



BROUGHTON NEIGHBOURHOOD PLAN: MAKING OF THE NEIGHBOURHOOD PLAN DECISION NOTICE

Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended)

This document is the decision statement required to be prepared under Regulation 19 (a) of the Neighbourhood Planning Regulations 2012 (as amended). It sets out the Council's decision to 'make' the Broughton Neighbourhood Plan, under Section 38A (4) of the Planning and Compulsory Purchase Act, following a positive referendum result on the 20th September 2018.

This decision statement and the Neighbourhood Plan can be viewed on the Council's website: www.kettering.gov.uk/NeighbourhoodPlanning/Broughton

Paper copies of this decision statement and the Broughton Neighbourhood Plan can be viewed during normal opening times at the following locations:

- Kettering Borough Council Offices, Bowling Green Road, Kettering

Background

The Town and Country Planning Act 1990 (as amended) places a statutory duty on Kettering Borough Council to assist communities in the preparation of neighbourhood plans and to take the plans through a process of examination and referendum. The Localism Act 2011 sets out the Local Planning Authority's responsibilities under neighbourhood planning.

The Broughton Neighbourhood Plan relates to the Broughton Neighbourhood Area which was designated on the 15th January 2014. The Broughton Neighbourhood Area is the Broughton Parish Area.

Broughton Parish Council undertook the Pre-submission consultation on the Neighbourhood Plan from 1st December 2016 to 19th January 2017.

The Neighbourhood Plan was submitted to Kettering Borough Council on 29th September 2017. In accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the Neighbourhood Plan was made available for comment. This consultation took place from Wednesday 18th October 2017 to Wednesday 29th November 2017.

An independent examiner was appointed to carry out the examination of the Neighbourhood Plan. The Examiner examined the Neighbourhood Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan Area.

The Examiner's Report was issued on the 28th May 2018. The Examiner's conclusion was that, subject to the modifications recommended in the report, the Broughton Neighbourhood Plan meets the basic conditions and other statutory requirements outlined in the report. The

Examiner's recommendation was that, subject to the modifications proposed in the report, the Broughton Neighbourhood Plan could proceed to referendum.

It was agreed at the Council's Executive Committee meeting on the 11th July 2018 that the Neighbourhood Plan as modified should proceed to referendum.

Decision and Reasons

A referendum was held on the 20th September 2018. 95% of those who voted were in favour of the neighbourhood plan.

The results of the referendum held on 20th September 2018 were:

Question <i>'Do you want Kettering Borough Council to use the Neighbourhood Plan for Broughton Parish to help it decide planning applications in the neighbourhood area?'</i>		
	Votes Recorded	Percentage
Number of votes cast in favour of a Yes	625	95%
Number of votes cast in favour of a No	33	5%

Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act (as amended) requires that the local planning authority must make a neighbourhood plan if more than half of those voting have voted in favour of the plan.

The Council is not subject to this duty if the Council considers that 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).

The Council does not consider that the plan would breach, nor be otherwise incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

The Council's Executive Committee decided to make the Broughton Neighbourhood Plan at its meeting on the 17th October 2018.

In accordance with the Regulations and the Council's procedure the Broughton Neighbourhood Plan is 'made' and planning applications in the area must be considered against the Broughton Neighbourhood Plan, as well as existing planning policy.