



Nettleham Neighbourhood Development Plan – Final Decision Statement

Friday 29th January 2016

1. Summary

Following a positive referendum result on the 29th January 2016, West Lindsey District Council is publicising its decision to 'make' the Nettleham Neighbourhood Development Plan part of the West Lindsey Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

2. Background

Nettleham Parish Council, as the qualifying body successfully applied for the town to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012). Following the submission of the Nettleham Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed in July 2015.

3. Decision & Reasoning

West Lindsey District Council appointed an independent Examiner; Mr Andrew Ashcroft, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications proposed in the report and which are set out in the Nettleham Neighbourhood Plan Decision Statement September 2015, the plan should proceed to a Referendum. It was agreed at the Council meeting of West Lindsey District Council on the 8th December 2015 that the plan should proceed to referendum and on successful referendum it should be 'made'.

A referendum was held on 28th January 2016, 91.08% 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.

West Lindsey District Council is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The referendum held on 28th January 2016 met the requirements of the Localism Act 2011; it was held in the village of Nettleham and posed the question:

'Do you want West Lindsey District Council to use the Neighbourhood Plan for Nettleham to help it decide planning applications in the neighbourhood area'.

The count took place on the 29th January 2016 and greater than 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:

Question:		
Do you want West Lindsey District Council to use the Neighbourhood Plan for Nettleham to help it decide planning applications in the neighbourhood area?		
	Votes recorded	Percentage
Number of votes cast in favour of 'yes'	1145	91.08%
Number of votes cast in favour of 'no'	110	8.75%

West Lindsey District 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).

In accordance with the Regulations and the Council's procedure the Nettleham Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Nettleham Neighbourhood Development Plan, as well as existing planning policy, such as the West Lindsey Local Plan (2006) and its successors and the National Planning Policy Framework and Guidance.