

## North Kesteven District Council



### Scopwick and Kirkby Green Neighbourhood Plan Decision Statement

#### 1. Summary

- 1.1. Following a positive referendum result North Kesteven District Council has made the Scopwick and Kirkby Green Neighbourhood Plan part of the Development Plan at a full council meeting on Thursday 2 March 2023.

#### 2. Background

- 2.1 Scopwick and Kirkby Green Parish Council, as the qualifying body successfully applied for Scopwick and Kirkby Green 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 Scopwick and Kirkby Green Neighbourhood Plan to the District Council, the plan was publicised and representations were invited. The publicity period ended on 29 July 2022.
- 2.3 The District Council appointed an independent examiner, Mr David Kaiserman BA DipTP MRTPI to review whether the Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 and whether the Scopwick and Kirkby Green Neighbourhood 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 19 January 2023, 68.3% 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 19 January 2023 met the requirements of the Localism Act 2011, it was held in the parish of Scopwick and Kirkby Green and posed the question: 'Do you want North Kesteven District Council to use the Neighbourhood Plan for the Scopwick and Kirkby Green to help it decide planning applications in the neighbourhood area?'.
  - 3.3. The count took place on Thursday 19 January 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: 560  
Votes cast: 123  
Percentage turnout: 21.9%  
Yes votes: 84  
No votes: 39  
Spoiled ballot papers: 0  
Percentage in support: 68.3%
- 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 2 March 2023 to make the Scopwick and Kirkby Green Neighbourhood Plan part of the Development Plan for North Kesteven.