

## **DECISION STATEMENT Regulation 19**

### **BURTON AND DALBY NEIGHBOURHOOD PLAN**

#### Summary

This statement publicises the decision taken by the Melton Borough Council to 'make' the Burton and Dalby Neighbourhood Plan as part of the Melton Borough Council's Development Plan, in accordance with regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

#### Background

Burton and Dalby Parish received formal area designation for the purposes of preparing a NP the 15<sup>th</sup> March 2016. This area comprises of the whole of the Parish of Burton and Dalby, inclusive of all three settlements, Burton Lazars, Great Dalby and Little Dalby.

Burton and Dalby Parish Council – the 'qualifying body', submitted the Burton and Dalby Neighbourhood Plan, along with supporting documents, to Melton Borough Council in October 2021 for consultation, independent examination and the remaining stages of the draft Plan's preparation in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). The Council conducted a 'Regulation 16' 6-week formal public consultation on the Plan, from the 12<sup>th</sup> April 2022 until 24<sup>th</sup> May 2022.

Following this period, Melton Borough Council appointed an independent examiner, Andrew Ashcroft, in June 2022, to examine the Plan and consider whether it should proceed to referendum. The examiner's final report was issued to the Local Planning Authority on the 25<sup>th</sup> August, 2022. He concluded that the Plan met the basic conditions against which it was examined, subject to a number of proposed modifications, and recommended that the plan should proceed to referendum.

These modifications were agreed, and the Borough Council held the referendum in Burton and Dalby parish on 1<sup>st</sup> December 2022. The referendum presented a single question upon which anybody registered to vote in the parish could answer 'yes' or 'no' to the following:

*Do you want Melton Borough Council to use the neighbourhood plan for Burton and Dalby to help it decide planning applications in the neighbourhood area?*

All neighbourhood plans are required to gain a majority of 50% plus one in favour at a local referendum in order to be made by the local planning authority. 144 votes were cast in favour of 'Yes'; 44 votes were cast in favour of 'No'. It was declared by the Counting Officer that more than half of those voting had voted in favour of the Burton and Dalby Neighbourhood Plan.

#### Decision and Reasons

With the Examiner's recommended modifications, the Burton and Dalby Neighbourhood Plan meets the "basic conditions" set out in paragraph 8(2) of the 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 Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.

Melton Borough Council decided (Chief Executive decision in consultation with the Portfolio Holder) to formally 'make' the Neighbourhood Plan on 25<sup>th</sup> January 2023, allowing the Neighbourhood Plan to form part of the development plan and to be used in the determination of planning applications in the parish of Burton and Dalby.

#### Additional details

A copy of the Decision Statement is being sent to:

- The qualifying body, namely Burton and Dalby Parish Council; and
- to any person who asked to be notified of the decision.

The Burton and Dalby Neighbourhood Plan and its associated documents are available to view on the Council's website at: [Burton & Dalby Neighbourhood Development Plan \(meltonplan.co.uk\)](https://www.meltonplan.co.uk). Paper copies of the Neighbourhood Plan will be available to view during normal office hours at: Melton Borough Council, Parkside, Station Approach, Melton Mowbray, LE13 1GH<sup>1</sup>.

For further information, please contact:

Planning Policy Team

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#### **Edd De Coverly**

Chief Executive

Melton Borough Council

25<sup>th</sup> January 2023

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<sup>1</sup> Please contact [planningpolicy@melton.gov.uk](mailto:planningpolicy@melton.gov.uk) two days in advance in order to have the printed document ready.