

SOUTH KESTEVEN DISTRICT COUNCIL

FOSTON NEIGHBOURHOOD PLAN: DECISION STATEMENT

1 Summary

- 1.1 Following a positive referendum result, South Kesteven District Council has made the Foston Neighbourhood Plan part of the Development Plan.

2 Background

- 2.1 Foston Parish Council, as the qualifying body, successfully applied for Foston parish to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations (2012), which came into force on 6 April 2012.
- 2.2 Following submission of the Foston Neighbourhood Plan Examination Version to the Council in August 2016, the plan was publicised and representations invited. The consultation period closed on 18 November 2016.
- 2.3 South Kesteven District Council appointed an Independent Examiner Dr Angus Kennedy OBE, MA, MRTPI, MCIH, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 2.4 The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications set out in his report, and should proceed to Referendum.
- 2.5 A referendum was held on Thursday 4 May 2017 and 87% 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. The 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).

3 Decision and Reasons

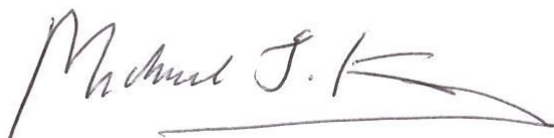
- 3.1 With the Examiner's recommended modifications, the Foston Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.
- 3.2 The referendum held on Thursday 4 May 2017 met the requirements of the Localism Act 2011. It was held in the parish of Foston and posed the question: "Do you want

South Kesteven District Council to use the Neighbourhood Plan for Foston to help it decide planning applications in the neighbourhood area?"

- 3.3 The count took place on Thursday 4 May 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:

Response	Votes	Per cent of total
YES	180	87
NO	27	13
TURNOUT	48%	

- 3.4 The 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).
- 3.5 The Foston Neighbourhood Plan was made part of the Development Plan for South Kesteven on 5 June 2017 under delegated powers granted to the Portfolio Holder for Economy and Development.



Signed:

Portfolio Holder – Economy and Development



Signed:

Executive Manager - Development and Growth