



South Kesteven District Council

Caythorpe and Frieston Neighbourhood Development Plan: Decision Statement

1. Summary

1.1 Following a positive referendum result, South Kesteven District Council has made the Caythorpe and Frieston Neighbourhood Development Plan part of the South Kesteven Statutory Development Plan.

2. Background

2.1 Caythorpe and Frieston Parish Council as the qualifying body successfully applied for the Caythorpe and Frieston Parish area to be designated as a Neighbourhood Area, under the Neighbourhood Planning General Regulations (2012). The area was designated on the 25 June 2020.

2.2 The formal submission version of the Caythorpe and Frieston Neighbourhood Plan was submitted to South Kesteven District Council on the 23 June 2022.

2.3 The Caythorpe and Frieston Neighbourhood Plan was formally publicised, and representations invited over a six week period. The consultation period closed on the 26 October 2022.

2.4 South Kesteven District Council appointed an Independent Examiner to review whether the Caythorpe and Frieston Neighbourhood Plan met the basic conditions required by legislation and whether the Caythorpe and Frieston Neighbourhood Plan should proceed to referendum.

2.5 The Examiner's Report concluded that the Caythorpe and Frieston Neighbourhood Plan meets the Basic Conditions, and that subject to the modifications set out in the report, should proceed to referendum.

2.6 A referendum was held on Thursday 4 May 2023 and **89.5%** of those who voted were in favour of the Caythorpe and Frieston Neighbourhood 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 Neighbourhood Plan. The Council are not subject to this duty if the making of the plan would breach or would otherwise be incompatible with any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).



3. Decision and Reasons

3.1 With the Examiner's recommended modifications, the Caythorpe and Frieston Neighbourhood Plan meets the basic conditions set out in the paragraph 8(2) of the Schedule 4B of the Town and Country Planning Act 1990, is compatible with retained EU obligations and the Convention rights and complies with relevant provision made under Section 38A and B of the Planning and Compulsory Purchase Act 2004, as amended.

3.2 The referendum held on Thursday 4 May 2023 met the requirements of the Localism Act 2011 and Neighbourhood Planning Referendum Regulations (2012). The referendum was held in the parish area of Caythorpe and Frieston and posed the question: "Do you want South Kesteven District Council to use the Neighbourhood Plan for Caythorpe and Frieston to help it decide planning applications in the neighbourhood area?"

3.3 The count took place on Friday 5 May and greater than 50% of those voted were in favour of the Caythorpe and Frieston Neighbourhood Plan being used to help decide planning applications in the area. The results of the referendum were:

| Response | Votes | Percent of total |
|----------|--------|------------------|
| Yes | 344 | 86.8% |
| No | 49 | 13.2% |
| Turnout | 37.97% | |

3.4 The Examining Inspector has assessed the Neighbourhood Plan (Including its preparation stages) and has concluded that it does not breach, and would not otherwise be incompatible with, any retained EU obligation or any of the Convention rights within the meaning of the Human Rights Act (1998). South Kesteven District Council agrees with this decision.

3.5 The Caythorpe and Frieston Neighbourhood Plan was made part of the Statutory Development Plan for South Kesteven on the **18 May at Full Council**.

Signed:

Emma Whittaker

**Assistant Director of Planning
South Kesteven District Council**

Date – 18 May 2023

