

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I104030
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1. **TITLE:** Publication of the decision statement and the submission of the Warfield 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 Warfield Neighbourhood Plan to a referendum.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive Member for Planning & Transport

6. **DECISION:**

1 The 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 be approved;

2 The submission of the modified Warfield Neighbourhood Plan to a local community referendum on the making of the Warfield Neighbourhood Plan pursuant to paragraph 14 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) ("the Act") be approved; and,

3 The referendum area be restricted to the neighbourhood area as designated by the Council on 23 July 2014 as the Warfield Neighbourhood Area.

7. **REASON FOR DECISION**

The Council has a statutory duty, as set out in paragraph 12 of Schedule 4B of the Act and Regulation 18 of the Regulations, to consider the recommendations made by the Examiner and if satisfied that the Neighbourhood Plan meets the basic conditions, to issue a 'Decision Statement'. The Council is subsequently required to arrange and hold a referendum on the making of the Neighbourhood Plan in accordance with paragraph 14 of Schedule 4B of the Act.

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:** None.

Date Decision Made	Final Day of Call-in Period
27 August 2022	6 September 2022