

## North Kesteven District Council



### Coleby Neighbourhood Plan Decision Statement – January 2018

#### 1. Summary

1.1 Following a positive referendum result North Kesteven District Council has made the Coleby Neighbourhood Plan part of the Development Plan at a full council meeting on Thursday 25 January 2018.

#### 2. Background

2.1 Coleby Parish Council, as the qualifying body successfully applied for Coleby Parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.

2.2 Following the submission of the Coleby Neighbourhood Plan Examination Version ('the Plan') to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 31 July 2017.

2.3 North Kesteven District Council appointed an independent Examiner, Rosemary Kidd MRTPI to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

2.4 The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications proposed in his report, the plan should proceed to a referendum.

2.5 A referendum was held on Thursday 14 December 2017, 87% of those who voted were in favour of the plan. 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.

#### 3. Decision and Reasons

3.1 With the Examiner's recommended modifications the Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

3.2 The referendum held on Thursday 14 December 2017 met the requirements of the Localism Act 2011, it was held in the parish of Coleby and posed the question: 'Do you want North Kesteven District Council to use the Neighbourhood Plan for the Coleby Area to help it decide planning applications in the neighbourhood area?'

3.3 The count took place on Thursday 14 December 2017 and over 50% of those who voted were in favour of the plan being used to help decide planning applications in the plan area. The results of the referendum were:

Electorate: 344

Votes cast: 143

Percentage turnout: 14.56%

Yes votes: 125

No votes: 17

Spoiled ballot papers: 1

Percentage in support: 87.41%

3.4 The Council has assessed that the plan including its preparation does not breach, and would not otherwise be incompatible, with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

3.5 The Council decided at the Council meeting on Thursday 25 January 2018 to make the Coleby Neighbourhood Plan part of the Development Plan for North Kesteven.