

<p>CABINET MEMBER DECISION RECORD Decision Ref. No:</p>
<p>Responsible Officer: Andy England, Head of Planning, Transport and Regulation</p>
<p>Subject: Designation of Queens Park Ward Area Neighbourhood Forum and Area Boundary</p>
<p>Decision taken:</p> <ul style="list-style-type: none"> • Designate Queens Park Ward Area Neighbourhood Forum • Designate the proposed area, attached, which comprises the Queens Park Ward and a small area of Winton East, Talbot and Branksome Woods and Strouden Park Wards.
<p>Reasons for the decision:</p> <p>The Council as Local Planning Authority is required to determine an application for designation as a Neighbourhood Forum for the purposes of specific planning powers; and required to consider and determine whether the proposed Neighbourhood Area should be designated as such. Following public consultation and due consideration, it is considered that taking into account the relevant factors set out in the legislation there are no reasons to refuse the application. Designation will enable the community to start preparing a neighbourhood plan for the area. It will also enable the Forum to access funding from central government for this purpose.</p>
<p>Call-in and Urgency:</p> <p>The Neighbourhood Planning (General) (Amendment) Regulations 2015 introduced prescribed timeframes within which LPAs must determine applications for neighbourhood areas, in this case 13 weeks from when the application was publicised.</p> <p>It is beneficial to determine the application expediently because once the Forum and boundary are established the community and Local Planning Authority can apply to central government for funding.</p> <p>The deadline for determination is 23rd April 2018.</p>
<p>Background:</p> <p>A Neighbourhood Plan is a framework for guiding the future development, regeneration and conservation of an area. It is different from other planning documents because it is prepared by the local community. Once it has been completed through a statutory process and adopted by the Council, the policies in the plan will be used, alongside the Council's planning policy documents, to make decisions on planning applications in the area. Further details can be found in a Quick Guide to Neighbourhood Plans.</p> <p>This is the second neighbourhood in Bournemouth to embark on preparing a neighbourhood plan and the second application that the Council has received for the designation of a forum and boundary.</p> <p>The proposed Forum has been established by a group of residents who initially worked together to object to a planning application and have moved on to set up a wider Forum in order produce the Neighbourhood Plan in accordance with Neighbourhood Planning (General Regulations 2012) http://www.legislation.gov.uk/uksi/2012/637/contents/made.</p> <p>The Neighbourhood Forum has proposed largely following Queens Park Ward boundary but proposes to include properties on the western side Charminster Road so that the area's 'high street' can be considered holistically.</p>
<p>Options - and reasons for rejection:</p>

Option 1: Refuse to designate the proposed Forum

Reasons for rejection

The Local Planning Authority has a statutory duty to support neighbourhood planning. It would only be appropriate to refuse the designation of the Forum if it was felt that it was not supported by the community, the constitution was flawed or that the Forum did not represent the interests of the local community.

This is not the case as there were a no objections - see consultation below.

There are no clear reasons to reject the forum. The forum membership would ideally be more diverse to reflect the demographic makeup of the area, but it has been advertised widely. It does include members of the business community and the Forum's application states that further efforts will be made to engage young people as the process goes forward.

Option 2: Designate the boundary and forum as originally proposed

Reasons for rejection

Some minor amendments have been agreed with the Forum in response to a specific consultation comments.

Option 3: Designate the boundary and forum as amended in response to consultation comments

This is the preferred

Reasons

A very slight modification to the boundary and some minor alterations to the wording of the constitution have been agreed with the Forum in response to consultation comments
- see under comments, below.

Consultations undertaken:

The process is community led and the majority of public engagement has been undertaken by the emerging Neighbourhood Plan Forum.

The Neighbourhood planning (General) Regulations 2012 set out the responsibilities of the local planning authority when publicising an application for a neighbourhood plan forum or boundary. These regulations state that a local planning authority must publish the relevant documents "on their website and in such other manner as they consider is likely to bring the application to the attention of people who live, work or carry on business in the area to which the application relates"

The proposed boundaries and Forum have therefore been publicised and comments have been invited in the following ways:

- Six-week consultation in line with statutory requirements
- A clear site notice has been prepared and displayed showing boundaries in 18 key locations including near shops and services on Charminster Road, at key junctions, beside Malmsbury Park School and by pedestrian bridges and subways
- Posters sent to 20 public, community and commercial buildings in the area for them to display
- 100 x A4 site notices and 50 x A3 posters supplied to neighbourhood forum for them to display/ circulate
- Information on Council website www.bournemouth.gov.uk/queens-park
- Information in the two libraries closest to the area – Charminster and Springbourne
- Email to key members of staff and councillors
- Email to contacts on Local Development Framework Consultation Database
- Two Ward Councillors are members of the proposed Forum

Comments:

- 26 responses were received.
- 14 supported the proposal
- Two more supported the application but wanted the boundary to be extended north of Queens Park Avenue
- There were no objections to the application
- A number of responses pointed out issues for the plan include as it evolves:
 - potential to accommodate flatted development
 - potential sites for allocation
 - walking, cycling and public realm improvements
 - address surface water flooding
 - use of park
 - natural environment

The following amendments have been made in response to comments received:

- The northern boundary has been amended very slightly. It was originally proposed to run down the middle of Queens Park Avenue and through the middle of Fiveways roundabout, following the ward boundary. Instead it will now include the full width of the highway and the verge on the northern side of Queens Park Avenue as well as Fiveways Roundabout. This is in recognition of the historic significance of the verge as part of the historic common. In addition, it is sensible to include the whole highway as the community may wish to see changes to it.
- Reference has been made in the constitution to the intention to identify 'non-designated heritage assets'
- Reference has been added in the constitution to residents living close to but outside the boundary being able to attend meetings.

Finance/Resource Implications:

Staff time

- As part of its duty to support the community in neighbourhood planning there will be implications for officer time within Planning & Regulation Services. This will include, for example, attending meetings, providing mapping and giving advice on Local Plan policies and the neighbourhood planning process. This is covered within existing budgets.

Costs

- The biggest costs to the Local Planning Authority (LPA) will be towards the end of the neighbourhood planning process when it is required to pay for an examination and referendum
- In 2011 government estimates on additional costs to LPAs were £10,000 for the examination and £7,000 for the referendum:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6041/1829678.pdf
- The cost of a referendum is estimated to be approximately £1 per head. The proposed area has a population of 12,200 based on 2014 mid-year estimate
- It may be possible for the cost to be reduced if the referendum coincides with an election.

Funding available from central government

- LPAs can claim funding from central government to help towards the additional costs.
- LPAs can claim £5,000 for the first five neighbourhood forums they designate and a further £5,000 for the first five neighbourhood areas designated
- LPAs can claim £20,000 once they have set a date for a referendum following a successful examination.
- The following link provides further details of the funding which the LPA can access:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/595457/Chief_Planner_letter_-_LA_Funding_Neighbourhood_Planning_17-18.pdf

Name: A. Richards

Signature: (of Chief Finance Officer)

Date: 2/4/18



Legal implications:

- The Localism Act 2011 provides that local planning authorities should support and advise groups that want to undertake the development of neighbourhood plans
- By designating the proposed Forum and boundary the Council is enabling the community to prepare a neighbourhood plan in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012

Name: TANIA COULTER

Signature: (of Monitoring Officer)

Date: 6th APRIL 2018



Risk assessment:

- The Neighbourhood Plan may fail to be completed and adopted so there is a risk that officer time spent supporting the community will be abortive
- The intention of neighbourhood planning is to give local people a greater say over development in their area. This may sometimes differ from the Council's plans, strategies or priorities and in particular could conflict with housing targets
- The community may have unrealistic expectations regarding the amount of officer time/ Council support available which could lead to negative publicity
- The Forum may fail to represent the needs and views of the community as a whole
- See full risk assessment for details of mitigation

Name: Sophie Leon

Signature: (of Officer completing assessment)

Date: 20.03.2018

Impact Assessments:

Note:

- Environmental Impact Assessment attached
- Equality Impact and Needs Analysis Screening attached

Information for/not for publication:

For publication

Background papers:

Links to the consultation documents are provided below. As mentioned some minor amendments have since been made to these documents in response to comments received during the consultation.

Application form

<https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/PlanningPolicyFiles/neighbourhood-planning/queens-park-ward-area-neighbourhood-plan/application-for-designation-of-forum-and-boundary.pdf>

Proposed boundary

<https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/PlanningPolicyFiles/neighbourhood-planning/queens-park-ward-area-neighbourhood-plan/qpwa-map.pdf>

CONSTITUTION

<https://www.bournemouth.gov.uk/planningbuilding/PlanningPolicy/PlanningPolicyFiles/neighborhood-planning/queens-park-ward-area-neighborhood-plan/qpnf-constitution-vf.pdf>

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
Yes/No* (*Delete as appropriate)	David Smith.	owner of rented property in 124 Northport Rd BH8 8PZ	

Decision taken by:

Councillor David Smith

Cabinet Portfolio:

Planning and Environment

Signe



Date of decision:

6th April 2018

Date of publication of record of decision: (to be inserted by Democratic Services)

Date decision effective - that is 5 working days after the date of publication of the record of decision unless the decision is called-in for consideration by the relevant Overview and Scrutiny Panel:

-insert
date-

Note - See separate guidance on recording decisions at Appendix 1.

Guidance

1.0 Recording the decision

1.1 Upon making an executive decision the Cabinet Member must arrange for the Democratic Services Manager to be provided with

- a signed copy of the completed Record of Decision; and
- a copy of the completed Record of Decision with the signatures redacted¹

within 2 working days of the date of taking the decision together with a copy of any report upon which the decision was made.

1.2 The Democratic Services Manager will maintain a record of all signed decisions referred to in paragraph 1.1, including any report upon which each decision was made and subject to any requirement for confidentiality, will ensure that the redacted version of the decision is published by the Council on its web site. S/he will also ensure that the public has the right to copy or to be provided with a copy of any part of that record upon payment of a reasonable copying and administrative charge.

1.3 It is essential that the contents of the Record of Decision are clear in conveying the decision taken - that is it will not be sufficient to state that the recommendations in a report were agreed. The form and accompanying report must set out:

- a record of the decision;
- the reasons for the decision;
- details of any alternative options considered and rejected;
- a record of any conflict of interest declared by the decision maker; and
- in relation to any such declaration, a note of any dispensation granted by the Monitoring Officer.

1.5 The Delegated Record of Decision template includes a section for the recording of interests by Cabinet Members. It is important that where Cabinet Members involved in making decisions have a registrable interest this is declared on the form to preserve the integrity of the process.

1.6 Before signing the decision notice the Cabinet Member should ensure that the Corporate Communications Manager is informed about the proposed decision so that consideration can be given to any associated media management issues.

¹ The reason for this is that signatures are considered to be personal data and along with other personal information which is already in the public domain - that is the name of the Councillor and their home address - this would provide sufficient information for some form of identity theft. Whilst the risks of this happening are low, the Council needs

to mitigate and remove any potential risks from this happening and safeguard the identity of Councillors.

