

Monks Kirby Neighbourhood Plan Decision Statement (Regulation 18 of the Neighbourhood Planning (General) Regulations 2012)

Summary

1. Following an independent examination undertaken by written representations, Rugby Borough Council has accepted the findings of the examination report and confirms that the Monks Kirby Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
2. This decision statement and the examination report are available on the Borough Council's website and on request.

Background

3. Following an application by Monks Kirby Parish Council (as the Neighbourhood Plan Qualifying Body), Rugby Borough Council formally designated Monks Kirby Parish as a Neighbourhood Area on 7 June 2021.
4. Monks Kirby Parish Council carried out a pre-submission consultation of the Neighbourhood Plan between 3 May to 16 June 2022 (Regulation 14).
5. The Neighbourhood Plan was then submitted to Rugby Borough Council on 13 September 2022 (Regulation 15). A Public consultation was then carried out between 1 November and 13 December 2022 (Regulation 16)
6. Rugby Borough Council appointed an independent Examiner, to examine whether the Monks Kirby Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Monks Kirby Neighbourhood Plan should proceed to a referendum (Regulation 17).
7. The Examiner's Report recommended a number of modifications so that the Monks Kirby Neighbourhood Plan was able to comply with the 'basic conditions' and other relevant statutory provisions, and that the draft plan as modified can be submitted for referendum.

8. The Examiner's Report (February 2023) concludes by stating:

"I recommend that the Draft NDP be modified in the terms specified in Appendix A to this report to meet basic conditions and to correct errors."

and;

"I recommend that the modified NDP proceed to a referendum, the referendum area being the area of the Draft NDP."

Recommendations, Decisions and Reasons

9. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
10. Rugby Borough Council, in agreement with Monks Kirby Parish Council, have accepted the recommended modifications, and the Neighbourhood Plan has been updated accordingly so that it can comply with the 'basic conditions' and provisions as set out in legislation. The decision to formally accept the findings of the report, and consequently progress to a referendum, was made on 20 March 2023.
11. To meet the requirements of the Localism Act 2011 a referendum which asks the question, 'Do you want Rugby Borough Council to use the Monks Kirby Neighbourhood Plan to help it decide planning applications in the Monks Kirby Neighbourhood Area?' will be held in the area formally designated as the Monks Kirby Neighbourhood Area.
12. The date on which the referendum is to be arranged is as soon as is reasonably practicable in accordance with The Neighbourhood Planning (Referendums) Regulations 2012 (as amended), and guidance in relation to Neighbourhood Planning.
13. If more than 50% of those voting in the referendum vote 'yes', the Neighbourhood Plan will become part of the statutory development plan for the area, alongside the Rugby Borough Local Plan.