

Coventry City Council
WILLENHALL NEIGHBOURHOOD PLAN:
FINAL DECISION STATEMENT

29 June 2018

**Final Decision Statement published pursuant to Section 38A (9) and
(10) Planning and Compulsory Purchase Act 2004 (as amended)
and Regulations 19 and 20 of the Neighbourhood Planning
(General) Regulations 2012 (as amended)**

1. Summary

Following a positive referendum result on the 3 May 2018 in favour of a 'yes' vote, the Council is publicising its decision made on 18 June 2018 (becoming effective on 29 June 2018) by the Cabinet Member for Communities and Housing, to 'make' the Willenhall Neighbourhood Plan part of the Coventry Local Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

2. Background

The Willenhall Community Forum, as the qualifying body, successfully achieved Neighbourhood Area designation status under the Neighbourhood Planning (General) Regulations 2012 (as amended). Following the submission of the Willenhall Neighbourhood Plan to the Council, the plan was publicised and comments were invited from the public and stakeholders. The consultation period closed on 15 September 2017.

3. Decision and Reasoning

The Council appointed an independent Examiner: Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI, to review whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum. The Examiner's Report concluded that the plan meets the Basic Conditions, and that subject to the modifications proposed in the report and which are set out in the Willenhall Neighbourhood Plan Decision Statement, the plan should proceed to a Referendum.

A referendum was held on 3 May 2018 and 85.9% of those who voted were in favour of the 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 plan. The Council is 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).

The referendum held on 3 May 2018 met the requirements of the Localism Act 2011; it was held in the Willenhall Neighbourhood Area and posed the following prescribed question in accordance with Government guidance:

'Do you want Coventry City Council to use the Neighbourhood Plan for Willenhall to help it decide planning applications in the Neighbourhood area?'

The count took place on the 3 May 2018 and more 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 as follows:

Response	Votes Recorded (percent)
Yes	85.9%
No	11.35%
Rejected ballots	2.35%
Uncounted ballots	0.4%
Turnout	21.3%

The Council considers that the Willenhall Neighbourhood Plan meets the basic conditions (set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 as amended), its promotion process was compliant with legal and procedural requirements and it does not breach the legislation (set out in Section 38A (6) of the Compulsory Purchase Act 2004).

4. Inspection of Decision Statement and made Neighbourhood Plan

In accordance with Regulation 20 of the Regulations, the made Willenhall Neighbourhood Plan can be viewed on the Councils website together with this decision statement:

www.coventry.gov.uk/neighbourhoodplanning

A copy of this decision statement is being sent to:

- The qualifying body, namely the Willenhall Community Planning Forum and;
- To any person who asked to be notified of the decision.

Paper copies of this statement and the made Neighbourhood Plan can also be viewed at:

- Customer Service Centre, 3 Upper Precinct, Coventry, CV1 1FS, (Mon-Fri 09.00-17:00)
- Willenhall Community Library, Hagard Community Centre, Remembrance Rd, Coventry, CV3 3DG, for opening hours please visit the website:
<http://www.coventry.gov.uk/willenhalllibrary>

For further information please contact the Planning Policy team, ldf@coventry.gov.uk

Signed



Tracy Miller
Head of Planning and Regulation

29 June 2018