



Brattleby Neighbourhood Development Plan – Final Decision Statement

Friday 1st September 2017

1. Summary

Following a positive referendum result on the 31st August 2017, West Lindsey District Council is publicising its decision to 'make' the Brattleby Neighbourhood Development Plan as part of the West Lindsey Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

2. Background

Brattleby Parish Council, as the qualifying body successfully applied for the village to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force in August 2015. Following the submission of the Brattleby Neighbourhood Development Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed in February 2017.

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 Brattleby Neighbourhood Plan Decision Statement March 2017, the plan should proceed to a Referendum. It was agreed at the Council meeting of West Lindsey District Council on the 18th July 2017 that the plan should proceed to referendum and, in the outcome of a successful referendum result, it should be 'made' (adopted).

A referendum was held on 31st August 2017, 97% of those who voted were in favour of the plan. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended by Section 3 of The Neighbourhood Planning Act 2017 (Commencement No. 1) Regulations 2017 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 31st August 2017 met the requirements of the Localism Act 2011; it was held in the Parish of Brattleby and posed the question:

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

The count took place on the 31st August 2017 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 Brattleby to help it decide planning applications in the neighbourhood area?		
	Votes recorded	Percentage
Number of votes cast in favour of 'yes'	35	97.2%
Number of votes cast in favour of 'no'	1	2.8%

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 Neighbourhood Planning Act 2017 (Commencement No. 1) Regulations 2017 and the Council's procedure the Brattleby Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Brattleby Neighbourhood Development Plan, as well as existing planning policy, such as the Central Lincolnshire Local Plan (2012) and the National Planning Policy Framework and Guidance.