

**South Derbyshire District Council**  
**Repton Neighbourhood Development Plan - Final Decision Statement**

**1. Summary**

1.1. Following a positive referendum result South Derbyshire District Council is publishing its decision to 'make' the Repton Neighbourhood Development Plan, in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012, for it to become part of South Derbyshire District Council's Development Plan.

**2. Background**

2.1. Repton Parish Council, as the qualifying body, successfully applied for Repton Parish to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations (2012), which came into force in April 2012.

2.2. Following the submission of the Repton Neighbourhood Development Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The publicity period ended on 4<sup>th</sup> March 2019.

2.3. South Derbyshire District Council appointed an Independent Examiner, Mr David Kaiserman, to review whether the Plan met the basic conditions required by legislation and whether the plan should proceed to referendum.

2.4. The Examiner concluded that the Plan, subject to the modifications proposed in his report, met the basic conditions and should proceed to a referendum. At its meeting on 19<sup>th</sup> September 2019 the Council agreed that all of the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum.

2.5. A referendum was held on 14<sup>th</sup> November 2019 and a 'yes' vote was returned, with 565 out of 586 persons that voted, voting for '*South Derbyshire District Council to use the Neighbourhood Plan for Repton to help it decide planning applications in the neighbourhood area*'.

2.6. Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 2004 as amended, the Neighbourhood Planning (General) (Amendment) Regulations 2015 and the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 requires that the Council must 'make' the Neighbourhood Plan within 8 weeks if more than half of those voting have voted in favour of the plan.

2.7. The Council are not subject to this duty if the making of the plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

### **3. Decisions and Reasons**

3.1 With the Examiner's recommended modifications, the Repton Neighbourhood Development Plan 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 B of the Planning and Compulsory Purchase Act 2004 as amended.

3.2. The referendum held on 14<sup>th</sup> November 2019 met the requirements of the Localism Act 2011; it was held in the Parish of Repton and posed the question:

*'Do you want South Derbyshire District Council to use the Neighbourhood Plan for Repton to help it decide planning applications in the neighbourhood area?'*

3.3. The count took place on 15<sup>th</sup> November 2019 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the plan area. The results of the referendum were:

Description		Votes
Total number of votes cast		586
Number cast in favour of a 'YES'		565
Number cast in favour of a 'NO'		21
Total number of ballot papers rejected	(a) Want of Official Mark	0
	(b) Voting for more answers than required	0
	(c) Writing or mark by which the voter could be identified	0
	(d) Being unmarked or wholly void for uncertainty	0
	(e) Rejected in part	0
	Total	0
Turnout: 27.7%		