

Bassetlaw District Council

Elkesley Neighbourhood Plan – Final Decision Statement

18 November 2015

Summary

Following a positive referendum result on the 12 November 2015 Bassetlaw District Council is publicising its decision to 'make' the Elkesley Neighbourhood Development Plan part of the Bassetlaw Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

Background

Elkelsey Parish Council, as the qualifying body successfully applied for Elkesley Parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012. Following the submission of the Elkelsey Neighbourhood Plan Examination to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on the 30th June 2015.

Decision & Reasoning

Bassetlaw District Council appointed an independent Examiner; Alison Linnegar, 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 Elkesley Neighbourhood Plan Decision Statement September 2015, the plan should proceed to a Referendum. It was agreed at the Full Council meeting of Bassetlaw District Council on the 24 September 2015 that the plan should proceed to referendum and on successful referendum it should be 'made'.

A referendum was held on 12 November 2015, 93.86% 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. Bassetlaw District Council are 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 12 November 2015 met the requirements of the Localism Act 2011; it was held in the Parish of Elkesley and posed the question: 'Do you want Bassetlaw District Council to use the Neighbourhood Plan of Elkesley to help it decide planning applications in the neighbourhood area'.

The count took place on the evening of the 12 November 2015 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:

	Number of Response Votes	Percentage
Number Cast in Favour of a YES	199	93.86
Number Cast in Favour of a NO	13	6.13
Turn Out	212	36.49

The Bassetlaw 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 scheme of delegation the Elkesley Neighbourhood Development Plan is 'made' and planning applications in the Parish must be considered against the Elkesley Neighbourhood Development Plan, as well as existing planning policy, such as the Bassetlaw District Core Strategy and its successors and the National Planning Policy Framework and Guidance.