

EXECUTIVE DECISION

made by a Council Officer




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

Executive Decision Reference Number – COD20 20/21

| Decision | |
|-----------|--|
| 1 | <p>Title of decision: Re-designation of the Plympton St Mary Neighbourhood Forum</p> |
| 2 | <p>Decision maker (Council Officer name and job title): Paul Barnard, Service Director for SP&I</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 Plympton St Mary Neighbourhood Forum to continue to lead the neighbourhood planning process within the Plympton St Mary neighbourhood planning area.</p> |
| 4b | <p>Reference number of original executive decision or date of original committee meeting where delegation was made:</p> <p>Full Council 22/7/13(30)</p> <p>NEIGHBOURHOOD PLANNING: NEIGHBOURHOOD FORUMS AND AREAS PDF 148 KB</p> <p>View the declarations of interest for item 30.</p> <p>The Director for Corporate Services and the Director for Place will submit a report on the neighbourhood planning process relating to Neighbourhood Forums and Areas.</p> <p>Additional documents:</p> <p>Webcast for 30.</p> <p>Minutes:</p> <p>The report of the Directors for Corporate Services and Place was submitted on Neighbourhood Planning: Neighbourhood Forums and Areas and Councillor Vincent (Cabinet Member for Environment) moved the recommendation in the written report for approval.</p> <p>The recommendation was seconded by Councillor Penberthy (Cabinet Member for Cooperatives and Community Development) who indicated that the responsibility had been delegated to local authorities but had not been funded in full.</p> <p>Agreed to grant delegated authority to the Assistant Director for Planning Services, in consultation with the Portfolio Holder for Cooperatives and Community Development, to publicise applications for Neighbourhood Forums and Areas, to consider representations and to determine the applications. (Councillor Wheeler declared a private interest in respect of the above item).</p> |
| 5 | <p>Reasons for decision:</p> |

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|-------------------------|---|-------------------|------------------|---|
| | <p>Pursuant to Section 61F(5) and 61F(7) of the Town and Country Planning Act 1990 the Council should approve the designation of the Plympton St Mary Neighbourhood Forum for the following reasons:</p> <p>The forum meets all the needed criteria, one of its aims is to use its powers under the Localism Act 2011 to promote and improve the social, economic and environmental wellbeing of the area, it has a written constitution and has at least 21 individual members who either live in the area, are ward councillors, are part of a community group or work in the area.</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:</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> <p>The Council can apply for financial support for every Neighbourhood Forum and Neighbourhood Boundary which is designated, including applications such as this which is for the re-designation of the forum, amounting to £5,000 respectively from the government. This is something which will be applied for and will ease the Council's internal costs.</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 £1million</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> | | | |
| 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 revenue/capital budget:</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 empowerment of local communities.</p> | | | |
| 10 | <p>Please specify any direct environmental implications of the decision (carbon impact)</p> | | | |
| | <p>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.</p> | | | |
| Urgent decisions | | | | |

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| I 1 | 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 | | (If no, go to section I 3a) |
| I 2a | Reason for urgency: | | | |
| I 2b | Scrutiny Chair signature: | | Date | |
| | Scrutiny Committee name: | | | |
| | Print Name: | | | |
| Consultation | | | | |
| I 3a | Are any other Cabinet members' portfolios affected by the decision? | Yes | | |
| | | No | X | (If no go to section I 4) |
| I 3b | Which other Cabinet member's portfolio is affected by the decision? | | | |
| I 3c | Date Cabinet member consulted | | | |
| I 4 | 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 | |
| I 5 | Which Corporate Management Team member has been consulted? | Name | Anthony Payne | |
| | | Job title | Strategic Director for Place | |
| | | Date consulted | 01/03/2021 | |
| Sign-off | | | | |
| I 6 | Sign off codes from the relevant departments consulted: | Democratic Support (mandatory) | DS112 20/21 | |
| | | Finance (mandatory) | djn.20.21.250 | |
| | | Legal (mandatory) | LS/36298/JP/100321 | |
| | | Human Resources (if applicable) | | |
| | | Corporate property (if applicable) | | |
| | | Procurement (if applicable) | | |
| Appendices | | | | |

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| 17 | Ref. | Title of appendix | | | | | | |
| | A | Briefing report for publication (<i>mandatory</i>) | | | | | | |
| | B | Equalities Impact Assessment (<i>where required</i>) | | | | | | |
| | C | Plympton St Mary Forum renewal application form | | | | | | |
| | D | Plympton St Mary Forum final constitution | | | | | | |
| E | Plympton St Mary Neighbourhood Plan boundary (for information only) | | | | | | | |
| Confidential/exempt information | | | | | | | | |
| 18a | Do you need to include any confidential/exempt information? | Yes | <input type="checkbox"/> | 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 |
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| 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 | 8 March 21 | | | |
| Print Name | Paul Barnard | | | | | | | |

