

Gedling Borough Council

Linby Neighbourhood Plan - Decision Statement

25th March 2019

Following the independent examination of the Linby Neighbourhood Plan and the receipt of the Examiner's Report, Gedling Borough Council has decided that subject to the Examiner's recommended modifications, the Linby 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, Linby Parish Council;
- the Neighbourhood Plan has been prepared for an area properly designated, the Parish of Linby;
- the Neighbourhood Plan specifies the period to which it is to take effect, 2018 – 2032; 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 April 2016.

This Decision Statement and the Examiner's Report (including the recommended modifications to the Linby Neighbourhood Plan) can be viewed on Gedling Borough Council's website (www.gedling.gov.uk/linbyplan) and Linby 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
- Brooke Farm, Main Street, Linby, NG15 8AE

Background

1. On 25th April 2016, Gedling Borough Council formally designated the Linby Neighbourhood Area. The area equates to the Parish of Linby.
2. Following the submission of the Linby Neighbourhood Plan to Gedling Borough Council, the plan was publicised and representations were invited. The consultation period took place between 11th January 2019 and 22nd February 2019.
3. The Borough Council appointed an independent Examiner, Christopher Collison BA (Hons) MBA MRTPI MIED MCMi IHBC to examine whether the

Linby Neighbourhood Plan met the Basic Conditions as set out in Schedule 4B to the Town and Country Planning Act 1990 and whether the Linby 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 Linby 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 (19th March 2019) states at paragraph 164:

"I recommend to Gedling Borough Council that the Linby Neighbourhood Development Plan for the plan period up to 2032 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 Linby Neighbourhood Plan to help it decide planning applications in the Linby Neighbourhood Area?' will be held in the area formally designated as the Linby Neighbourhood Area.
4. The referendum will take place in Linby on Thursday 2nd May 2019, alongside the local elections.

APPENDIX A – The Linby Neighbourhood Plan (Final Plan) (March 2019)

Attached as a separate document for the purpose of the Portfolio Holder Report.