

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				

OFFICIAL

Print Name	Paul Barnard
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