

Calverton Parish Council Neighbourhood Development Plan Legal Compliance Check and Decision Statement January 2017

Calverton Parish Council submitted its proposed Neighbourhood Development Plan to Gedling Borough Council on 14 November 2016. Gedling Borough Council has a statutory duty to check the proposed Neighbourhood Development Plan to ensure it meets all relevant legal requirements. This document sets out the results of the Legal Compliance Check, and includes Gedling Borough Council's 'Decision Statement' in regard to the legal compliance of the submitted Neighbourhood Development Plan.

Table 1: Legal Compliance Check

Requirement	Comments
The LPA must consider whether the parish council or neighbourhood forum is authorised to act in relation to the Neighbourhood Plan.	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ Calverton Parish Council is a qualifying body and the parish of Calverton has been designated as a neighbourhood area.
A map or statement which identifies the area to which the proposed neighbourhood development plan applies.	<ul style="list-style-type: none"> ▪ This requirement has been met ▪ This is contained with the Designated Area Plan document.
A consultation statement should be provided which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed Neighbourhood Development Plan.	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ The Consultation Statement (November 2016) contains this information.
The submission material should include a statement explaining how the Neighbourhood Plan meets the 'basic conditions'	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ A Basic Conditions Statement was been submitted with the draft NDP.
The submission material should include either a statement of reasons for a determination that the proposal is unlikely to have significant environmental effects or an environmental report.	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ A SEA Screening Statement and HRA (November 2016) has been submitted with the draft NDP.
The LPA must consider whether the proposal and accompanying documents meet the definition of a Neighbourhood Development Plan and	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ The draft NDP contains policies relating to the development and use of land in Calverton.

meet the scope of the Neighbourhood Development Plan provisions.	
The LPA must consider whether the parish council or neighbourhood forum has undertaken the correct procedures in relation to consultation and publicity.	<ul style="list-style-type: none"> ▪ This requirement has been met. ▪ This has been set out on the consultation statement and accompanying documents submitted to the Council with the draft NDP.

Legal compliance check: Decision Statement

Gedling Borough Council is satisfied that the proposed Calverton Neighbourhood Development Plan, as submitted to the Borough Council on 14th November 2016, satisfies all relevant legal requirements in accordance with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015) and the proposed plan must now proceed to examination.

The Borough Council will publicise the proposed plan and invite representations and arrange for its independent examination.

The scope of this decision statement is limited to whether, in the opinion of the Borough Council, the legal requirements regarding the correct documentation submitted with the proposed plan and procedures have been followed in respect of the preparation of the proposed Calverton Neighbourhood Plan and related documentation, as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended).