

## **RESPONSE GIVEN IN RELATION TO THE PETITION ON THE FISKERTON NEIGHBOURHOOD PLAN.**

The Neighbourhood Plan Regulations 2012, makes it clear that the Neighbourhood Plan process should be led by the local community and the “responsible body” – the body who can officially prepare a Neighbourhood Plan - must be either a Parish or Town Council. In areas where there are no Parish or Town Council, the community can set up a “Neighbourhood Plan Forum”. In the case of Fiskerton, the Parish Council is the “responsible body”. It is up to the Parish Council how they formulate a “steering group” – however, this must be an inclusive and open process.

As part of their responsibilities, the Parish Council must take a Neighbourhood Plan through a number of stages (listed below) before a Local Planning Authority has any responsibility or “weight” of influence in the process.

1. The designation of the Neighbourhood Plan Area; and
2. Consulting with the community; and
3. Consultation on a draft (pre-submission) Neighbourhood Plan (Regulation 14); and
4. Formally submit the draft Neighbourhood Plan to the Local Planning Authority (Regulation 16) – at this stage, the Plan cannot be altered in any way.

Fiskerton is currently at the Regulation 14 stage of the process and the group are currently reviewing the comments received by the public.

It is at this stage where the Local Planning Authority has the responsibility to take the plan through the rest of the statutory process. The Local Planning Authority will organise an independent examination where the Plan will be reviewed, by a Government approved inspector, on whether the Neighbourhood Plan meets the set of “Basic Conditions” as outlined within the Regulations. The Basic Conditions include:

1. The NDP must have appropriate regard to national policies and advice contained in the National Planning Policy Framework (NPPF);
2. The NDP must contribute to the achievement of sustainable development;
3. The NDP must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case West Lindsey District Council’s Local Plan 2006 and the Proposed Submission Central Lincolnshire Local Plan 2017.
4. The draft NDP must meet the relevant EU and Human Right obligations.

If the Government inspector accepts the proposed Plan and agrees that it does meet the set of Basic conditions, then it should proceed to a public referendum.

The public referendum enables the whole community to “have their say” on whether the Plan should be used to help determine future planning applications within the Neighbourhood Plan Area. If the referendum is successful, the Local Planning Authority must “make” the Plan.....if it is unsuccessful, the Local Planning Authority cannot “make” the Plan, but may use some of its content as a “material consideration”.

The referendum is organised and “vetted” by the Local Planning Authority and follows the procedures of an official vote as prescribed by the Electoral Commission.

When considering the above, I would like to make it clear that, at this time, West Lindsey District Council cannot accept the petition. However, we recommend that you submit this to the Parish Council for them to review and consider before they finalise the Plan and submit it to West Lindsey District Council. The issues raised within the petition will be looked at through the examination stage of the process and, if successful through examination, the whole community can have a fair vote on whether the Neighbourhood Plan should be formally “made” by the District Council.

Chief Executive