

OVERVIEW SCRUTINY GROUP – 16TH JANUARY 2017

Report of the Cabinet

ITEM 7 OVERVIEW SCRUTINY GROUP PRE-DECISION SCRUTINY - CABINET RESPONSE

Purpose of Report

To set out the Cabinet's response to the recommendation of the Group on a pre-decision scrutiny item.

Action Requested

To note the Cabinet's response to the recommendation submitted by the Group on an item considered for pre-decision scrutiny.

Policy Context

One of the principles of effective scrutiny, identified by the Centre for Public Scrutiny, is "provide a constructive critical friend challenge to the Executive".

Pre-decision Scrutiny

Since the December meeting of the Group, the Cabinet has considered the following item on which the Group undertook pre-decision scrutiny:

Thurcaston and Cropston Neighbourhood Plan.

Details of the Group's consideration of the item as reported to the Cabinet on 15th December 2016 are set out in the appendix to this report.

The Chair of the Group, Councillor Smidowicz, attended the Cabinet's meeting on 15th December 2016 to present the Group's report to the Cabinet.

Cabinet Response

The Cabinet considered the Group's report and acknowledged the work undertaken and the views of the Group. In particular, the Cabinet responded as follows to the report:

Thurcaston and Cropston Neighbourhood Plan.

The Cabinet adopted the officer recommendation, which the Group had supported.

Report Implications

The following implications have been identified for this report.

Financial Implications

None

Risk Management

No risks have been identified in connection with this report.

Background Papers: None

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THURCASTON AND CROPSTON NEIGHBOURHOOD PLAN

Recommendation of the Overview Scrutiny Group

That the Cabinet be informed that the Group supports the recommendation as set out in the report of the Head of Planning and Regeneration.

Reason

Having considered the report and asked questions of the Group Leader Plans, Policies and Place and the Principal Planning Officer on the matter, the Group concluded that it would be appropriate that the Thurcaston and Cropston Neighbourhood Plan be “made” part of the statutory development plan for Charnwood, in accordance with the provisions of Section 38(A)(4) of the Planning and Compulsory Purchase Act 2004, in order to fulfil the legal duty to do so.

Meeting Discussion

Following questions from the Group, the Group Leader Plans, Policies and Place and the Principal Planning Officer (and the Chief Executive) provided the following responses:

- (i) The Neighbourhood Plan would be the first in Charnwood.
- (ii) The Plan had been prepared by the Parish Council. Borough Council officers had provided advice and support to the process, further details of which were outlined. There was a statutory requirement on the Borough Council to provide that support, to do so also assisted the Borough Council later in the process and was in line with aims set out in the Council’s Corporate Plan.
- (iii) The result of the referendum was set out, approximately 96% of those who had voted had supported the Neighbourhood Plan.
- (iv) How the Plan had been examined and the requirements in that respect were outlined.
- (v) The legal duty on the Borough Council to “make” the Plan was discussed, together with examples of the limited circumstances under which it would be acceptable for the Borough Council not to do so. The process to date had confirmed the Plan as legally and statutorily compliant.
- (vi) Once “made”, the Borough Council would be required to make the Plan available, via its website and providing copies for those who needed to make use of it.
- (vii) Once “made”, the Neighbourhood Plan would be a material consideration in planning decisions.
- (viii) Work being undertaken towards neighbourhood plans in a number of other parishes in the Borough was briefly discussed.
- (ix) The earlier stages of the process were explained, including application for designation as a neighbourhood area and how areas not covered by a town or parish council could work towards a Neighbourhood Plan, notably Loughborough or areas within it.

- (x) The Borough Council remained the local planning authority where a Neighbourhood Plan existed. A Neighbourhood Development Order had not been applied for, that was a separate process from that of a Neighbourhood Plan.
- (xi) The positive feedback from both the Examiner and the Parish Council on the support provided to the process by the Borough Council was briefly outlined.
- (xii) Arrangements were in place by which parish and town councils could share experience to mutual benefit and they often did so.
- (xiii) The financial implications for the Borough Council of the support provided to the Thurcaston and Cropston Neighbourhood Plan (and other neighbourhood plans in progress) were briefly discussed. These were set out on page 2 of the Cabinet report, including the Government funding available. Given that position and the statutory duty of the Borough Council, it was unlikely to be appropriate to make any charges to parish and town councils in respect of neighbourhood plans. In response to a concern regarding the resource implications of supporting a number of neighbourhood plan processes at the same time, an estimate was given of the officer time currently spent on such support and how demands might be accommodated moving forward.
- (xiv) A neighbourhood area could be designated without the parish council (or other designated group) having ownership of that land.
- (xv) A neighbourhood plan was intended to be a positive tool to assist required development, rather than prevent it. Essential was a vision/objectives to inform the plan and evidence to support those. Reference was also made to the need for reasonable flexibility in relation to style of development, together with alternative mechanisms for influence such as Village Design Statements.