

**MIDDLESBROUGH COUNCIL**

<b>Report of:</b>	Director of Regeneration – Richard Horniman
<b>Relevant Executive Member:</b>	Executive Member for Development – Cllr Theo Furness
<b>Submitted to:</b>	Council
<b>Date:</b>	14 January 2026
<b>Title:</b>	Coulby Newham Neighbourhood Plan – Approval of the Recommendations of the Examiner’s Report and Referendum
<b>Report for:</b>	Decision
<b>Status:</b>	Public
<b>Council Plan priority:</b>	A successful and ambitious town
<b>Key decision:</b>	No
<b>Why:</b>	Not applicable
<b>Subject to call in?</b>	No
<b>Why:</b>	Council Decision

<b>Proposed decision(s)</b>
That the Council
<ul style="list-style-type: none"> <li>• approves the Coulby Newham Neighbourhood Plan incorporating the recommendations of the Examiner’s Report, including the modifications proposed by the Examiner; and</li> <li>• notes that the Coulby Newham Neighbourhood Plan will be subject to a referendum of residents of the Coulby Newham Ward.</li> </ul>

<b>Executive summary</b>
The Coulby Newham Neighbourhood Plan has been prepared by the Coulby Newham Neighbourhood Forum and has recently been subject to Independent Examination in accordance with the legislation. This report seeks approval for the Coulby Newham Neighbourhood Plan, incorporating the modifications set out in the Examiner’s Report.
The Council has a statutory role to consider and approve Neighbourhood Plans and the proposed modifications set out in the Examiner’s Report or, alternatively, set out

different modifications where appropriate. It is not considered necessary to propose alternative modifications.

The Council must also arrange for a referendum to take place in the Neighbourhood Area.

Subject to approval in the referendum, the Coulby Newham Neighbourhood Plan will become part of the statutory development plan for the area and, as such, requires a decision to be made by the Council. A further report will be brought to the Council to consider the adoption of the Plan, subject to the outcome of the referendum.

The implications of the recommendation(s) have been considered by the appropriate officers of the Council and are set out in the main body of the report.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

1.1 The Report seeks Council approval for the recommendations of the Examiner's Report on the Coulby Newham Neighbourhood Plan, including the modifications proposed by the Examiner.

1.2 Subject to the approval of the above, the Coulby Newham Neighbourhood Plan will progress to a referendum, so that the residents of Coulby Newham Ward can determine if the Plan will become part of the statutory development plan for the area.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	The Coulby Newham Neighbourhood Plan and associated modifications, sets out policies for the delivery of sustainable development that supports new housing development and economic growth.
<b>A healthy Place</b>	The Coulby Newham Neighbourhood Plan includes policies that seek improvements to health facilities in the area.
<b>Safe and resilient communities</b>	The Coulby Newham Neighbourhood Plan includes policies that are focused on securing well-designed development that helps design out crime.
<b>Delivering best value</b>	The Coulby Newham Neighbourhood Plan has been prepared to positively secure new, high-quality development that will deliver new homes.

## 2. Recommendations

### 2.1 That the Council

- approves the Coulby Newham Neighbourhood Plan incorporating the recommendations of the Examiner's Report, including the modifications proposed by the Examiner; and
- notes that the Coulby Newham Neighbourhood Plan will be subject to a referendum of residents of the Coulby Newham Ward.

## 3. Rationale for the recommended decision(s)

3.1 Subject to the outcome of a referendum, the Coulby Newham Neighbourhood Plan will form part of the Council's Policy Framework. Prior to its adoption, the Council needs to make a decision to approve the Plan, taking into account the recommendations of the Examiner, so that a referendum can take place.

3.2 The decision to approve Neighbourhood Plans is a non-Executive function, and must be made by the Borough Council, in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and the Council's constitution.

#### **4. Background and relevant information**

- 4.1 Under the Planning and Compulsory Purchase Act 2004, and Neighbourhood Planning (General) Regulations 2012, parish councils and designated neighbourhood forums can prepare Neighbourhood Plans, to put in place a vision and planning polices for the development and use of land in their designated neighbourhood. Neighbourhood Plans form part of the Statutory Development Plan, against which future planning applications within the designated Neighbourhood Area will be determined.
- 4.2 In April 2022 the Council approved applications to designate the Coulby Newham Neighbourhood Forum and the Coulby Newham Neighbourhood Area, which aligns to the Coulby Newham Ward.
- 4.3 In November 2024, the Forum submitted the Coulby Newham Neighbourhood Plan to the Council, and it was made available for a period of public consultation between November 2024 and January 2025 in accordance with the regulations.
- 4.4 Following the appointment of an Independent Examiner, a further consultation was undertaken on the Screening Assessments for Strategic Environment Assessment and Habitats Regulations Assessment between May and July 2025. Following the consultation, all responses were submitted, and the Examination of the Coulby Newham Neighbourhood Plan subsequently took place.

#### **Examiner's Report**

- 4.5 The Examiner's Report was issued to the Council and the Neighbourhood Forum on 10<sup>th</sup> November 2025 (see Appendix 2). It proposes a number of modifications that are necessary to meet the 'basic conditions' and other legal requirements.
- 4.6 All of the proposed modifications relate to wording changes that are necessary to either aid clarity and consistency, or to ensure that policies are written in such a way that they can be used in the planning process. It also recommended that the Policy Map be updated to account for the modifications. The Neighbourhood Forum has had sight of the modifications and has provided confirmation that there are no objections to these. The modified Neighbourhood Plan is attached at Appendix 3.
- 4.7 The Council is now required to make a decision to approve the Plan and incorporate these modifications ahead of a referendum taking place. The Examiner's Report confirms that the referendum should take place only in the area to which the plan relates i.e. the Coulby Newham Ward. Should more than 50% of people who vote in the referendum be in favour of the Plan, then a future report will be brought to the Council so that it can formally be 'made' and become part of the statutory development plan for the area.

#### **5. Ward Member Engagement if relevant and appropriate**

- 5.1 The Members for Coulby Newham Ward have been briefed on the Coulby Newham Neighbourhood Plan and the recommendations set out in this report. Members have advised that they are content for the proposed modifications to be incorporated into the Plan and for it to proceed to the referendum.

## Other potential alternative(s) and why these have not been recommended

5.2 Under the Regulations, the Council could pursue a different course of action, by making its own modifications to the Neighbourhood Plan. If it does, the Council must give clear reasons for doing so, and for departing from the Examiner's recommendations. A further six-week public consultation would then need to take place. There are also exceptional circumstances where the Secretary of State may be asked to intervene, e.g. where a local authority fails to submit the draft Neighbourhood Plan for referendum or departs from an Independent Examiner's recommendations.

5.3 Given that the Examiner's Report and recommendations are well balanced and provide the necessary flexibility, and that the Coulby Newham Neighbourhood Forum has not raised any concerns about the modifications, it is not proposed to depart from the recommendations.

## 6. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	<p>The approval of the Plan will result in a referendum taking place, as set out in legislation. It is estimated that the total cost of doing this will be in the region of £0.015m - £0.020m.</p> <p>The costs associated with the referendum of the Coulby Newham Neighbourhood Plan will be met via grant funding from the Government. A claim for £20,000 will be made once the decision statement has been issued.</p>
Legal	<p>The legal framework for preparing Neighbourhood Plans is set out in the Planning &amp; Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. The Coulby Newham Neighbourhood Plan has been prepared in accordance with the legislation.</p> <p>The Regulations require that the local authority make a decision on the Examiner's recommendations within five weeks from the day following receipt of their Report or such other date as may be agreed in writing by the local planning authority and the qualifying body (paragraph 10 of The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017)). The Neighbourhood Forum has agreed in writing to extend this deadline until 14th January 2026. Failing to adhere to this timescale could enable the neighbourhood forum to submit a request to the Secretary of State to intervene.</p> <p>A referendum will be arranged on the Neighbourhood Plan as soon as is practicable following the decision to approve the Plan incorporating the modifications. Once the Council issues a decision statement detailing its intention to send the Neighbourhood Plan to referendum, the Plan can be given weight in the decision-making of future planning applications</p>

	<p>within the designated Neighbourhood Area, until the referendum can take place. The legislative requirements for the referendum are set out in the Neighbourhood Planning (Referendums) Regulations 2012.</p> <p>The Coulby Newham Neighbourhood Plan will become part of the statutory development if more than 50% of those voting in the referendum are in support of the Plan. The outcome of the referendum, and the adoption of the Plan, will be subject to a future report to Council.</p>
Risk	<p>O8-055 - If the Council doesn't respond effectively and efficiently to legislative changes it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities.</p> <p>The Coulby Newham Neighbourhood Plan has been prepared in accordance with the legislation and latest Government guidance, so this will have a positive impact on this risk.</p>
Human Rights, Public Sector Equality Duty and Community Cohesion	An impact assessment has been completed and is attached to this report at Appendix 1. This concluded that there will not be an adverse impact on individual human rights.
Reducing Poverty	The Coulby Newham Neighbourhood Plan does not impact on Reducing Poverty.
Climate Change / Environmental	The Coulby Newham Neighbourhood Plan sets out a policy framework to deliver sustainable development, including policies that will help mitigate the impact of climate change.
Children and Young People Cared for by the Authority and Care Leavers	The Coulby Newham Neighbourhood Plan does not impact on Children and Young People Cared for by the Authority and Care Leavers.
Data Protection	There are no Data Protection or GDPR issues regarding the Coulby Newham Neighbourhood Plan.

#### **Actions to be taken to implement the recommended decision(s)**

Action	Responsible Officer	Deadline
Issue a decision statement and place on the Council's website to publicise the approval of the Plan incorporating the recommendations of the Examiner	Alex Conti, Strategic Policy Manager	30/01/26
Arrange a Referendum of Residents of the Coulby Newham Ward	John Stuart, Senior Electoral Services Officer	31/03/26

## Appendices

1	Initial Impact Assessment
2	Examiner's Report on Coulby Newham Neighbourhood Plan 2024 - 2039
3	Coulby Newham Neighbourhood Plan 2024 – 2039 (incorporating modifications)

## Background papers

There are no background papers.

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