



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	Cabinet Member for Housing and Planning Decision- Making Meeting 13 February 2025
Subject	Regulation 15 Decision on the Cirencester Neighbourhood Development Plan
Wards affected	All Cirencester wards: Abbey, Beeches, Chesterton, Four Acres New Mills, Stratton, St Michaels, Watermoor.
Accountable member	Councillor Juliet Layton, Cabinet Member for Housing and Planning Email: Juliet.Layton@cotswold.gov.uk
Accountable officer	Adrian Harding, Assistant Director, Planning Email: Adrian.Harding@Cotswold.gov.uk
Report author	Joseph Walker, Head of Economic Development and Communities Email: Joseph.Walker@Cotswold.gov.uk
Summary/Purpose	To consider whether a Neighbourhood Plan submitted by Cirencester Town Council meets the legal criteria necessary to progress to public consultation, and subsequent independent examination.
Annexes	Annex A: Cirencester Neighbourhood Plan Regulation 16 Draft Annex B: Basic Conditions Statement Annex C: Consultation Statement Annex D1: SEA Annex D2: HRA Screening
Recommendation(s)	That <ol style="list-style-type: none">1. the Cabinet Member agrees that the submitted documents meet the requirement of Regulation 15 of the Neighbourhood Planning Regulations 2012;2. Consequently, the Council will launch the statutory 'Regulation 16' publicity period for the standard six-week period.



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Corporate priorities	<ul style="list-style-type: none">• Responding to the Climate Emergency• Delivering Housing• Supporting Communities• Supporting the Economy <p>Neighbourhood Plans are prepared by or on behalf of parish councils, and express their priorities, albeit that they need to be in general conformity with the policies of the Local Plan. In this instance, the ambitions of the Cirencester Neighbourhood Plan complement the Council's Corporate Priorities, as the Plan contains planning policies seeking to address climate change, promote residents' health and wellbeing and support local businesses. While the Plan does not seek to allocate sites, it has been prepared to complement the Council's emerging Cirencester Masterplan SPD.</p>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>The Plan has been consulted on by the Town Council, both in its early stages and as a full 'Regulation 14 draft, in line with the requirements of the Neighbourhood Planning Regulations 2012. Subsequent to this decision, it will be subject to public consultation, following a statutory process set out in Regulation 16. The Council will have the opportunity to make representations on the content of the Plan, for the consideration of an Independent Examiner</p>



1. EXECUTIVE SUMMARY

- 1.1** The purpose of this report is to consider whether a Neighbourhood Development Plan, submitted by Cirencester Town Council (CTC), meets the necessary conditions set out in the Neighbourhood Planning Regulations 2012 to proceed to the Regulation 16 publicity period and subsequently independent examination.

2. BACKGROUND

- 2.1** Cirencester Town Council requested that this Council designated the full extent of its parish boundary as a neighbourhood area in late 2018. This boundary encompasses the built-up area of Cirencester and Stratton, with the exception of the area in the southeast, which falls within Siddington Parish. Since then, a steering group of Councillors, residents and professional planning consultancy support has been developing the evidence base and draft policies for this Plan. The Council has representation on this group, via a formal representative, currently Councillor Coleman, and officer attendance, via the Forward Planning Manager and/or the Community Partnership Officer. They carried out a statutory Regulation 14 consultation from February to March 2024. Representations to these consultations have been considered in preparing a submission draft, which has recently been received by this Council.

3. MAIN POINTS

- 3.1** At this stage, the Local Planning Authority (LPA) has a duty to assess the Plan for its compliance with the requirements of the Regulations and determine if it can proceed for Regulation 16 Consultation and Examination.
- 3.2** The assessment requires consideration of:
- whether the 'qualifying body' (a parish council or neighbourhood forum) is authorised to act;
 - whether the proposal and accompanying documents comply with rules of submission to the LPA, whether it meets the definition of a Neighbourhood Development Plan (NDP), and whether it meets the 'scope' of NDP provisions; and
 - whether the parish council or neighbourhood forum has undertaken the correct procedures in relation to consultation and publicity.



- 3.3** Should it be deemed that the above criteria have not been satisfied, and therefore the Plan cannot proceed for Regulation 16 Consultation and Examination, the LPA must refuse the Plan and notify the qualifying body of the reasons. In addition to this, it must also publicise its decision in a 'Decision Statement'.
- 3.4** Where the LPA is satisfied that the qualifying body has complied with the criteria, it must administer a minimum 6-week period of consultation ('Regulation 16' consultation), inviting comment on the Neighbourhood Plan from statutory consultees and other stakeholders with an interest in the Plan. All comments are then submitted with the Neighbourhood Plan documentation to the independent examiner for assessment of whether or not the Plan meets the Basic Conditions (below) set out in the Regulations.
- 3.5** Following this consultation, the Plan will proceed to examination, and should it pass, subject to modifications, it would proceed to referendum and be 'made' (adopted) by this Council.
- 3.6** CTC has submitted to Cotswold District Council a portfolio of documents, as required by the Neighbourhood Planning Regulations 2012. These evidence the other requirements which must be met (specified at section 2.2 above). The documentary evidence required and submitted is as follows:
- a map or statement identifying the area to which the plan relates,
 - the consultation statement,
 - the proposed NDP,
 - a statement explaining how the NDP meets the 'basic conditions' (the legal conditions that must be satisfied for an NDP to pass examination),
 - One of the following: a) a statement of reasons for a determination that the proposal is unlikely to have significant environmental effects OR b) an environmental report.
 - Where appropriate, the information to enable appropriate environmental assessments if required.
- 3.7** In this instance, screening reports have been provided, which have been consulted upon with the statutory consultees, who upheld this Council's opinion that neither a full SEA nor HRA was necessary.



4. ALTERNATIVE OPTIONS

- 4.1** None. The Council has a duty to support neighbourhood planning, and carry out the Regulation 16 process and following, where the requirements described above are met.

5. CONCLUSIONS

- 5.1** These statutory requirements have been satisfied and therefore the officer recommendation is that the submission meets the criteria laid out in section 2.2 above, and should proceed to public consultation. The submission will be thoroughly reviewed, and any specific concerns will be brought to the attention of the Cabinet Member as part of a Council Representation to the Regulation 16 Consultation.

6. FINANCIAL IMPLICATIONS

- 6.1** The consultation is a statutorily defined process, with minimal costs, which is delivered using the current staff complement. The subsequent examination is paid for by the authority, but if the plan is successful, the cost will be recouped from a government grant.
- 6.2** The cost of the examination is estimated to be up to £8,000. In the event that the examination fails these costs can increase, as the examination process tends to be more complex, but could be funded from non-ring fenced neighbourhood planning grant balances held from earlier successful examinations.

7. LEGAL IMPLICATIONS

- 7.1** As a published draft NDP, the Plan has some limited weight in planning determinations. This increases after consultation and after examination, and takes on full planning weight following a confirmatory vote at referendum.

8. RISK ASSESSMENT

- 8.1** This is a low risk decision, as the consequence of the decision is the launch of a consultation on a document prepared by a third party, which will subsequently be reviewed by an independent examiner.



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9. EQUALITIES IMPACT

9.1 Not required for this decision.

10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

10.1 None for this decision, as it is procedural. Once the regulation 16 consultation starts, the Council has an opportunity to comment on the content of the attached draft plan.

11. BACKGROUND PAPERS

11.1 None

(END)