



Davertry District Council

Brixworth Neighbourhood Development Plan

Decision Statement

2nd December 2016

1. Summary

- 1.1 Following a positive referendum result, Daventry District Council is publishing its decision to 'make' the Brixworth 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 Brixworth Parish Council, as the qualifying body, applied for Brixworth to be designated as a Neighbourhood Area on 25th July 2012. Following consultation on the application the District Council designated Brixworth Parish as a Neighbourhood Area on the 28th February 2013.
- 2.2 The draft Neighbourhood Development Plan was published by Brixworth Parish Council for public consultation on 21st May 2015 and closed on the 13th July 2015.
- 2.3 Following submission of the Brixworth Neighbourhood Development plan to the District Council on 1st December 2015 the plan was published for consultation by the District Council. The consultation period ran from 11th January 2016 and closed on the 26th February 2016.
- 2.4 Following the submission consultation, Daventry District Council, with the agreement of the Parish Council, appointed an independent Examiner, Rosemary Kidd, to review whether the plan met the Basic Conditions required by the legislation and should proceed to a referendum.
- 2.5 Following the examination the Examiner's report was completed in July 2016 and made available on the Council's website. The report concludes that subject to the making of the modifications recommended in her report the plan meets the Basic Conditions set out in legislation and should proceed to a referendum. At its meeting on 6th October Daventry District Council considered a report on the Brixworth Neighbourhood Plan. Having considered that report, Council resolved that:

1) That the significant progress in making the neighbourhood development plan (NDP) by the Brixworth community be noted and welcomed.

2) That the Examiner's recommended modifications in respect of the Brixworth NDP are accepted as set out in Table 1.

3) That further consequential amendments and amendments necessary to reflect the current factual position, as set out in Table 1, are made.

4) That the Examiner's recommendation that the NDP as modified in accordance with recommendation (2) should proceed to a referendum of voters within the Parish of Brixworth be accepted, subject to the further amendments specified in (3).

5) That subject to items (2), (3) and (4) the proposed Decision Statement set out at Appendix 1 be approved, subject to any necessary factual alterations.

6) That the costs of the referendum be met from the earmarked reserve for neighbourhood planning.

3. Decision and Reasons

3.1 With the Examiner's recommended modifications (and additionally 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 1st December 2016. Those voting were asked the following question:

'Do you want Daventry District Council to use the Neighbourhood Plan for Brixworth to help it decide planning applications in the neighbourhood area?'

3.3 The count took place on Friday 2nd December, the result of the referendum was as follows:

Response	Number of Votes	Percentage of Total
Yes	1317	95.78%
No	57	4.15%
Turnout : 33.45%		

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 To be legally compliant, neighbourhood development plans must not contravene Convention rights or European Union obligations when made. Based on the

Screening Report for Strategic Environmental Assessment and Habitats Regulation Assessment (April 2015) and confirmed by the examiner in her report (July 2016) and that nothing has come to light subsequently, there is no evidence to suggest any such contravention would occur. I am satisfied that 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 Brixworth Neighbourhood Plan is made and planning applications in the Brixworth Neighbourhood Area must be considered against the Brixworth Neighbourhood Plan, as well as existing planning policy

I certify that the above statements are true.

Signed:



Tom James, Principal Policy Officer (Planning)

Date..... 02/12/2016

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

Signed: 

Simon Bowers, Business Manager

Date..... 2/12/2016

