

<b>CABINET</b>	<b>AGENDA ITEM No. 13</b>
<b>10 JULY 2017</b>	<b>PUBLIC REPORT</b>

Report of:	Simon Machen - Corporate Director of Growth and Regeneration	
Cabinet Member(s) responsible:	Cllr Peter Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Phil Hylton - Senior Strategic Planning Officer	Tel. 863879

## **ADOPTION OF THE PEAKIRK NEIGHBOURHOOD PLAN**

R E C O M M E N D A T I O N S	
<b>FROM:</b> Corporate Director of Growth and Regeneration	<b>Deadline date:</b> 19 July 2017
<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> <li>1) Notes the verbal update given at the meeting in respect of the outcome of the Referendum on the Peakirk Neighbourhood Plan, which is scheduled for 6 July 2017; and</li> <li>2) Subject to the outcome of the referendum being that more than 50% of those voting support the Neighbourhood Plan, recommends to Full Council that the Peakirk Neighbourhood Plan, as set out at Appendix 1, be 'made' (which means to all intents and purposes 'adopted') and thereby form part of the Development Plan for Peterborough for the purpose of making decisions on relevant planning applications within Peakirk Parish.</li> </ol>	

### **1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Cabinet following the submission and successful examination of the Peakirk Neighbourhood Plan. The Peakirk Neighbourhood Plan is to be subject to a referendum of voters in Peakirk Parish who will be asked to vote on the following question: 'Do you want Peterborough City Council to use the Neighbourhood Plan for the Peakirk Neighbourhood Area to help it decide planning applications in the neighbourhood area?' This referendum will be held on Thursday 6 July 2017.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 Provided the results of the referendum are that more than 50% of those voting in the referendum answer 'yes', then the purpose of this report is to seek Cabinet approval to recommend that Council adopts (or 'makes' to use the legal jargon) the Peakirk Neighbourhood Plan and thereby make it part of the Development Plan for Peterborough. '
- 2.2 If the result of the referendum is 'yes' then the Council must 'make the neighbourhood plan' part of the development plan in accordance with the relevant legislation.
- 2.3 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, '*To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major*

*Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.'*

### 3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>YES</b>	If yes, date for Cabinet meeting	<b>10 JULY 2017</b>
Date for relevant Council meeting	<b>19 JULY 2017</b>	Date for submission to Government Dept.	<b>N/A</b>

### 4. **BACKGROUND AND KEY ISSUES**

- 4.1 Neighbourhood Planning was formally introduced to the planning system in the Localism Act in 2011. It provides communities with the opportunity to shape how their area will grow and enables them to develop a suite of policies against which planning applications in their area will be considered, alongside the policies in the Development Plan (often referred to as the Local Plan).
- 4.2 The Peakirk Neighbourhood Area was formally designated by Peterborough City Council on 11 June 2013 and since this date members of Peakirk Parish Council (and other community volunteers) have developed their plan through extensive consultation with the community and through other evidence gathering work. This work included a statutorily required consultation in summer 2016 undertaken by the parish council as a Qualifying Body, prior to the plan and associated evidence being formally submitted to Peterborough City Council in December 2016.
- 4.3 Following its submission, the neighbourhood plan was again the subject of a formal six week consultation, this time organised by Peterborough City Council, which ran from 26 January to 6 March 2017 and this consultation was followed by an independent examination by a suitably qualified individual. The independent examiner considered the plan against the necessary requirements of the relevant legislation and concluded that the plan, subject to some minor modifications, met what is called the 'basic conditions' and, therefore, should proceed to a local referendum in the Peakirk Neighbourhood Plan Area. The Corporate Director of Growth and Regeneration, under authority delegated by the Council, issued a decision on 19 May 2017 that the Council agreed with these findings and that the plan should proceed to referendum.
- 4.4 The Counting Officer (Gillian Beasley) published the necessary information and publicised notice of the referendum in accordance with the requirements of legislation, with the referendum taking place on Thursday 6 July 2017. The result of the referendum is not known at the time of writing this report, but it will be published before, and will be reported verbally, during the meeting of Cabinet on 10 July 2017.
- 4.5 The decision of whether or not to adopt the Peakirk Neighbourhood Plan and make it part of the Development Plan is not a key decision as the Council can only adopt it if it is successful at referendum by more than 50% of those voting in the referendum (those voters selecting that they do want it to be used in deciding on planning applications in the area). Conversely if 50% or more of those voting select that they do not wish for it to be used in making decisions on planning applications in their area, the Council cannot adopt it. Thus, if 50% or more say, in short, 'no', then recommendation 2 of this report is withdrawn and should not be approved.
- 4.6 Peakirk is the first area to progress a neighbourhood plan to this stage in Peterborough. The Parish Councillors and members of the community responsible for its production have invested a substantial amount of time and energy into this process over the past four years and, irrespective of the outcome of the referendum, it marks a key milestone for the neighbourhood planning group, the Council and the residents of the Peakirk Area.

## **5. CONSULTATION**

- 5.1 The Peakirk Neighbourhood Plan has been the subject of substantial consultation during its preparation. The draft plan was subjected to a formal six week consultation in summer/autumn 2016 and the submitted plan was also subjected to an additional six week consultation in early 2017 before it was independently examined.
- 5.2 No further consultation is necessary on this plan.

## **6. ANTICIPATED OUTCOMES OR IMPACT**

- 6.1 Cabinet and Council have very little option at this stage and the decision is fully dependent on the outcome of the referendum. If the outcome of the referendum is positive, then the Plan must be 'made' (adopted) by Council. If the referendum outcome is negative, the Council must not 'make' the Plan. If 'made' the neighbourhood plan will be used in making decisions on relevant planning applications within the Peakirk Neighbourhood Area, alongside the policies in the wider Development Plan for Peterborough.

## **7. REASON FOR THE RECOMMENDATION**

- 7.1 This recommendation is made to be in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (as amended). The plan has been assessed by an independent examiner and officers agree that the plan meets the basic conditions and other requirements of legislation. As such, the Plan should be 'made' part of the Development Plan, subject to the plan being supported at referendum.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 The Council does not have alternative options given the content of the legislation and the content of the Peakirk Neighbourhood Plan and the process followed in its production.

## **9. IMPLICATIONS**

### **Financial Implications**

- 9.1 There are no foreseen financial implications of this recommendation.

### **Legal Implications**

- 9.2 The Council is required by legislation to follow through on this recommendation.

### **Equalities Implications**

- 9.3 There are no anticipated equalities implications of this recommendation.

## **10. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 10.1 None.

## **11. APPENDICES**

- 11.1 Appendix 1 - Peakirk Neighbourhood Plan to be Made

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