

Brinklow Neighbourhood Plan Decision Statement (Regulation 18 of the Neighbourhood Planning (General) Regulations 2012)

Summary

1. Following an independent examination undertaken by written representations, Rugby Borough Council has accepted the findings of the examination report and confirms that the Brinklow Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
2. This decision statement and the examination report are available on the Borough Council's website.

Background

3. Following an application by Brinklow Parish Council (as the Neighbourhood Plan Qualifying Body), on 29th July 2016 Rugby Borough Council formally designated Brinklow Parish as a Neighbourhood Area.
4. Brinklow Parish Council carried out a pre-submission consultation of the Neighbourhood Plan between 21st November 2021 and 2nd January 2022 (Regulation 14).
5. The Neighbourhood Plan was then submitted to Rugby Borough Council on 17th January 2022 in accordance with Regulation 15. A Public consultation was then carried out between 8th February 2022 and 22nd March 2022 (Regulation 16).
6. Rugby Borough Council appointed an independent Examiner, to examine whether the Brinklow Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Brinklow Neighbourhood Plan should proceed to a referendum (Regulation 17).
7. The Examiner's Report recommended a number of modifications so that the Brinklow Neighbourhood Plan was able to comply with the 'basic conditions' and other relevant statutory provisions, and that the draft plan as modified can be submitted for referendum.
8. The Examiner's Report concludes by stating:

"I recommend to Rugby Borough Council that, subject to the recommended modifications, the Brinklow Neighbourhood Plan should proceed to Referendum."

Recommendations, Decisions and Reasons

9. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).
10. Rugby Borough Council, in agreement with Brinklow Parish Council, have accepted the recommended modifications, and the Neighbourhood Plan has been updated accordingly so that it can comply with the 'basic conditions' and provisions as set out in legislation. The decision to formally accept the findings of the report, and consequently progress to a referendum, was made on 28th September 2022.
11. To meet the requirements of the Localism Act 2011 a referendum which asks the question, 'Do you want Rugby Borough Council to use the Brinklow Neighbourhood Plan to help it decide planning applications in the Brinklow Neighbourhood Area?' will be held in the area formally designated as the Brinklow Neighbourhood Area.
12. The date on which the referendum will take place is to be confirmed.
13. If more than 50% of those voting in the referendum vote 'yes', the Neighbourhood Plan will become part of the statutory development plan for the area, alongside the Rugby Borough Local Plan.