



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every week and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decisions detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Paul Barnard, Service Director for Strategic Planning and infrastructure:

I.1. Re-designation of the Hoe Neighbourhood Forum

(Pages 1 - 16)

EXECUTIVE DECISION

made by a Council Officer




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

Executive Decision Reference Number – COD11 22/23

Decision	
1	<p>Title of decision: Re-designation of the Hoe Neighbourhood Forum</p>
2	<p>Decision maker (Council Officer name and job title): Paul Barnard, Service Director for Strategic Planning & Infrastructure</p>
3	<p>Report author and contact details: Jessica Vaughan, Planning Officer, jessica.vaughan@plymouth.gov.uk, 01752 308986</p>
4a	<p>Decision to be taken: To agree to re-designate the Hoe Neighbourhood Forum for a further five years to continue to lead the neighbourhood planning process within the Hoe neighbourhood planning area.</p>
4b	<p>Reference number of original executive decision or date of original committee meeting where delegation was made: Full Council 22/7/13(30)</p>
5	<p>Reasons for decision: Pursuant to Section 61F(5) and 61F(7) of the Town and Country Planning Act 1990 the Council should approve the re-designation of the Hoe Neighbourhood Forum for a further five years for the following reasons:</p> <p>a) The Forum acknowledge the importance of appropriate development and see the potential for job creation, improved housing, an enhanced tourist experience and infrastructure that development brings. The forum wants to ensure that the Hoe develops in a positive way that reflects its potential as well as its historic and public importance.</p> <p>b) The Forum has at least 21 individual members, membership includes: residents, ward councillors, other community groups, and people working in the area. The membership is drawn from different places in the neighbourhood and different sections of the community and is open to:</p> <ul style="list-style-type: none"> • individuals who live or who have a land or property interest in the Area; • individuals who work in the Area; • community organisations that operate in any part of the Area, through their duly appointed representatives; • businesses, educational establishments or other corporate entities that operate

	<p>in the Area, through their duly appointed representatives;</p> <ul style="list-style-type: none"> • Ward Councillors and the MP who shall be ex-officio members. <p>c) The forum has been made aware that they need to conform to the Plymouth and South West Devon Joint Local Plan and our final decision is based on the Forum abiding with their constitution which states they 'acknowledge the importance of appropriate development' and will '...seek to adhere to the emerging Plymouth Plan or any of its subsequent amended versions'.</p> <p>d) The Forum has a written constitution</p> <p>e) The Forum have confirmed that there are no proposed amendments to the Hoe neighbourhood boundary which was originally approved on 10 July 2017</p>			
6	<p>Alternative options considered and rejected:</p> <p>To refuse to re-designate the neighbourhood forum as applied.</p> <p>Successive governments have encouraged communities to take up opportunities given by the Localism Act, 2011. In line with central government encouragement, there is a clear presumption that Local Planning Authorities are expected to approve Neighbourhood Forum applications where they meet the legal tests set out in the legislation.</p>			
7	<p>Financial implications and risks:</p> <p>Supporting the Neighbourhood Planning process is a statutory function of the City Planning Team within Strategic Planning and Infrastructure (SP&I). The costs arising relate to staff time and are covered by existing SP&I core budgets</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	<p>Yes</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p>
			X	<p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p>
			X	<p>in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</p>
			X	<p>is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</p>
8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	N/A		
9	<p>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the</p>	<p>Neighbourhood planning has clear links to the corporate plan, particularly the values of being democratic and co-operative and the principle of a growing city. It also links to the philosophy of the Plymouth Plan, particularly around</p>		

	revenue/capital budget:	empowerment of local communities.		
10	Please specify any direct environmental implications of the decision (carbon impact)	One of the key aims of the forum is to use its powers under the Localism Act 2011 to promote and improve the environmental wellbeing of the area.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	X	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes	X	
		No		(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Rebecca Smith, Cabinet Member for Homes and Communities		
13c	Date Cabinet member consulted	14 June 2022		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	X	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	17 June 2022	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS20 22/23	
		Finance (mandatory)	PL.22.23.44	
		Legal (mandatory)	LS/38804/JP/280622	
		Human Resources (if applicable)	N/A	
		Corporate property (if	N/A	

		applicable)						
		Procurement (if applicable)	N/A					
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication (<i>mandatory</i>)						
	B	Equalities Impact Assessment (<i>where required</i>)						
	C	Hoe Forum renewal application form						
	D	Hoe Forum final constitution						
	E	Hoe Neighbourhood Plan Boundary (for information only)						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	Yes	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.					
		No		<input checked="" type="checkbox"/>				
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Council Officer Signature								
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.							
Signature			Date of decision	29 June 2022				

Print Name	Paul Barnard
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HOE NEIGHBOURHOOD FORUM RE-DESIGNATION

Briefing Report to accompany Executive Decision | July 2022



1. BACKGROUND

- 1.1 This report considers the application to re-designate the Hoe Neighbourhood Forum as a 'qualifying body' for a further five years for the purposes of preparing a Neighbourhood Development Plan. An application was submitted to Plymouth City Council under the Neighbourhood Planning (General) Regulations 2012 on 17 March 2022 by the Hoe Neighbourhood Forum.
- 1.2 The Hoe Neighbourhood Forum was originally designated on 10 July 2017. Neighbourhood forums expire after five years and so this application is to renew/re-designate the Forum which is due to expire on 10 July 2022.
- 1.3 Since establishing themselves, the Hoe Neighbourhood Forum have continued to engage positively with the Council on their neighbourhood plan and are making progress.
- 1.4 The application from the Forum is to renew their status as a neighbourhood forum only and there are no proposed amendments to the Hoe neighbourhood boundary which was originally approved on 10 July 2017.
- 1.5 The consultation period for the application ran for a period of 6 weeks and ended on the 1 June 2022. The applications were published on the www.plymouth.gov.uk website in accordance with the Regulations.
- 1.6 A Statutory Notice was placed on the Council's Neighbourhood Planning web pages and was updated to include all the relevant information.
- 1.7 10 Public Site Notices were displayed around the Hoe.
- 1.8 No letters of representation with regards to the re-designation application were received, although all three ward councillors e-mailed to support the application to re-designate.

2. CONSIDERATIONS

- 2.1 The application to renew the Hoe Neighbourhood Forum area is considered to meet the requirements of the neighbourhood planning legislation. The forum's written constitution clearly sets out that it has been established for the express purposes of promoting or improving the social, economic or environmental well-being of the Hoe neighbourhood. It has a membership of 21 members and is actively open to individuals who live or work in the area.
- 2.2 The Hoe Neighbourhood Forum is considered to be representative of the designated Hoe Neighbourhood Area. Membership of the Forum comes from across the area and is drawn from different sections of the community, including residents and businesses.

3. RECOMMENDATIONS

- 3.1 Pursuant to Section 61F(5) and 61F(7) of the Town and Country Planning Act 1990 the Council should approve to re-designate the Hoe Neighbourhood Forum for the following reasons:

- a) The Forum acknowledge the importance of appropriate development and see the potential for job creation, improved housing, an enhanced tourist experience and infrastructure that development brings. The forum wants to ensure that the Hoe develops in a positive way that reflects its potential as well as its historic and public importance.
- b) The Forum has at least 21 individual members, membership includes: residents, ward councillors, other community groups, and people working in the area. The membership is drawn from different places in the neighbourhood and different sections of the community and is open to:
- individuals who live or who have a land or property interest in the Area;
 - individuals who work in the Area;
 - community organisations that operate in any part of the Area, through their duly appointed representatives;
 - businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives;
 - Ward Councillors and the MP who shall be ex-officio members.
- c) The forum has been made aware that they need to conform to the Plymouth and South West Devon Joint Local Plan and our final decision is based on the Forum abiding with their constitution which states they 'acknowledge the importance of appropriate development' and will '...seek to adhere to the emerging Plymouth Plan or any of its subsequent amended versions'.
- d) The Forum has a written constitution.
- e) The Forum have confirmed that there are no proposed amendments to the Hoe neighbourhood boundary which was originally approved on 10 July 2017.

EQUALITY IMPACT ASSESSMENT

Strategic Planning and Infrastructure, SP&I



STAGE 1: WHAT IS BEING ASSESSED AND BY WHOM?

What is being assessed - including a brief description of aims and objectives?	Re-designation of the Hoe Neighbourhood Forum.
Author	Jessica Vaughan
Department and service	City Planning Team, Strategic Planning and Infrastructure
Date of assessment	01/06/2022

STAGE 2: EVIDENCE AND IMPACT

Protected characteristics (Equality Act)	Evidence and information (eg data and feedback)	Any adverse impact See guidance on how to make judgement	Actions	Timescale and who is responsible
Age	Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward		To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council	Ongoing – City Planning Team

	<p>Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued engagement and consultation work.</p>			
Disability	<p>Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued engagement and consultation work.</p>		<p>To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council</p>	<p>Ongoing – City Planning Team</p>
Faith/religion or belief	<p>The initial forum membership of 21 represents a wide cross section of the community, including over 50% residential</p>		<p>To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood</p>	<p>Ongoing – City Planning Team</p>

	members, faith leaders and local ward councillors.		Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council	
Gender - including marriage, pregnancy and maternity	Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued engagement and consultation work.		To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council	Ongoing – City Planning Team
Gender reassignment	Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through		To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and	Ongoing – City Planning Team

	<p>their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued engagement and consultation work.</p>		<p>any other local development plan document of the Council</p>	
<p>Race</p>	<p>Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued</p>		<p>To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council</p>	<p>Ongoing – City Planning Team</p>

	engagement and consultation work.			
Sexual orientation - including civil partnership	Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and will seek to encourage new members to join through continued engagement		To work with the forum, to attend neighbourhood plan meetings where appropriate and to help the forum develop a Neighbourhood Plan which will fit in with the Plymouth and South West Devon Joint Local Plan and any other local development plan document of the Council	Ongoing – City Planning Team

STAGE 3: ARE THERE ANY IMPLICATIONS FOR THE FOLLOWING? IF SO, PLEASE RECORD ACTIONS TO BE TAKEN

Local priorities	Implications	Timescale and who is responsible
Celebrate diversity and ensure that Plymouth is a welcoming city.	The Hoe Neighbourhood Forum exists to give a voice to the community in the planning process for the area. Within their aims and objective of the constitution they look to promote and improve the social, economic and environmental well-being of the Hoe Neighbourhood by acting for the Area under the provisions of the Localism Act.	Ongoing – City Planning Team

Pay equality for women, and staff with disabilities in our workforce.	The Hoe Neighbourhood Forum exists to give a voice to the community in the planning process for the area. Within their aims and objective of the constitution they look to promote and improve the social, economic and environmental well-being of the Hoe Neighbourhood by acting for the Area under the provisions of the Localism Act.	Ongoing – City Planning Team
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024	n/a	n/a
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.	The Hoe Neighbourhood Forum exists to give a voice to the community in the planning process for the area. Within their aims and objective of the constitution they look to promote and improve the social, economic and environmental well-being of the Hoe Neighbourhood by acting for the Area under the provisions of the Localism Act.	Ongoing – City Planning Team
Plymouth is a city where people from different backgrounds get along well.	The Hoe Neighbourhood Forum exists to give a voice to the community in the planning process for the area. Within their aims and objective of the constitution they look to promote and improve the social, economic and environmental well-being of the Hoe Neighbourhood by acting for the Area under the provisions of the Localism Act.	Ongoing – City Planning Team
Human rights Please refer to guidance	Membership of the Neighbourhood Forum is open to: individuals who live or who have a land or property interest in the Area; individuals who work in the Area; community organisations that operate in any part of the Area, through their duly appointed representatives; businesses, educational establishments or other corporate entities that operate in the Area, through their duly appointed representatives; Ward Councillors and the MP who shall be ex-officio members. The constitution proposed no limit to numbers of or levy on members and	Ongoing – City Planning Team

	will seek to encourage new members to join through continued engagement	
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STAGE 4: PUBLICATION

Responsible Officer



Date 29 June 2022

Paul Barnard

Service Director

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