

Report of Head of Planning and Local Development

Neighbourhood Planning

1 Purpose of report

This report provides an update on the Neighbourhood Plans that are currently being undertaken, the resources the Council have put into this and the funding received for Neighbourhood Planning.

This will help to support the Council's priorities of 'Promoting high quality growth' and 'Delivering efficient and responsive services'.

2 Executive summary

Neighbourhood Planning was introduced by the Localism Act 2011 and in August 2012 the Department for Communities and Local Government (DCLG) announced that they will provide £30,000 funding for each Neighbourhood Plan subject to a successful examination. This report provides an update on the Neighbourhood Plans that are currently being undertaken, the resources the Council have put into this and the funding received for Neighbourhood Planning.

3 Appendices

None

4 Proposed action:

The committee is invited to RESOLVE to note the update on the progress being made on Neighbourhood Plans and the resources allocated to them.

5 Background

5.1 Neighbourhood Planning was introduced by the Localism Act 2011. A report was taken to Development Committee in April 2012 to provide the details on the two main mechanisms for Neighbourhood Planning (Neighbourhood Plans and Neighbourhood Development Orders) and to agree the Scheme of delegation for approving Neighbourhood Plans. This report also set out some of the costs identified for delivering Neighbourhood Plans. Further reports were taken to Resources Committee in May 2012 to agree the changes to the constitution required, in October 2012 to agree the resources required to support Neighbourhood Plans and retain the DCLG funding within the Council and in July 2013 to agree the Officer Protocol setting out the finalised inclusive scope of

support that the Council either seek to offer or statutorily must offer.

- 5.2 A Neighbourhood Plan is a new way of helping local communities influence the planning of the area they live and work in. If a Plan is prepared and agreed by the community in a Referendum it will become part of the Development Plan for the area and be used in the determination of planning applications.
- 5.3 It is recognised that not all areas will want to undertake Neighbourhood Planning and, therefore there is not a statutory duty to prepare Neighbourhood Plans or Orders – but there will be a right to do so.
- 5.4 So far only Earls Barton Parish Council, Wollaston Parish Council and Irchester Parish Council have formally decided to prepare Neighbourhood Plans. It is, however, expected that a fourth parish will apply for the designation of their Neighbourhood Area by the end of 2013. Discussions around this are at an early stage and we understand the decision is still to be formally endorsed by the full Parish Council, hence an agreement that they will not yet be named in this report.
- 5.5 The process of Neighbourhood Planning must be instigated and led by the community, specifically the Parish Council in a parished area. If a community decides to prepare a Neighbourhood Plan or Order then the Localism Act and Neighbourhood Planning Regulations place various duties and responsibilities upon the Council, these can be summarised as:
- Determining applications to designate a Neighbourhood Area
 - Determining applications to designate Neighbourhood Forums (areas that do not currently an appropriate body to represent them)
 - Checking that the plan complies with all legal requirements
 - Publicising the plan and receiving representations
 - Organising and paying for the examination including appointing an inspector
 - Organising and paying for the referendum
 - Providing technical advice and support to qualifying bodies.

6 Discussion

- 6.1 The Planning Policy & Regeneration Team and the Housing Team have been providing support and resources for each of the Parish Councils as requested. Since the previous Development Committee Report in June 2013, the following support has been provided:
- 6.2 Earls Barton Neighbourhood Plan
- a) Practice guidance on public consultation
 - b) Advice on recreation and open space contributions
 - c) Village walkabout
 - d) Collation and issue of list of statutory consultees
 - e) Advice on the need for employment land
 - f) Sustainability Appraisal and site assessment advice.

- 6.3 Wollaston Neighbourhood Plan
- a) Printing of copies of the Scoping Report
 - b) Gathering of data on local services and infrastructure
 - c) Attendance of steering group meeting
 - d) Collation and issue of list of statutory consultees
 - e) Printing of draft community questionnaire
 - f) Review of CSS and advice on strategic policies
 - g) Preparation of Limehouse platform for online public consultation
 - h) Response relating to site allocations and process
- 6.4 Irchester Neighbourhood Plan have committed £5,000 of their parish's resources to fund additional Officer time where required and where practical. This 'fund' is currently held by the Council. A proportion of this time has already been used and discussions are ongoing to identify the most beneficial way to use the remainder, including the Council's ability to undertake additional technical work on behalf of Irchester Parish. As a result of this arrangement, the work undertaken by Officers on behalf of Irchester since the last committee has been broken down into 'core' work (as set out in the protocol) and 'non-core' work (in addition, paid for out of Irchester's fund).
- 'Core' work
- a) Parish walkabout
 - b) Attendance of 2 meetings with the steering group
 - c) Meetings between NP steering group and land promoters
 - d) Collation and issue of list of statutory consultees
 - e) Advice on housing figures and housing need
- 'Non-core' work
- f) Project planning session and production of a project plan
 - g) Advice on evidence gathering
 - h) Preparation of an 'evidence gathering toolkit'
 - i) Leads on drafting topic papers
 - j) A 'Consultant Brief' to help secure additional professional support
 - k) Completion of forms applying for a Government Grant
- 6.5 Other Resources
- a) Organisation, hosting and attendance of Neighbourhood Planning Symposium with officers from JPU and partner authorities.
 - b) 2 Joint Meetings with Earls Barton, Wollaston and Irchester.
 - c) Update of the Neighbourhood Planning pages on the Council website
 - d) Preparation and issue of the Neighbourhood Planning Protocol.
- 6.6 Further research remains ongoing on whether the Council can charge developers for the use of the Housing Needs Assessment data should they use it as part of a planning application submission.
- 6.7 As per the last report to this committee, claims submitted to DCLG for the Earls Barton, Wollaston and Irchester Neighbourhood Area designations totalling £15,000 have now been received and put into a new budget code called Neighbourhood Planning. This money is currently being used to fund the post of

Neighbourhood Planning Officer until May 2014.

7 Legal powers

- 7.1 The Localism Act 2011 (Part 6, Chapter 3, Sections 116-121 and Schedule 9 and 10) and The Neighbourhood Planning (General) Regulations 2012 (SI 2012 No.637) set out the power and duties considered in this report.
- 7.2 Paragraphs 5-7 of Schedule 9 of The Localism Act 2011 amends section 38(6) of the Planning and Compulsory Purchase Act 2004 so as to make Neighbourhood Development Plans part of the development plan in accordance with which planning applications must be determined.

8 Financial and value for money implications

- 8.1 The DCLG is providing financial support for Neighbourhood Planning in 2012/13. This is in the form of a £5,000 payment following a designation of a Neighbourhood Area, a further £5,000 when the local planning authority publicises the neighbourhood plan prior to examination and a subsequent payment of £20,000 on successful completion of the neighbourhood planning examination. As detailed, a claim has been submitted for the Earls Barton, Wollaston and Irchester Neighbourhood Plan designations and the money has been received. Identical funding will be available for every new area designated moving forward.
- 8.2 There have been three designations for Neighbourhood Plans in the borough during the financial year 2012/13. These areas being Earls Barton, Irchester and Wollaston. It is still estimated that an examination in public (EIP) would take place for Earls Barton and Wollaston in 2013/14 and Irchester in 2014/15.

9 Risk analysis

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
Not offering appropriate support and advice	Plans may not be based on appropriate evidence or may not be in accordance with the strategic policies in the CSS	High	Offer reasonable support and assistance.
Neighbourhood Plans are not successful at examination	£20,000 from DCLG not provided as examination not successful.	Medium	Continue to employ a part time Planning Policy Officer to focus on Neighbourhood Planning.

10 Implications for resources

There are employee resources implications. A part time Planning Policy Officer is currently in post to focus upon Neighbourhood Planning.

11 Implications for stronger and safer communities

Neighbourhood Planning is intended to improve community cohesion.

12 Implications for equalities

The Localism Bill was subject to an impact assessment. Neighbourhood Plans will also need to ensure they are not discriminatory.

13 Author and contact officer

Alex Munro, Neighbourhood Planning Officer

14 Consultees

Victoria Phillipson, Principal Policy and Regeneration Manager
Sue Bateman, Senior Planning Officer
Steven Wood, Head of Planning and Local Development
Maxine Simmons, Principal Planning Policy and Regeneration Manager
Vicki Jessop, Principal Housing Manager
Tracey Cave, Service Accountant
Andrew Miles, Technical Officer (Housing and Planning)
Steve Butterworth, North Northamptonshire Housing Co-ordinator
Paula Lawton, Principal Democratic Services Manager
Gill Chapman, Principal Community Support Manager
Mark Young, GIS Officer IT Services

15 Background papers

None