

PETERBOROUGH CITY COUNCIL

AILSWORTH NEIGHBOURHOOD PLAN

FINAL DECISION STATEMENT

13 December 2017

1. Summary

- 1.1. Following a positive referendum result on 2 November 2017, Peterborough City Council has made the Ailsworth Neighbourhood Plan part of the Development Plan at a full Council meeting on Wednesday 13 December 2017.

2. Background

- 2.1. Peterborough City Council resolved to designate all of the Parish of Ailsworth as 'Ailsworth Neighbourhood Area' on 7 October 2014 in accordance with section 61G of the Town and Country Planning Act (1990) (as inserted by the Localism Act (2011) and in accordance with the Neighbourhood Planning (General) Regulations (as amended).
- 2.2. Following the submission of the Ailsworth Neighbourhood Plan to Peterborough City Council, the plan was publicised and representations were invited from the public and stakeholders. This six week consultation period ended on 26 June 2017.
- 2.3. Peterborough City Council appointed an independent examiner, David Kaiserman BA DipTP MRTPI, to review whether the plan meets the basic conditions as set out in Schedule 4B of the Town and Country Planning Act (1990) and should proceed to referendum.
- 2.4. The examiner's report concludes that, subject to a number of minor modifications, the Ailsworth Neighbourhood Plan meets the 'basic conditions' and other relevant statutory requirements and therefore should proceed to referendum. Peterborough City Council concurred with this conclusion and decided on 20 September 2017 that the modified plan should go to referendum.
- 2.5. This referendum was held on Thursday 2 November 2017 and 97.7% of those voting 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 is not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any Convention rights (within the meaning of the Human Rights Act 1998).

3. Decision and Reasons

3.1. The Ailsworth Neighbourhood Plan, incorporating the examiner's recommended modifications 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 Section 38A and 38B of the Planning and Compulsory Purchase Act (as amended).

3.2. The referendum held on 2 November 2017 met the requirements of the Localism Act 2011, it was held in the Parish of Ailsworth and posed the question:

'Do you want Peterborough City Council to use the Neighbourhood Plan for the Ailsworth Neighbourhood Area to help it decide planning applications in the neighbourhood area?'

3.3. The count took place on 2 November 2017 and more than 50% of those who voted were in favour of the plan being used to help decide planning applications in the Ailsworth Neighbourhood Area. The results of the referendum were:

Response	Votes	Percent of total
Yes	301	97.7%
No	6	1.9%
Rejected ballot papers	1	0.4%
Turnout	308	100.0%

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

3.5. The Council decided at its meeting on 13 December 2017 to make the Ailsworth Neighbourhood Plan part of the Development Plan for Peterborough.