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WEST LAVINGTON NEIGHBOURHOOD PLAN – Referendum further delays!

Further to my Parish Council Chairman's report in the February edition of News and Views that Wiltshire Council was likely to announce their decision that West Lavington's Neighbourhood Plan could proceed to Referendum in April - **there are now more delays!**

The examination of the 'West Lavington Neighbourhood Plan 2017-2026' was completed in November 2018 when Wiltshire Council received the Examiner's Report. The Council was due to make its decision re the Referendum by 31 January 2019 and the signs were distinctly positive.

However, while considering the Examiner's recommendations Wiltshire Council unexpectedly very late identified the new need for them to review the **Habitats Regulations Screening Assessment** that they had produced in November 2017 to support West Lavington's Neighbourhood Plan and which had concluded:

"...Neighbourhood Plan would have no likely significant effects and no appropriate assessment is currently considered necessary by Wiltshire Council as competent authority."

The reason now for this **revisit of the Habitats Regulations Screening Assessment**, produced by Wiltshire Council for our Neighbourhood Plan in November 2017, is a European Court of Justice judgement in April 2018 which resulted in the Government enacting Regulations that came into force on 28 December 2018 and changed the process for Habitats screening assessment.

Importantly, **Wiltshire Council as the ultimate decision maker** on the 'making' (i.e. adoption) of any neighbourhood plan, considers that it needs to satisfy itself that due process is followed and European obligations, as incorporated into UK law, have been met.

The review has now also led to Wiltshire Council undertaking an '**Appropriate Assessment**' (dealing with any significant effect at the screening stage not taking into account mitigating factors – which now cannot be allowed) and a **Strategic Environmental Assessment (SEA)** (to consider any likely significant environmental effects).

To allow them to do so, Wiltshire Council propose a revised date of 29 March 2019 (replacing 31 January 2019) in which to make their decision on the recommendations in the Examiner's Report.

Wiltshire Council's Appropriate Assessment and SEA go for 5 weeks consultation on Friday, 15 February. Should Wiltshire Council's decision then be for the Neighbourhood Plan to proceed to Referendum, we are informed that it should take place within 56 working days following Wiltshire Council's decision to proceed.

Sandra Gamble

Chairman West Lavington Parish Council and the NHP Steering Group

15th February 2019

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