



## **Community Right to Build Order at Phoenix Place (South) Decision Statement**

12 May 2017

### **Council's Decision**

In accordance with Regulation 26 of the Neighbourhood Planning (General) Regulations 2012, this statement confirms the Council's decision to refuse to make the Mount Pleasant Neighbourhood Forum's Community Right to Build Order.

### **Reasons for Decision**

Nigel McGurk BSc (Hons) MBA MCD MRTPI, being an independent examiner, was appointed by the Council to hold an independent examination to determine whether the proposed Order satisfied the relevant legal requirements and should proceed to referendum.

The Examiner's report was received in May 2017 and recommended that the proposed Order does not meet the legal requirements and should not proceed to referendum. The Council accepts the Examiner's recommendations and, accordingly, has refused the Order.

Schedule 4c, para 10(2) of the Localism Act 2011 states that if the examiner's report recommends that a draft Order is refused, the local authority must refuse the proposal.