

Wokingham Borough Council

Arborfield and Barkham Neighbourhood Plan 2019-2036

DECISION STATEMENT BRINGING THE ARBORFIELD AND BARKHAM NEIGHBOURHOOD PLAN INTO LEGAL FORCE

Published pursuant to the Localism Act 2011 Schedule 38A(9) and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012

This document is the Decision Statement required to be prepared under Section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19(a) of the Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”)¹. It sets out Wokingham Borough Council’s (WBC) considerations and formal decision in bringing the Arborfield and Barkham Neighbourhood Plan into legal force following the successful local referendum held on 6 February 2020.

1. Summary

- 1.1 In accordance with the above regulations, and following a positive referendum result, WBC made the Arborfield and Barkham Neighbourhood Plan (2019-2036) on 26 March 2020.
- 1.2 The Neighbourhood Plan now forms part of the statutory Development Plan for WBC.

2. Background

- 2.1 On 1 August 2014, WBC designated the Arborfield & Newland and Barkham Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parishes of Arborfield & Newland and Barkham and lies solely within the WBC Local Planning Authority Area. Arborfield and Barkham Parish Councils, the qualifying body, submitted the draft Neighbourhood Plan and supporting documents to WBC in May 2019.
- 2.2 Following submission of the Arborfield and Barkham Neighbourhood Plan, WBC publicised the Plan and supporting documents and invited representations during the consultation period which ran for six weeks from 8 July to 19 August 2019. WBC, with the consent of the qualifying body, appointed an independent examiner, Ms Liz Beth, to review the Plan and consider whether it should proceed to referendum.
- 2.3 The Examiner’s Report was received on 10 October 2019 and recommended that, subject to a number of proposed modifications, the Plan should proceed to referendum. The modifications are required to ensure that the Plan meets the basic conditions set out in the legislation (Para 8(2) Schedule 4B Town and Country Planning Act 1990). The examiner also recommended that the area for the referendum be based on the designated neighbourhood area which the Plan relates to.

¹ <http://www.legislation.gov.uk/ukxi/2012/637/regulation/19/made>

3. Decision and Reasons for the Decision

- 3.1 Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in a referendum have voted in favour of the Plan being used to help to decide planning applications in the area.
- 3.2 A local referendum was held in Arborfield & Newland and Barkham parishes on 6 February 2020 to decide whether the local community was in favour of the Arborfield and Barkham Neighbourhood Plan. From the votes recorded, 1,164 out of 1,236 (94%) of those who voted were in favour of the plan. The turnout of electors was 24%.
- 3.3 WBC has also assessed and concluded that the plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). As such, Council decided at a meeting on the 26 March 2020, that WBC:
- 1) *Accepts that the Arborfield and Barkham Neighbourhood Plan be “made” (be adopted) to form part of the statutory Wokingham Borough Development Plan pursuant to Section 38A(4) of The Planning and Compulsory Purchase Act 2004; and*
 - 2) *That the form, content and publication of the Decision Statement (set out in supporting document Appendix A) be agreed pursuant to Regulation 19 of The Neighbourhood Planning (General) Regulations 2012 (as amended) (“the Regulations”) in order to give effect to the above recommendation.*
- 3.4 This decision statement can be viewed on the WBC website at:
www.wokingham.gov.uk/neighbourhoodplanning
- 3.5 Hard copies of the Neighbourhood Plan are available for inspection from the WBC Civic Offices, Shute End, Wokingham, RG40 1WP between the 9:00 AM and 5:00 PM (Monday to Friday).
- 3.6 Further information can be obtained from the Growth and Delivery Team on 0118 974 6478 or PolicyandPlans@wokingham.gov.uk

Sarah Hollamby – Director of Locality and Customer Services

26 March 2020