
Subject: DESIGNATION OF DOVER TOWN COUNCIL
NEIGHBOURHOOD DEVELOPMENT PLAN AREA

Date: 1 August 2018

Decision to be taken by: Mike Ebbs, Head of Regeneration and Development

Report of: Adrian Fox, Policy and Projects Manager

Portfolio Holder: Councillor James Back, Portfolio Holder for Built Environment

Decision Type: Executive Non-Key Decision

Call-in to be suspended: No (*Call-in does not apply to non-Key Officer Decisions*)

Classification: Unrestricted

Delegated Authority: Paragraph C43 of Part 3 (Responsibility for Functions) of Section 6 (Scheme of Officer Delegations) of the Constitution: 'To exercise the powers and functions of the Council in relation to Neighbourhood Development Plans.'

Purpose of the report: To designate the Dover Town Neighbourhood Area.

Recommendation: That the whole of the Dover Town Council administrative boundary (6 wards) be designated as a Neighbourhood Area for the purposes of neighbourhood planning.

1. Summary

1.1 Dover Town Council has submitted an application to Dover District Council under the Localism Act 2011 to designate the whole of the Dover Town Council administrative boundary (6 wards) as a Neighbourhood Area for the purposes of neighbourhood planning.

2. Introduction and Background

2.1 The first stage in the production of a Neighbourhood Plan is for the Parish/Town Council to submit an application to the local authority to designate a Neighbourhood Area. A Neighbourhood Area defines the area to be covered by the Plan. A map that identifies the proposed area to be covered by the Dover Town Neighbourhood Area and the statement that accompanied the request from Dover Town Council is attached at **Appendix 1**.

2.2 Dover Town Council proposes that the Neighbourhood Area will cover the 6 wards as the spatial planning policies it proposes to develop in its Plan would affect all areas of the town.

Relevant Considerations

2.3 The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 inserted what is now Regulation 5A into The Neighbourhood Planning (General) Regulations 2012. Paragraph 5 of the

Explanatory Memorandum to the 2016 amendment regulations states that the purpose of the amendment is to:

'prescribe two cases where a local planning authority must designate all of the neighbourhood area applied for. The first case is where a parish council applies for the whole parish to be designated as a neighbourhood area or applies to enlarge an existing designation of a smaller part of the parish to cover the whole of the parish'.

- 2.4 If the Neighbourhood Area is approved, then the District Council has to publish a map setting out the area being designated on the website and in other ways that would bring the designation to the attention of people who live, work or carry on business in the neighbourhood area.

Equality Issues

- 2.5 It is unlikely that the designation of the Neighbourhood Area would have any equality issues as there are no policies or proposals at this stage that could have an impact.

3. Identification of Options

- 3.1 As this is a valid application there is no option other than to designate the proposed Neighbourhood Area.

4. Evaluation of Options

- 4.1 The proposed Area covers all of the 6 wards that are covered by Dover Town Council and the proposed Area does not overlap with other designated Areas. There is no option other than to designate it.

- 4.2 The designation of the Neighbourhood Area will enable Dover Town Council to progress with the preparation of its Neighbourhood Plan and will meet the Government's objective of allowing planning to take place at a local level.

5. Resource Implications

- 5.1 The latest estimates for the cost of assisting a Town/Parish Council with preparing a Neighbourhood Plan are in the region of £20,000.

- 5.2 The Government has recently changed the financial support that is available for Local Planning Authorities for them to assist local communities with preparing Neighbourhood Plans. The changes to the Government funding mechanism now mean that it is only possible for a Local Planning Authority to claim £20,000 once the date of referendum for a Neighbourhood Plan has been set following a successful examination. This means that any preparation work that needs to go into the Neighbourhood Area designation, commenting on a draft Neighbourhood Plan, arranging publicity for the draft Neighbourhood Plan and providing general support to Dover Town Council will have to be absorbed by the team along with any associated costs. The Neighbourhood Planning budget does have a limited amount of money which can be used although now that the Government has changed the funding mechanism this needs to be used sparingly.

6. Corporate Implications

- 6.1 Comment from the Section 151 Officer: Finance has been consulted and has nothing further to add (SB).
- 6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.
- 6.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15> '
- 6.4 Other Officers: None.

7. **Appendices**

Appendix 1 – Proposed Dover Town Neighbourhood Area and supporting statement

8. **Background Papers**

None.

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