

**APPENDIX 1****Worlabby Parish Neighbourhood Plan - Final Decision Statement**

Friday 5 November 2021

**Summary**

In line with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012<sup>1</sup>, North Lincolnshire Council has produced this 'Decision Statement' in relation to the Worlabby Parish Neighbourhood Plan submitted to them by Worlabby Parish Council.

Following a positive referendum result on Thursday 4 November 2021, North Lincolnshire Council is publicising its decision to 'make' the Worlabby Parish Neighbourhood Plan part of the North Lincolnshire Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012<sup>2</sup>.

**Background**

On 4 August 2014 North Lincolnshire Council resolved to designate the whole of the Parish of Worlabby as a Neighbourhood Plan Area in accordance with the Section 61G of Town and Country Planning Act 1990 (as amended by the Localism Act 2011)<sup>3</sup>.

Designation of a Neighbourhood Area is one of the statutory requirements needed to be in place to enable a Neighbourhood Plan to be adopted and formally become a part of the Development Plan and be used in the determination of planning applications.

A draft Worlabby Parish Neighbourhood Plan was then developed by a core of Working Group members led by the Parish Council. The local community was engaged in the process following several consultation events, questionnaires, surveys, and a Visioning Day. The draft Plan was then submitted to North Lincolnshire Council.

Regulation 16 of the Neighbourhood Planning (General) Regulations 2012<sup>4</sup> relates to publicising a Plan proposal. The Cabinet Member for Place Shaping agreed to advertise and publish the Worlabby Parish Submission Draft Neighbourhood Plan for a six-week consultation and subsequently submit the Plan for examination. The Submission draft Plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 31 May 2021.

Following the Regulation 16 consultation, North Lincolnshire Council appointed an independent Examiner, Mr Patrick Whitehead DipTP (Nott) MRTPI of Intelligent Plans and Examinations (IPe) Ltd, to review whether the Plan met the basic conditions required by legislation and whether it should proceed to referendum.

From his examination of the Worlabby Parish Neighbourhood Plan and its supporting documentation, including the representations made, the Examiner made recommendations to modify policies and text. This was to ensure the Plan met the 'Basic Conditions' laid down in paragraph 8(1) of Schedule 4B of the Town & Country Planning Act 1990<sup>5</sup> and other legal requirements. He recommended that the Plan, once modified, should proceed to referendum.

## Decision & Reasoning

With the Examiner's proposed modifications, the Neighbourhood Plan is considered to have met the basic conditions. It is compatible with EU obligations (under retained EU law) and the Human Rights Convention and complies with the relevant provisions made by or under Sections 38A<sup>6</sup> and 38B<sup>7</sup> of the Planning and Compulsory Purchase Act 2004, as amended.

Residents on the electoral register in Worlaby parish were eligible to vote in the referendum that was held on Thursday 4 November 2021 in Worlaby Parish. The referendum met the requirements of the Localism Act 2011, and the count took place immediately after the close of poll. There are 439 people in the electorate, 120 ballot papers were issued, and the turnout was 27.3 per cent.

In the referendum, 92.5 per cent (111 people) voted in favour of the Plan whilst 7.5 per cent (9 people) voted against the Plan. The referendum met the requirements of the Localism Act 2011.

More than 50 per cent of those who voted were in favour of the Plan being used to help decide planning applications in the Plan area. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004<sup>6</sup> 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 result of the votes cast in the Worlaby Parish Neighbourhood Plan Referendum is as follows:**

<b>Question:</b>		
<b>Do you want North Lincolnshire Council to use the Neighbourhood Plan for Worlaby Parish to help it decide planning applications in the neighbourhood area?</b>		
	<b>Votes Recorded</b>	<b>Percentage</b>
Number cast in favour of a 'Yes'	111	92.5
Number cast in favour of a 'No'	9	7.5
Total	120	100.0

<sup>1</sup> Publication of the examiner's report and plan proposal decisions

<sup>2</sup> Decision on a plan proposal

<sup>3</sup> Meaning of neighbourhood area

<sup>4</sup> Publicising a plan proposal

<sup>5</sup> Basic Conditions

<sup>6</sup> Meaning of neighbourhood development plan

<sup>7</sup> provision that may be made by neighbourhood development plans