

## Cornwall Council

Report to: **Individual Portfolio Holder Decision**

Date: **Date of meeting**

Title: **Decision regarding designation of Neighbourhood Plan Area for Menheniot Neighbourhood Plan**

Portfolio Area **Environment, Heritage and Planning**

Divisions Affected **Menheniot**

Relevant Scrutiny Committee:

Relevant Portfolio Advisory Committee (Cabinet (executive) decisions):

### **Environment, Heritage and Planning Portfolio Advisory Committee**

Key Decision:	<b>N</b>	Approval and clearance obtained:	<b>Y</b>
Urgent Decision:	<b>Y</b>	Date next steps can be taken: (e.g. referral on of recommendation or implementation of substantive decision)	<b>Normally 10 calendar days after decision for Cabinet</b>
Appropriate pre-decision notification given where an executive Decision?			<b>Y</b>

Author: **Chloe Pitt** Role: **Neighbourhood Planning Officer**

Contact: **Tel: 01209 616995 e-mail: chloe.pitt@cornwall.gov.uk**

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### **Recommendations:**

1. 1. That the Menheniot 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 Menheniot Parish Council is working on the preparation of a Neighbourhood Plan for the Menheniot Parish area. An application for the designation of Neighbourhood Area was made to Cornwall Council and was advertised between 6<sup>th</sup> December 2013 and 17<sup>th</sup> January 2014.

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**

The Menheniot Parish Council gave notice of its intention to prepare a Neighbourhood Plan with a letter of application, accompanied by a map showing the parish area. 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. Outcomes/outputs**

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 parish area was advertised for a 6 week public consultation period between 6<sup>th</sup> December 2013 and 17<sup>th</sup> January 2014. No objections were received in respect of the notice.

Menheniot 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 Menheniot 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.

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

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### 4. Options available and consideration of risk

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

Consultation has been undertaken in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 and no objections have been received as part of that process.

### 5. Proposed Way Forward

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

### 6. Implications

N/A

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	N	No implications
Financial	N	No implications
Risk	N	No implications
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	<a href="#">Equality and Diversity</a> The implications are unchanged since the EIA completed for the original Cabinet report  "No negative impacts have been identified at this time in this EIA. However this will be reviewed at each stage of the Plan's development.  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."

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Safeguarding	N	<a href="#">Safeguarding</a> No implications
Information Management	N	<a href="#">Information Management</a> No implications
Community Safety, Crime and Disorder	N	<a href="#">Community Safety, Crime and Disorder</a> No implications
Health, Safety and Wellbeing	N	<a href="#">Health, Safety and Wellbeing</a> No implications
Other implications	N	<a href="#">Committee Report Template- Other Implications</a>

### **Supporting Information**

#### **Appendices:**

None

#### **Background Papers:**

None

### **Approval and clearance of report**

#### **All reports:**

<b>Final report sign offs</b>	<b>This report has been cleared by OR not significant/not required</b>	<b>Date</b>
Legal (if significant/required)		
Finance Required for <b>all</b> reports		
Equality and Diversity		

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### Cabinet/individual decision reports:

Final report sign offs	This report has been cleared by	Date
Head of Service		
Corporate Director		

### Draft reports process checklist for Cabinet/individual decision reports:

Complete the checklist below while you are drafting your Cabinet or individual decision report. It will be removed before publication.

Process checklist	Completed
Portfolio Holder briefed	Yes/No
Corporate Director briefed	Yes/No
Head of Service sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No
If not on Cabinet Work Programme, Scrutiny offered the opportunity to consider the report	Yes/No