

DECISION OF THE PORTFOLIO HOLDER FOR PLANNING

In respect of attached report for and on behalf of Sarah Arden,
Principal Development Officer

Subject Matter: St Ives Neighbourhood Plan Legal Compliance Report

Decision: The St Ives Area Neighbourhood Development Plan is agreed to be Legally Compliant and should be publicised for consultation prior to being taken forward to examination.

Reason for the Decision:

Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum.

The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority (LPA) responsibilities as:

1. Designating the area of the NDP
2. Advising or assisting communities in the preparation of a neighbourhood plan
3. Checking a submitted plan meets the legal requirements
4. Arranging for the independent examination of the plan
5. Determining whether the neighbourhood plan meets the basic conditions and other legal requirements
6. Subject to the results of the referendum/s bringing the plan into force

This report deals with stage 3 of the process - checking that a submitted plan meets the legal requirements.

St Ives Area Neighbourhood Development Plan (NDP) will be the fifth draft neighbourhood plan to be published in Cornwall and was submitted to Cornwall Council, with the endorsement of St Ives Town Council, on 5 March 2015. The plan was accompanied by a Basic Conditions Statement and a Consultation Statement, a sustainability appraisal and evidence of compliance with European Environmental legislation, as required by the Neighbourhood Planning (General) Regulations 2012. A supplementary evidence base document and additional maps document were also submitted.

The Plan has been checked against the Neighbourhood Planning (General) Regulations 2012 (hereafter referred to as 'the Regulations') and found to be legally compliant. Appendix 1 is a table which details each stage of plan preparation, the relevant regulations and legislation at each stage, how the plan has met the Regulations and whether or

not it is compliant. Having carried out the checks, officer opinion is that the St Ives Area NDP is legally compliant.

Alternative options considered:

None other than contained in the report.

Conflicts of interest declared:

None

Dispensations granted in respect of a conflict of interest:

N/A

Dated 26.5.15

Signed Edmire Hamford

Portfolio Holder for Planning

Implementation Date..... 5 June 2015