

Cornwall Council

Report to: **Portfolio Holder for Environment, Heritage and Planning**

Date: **8 April 2014**

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

Portfolio Area **Environment, Heritage and Planning**

Divisions Affected **Liskeard North, Liskeard West and Dobwalls and Liskeard East**

Relevant Scrutiny Committee: **Scrutiny Management Committee**

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

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

Urgent Decision: **N** Date next steps can be taken: **Normally 10 calendar days after decision for Cabinet**
(e.g. referral on of recommendation or implementation of substantive decision)

Appropriate pre-decision notification given where an executive Decision? **Y**

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Recommendations:

1. That the Liskeard 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, publicly advertised and consulted on for the prescribed period and approved by Cornwall Council.

The Liskeard Town Council is working on the preparation of a Neighbourhood Plan for the Liskeard Parish area. An application for the designation of the Neighbourhood Area was made to Cornwall Council and was advertised between 27 December 2013 and 7 February 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

Liskeard Town 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 a period of 6 weeks.

The application for designation of the parish area was advertised for a 6 week public consultation period between 27 December 2013 and 7 February 2014. No objections were received in respect of the notice.

Liskeard Town 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 Liskeard 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.

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.

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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

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

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	N	No implications
Financial	N	There are no direct or significant financial implications as a result of this report and any costs incurred as a result of the plan area have been covered from within the existing approved service budget.
Risk	N	No implications
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	<p>Equality and Diversity</p> <p>The implications are unchanged since the EIA completed for the original Cabinet report</p> <p>"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.</p> <p>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."</p>
Safeguarding	N	<p>Safeguarding</p> <p>No implications</p>
Information Management	N	<p>Information Management</p> <p>No implications</p>
Community	N	Community Safety, Crime and Disorder

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Safety, Crime and Disorder		No implications
Health, Safety and Wellbeing	N	Health, Safety and Wellbeing No implications
Other implications	N	Committee Report Template- Other Implications

Supporting Information

Appendices:

None

Background Papers:

None

Approval and clearance of report

All reports:

Final report sign offs	This report has been cleared by OR not significant/not required	Date
Legal (if significant/required)	Elizabeth Dunstan	26 March 2014
Finance Required for all reports	Andy Brown, Assistant Head of Finance	18 March 2014
Equality and Diversity		

Cabinet/individual decision reports:

Final report sign offs	This report has been cleared by	Date
Head of Service	Phil Mason	1 April 2014
Corporate Director	Paul Masters	2 April 2014