



Regulation 18 (2) Decision Statement – Barton Neighbourhood Plan (BNP) 2019-2030

1. Summary

1.1 In line with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended), Wyre Borough Council ('the Council') have produced this 'Decision Statement' in relation to the Barton Neighbourhood Plan ('the BNP') submitted to them by Barton Parish Council (the qualifying body).

1.2 Following an independent examination undertaken by written representations, the modifications recommended by the Examiner have been carried out by Barton Parish Council.

1.3 Wyre Borough Council now confirms that the BNP will proceed to a Neighbourhood Planning Referendum.

1.4 In accordance with the examiner's recommendation, the Barton Neighbourhood Plan **will** proceed to a public referendum scheduled for 9 November 2023, based on the Neighbourhood Area as approved by Wyre Borough Council on 8 September 2017.

1.5 If 'made', the BNP will become part of the development plan for land use and development proposals within the Neighbourhood Plan Area until 2030

1.6 This Decision Statement, along with the independent examiners report, including modification's and the plan documents will be available on Wyre Borough Council's website at the Barton Neighbourhood Plan page www.wyre.gov.uk/local-plan/neighbourhood-plans/3. They can also be viewed by prior arrangement at Wyre Council's main offices, at the Civic Centre, Breck Road, Poulton-le-Fylde, FY6 7PU during normal working hours.

2. Background

2.1 The power to designate an area as a neighbourhood area is exercisable by two or more local planning authorities if the area falls within the areas of those authorities.

2.2 On the 30 March 2017 Barton Parish Council submitted an application to the Council for the designation of the Parish as a Neighbourhood Area. This area relates

to the whole of Barton Parish Council's administrative area which falls solely within Preston City Council's administrative area, and a small part of the Myerscough and Bilsborrow Parish Council's administrative area which lies within Wyre Borough Council's administrative area. Myerscough and Bilsborrow Parish Council delegated their right to prepare a neighbourhood plan for this area to Barton Parish Council and its Steering Group in consultation with the local planning authorities for the neighbourhood area. As the greater proportion of the area is within Preston City Council's administrative area. Preston City Council is the lead local planning authority for the Barton Neighbourhood Plan.

2.3 A 6 week neighbourhood plan area consultation was held between 11 May until 23 June 2017. After consideration of the consultation both Preston City Council and Wyre Borough Council formally approved the application and designated the Neighbourhood Area on 8 September 2017.

2.4 Following the neighbourhood area designation and initial engagement, Barton Parish Council carried out a statutory consultation (Regulation 14) and subsequently submitted the draft BNP and supporting documents to the Council on 22 November 2022.

2.5 Wyre Borough Council publicised the BNP (in accordance with Regulation 16) and sought comments during a six week public consultation held between 18 January and 1 March 2023. During this period the plan proposal and other supporting documents were available to the public to view.

2.4 Following the public consultation Preston City Council (as lead local planning authority on behalf of Wyre Borough Council) submitted the plan for Independent Examination (Regulation 17), the main purpose of which is to assess whether or not the plan satisfies certain "Basic Conditions" and other legal requirements which must be met before it can proceed to a local referendum.

2.5 An Independent Examiner was appointed with the consent of Barton Parish Council, to undertake the examination of the Submission version of the BNP. The Examiner has scrutinised the Plan to determine if it meets the Basic Conditions and legal requirement, and whether it should proceed to Referendum. The Examiner's report was issued to Preston City Council and Wyre Borough Council on 6 June 2023.

2.6 The Examiner's report concludes that subject to making the modifications recommended by the Examiner, the Plan meets the basic conditions and legal requirements set out in the legislation and should proceed to a Referendum.

3. Decisions and Reasons

3.1 The Examiner has concluded that, with certain modifications, the BNP meets the Basic Conditions and other relevant legal requirements. The local planning authority must consider as required by Regulation 12 of Schedule 4B of the Town and country Planning Act 1990 each of the recommendations made in the Examiner's report and decide what action to take in response.

3.2 On 14 September 2023, the Examiner's Report was considered by the Council's Planning Policy and Economic Development Portfolio Holder. He made the decision that the modifications to the Barton Neighbourhood Plan as recommended by the Examiner meet the 'basic conditions' as set out in section 38A of the Planning and Compulsory Purchase Act 2004 and other legal requirements. Wyre Borough Council has therefore determined that the modified Plan should proceed to referendum.

3.3 Wyre Borough Council is therefore satisfied,

A) That the recommendations to modify the draft BNP as set out in the Examiner's Report be accepted.

B) That the Examiner's recommendation that the draft Barton Neighbourhood Plan, as modified, meets the legal requirements and 'basic conditions' as set out in legislation and proceeds to referendum.

C) That, in accordance with the Examiner's recommendation, the referendum area be the Barton Neighbourhood Area as designated by Wyre Borough Council on 8 September 2017

D) That if the result of the referendum is in support of the approval of the Barton Neighbourhood Plan, Wyre Borough Council proceeds to consider the final report at a meeting of Full Council. If the Plan is formally 'made' (adopted), Wyre Borough Council will publish an Adoption Statement.

3.4 Barton Parish Council have also agreed to update the BNP to reflect the Examiner's modifications.

3.5 Therefore to meet the requirements of the Localism Act 2011, a referendum which poses the question **"Do you want Preston City Council and Wyre Borough Council to use the Neighbourhood Plan for Barton to help it decide planning applications in the neighbourhood area?"** will be held on 9 November 2023.

3.6 An Information Statement about the referendum will be produced and publicised on Wyre Borough Council's website in due course.