



Daventry District Council

Kilsby Neighbourhood Development Plan

Decision Statement

22nd July 2016

1. Summary

- 1.1 Following a positive referendum result, Daventry District Council is publishing its decision to 'make' the Kilsby Neighbourhood Development Plan as part of Daventry District's Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

2. Background

- 2.1 Kilsby Parish Council, as the qualifying body, applied for Kilsby to be designated as a Neighbourhood Area on 20th September 2013. Following consultation on the application the District Council refused the application for the whole of Kilsby Parish to be designated a neighbourhood area and exercised its power of designation to secure that part of Kilsby Parish be designated a neighbourhood area. All land in the Parish excluding that which is part of the Daventry International Rail Freight Terminal (DIRFT) was subsequently designated as Kilsby Neighbourhood Area on 6th December 2013.
- 2.2 The draft Neighbourhood Development Plan was published by Kilsby Parish Council for public consultation from 18th May 2015 and closed on the 29th June 2015.
- 2.3 Following submission of the Kilsby Neighbourhood Development plan to the District Council on 24th July 2015 the plan was subsequently published for consultation by the District Council. The consultation period ran from Wednesday 5th August 2015 to Friday 18th September 2015.
- 2.4 Following the submission consultation, Daventry District Council, with the agreement of the Parish Council, appointed an independent Examiner, Nigel McGurk BSC (Hons) MBA MCD MRTPI, to review whether the plan met the Basic Conditions required by the legislation and should proceed to a referendum.
- 2.5 Following the examination, which was dealt with through written representations, the Examiner's report was completed in February 2016 and made available on the Council's website. The report concludes that subject to the making of the

modifications recommended in his report the plan meets the Basic Conditions set out in legislation and should proceed to a referendum. At its meeting on 18th May 2016 Daventry District Council considered a report on the Kilsby Neighbourhood Development Plan. Having considered that report, Council resolved that:

- 1) That the significant progress in making the neighbourhood development plan (NDP) by the Kilsby community be noted and welcomed.
- 2) That with the exception of the 2 matters referred to in recommendation 3) the Examiner's recommended modifications in respect of the Kilsby NDP are accepted.
- 3) That 2 of the Examiner's recommended modifications in respect of the Kilsby NDP (reference number 7 and 10 of Table 1 to the proposed decision statement) be rejected for the reasons detailed in the decision statement.
- 4) That the Examiner's recommendation that the NDP as modified in accordance with recommendation 2), but modified by recommendation 3) should proceed to a referendum of voters within the Kilsby Neighbourhood Area be accepted.
- 5) That the costs of the referendum be met from the earmarked reserve for neighbourhood planning.
- 6) That following the referendum:
 - a. if more than half of those voting in the referendum vote in favour that the NDP; and
 - b. if the Business Manager is satisfied that making the NDP would not contravene Convention rights or European Union obligationsthe NDP be formally made and form part of the Development Plan for Daventry District.

3. Decision and Reasons

- 3.1 With the Examiner's recommended modifications (with the exception of those referenced under point 2) above) the 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 Sections 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.
- 3.2 A referendum into the Plan was held on Thursday 21st July 2016. Those voting were asked the following question:

'Do you want Daventry District Council to use the Neighbourhood Plan for Kilsby to help it decide planning applications in the neighbourhood area?'
- 3.3 The count took place on Friday, 22nd July 2016, the result of the referendum was as follows:

Response	Number of Votes	Percentage of Total
Yes	474	93.31%
No	34	6.69%
Turnout : 50.30%		

- 3.4 The regulations require that a majority of those voting vote in favour for the plan to be made. **This requirement is therefore satisfied.**
- 3.5 Part 6 of the Council resolution also requires that the Business Manager be satisfied that making the NDP would not contravene Convention rights or European Union obligations before formally making the plan. This was the case at the time of considering the report on May 18th 2016, and nothing has transpired since that date that would suggest any such contravention would occur. This requirement is met and it is possible for the plan to now be made.

Upon the signing of this document by the Business Manager, the Kilsby Neighbourhood Development Plan is made and planning applications in the Kilsby Neighbourhood Area must be considered against the Kilsby Neighbourhood Development Plan, as well as existing planning policy.

I certify that the above statements are true.

Signed:



Tom James, Principal Policy Officer (Planning)

Date.....22/07/16.....

I certify that I am satisfied that the making the WH NDP would not contravene Convention rights or European Union obligations.

Signed:



Simon Bowers, Business Manager

Date.....22/7/2016.....

