

**Bracknell Forest Council  
Record of Decision**

<b>Work Programme Reference</b>	<b>I091748</b>
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1. **TITLE:** To agree the publication of the Decision Statement and the submission of the Bracknell Town Neighbourhood Plan to a referendum

2. **SERVICE AREA:** Place, Planning & Regeneration

3. **PURPOSE OF DECISION**

To agree the publication of the Decision Statement and the submission of the Bracknell Town Neighbourhood Plan to a referendum.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive Member for Council Strategy and Community Cohesion

6. **DECISION:**

That the Executive Member for Council Strategy and Community Cohesion has agreed the:

- i. form, content and publication of the 'Decision Statement' (set out in Appendix A of the Executive Director: Place, Planning and Regeneration's report) pursuant to Regulation 18; and
- ii. submission of the modified Bracknell Town Neighbourhood Plan, including associated Policies Maps (contained in Appendices B and C of this report the Executive Director: Place, Planning and Regeneration's report) to a local community referendum on the making of the Bracknell Neighbourhood Plan pursuant to paragraph 14 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) ("the Act") (anticipated referendum will be early in September) and,
- iii. referendum area be restricted to the neighbourhood area as designated by the Council on 11 February 2014 as the Bracknell Town Neighbourhood Area.

7. **REASON FOR DECISION**

- i. Bracknell Town Council prepared and submitted a Neighbourhood Development Plan ("Neighbourhood Plan") pursuant to the Neighbourhood Planning (General) Regulations (2012) (as amended) ("the Regulations") to Bracknell Forest Council ("the Council") in its capacity as the Local Planning Authority, in accordance with Regulation 15.
- ii. The Council duly undertook publicity on the proposed Neighbourhood Plan (in accordance with Regulation 16) and arranged for the Neighbourhood Plan to be examined by an independent Examiner (Regulation 17). The Council is now in receipt of the Examiner's report which recommends that, subject to recommendations put forward by the Examiner, the Neighbourhood Plan be submitted to referendum. It also recommends that the Neighbourhood Plan should proceed to a referendum

based on the designated Bracknell Town Neighbourhood Area.

- iii. The Regulations require the Council to publish a 'Decision Statement', setting out what actions it proposes to take on each of the recommendations in the Examiner's Report (Regulation 18). The Council must also decide whether to send the Neighbourhood Plan to referendum.
- iv. The responsibility for these functions and the submission of the Neighbourhood Plan to referendum, with regard to the making of the Neighbourhood Plan, were delegated to the Executive by a decision on 10 September 2015, made by the Executive Member for Council Strategy and Community Cohesion. This decision is documented in a report entitled 'Arrangements for the exercise of powers relating to Neighbourhood Planning' on 10 September 2015, (amended by Leader decision on 26 February 2016). (The Leader/ Executive Member for Council Strategy and Community Cohesion has subsequently agreed to make the decisions (the subject of this report) instead of Executive).
- v. The purpose of this report is therefore to seek agreement from the Leader/ Executive Member for Council Strategy and Community Cohesion on:
  1. the form and content of the 'Decision Statement';
  2. its subsequent publication by the Director of Place, Planning and Regeneration; and,
  3. the submission of the modified Bracknell Town Neighbourhood Plan (and associated Policies Maps) to a local community referendum based on the designated area (anticipated referendum will be early in September).

## 8. ALTERNATIVE OPTIONS CONSIDERED

An alternative option is for the Council to refuse the proposed Neighbourhood Plan, if it is not satisfied. The 'Decision Statement' would need to be issued setting out the reasons for this decision (paragraph 12 of Schedule 4B of the Act and Regulation 18). Given that the independent Examiner of the Neighbourhood Plan has recommended modifications that ensure that the Plan meets the basic conditions, and that following consideration of the report the Council concurs with the Examiner's conclusions, it would be in breach of the Council's statutory responsibilities in respect of Neighbourhood Planning under paragraph 12 of Schedule 4B of the Act to refuse the Neighbourhood Plan. It would also expose the Council to legal challenge and attendant costs.

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Place, Planning & Regeneration

## 10. DECLARED CONFLICTS OF INTEREST:

Date Decision Made	Final Day of Call-in Period
9 July 2021	19 July 2021