

**Committee Meeting**

Cabinet

21st January 2026

Item

Public



Recommendation for the Much Wenlock Neighbourhood Plan Review to Proceed to Referendum

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Cabinet Member (Portfolio Holder):		Councillor David Walker	

1. Synopsis

This report seeks Cabinet approval to proceed to local referendum on the Much Wenlock Neighbourhood Plan Review.

2. Executive Summary

- 2.1. The purpose of this report is to seek Cabinet approval for the Much Wenlock Neighbourhood Plan Review ('the Plan') to proceed to referendum to determine whether the reviewed Plan should replace the made Much Wenlock Neighbourhood Plan Review (2013-2026) and become part of the statutory Development Plan for the neighbourhood area and therefore be used in the determination of planning applications in that neighbourhood area.
- 2.2. The Shropshire Plan recognises the importance of creating a Healthy Environment with a strategic objective to '*maintain, protect and enhance our outstanding natural and historic environment, promoting positive behaviours and greater biodiversity and environmental sustainability*'. The Much Wenlock Neighbourhood Plan Review

contains policies which strive to encourage development to achieve these objectives alongside those contained within the wider Development Plan for Shropshire.

- 2.3. Much Wenlock Neighbourhood Plan Review has been produced in accordance with the Neighbourhood Planning (General) Regulations 2012 (referred to in this report as ‘the Regulations’). The Plan has been prepared by the Much Wenlock Neighbourhood Plan Review Steering Group, with Much Wenlock Town Council acting as the local ‘Qualifying Body’. Work on the plan began in 2023 and has included several consultation stages. The draft version of the plan was submitted to Shropshire Council in May 2025, after which Shropshire Council undertook further statutory consultation and appointed an independent person to conduct the examination into the plan.
- 2.4. The purpose of the independent examination process is to ensure Neighbourhood Development Plans meet a set of nationally prescribed ‘Basic Conditions’, and to recommend if the Plan should proceed to a local referendum. The examination into the Much Wenlock Neighbourhood Plan Review concluded in November 2025. The Examiner’s Report is attached as Appendix 1.
- 2.5. The Examiner has concluded that the proposed Plan is significantly different in nature to the existing adopted (‘made’) Much Wenlock Neighbourhood Plan Review (2013-2026) which the draft Plan would replace. In particular, he has noted that the draft Plan contains 13 new policies.
- 2.6. The Examiner has recommended that the draft Plan can proceed to local referendum, subject to a number of modifications being made. It is now Shropshire Councils role to consider the outcome of the Examiner’s report, including the proposed modifications, and to agree if the plan can proceed to referendum.
- 2.7. The schedule of modifications is shown in Appendix 2. This schedule has followed consideration of the Examiner’s conclusions and proposed modifications. Appendix 3 of this report sets out the proposed final ‘referendum’ version of the Much Wenlock Neighbourhood Plan Review. It is therefore recommended that the ‘referendum’ version of the Plan proceed to referendum.
- 2.8. If agreed, the referendum will take place on a date to be arranged **but must** be within 56 days of receiving Cabinet approval which equates to the period of 22nd January up to and including 13th April 2026. Should the Plan gain public support at the referendum, Shropshire Council’s Full Council will be asked to formally ‘make’ (adopt) the Much Wenlock Neighbourhood Plan Review to form part of the statutory Development Plan for Shropshire.

3. Recommendations

Cabinet Agrees:

- 3.1. The Much Wenlock Neighbourhood Plan Review meets the ‘Basic Conditions’ and all the other legal requirements as summarised in the Independent Examiner’s Report, subject to the modifications proposed in the Schedule of Modifications (Appendix 2).

- 3.2. The required modifications be agreed, and that the final 'referendum' version of Much Wenlock Neighbourhood Plan Review (Appendix 3) proceed to local referendum.
- 3.3. The referendum area be that as defined as the designated area to which the Much Wenlock Neighbourhood Plan Review relates.

Report

4. Risk Assessment and Opportunities Appraisal

- 4.1. Having received a draft Neighbourhood Plan from a qualifying body (normally a Parish or Town Council), it is the responsibility of the Local Planning Authority (LPA), under regulation 16 of the Neighbourhood Planning (General) Regulations 2012, to publicise and to seek representations on the Plan. It is also the responsibility of the Local Planning Authority under paragraph 7 of Schedule 4B of the Town and Country Planning Act 1990 (TCPA 1990) to appoint an independent person to assess the Plan. In following these requirements Shropshire Council published and consulted on the submission version of the Plan for six weeks from the 13th June to the 25th July 2025. In agreement with Much Wenlock Town Council, Timothy Jones, Barrister, FCIArb was appointed to examine the Plan in August 2025.
- 4.2. Only a draft Neighbourhood Plan that meets the basic conditions can be put to a referendum and be 'made' (adopted) by the Local Authority. The basic conditions, as set out in paragraph 8(2) of Schedule 4B of the TCPA 1990 that are applied to Neighbourhood Development Plans by section 38A of the Planning and Compulsory Purchase Act 2004 are:
 - a) having regard to national policies and advice contained within guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan;
 - b) the making of the Neighbourhood Plan contributes to the achievement of sustainable development;
 - c) the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - d) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with retained EU obligations; and
 - e) prescribed conditions are met (in relation to the Neighbourhood Plan) and prescribed matters have been completed in connection with the proposal for the Neighbourhood Plan.
- 4.3. In assessing the Plan, the examiner has three options:
 - a) that the Plan proceeds to referendum as submitted;
 - b) that the Plan is modified by the LPA to meet 'basic conditions' and then the modified version proceeds to referendum; or
 - c) that the Plan does not proceed to referendum.

- 4.4. The Neighbourhood Development Plan examination is therefore a particularly focused process, unlike that of an examination applied to Local Plans prepared by Local Planning Authorities. This leaves little in the way of opportunity to actively make changes to improve the plan at this stage, unless these changes (or modifications) are to ensure the Plan meets one or more of the basic conditions.
- 4.5. The Examiner's Report is included as Appendix 1 of this report. It is the role of Shropshire Council to consider the overall conclusions and the proposed modifications in the Examiner's Report. The Examiner's Report is not binding on the Authority and there may be occasions where it is necessary for the Local Authority to propose a different modification to that proposed by the Examiner, or indeed disagree with the need for a modification. However, it is considered there is a risk of legal challenge if the Local Authority's conclusions were to differ significantly from that of the Examiner without appropriate rationale.
- 4.6. The Examiner's report into the Much Wenlock Neighbourhood Plan Review has concluded that it should be modified by the Local Planning Authority to meet the basic conditions. It is this modified version of the Plan which should proceed to referendum. The Schedule of Modifications attached as Appendix 2 to this report show how the Local Planning Authority has considered each of the modifications proposed by the Examiner.
- 4.7. In this case, officers have considered in detail the recommendations of the Examiner, supported by further discussions with Much Wenlock Town Council. As explained in more detail in paragraph 7.6 below, Much Wenlock Town Council has indicated that it is happy that the updated version of the Plan, which takes account of the conclusions of the Examiner's report, should now proceed to referendum. As such, it is proposed that the recommended changes to the Plan are incorporated into the final 'referendum' version. It is this version which is before Cabinet and included as Appendix 3. It is considered the proposed modifications are necessary and support the Plan meeting the 'basic conditions'. The changes involve partial amendments to the wording of policies and in some cases partial replacement with a suggested alternative. It is not considered that these changes taken as a whole fundamentally impact on the wider objectives of the Much Wenlock Neighbourhood Plan Review.
- 4.8. The Examiner's report recommends that the Referendum Area be restricted to the Neighbourhood Plan Area, the parish of Much Wenlock.
- 4.9. Assuming Cabinet approve the draft Plan to proceed to referendum, the Council's Electoral Services will administer this process in line with the Neighbourhood Plan Regulations, which specifies that this should take place no more than 56 days from publication of the decision statement. Taking into account the necessary notice periods it is considered the referendum will take place between 22nd January and 13th April 2026 inclusive.. It is considered there is little risk to the Council if this process follows the regulations closely.

4.10. Risk table

<i>Risk</i>	<i>Mitigation</i>
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Legal challenge if the Local Authority's conclusions differ significantly from that of the Examiners Report.	Should the Local Authority propose a different modification or disagree with the need for a modification as proposed by the Examiner, an appropriate rationale should be provided.
Legal challenge to the referendum process	This risk is significantly reduced by Shropshire Council administering the process in line with Neighbourhood Plan Regulations and ensuring the referendum takes place no more than 56 days from publication of the Cabinet decision statement

5. Financial Implications

- 5.1. Shropshire Council continues to manage unprecedented financial demands and a financial emergency was declared by Cabinet on 10 September 2025. The overall financial position of the Council is set out in the monitoring position presented to Cabinet on a monthly basis. Significant management action has been instigated at all levels of the Council reducing spend to ensure the Council's financial survival. While all reports to Members provide the financial implications of decisions being taken, this may change as officers and/or Portfolio Holders review the overall financial situation and make decisions aligned to financial survivability. All non-essential spend will be stopped and all essential spend challenged. These actions may involve (this is not exhaustive):
- scaling down initiatives,
 - changing the scope of activities,
 - delaying implementation of agreed plans, or
 - extending delivery timescales.
- 5.2. The Localism Act and Regulations provide that the following costs would fall to Shropshire Council: delivering a supporting role particularly in the latter stages of the Plan's development; appointing an Examiner for the Plan; conducting an Examination and holding a Referendum. Current provisions, which have recently been clarified by the government in December 2025, allow an application for these additional costs to be met, and a reimbursement of the costs will therefore be sought from central Government. Such claims are submitted by officers via the DELTA system and payments made under section 31 of The Local Government Act 2003, and will be submitted by 6th March 2026. From previous experience of organising and managing Neighbourhood Planning referendums it is considered that the likely cost of this process will be met in full by the reimbursement.
- 5.3. The robustness of the Neighbourhood Plan Policies will be tested over time by independent Planning Inspectors on Planning Appeals made under Section 78 of the TCPA 1990. Members are advised that the liability for the future appeal costs rests with Shropshire Council as the Local Planning Authority and as such the usability of such plans and their impact on local decision making will need to be carefully monitored. However, it should be noted that in seeking approval to proceed to referendum on this Plan, there is agreement that the content of the Plan is in broad conformity with the policies of Shropshire's adopted Local Plan. It is therefore considered that there is very limited risk to Shropshire Council and additional financial liability as a result of this report and recommendations.

6. Climate Change Appraisal

6.1. The recommendations propose that Cabinet agree to proceed to referendum with the Much Wenlock Neighbourhood Plan Review. If successful at referendum and subsequently adopted by the Council, the reviewed Plan will replace the made Much Wenlock Neighbourhood Plan Review (2013-2026) and become part of the statutory Development Plan for the area and will be used in the determination of planning applications.

6.2. Energy and fuel consumption.

6.2.1. *Policy MW2: Meeting local housing needs* makes reference to achieving energy efficiency and sustainable design in new developments.

6.2.2. *Policy MW19: Energy efficiency and mitigating climate change* seeks to ensure that proposals have regard to optimising solar gain, incorporating thermally efficient building materials and energy efficiency measures such as loft and wall insulation and double glazing. It also supports the sensitive retrofitting of heritage assets to reduce energy demand.

6.2.3. *Policy MW25: Dark skies* seeks to improve energy efficiency by reducing wastage from unnecessary or excessive lighting, thus reducing the Parish's carbon footprint.

6.3. Renewable energy generation.

6.3.1. *Policy MW1: Supporting sustainable development* seeks to prioritise the use of 'brownfield sites' (i.e. previously developed land) for mixed-uses including community-scale energy regeneration.

6.3.2. *Policy MW19: Energy efficiency and mitigating climate change* strongly supports proposals which incorporating on-site energy generation from renewable sources such as solar panels/tiles/glass, ground source heating and energy generation etc. It also supports the sensitive retrofitting of heritage assets to generate renewable energy.

6.3.3. *Policy MW26: Renewable and community energy* explains how, subject to criteria, individual and community-scale energy from hydroelectricity, solar PV panels, local biomass facilities, anaerobic digestion and wood fuel products will be supported.

6.4. Carbon offsetting or mitigation.

6.4.1. *Policy MW19: Energy efficiency and mitigating climate change* seeks to ensure that development meets the highest environmental standards in terms of its construction, materials and energy use. It will strongly support proposals which provide low carbon sustainable design and avoiding or mitigating all regulated emissions using a combination of on-site energy efficiency measures (such as insulation and low energy heating systems), on-site zero carbon technologies (such as solar panels) and, only where necessary, off-site measures to deal with any remaining emissions.

6.5. Climate change adaptation.

6.5.1. *Objective 7: Green and open spaces, local landscape and wildlife* describes how the Plan will protect existing areas of green space within the parish and ensure that their quality and or multi-functionality is improved. It explains the importance of considering existing spaces for retrofitting in adaptation for climate change.

7. Background

- 7.1. Shropshire Council supports Neighbourhood Development Plans being brought forward under the Localism Act and the 2012 Neighbourhood Planning Regulations, indeed, the Council is legally obliged to do so. The Government's National Planning Policy Framework (NPPF) supports the principle of Neighbourhood Plans and their status as part of the Development Plan. The NPPF at paragraph 13 states 'Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.' It is also made clear that Neighbourhood Development Plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.
- 7.2. Neighbourhood Development Plans must follow a defined regulatory process in both their preparation and adoption. This includes the formal designation of the area (Regulation 6 stage), the consultation on a draft version of the Plan (Regulation 14 stage), submission to the Local Planning Authority (Regulation 15 stage), and consultation and examination of the Final Draft version of the Plan (Regulation 16 stage).
- 7.3. An application by Much Wenlock Town Council to designate a neighbourhood plan area went out for public consultation from 27th June to 10th August 2012. The application was approved by Shropshire Council's Cabinet on 12 September 2012. The neighbourhood area shares its boundary with that of the Parish. The Town Council, as the Qualifying Body, set up a Neighbourhood Plan Steering Group comprising local councillors and community volunteers to lead on the preparation of the Plan. In consultation with the community, local businesses and others, the Steering Group has reviewed the vision and objectives for the future of the designated area and set out how that vision will be realised through planning land use and development change over the period to 2038. Work on the Plan has been guided by the need to engage with the local community. Apart from the statutory requirements for public consultation at various stages, measures to draw in a wider range of contributions included regular newsletter articles, a parish-wide survey, Plan Review exhibitions and discussions with groups and individuals in the parish.
- 7.4. Between the 11th November 2024 and 6th January 2025 Much Wenlock Town Council ran a statutory consultation into the pre-submission version of the Neighbourhood Development Plan (Regulation 14 stage). The draft version of the Plan responded to the initial community consultation and survey results and proposed a number of development management policies.

- 7.5. In May 2025 Much Wenlock Town Council presented the submission draft of the Neighbourhood Development Plan to Shropshire Council (Regulation 15 stage) along with the required Consultation Statement and Basic Conditions Statements. In meeting the statutory requirements, Shropshire Council proceeded to carry out the Regulation stage 16 consultation between 13th June to the 25th July 2025 with statutory consultees and other locally interested individuals and organisations. In August 2025 Timothy Jones, Barrister, FCIArb was appointed to examine the Plan. As required by the Regulations, this appointment was agreed by Adderley Parish Council as the Qualifying Body.
- 7.6. Mr Jones' examination was carried out as written representations only. In addition to the Plan submission documents, Mr Jones considered the representations made at the Regulation 16 stage consultation and incorporated this within the Examiner's final report. Officers have liaised with Much Wenlock Town Council as the qualifying body on the updated version of the Plan, which takes account of the conclusions of the Examiner's report, and they are satisfied that this version of the Plan should now proceed to referendum.
- 7.7. If Cabinet agree for the Much Wenlock Neighbourhood Plan Review to proceed to referendum, the question will be:
- Do you want Shropshire Council to use the Much Wenlock Neighbourhood Plan Review to help it decide planning applications in the neighbourhood area?*
- 7.8. The Plan will need to gain the support of over 50% of those who cast a vote to be able to move forward to be 'made' (adopted) by Shropshire Council. If this is the case the decision to 'make' the Plan will need to be taken to Full Council. Assuming the recommendations are agreed a final date for the referendum will be formalised after 21st January 2026.

8. Additional Information

- 8.1. The appendices to this report provide information on the Examiner's report into the Plan, the proposed modifications, and the final 'referendum' version of the Plan which incorporates all the required modifications.

9. Conclusions

- 9.1. Further to the outcomes of the Examiner's report into the Much Wenlock Neighbourhood Plan Review, it is recommended that all the necessary modifications are agreed and that the final version of the Plan proceed to local referendum.

Local Member: Councillor Dan Thomas

Appendix 1 – Examiner's Report

Appendix 2 – Schedule of Modifications

Appendix 3 - Final 'referendum' version of the Much Wenlock Neighbourhood Development Plan
