Opening hours (via appointment, please contact 01884 255255):

- Monday - 9 am to 1 pm
- Tuesday - 9 am to 1 pm
- Wednesday - CLOSED
- Thursday - 9 am to 1 pm
- Friday - 9 am to 1 pm

Online on the Council's website:

[www.middevon.gov.uk/residents/planning-policy/neighbourhood -  
planning/tiverton-neighbourhood-plan/](http://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/tiverton-neighbourhood-plan/)

[Tiverton Neighbourhood Plan - MIDDEVON.GOV.UK](http://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/tiverton-neighbourhood-plan/)

**Tristan Peat,**

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