



Hinckley & Bosworth
Borough Council

Markfield Neighbourhood Plan

Decision Statement

Regulation 19

The Neighbourhood Planning (General) Regulations 2012 (as amended)

Summary

Following a positive referendum result Hinckley and Bosworth Borough Council is publishing its decision to 'make' the Markfield Neighbourhood Development Plan part of the Borough Council's Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

Background

In March 2017, Markfield Parish Council submitted an application to designate a neighbourhood area in order to prepare a neighbourhood development plan (NDP) to cover the whole area of Markfield Parish. A six week public consultation on whether this was an appropriate area to designate for the purpose of undertaking a neighbourhood development plan ended on 14 April 2017. Following the consultation, the Borough Council formally designated Markfield Neighbourhood Area for the purpose of producing a neighbourhood development plan. The designated area covers Markfield Parish only.

The Markfield Neighbourhood Plan submission version was submitted to Hinckley & Bosworth Borough Council, who undertook the statutory consultation in accordance with Regulation 16, between Wednesday 10 February 2021, and 5pm on Wednesday 24 March 2021.

The Borough Council with the agreement of Markfield Parish Council appointed an independent Examiner. The Examiner's Report recommends a range of modifications to policies, as well as some of the supporting content in the Plan, including corrections, to provide clarity in order to ensure that the Basic Conditions are met.

The Examiner's Report (May 2021) concludes by stating: *'I recommend to Hinckley and Bosworth Borough Council that the Markfield Parish Neighbourhood Development Plan for the plan period up to 2039 should, subject to the modifications I have recommended, be submitted to referendum'. 'I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Hinckley and Bosworth Borough Council as a Neighbourhood Area on 11 May 2017'.*

The Scheme of Delegation and Council Constitution gives the Director of Environment and Planning delegated authority for the approval of proceeding neighbourhood plans to the referendum stage and for the making of Neighbourhood Development Plans following a successful result at referendum.

A referendum was held on Thursday 9 September 2021 and a 'yes' vote was returned with 912 out of 977 persons that voted, voting 'to use the Neighbourhood Plan for Markfield Parish to help it decide planning applications in the Neighbourhood Area.'

Paragraph 38A (4)(a) of the Planning and Compulsory Purchase Act 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.

Decisions and Reasons

With the Examiner's recommended modifications the Markfield Neighbourhood Development Plan meets the basic conditions set out in paragraph 8(2) of Schedule 48 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 Sections 38A and B of the Planning and Compulsory Purchase Act 2004 as amended.

The Borough Council has assessed that the Neighbourhood Plan 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).

The referendum held on Thursday 9 September 2021 in the Parish of Markfield posed the question: 'Do you want Hinckley and Bosworth Borough Council to use the Neighbourhood Plan for the Markfield Neighbourhood Area to help it decide planning applications in the Neighbourhood Area?'

The count took place overnight on Thursday 9 September 2021 and greater than 50% of those who voted were in favour of the Plan being used to help decide planning applications in the Neighbourhood Area. The results of the referendum were as follows:

Description	Number	Percentage
Ballot Papers Issued	977	
Number cast in favour of a 'Yes'	912	93.34%
Number cast in favour of a 'No'	61	6.24%
The number of ballot papers rejected was as follows:		
(a) want of official mark	0	0
(b) voting for more than one answer	0	0
(c) writing or mark by which voter could be identified	0	0
(d) being unmarked or wholly void for uncertainty	4	0.4%
Turnout	977	26.11%

Therefore, in accordance with the regulations, Markfield Neighbourhood Development Plan is 'made' and planning applications within the Neighbourhood Area must be considered against the Markfield Neighbourhood Plan, as well as existing national and local planning policy such as the National Planning Policy Framework and Guidance, and the Borough Council's Local Plan 2006-2026.

Where to view this Decision Notice

This Decision Statement may be viewed online at <https://www.hinckley-bosworth.gov.uk/markfieldplan>

And at the following address:

Hinckley and Bosworth Borough Council
Hinckley Hub
Rugby Road
Hinckley
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