



Linton Neighbourhood Development Plan

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 17th December 2015, Leeds City Council is publicising its decision made by the Chief Planning Officer to 'make' the Linton Neighbourhood Development Plan part of the Leeds Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

The publication of this decision has been delayed due to an application for judicial review being lodged with the High Court by Kebell Development Ltd in December 2015. Following dismissals of the said application by the High Court and the Court of Appeal, Leeds City Council is now in a position to make the Linton Neighbourhood Plan.

2. Decision & Reasoning

Leeds City Council appointed an independent Examiner; Mr Nigel McGurk BSc (Hons), MCD, MBA, 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 which are set out in the Linton Neighbourhood Plan Decision Statement (dated 4th November 2015), the plan should proceed to a Referendum.

A referendum was held on 17th December 2015 and 95.97% 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. Leeds City 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 17th December 2015 met the requirements of the Localism Act 2011; it was held in the Linton Neighbourhood Area and posed the question:

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

The count took place on 17th December 2015 and greater 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:

Response	Votes
Yes	262 (95.97%)
No	11 (4.03%)
Turnout	48.66%

3. Inspection of Decision Statement

This decision statement can be viewed on the Leeds City Council website, the Collingham with Linton Parish Council website and the Linton village website:

<http://www.leeds.gov.uk/council/Pages/Neighbourhood-planning.aspx>

www.clpc.info

www.lintonvillage.org

Paper copies can also be viewed at:

- Leeds City Council, City Centre One Stop Centre, 2 Great George Street, Leeds, LS2 8BA (Mon & Fri 9.30am – 5.00pm, Tues – Thurs 8.30am – 5.00pm)
- Wetherby Library, 17 Westgate, Wetherby, LS22 6LL (Mon 10am – 5pm, Tues 9am – 7pm, Weds – Fri 9am – 5pm, Sat 10am – 4pm)
- Linton Memorial Hall, Linton Lane, Linton, Wetherby LS22 4HL

For further information please contact the Neighbourhood Planning team on npsupport@leeds.gov.uk or 0113 3787997

Signed



Tim Hill
Chief Planning Officer

23rd March 2018.