

Barrowford Neighbourhood Plan



Decision Statement

Regulations 19 & 20

December 2019



Pendle Borough Council

Barrowford Neighbourhood Plan

Decision Statement published pursuant to the Localism Act 2011 Schedule 38A (9) and Regulations 19 & 20 of the Neighbourhood Planning (General) Regulations 2012

Decision

NOTICE IS HEREBY GIVEN that Pendle Council has decided by resolution at Council on 17 December 2019 to make the Barrowford Neighbourhood Plan under Section 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended by the Neighbourhood Planning Act 2017), and under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, following a positive referendum result on the 14 November 2019, the Barrowford Neighbourhood Plan now forms part of the adopted Development Plan for the Borough of Pendle.

Introduction

This document sets out the Council's considerations and formal decision in bringing the Barrowford Neighbourhood Development Plan ["BNDP"] into legal force, following an independent examination and positive referendum, held on Thursday 14 November 2019.

Background

In July 2015 Barrowford Parish Council, as the qualifying body, submitted an application to Pendle Council requesting that it designate the Parish of Barrowford as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. Following a six week consultation, the Neighbourhood Area was formally designated by Pendle Council's Executive committee on 22 October 2015.

Barrowford Parish Council made the Pre-submission Draft BNDP available for a minimum six week consultation between 23 October 2017 and 8 December 2017.

The Submission Draft BNDP was received by Pendle Council on 23 January 2019. A final stage of publicity and consultation was held for a minimum of six weeks between 8 February 2019 and 22 March 2019, to determine if there were any unresolved objections to the plan. On 26 March 2019 the Submission Draft BNDP, all supporting documents and the representations received in response to the consultation, were forwarded My Robert Bryan BA (Hons) MRTPI, the independent examiner appointed to conduct the Examination of the Plan.

The Examiner's Report was received by Pendle Council on 29 August 2019, concluding the Examination. The report recommended that subject to modifications the BNDP met the necessary Basic Conditions and should proceed to Referendum.

The agreed modifications to the BNDP, were published as part of the Regulation 18(2) Decision Statement issued on 20 September 2019, which confirmed that Pendle Council was satisfied that the BNDP met the Basic Conditions and that its promotion process was compliant with legal and procedural requirements.

Reasons for decision

With the Examiner's recommended modifications the BDNP:

- meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
- would not breach and is otherwise compatible with EU or human rights obligations; within the meaning of the Human Rights Act 1998 (s61E (8) of the Town and Country Planning Act 1990 and s38A (8) of the Planning & Compulsory Purchase Act 2004 Act (as amended) by the Localism Act 2011; and
- complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 (as amended).

A referendum was held in the Parish of Barrowford on Thursday 14 November 2019. A total of 903 votes were cast – from an electorate of 4,702 – representing a 19.2% turnout. The result of the votes cast in the referendum was as follows:

Number cast in favour of Yes	728 (80.6%)
Number cast in favour of No	174 (19.3%)
Number rejected	1 (0.1%)

Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 (as amended), requires Pendle Council to make a Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help determine planning applications in the neighbourhood area.

More than half of those voting in the Referendum on 14 November 2019 voted in favour of the BDNP, which was duly made by Pendle Council on 17 December 2019.

A copy of this decision statement is being sent to:

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

This decision statement can be viewed on the Pendle Council website at:

- www.pendle.gov.uk/barrowfordnp

Copies are also available to view at the following locations, during opening hours:

- Barrowford Parish Council, Holmefield House, Gisburn Road, Barrowford, BB9 8ND
- Barrowford Public Library, Ann Street, Barrowford, BB9 8QH
- Pavillion Café, Victoria Park, Carr Road, Nelson, BB9 7SS
- Number One Market Street, Nelson, BB9 7LJ
- Nelson Public Library, Market Square, BB9 7PU

Dean Langton
Chief Executive, Pendle Council
Friday 18 December 2019

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If you would like this information
in a way which is better for you,
please telephone us.

اگر آپ یہ معلومات کسی ایسی شکل میں چاہتے ہیں، جو کہ
آپ کے لئے زیادہ مفید ہو تو برائے مہربانی ہمیں ٹیلیفون کریں۔



Liberata

