

Cornwall Council

Report to: **Individual Portfolio Holder Decision**

Date: **N/A**

Title: **Decision regarding designation of Neighbourhood Plan Area for the Deviock Neighbourhood Plan**

Portfolio Holder(s) **Mark Kaczmarek CC, Planning and Housing**

Divisions Affected **Pelynt**

Relevant Overview And Scrutiny Committee:

Appropriate Overview & Scrutiny Committee(s) For The Report

Key Decision: **N** Approval and clearance obtained: **Y / N**

Urgent Decision: **Y** Implementation Date: **Normally 10 calendar days after decision for Cabinet**

If Key Decision - on Forward Plan? **Y / N** If not on Forward Plan - Procedure 15 or 16 used? **Y/N**

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Recommendations:

1. That the Deviock Neighbourhood Area is designated in accordance with the Neighbourhood Planning (General) Regulations 2012.

1. Executive Summary:

In accordance with the Neighbourhood Planning (General) Regulations 2012 ('The Regulations') any Neighbourhood Plan being produced must be carried out within a Neighbourhood Area the extent of which must

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submitted to, publically advertised and consulted on for prescribed period and approved by Cornwall Council.

The Deviock Parish Council is working on the preparation of a Neighbourhood Plan for the area comprising the whole of the parish area of Deviock. An application for the designation of Neighbourhood Area was made to Cornwall Council and advertised between 1st February and 15th March 2013.

No objections were received to the advertisement of the Neighbourhood area and it is therefore recommended under regulation 6 that the Neighbourhood Area designation is confirmed and advertised as required by Regulation 7.

2. Background and Corporate Objectives:

The Deviock Parish Council gave notice of its intention to prepare a Neighbourhood Plan in January 2013. It has been working on preparing a neighbourhood Plan since that time. The group is properly constituted according to the Neighbourhood Planning (General) Regulations 2012.

Where an application is in accordance with the Regulations, Cornwall Council is required to designate the Neighbourhood Area under regulation 7.

3. Decision and Supporting Information:

The Neighbourhood Planning (General) Regulations 2012 require that provided the Neighbourhood Area meets the requirements as set out in Section 61G(2) of the Town and Country Planning Act (1990) and parts 2 and 3 of the regulations then the Council must publicise the application for the application for a period of 6 weeks.

The application for designation of the whole of the Deviock parish area was advertised for a 6 week public consultation period between 1st February and 15th March 2013. No objections were received in respect of the notice.

The Deviock Parish Council is a 'relevant body' under the Regulations and the proposed Neighbourhood Area is considered to be reasonable.

It is considered that the application for designation of the Deviock Parish Council area as a Neighbourhood Area has satisfied the requirements of the Regulations and as no objections have been received the decision to designate it as a Neighbourhood Area should be approved by the Cornwall Council.

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Cornwall Council is now required to publicise the designation of the Neighbourhood Area in accordance with regulation 7.

4. Contributions to Corporate Priorities:

The vision for Cornwall aspires to 'Strong and Inclusive Communities' which neighbourhood Planning could help to achieve. The Planning and Regeneration Service Plan includes a vision and principle to 'support local communities by facilitating them to help bring about an understanding of Places and Plan for its delivery at a local level'.

5. Financial Implications and Budget:

The publication of the Neighbourhood Area Designation in local media will attract a one off advertising cost.

The Regulations requires the advertisement by the Local Planning Authority of various stages of the Neighbourhood Plan process and as such this will attract similar costs as the plan progresses.

6. Other Resourcing Implications:

There are not considered to be any additional resourcing implications as a direct result of this decision.

7. Legal Implications:

There are not considered to be any additional legal implications as a direct result of this decision.

8. Equality Impact Assessment:

There are no negative impacts of this EIA.

The process following on from the designation of the Neighbourhood Area (creating the Neighbourhood Plan) will need to be informed through the development of an Engagement Strategy/Plan that assesses how groups and individuals can be included in plan making, potential barriers to engagement and potential solutions.

9. Significant risks:

There are not considered to be any significant risks that would occur as a direct result of this decision.

10. Consultation including Overview and Scrutiny Committee and Local Member Representation:

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Consultation has taken place in accordance with Regulation 6 of The Neighbourhood Planning (General) Regulations 2012.

Supporting Information

Appendices: None

Background Papers: None

[under provisions of the Local Government Act 1972]

Approval and Clearance of Report

All Reports:

Final Report Sign Offs	This report has been cleared by OR not significant/ not required	Date
Finance Required for all reports		
Legal (if significant/required)		
Equality Impact Assessment (if significant/required)		
Human Resources (if significant/required)	Not required	
Property (if significant/required)	Not required	
Procurement (if significant/required)	Not required	
Information Services (if significant/required)	Not required	

Cabinet/Individual Decision Reports:

Final Report Sign Offs	This report has been cleared by	Date
Head of service		
Corporate Director		

Draft Reports Process Checklist:

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Guidance: The following section is for use during the drafting of the report. Completion is the responsibility of the report author and it will be removed before publication.

To be completed by report authors prior to submission:

For Cabinet/Individual Decision reports the following checklist should be completed

Process Checklist	Completed
Portfolio Holder/Member Champion briefed	No
Corporate Director briefed	No
Head of Service Sign off (draft)	Yes
Data Protection Issues Considered	No
If not on Forward Plan, Overview and Scrutiny offered the opportunity to consider the report	No