

**WOKING BOROUGH COUNCIL**  
**WEST BYFLEET NEIGHBOURHOOD PLAN – FINAL DECISION STATEMENT**  
**7 DECEMBER 2017**

**1.0 Summary**

- 1.1 Following a positive referendum result on the West Byfleet Neighbourhood Plan on 5 October 2017, Woking Borough Council has made the West Byfleet Neighbourhood Plan part of the Development Plan for the purposes of managing development in the West Byfleet Neighbourhood Area. This decision takes effect from 7 December 2017.

**2.0 Background**

- 2.1 The West Byfleet Neighbourhood Forum, as a qualifying body was formally designated by Woking Borough Council as a Neighbourhood Forum on 27 March 2014. The West Byfleet Neighbourhood Forum applied for the West Byfleet Neighbourhood Area to be designated as a Neighbourhood Area under the Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated on 27 March 2014. The Neighbourhood Plan relates to the Neighbourhood Area as designated by Woking Borough Council.
- 2.2 The West Byfleet Neighbourhood Plan was published for Regulation 16 consultation between 26 January 2017 and 10 March 2017. It was submitted for Examination on 11 April 2017. Following an Independent Examination of the Neighbourhood Plan and the receipt of the Examiner's Report, the Council at its meeting on 20 July 2017 decided that subject to the Examiner's proposed modifications, the West Byfleet Neighbourhood Plan should proceed to referendum.
- 2.3 A referendum was held on 5 October 2017. Of the 990 people who voted, 908 (91.7%) voted **yes** for Woking Borough Council to use the Neighbourhood Plan for the West Byfleet Neighbourhood Area to help it decide planning applications in the Neighbourhood Area. 80 (8.1%) people voted **no**. Two ballot papers were rejected on the grounds of 'being unmarked or wholly void for uncertainty'. 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 the people who voted have voted in favour of the Neighbourhood Plan. The Council is not subject to this duty if the making of the Neighbourhood Plan would breach, or would otherwise be incompatible with, any European Union obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

**3.0 Decision and Reasons**

- 3.1 The West Byfleet Neighbourhood Plan as published for referendum (in this regard, the Neighbourhood Plan that incorporates the Examiner's recommended modifications) meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with European Union obligations and the European Convention of Human Rights and complies with relevant provision made by or under Section 38A and B of the Planning and Compulsory Purchase Act 2004 as amended. Taken as a whole, the Neighbourhood Plan has had regard to national planning policy and advice contained in guidance issued by the Secretary of State and would contribute to the achievement of sustainable development. The Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan for the area.

- 3.2 The referendum held on 5 October 2017 met the requirements of the Localism Act 2011.
- 3.3 The count took place on 5 October 2017 and more than 50% of those who voted were in favour of the Neighbourhood Plan being used to help decide planning applications in the Neighbourhood Area. Of the 990 people who voted, 908 voted yes and 80 voted no. Two ballot papers were rejected on the grounds of 'being unmarked or wholly void for uncertainty'. Turnout was 24%.
- 3.4 The Council has decided that the Neighbourhood Plan and its preparation does not breach, and would not otherwise be incompatible, with, any European Union obligation or of the Convention rights (within the meaning of the Human Rights Act 1998)
- 3.5 Woking Borough Council therefore decided at its meeting on 7 December 2017 to make the West Byfleet Neighbourhood Plan part of the Development Plan for the area.
- 3.6 A copy of the Neighbourhood Plan, the Examiner's Report and the Decision Statement are available for inspection at the following venues:
- Woking Borough Council, Civic Offices, Gloucester Square, Woking, GU21 6YL – Monday to Friday 9am to 4.45pm
  - Woking, Byfleet and West Byfleet libraries. Please see [www.surreycc.gov.uk](http://www.surreycc.gov.uk) for address and opening times of the libraries.

For any questions please contact the Planning Policy Team on 01483 743871 or e-mail to [planning.policy@woking.gov.uk](mailto:planning.policy@woking.gov.uk)