

## **South Kesteven District Council**

### **Stamford Neighbourhood Development Plan: Decision Statement**

#### **1. Summary**

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

#### **2. Background**

2.1 Stamford Town Council as the qualifying body successfully applied for Stamford to be designated as a Neighbourhood Area, under the Neighbourhood Planning (General) Regulations 2012). The area was designated on the 29<sup>th</sup> March 2016.

2.2 Following submission of the Stamford Neighbourhood Plan to the Council, the plan was publicised, and representations invited. The consultation period closed on 19<sup>th</sup> April 2021.

2.3 South Kesteven District Council appointed an Independent Examiner Andrew Ashcroft B.A. M.A. M.R.T.P.I 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 the report, should proceed to Referendum.

2.5 A referendum was held on Thursday 14<sup>th</sup> July 2022 and 76.5% 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 retained 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 Stamford Neighbourhood Plan meets the basic conditions set out in the paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with retained EU obligations and the Convention rights and complies with relevant provision made under Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.

3.2 The referendum held on Thursday 14<sup>th</sup> July 2022 met the requirements of the Localism Act 2011. It was held in the town area of Stamford and posed the question: “Do you want South Kesteven District Council to use the Neighbourhood Plan for Stamford to help it decide planning applications in the neighbourhood area?”

3.3 The Count took place on Thursday 14<sup>th</sup> July and the greater than 50% of those voted were in favour of the plan being used to help decide planning applications in the area. The results of the referendum were:

Response	Votes	Percent of total
Yes	1615	76.5%
No	497	23.5%
Turnout	13.56%	

3.4 The Examining Inspector has assessed the plan (including its preparation stages) and has concluded that it does not breach, and would not otherwise be incompatible with, any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). The Council agrees with this decision.

3.5 The Stamford Neighbourhood Plan was made part of the Development Plan for South Kesteven on 25 July at Full Council.

Signed:

**Nick Robins, Portfolio Holder – Planning and Planning Policy**

Signed:

**Nicola McCoy-Brown, Director of Growth & Culture**