

## **Shireoaks Neighbourhood Development Plan – Final Decision Statement**

### **1 Summary**

- 1.1 Following a positive referendum result on the 10 November 2016 Bassetlaw District Council is publicising its decision to ‘make’ the Shireoaks Neighbourhood Development Plan part of the Bassetlaw Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

### **2 Background**

- 2.1 The Neighbourhood Plan Steering Group, on behalf of the Parish Council, as the qualifying body successfully applied for the Parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 08 January 2013. Following the submission of the Shireoaks Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on the 29 February 2016.

### **3 Decision & Reasoning**

- 3.1 Bassetlaw District Council appointed an independent Examiner; Ms Rosemary Kidd, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 3.2 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 Shireoaks Neighbourhood Plan Decision Statement September 2016, the plan should proceed to a Referendum. It was agreed at the Full Council meeting of Bassetlaw District Council on the 29 September 2016 that the plan should proceed to referendum and pending a successful referendum it should be ‘made’.
- 3.3 A referendum was held on 17 November 2016, 92.3% 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. Bassetlaw 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).

- 3.4 The referendum held on 17 November 2016 met the requirements of the Localism Act 2011; it was held in the Parish of Shireoaks and posed the question: 'Do you want Bassetlaw District Council to use the Neighbourhood Plan for Shireoaks to help it decide planning applications in the neighbourhood area'.
- 3.5 The count took place on the evening of the 17 November 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.
- 3.6 The results of the referendum were:

	<b>Votes Recorded</b>	<b>Percentage</b>
<b>Number Cast in Favour of a YES</b>	240	92.3%
<b>Number Cast in Favour of a NO</b>	20	7.69%
<b>Turn Out</b>	260	23.15%

- 3.7 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).
- 3.8 In accordance with the Regulations and the Council's procedure the Shireoaks Neighbourhood Development Plan is 'made' and planning applications in the area must be considered against the Shireoaks 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.