

Gedling Borough Council

Burton Joyce Neighbourhood Plan - Decision Statement

##th October 2018

Following the independent examination of the Burton Joyce Neighbourhood Plan and the receipt of the Examiner's Report, Gedling Borough Council has decided that subject to the Examiner's recommended modifications, the Burton Joyce Neighbourhood Plan should proceed to referendum for the following reasons:-

The Neighbourhood Plan:-

- the Neighbourhood Plan meets the Basic Conditions;
- the Neighbourhood Plan has been prepared and submitted for examination by a Qualifying Body, Burton Joyce Parish Council;
- the Neighbourhood Plan has been prepared for an area properly designated, the Parish of Burton Joyce; as shown on page 5 of Appendix A.
- the Neighbourhood Plan specifies the period to which it is to take effect, 2017 – 2028; and
- the policies relate to the development and use of land for a designated neighbourhood area.

Gedling Borough Council also agreed with the Examiner's recommendation that the referendum of the Neighbourhood Plan should be based on the designated Neighbourhood Area approved by Gedling Borough Council on 25th August 2016.

This Decision Statement and the Examiner's Report (including the recommended modifications to the Burton Joyce Neighbourhood Plan) can be viewed on Gedling Borough Council's website (www.gedling.gov.uk/burtonjoyceplan) and Burton Joyce Parish Council's website. The documents are also available for inspection at the following locations:-

- Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham NG5 6LU
- Burton Joyce Library, Meadow Lane, Burton Joyce, NG14 5EX

Background

1. On 25th August 2016, Gedling Borough Council formally designated the Burton Joyce Neighbourhood Area. The area equates to the Parish of Burton Joyce.
2. Following the submission of the Burton Joyce Neighbourhood Plan to Gedling Borough Council, the plan was publicised and representations were invited. The consultation period took place between 27th July 2018 to 14th September 2018.

3. The Borough Council appointed an independent Examiner, Christopher Collison BA (Hons) MBA MRTPI MIED MCMI IHBC to examine whether the Burton Joyce Neighbourhood Plan met the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 and whether the Burton Joyce Neighbourhood Plan should proceed to a referendum. The examination was undertaken through written representations.
4. The Examiner's Report recommended a number of modifications so that the Burton Joyce Neighbourhood Plan is able to comply with the 'Basic Conditions' and other relevant statutory provisions, and that the draft plan as modified can be submitted for referendum.
5. The Examiner's Report (May 2018) states at paragraph 141 (insert similar quote):

"I recommend to Gedling Borough Council that the Burton Joyce Neighbourhood Development Plan for the plan period up to 2028 should, subject to the modifications I have put forward, be submitted to referendum... I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Gedling Borough Council as a Neighbourhood Area on 25 April 2016."

Decisions and Reasons

1. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires that the local planning authority outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 28A of the Planning and Compulsory Purchase Act 2004).
2. Having considered the recommended modifications made by the Examiner's Report, and the reasons for them, Gedling Borough Council has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990 in response to the Examiner's recommended modifications. The Final Plan is set out at Appendix A. This is the version of the plan to be considered by local referendum.
3. To meet the requirements of the Localism Act 2011, a referendum which poses the question 'Do you want Gedling Borough Council to use the Burton Joyce Neighbourhood Plan to help it decide planning applications in the Burton Joyce Neighbourhood Area?' will be held in the area formally designated as the Burton Joyce Neighbourhood Area.
4. The referendum will take place in Burton Joyce on Thursday 29th November 2018.

APPENDIX A – The Burton Joyce Neighbourhood Plan (Final Plan) (July 2018)

Document to be attached upon publication – it is included as a separate appendix for the purpose of the Portfolio Holder report.