

**Report of Forward Planning and Implementation**

**Report to Chief Planning Officer**

**Date: 14<sup>th</sup> February 2014**

**Subject: Designation of Holbeck Neighbourhood Forum**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Beeston and Holbeck	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The Holbeck Neighbourhood Area has already been designated and covers the residential area of Holbeck and an area to the north of the railway line and viaduct that is predominantly in employment use.
2. This report considers the designation of the Holbeck Neighbourhood Forum, the group that will be tasked with delivering the neighbourhood plan. The application states that there are 52 members made up of residents (33), individuals or representatives of organisations that either work or do business in the Holbeck Neighbourhood Area (17) and local Councillors (3).
3. Local ward members for Beeston and Holbeck and City and Hunslet have been consulted throughout, including on the appropriate neighbourhood area, local planning issues, membership and joint working. The majority of the neighbourhood area lies within Beeston and Holbeck ward and all 3 ward members will be members of the neighbourhood forum.
4. A copy of the application is attached as Appendix 1. The shows the area in which the group intend to use the new neighbourhood planning powers as well as documents in support of the application arising from the Localism Act and the supporting Neighbourhood Planning (General) Regulations 2012.
5. No representations were made on the application during the 6 week publicity period.

6. Holbeck is a national neighbourhood planning pilot area and if forum designation is made will be able to make use of £20,000 pilot funding to assist in the preparation of the plan and also to apply for additional support from Planning Aid England.
7. The Council has been working in close partnership with the Holbeck community on neighbourhood planning since 2012 and it is clear from the work undertaken so far that the neighbourhood plan could not only address many planning issues but also have a significant impact on the wider regeneration of the area.

## **Recommendations**

8. Members are recommended to agree that:

Pursuant to Section 61F of the Town and Country Planning Act 1990 to authorise the Chief Planning Officer to designate the Holbeck Neighbourhood Forum.

### **1.0 Purpose of this report**

- 1.1 This report recommends the designation of the Holbeck Neighbourhood Forum and covers information relevant to the designation, the duties that the Council has in making a designation and the consultations that have been undertaken.

### **2.0 Background information**

- 2.1 The Localism Act 2011 gives local communities a new 'right' to prepare a neighbourhood plan which could decide where new development takes place, what it looks like and also include other issues that are locally important. These plans can be simple single-policy plans or they can be multi-policy and more complex if that is what the community wishes. However, they must follow the following 'basic conditions':

- Be in general conformity with local planning policy (the Core Strategy, Site Allocations Plan) and national planning policy (National Planning Policy Framework)
- have appropriate having regard to national policy
- contribute to the achievement of sustainable development
- Be compatible with human rights requirements
- Be compatible with EU obligations

- 2.2 The plan will be subject to an independent examination and tested the 'basic conditions'. Non-planning matters will not be examined although their contribution to achieving sustainable development may be referred to.

- 2.3 The Statutory responsibilities of the Council are:

- the designations of a neighbourhood area
- the designation of a neighbourhood forum
- the publication of a submitted Neighbourhood Development Plan for consultation
- the arrangements for and cost of an independent examination
- the arrangements for and cost of a Referendum

- the formal assessment of the agreed Neighbourhood Development Plan against EU Regulations

- 2.4 Since the introduction of neighbourhood planning in April 2012, there has been an increased level of activity throughout the country, initially in parished areas and now increasingly in towns and villages in non-parished areas. However, there are few plans being prepared in inner-city areas and Holbeck and in this respect Holbeck is a national neighbourhood planning pioneer. Elsewhere in Leeds, a number of non-parished urban areas are seeking to learn from the Holbeck experience, including Seacroft, Beeston and communities through Inner North West area.
- 2.5 Section 61G of the Town and Country Planning Act 1990 (added by the Localism Act) and the Neighbourhood Planning (General) Regulations 2012 outline the Council's responsibilities for the designation of a neighbourhood forum and this includes bringing the application to the attention of people who live, work or carry on business in the area for which the application relates.
- 2.6 It was agreed at Executive Board on 20 June 2012 that prior to the designation of a neighbourhood forum the Council would do the following:
- Advertise the application in a local newspaper and bring the application to the attention of those who live, work and do business in the area;
  - Consider representations received;
  - Consult with the Executive Board Member for Neighbourhoods, Planning and Support Services, Area Committee chairs and local ward members on the proposed designations.

### **3.0 Main issues**

#### **Summary of the application**

- 3.1 In line with the Neighbourhood Planning (General) Regulations 2012 the Holbeck group submitted an application for designation of a neighbourhood forum on 16 December 2013.
- 3.2 The application was submitted by a Locality appointed consultant and comprises the following:
- Letter of application
  - Compliance with legislative checklist
  - Written constitution on the proposed neighbourhood forum
  - Map of the designated neighbourhood area
  - Statement in fulfilment of section 61F(5) of the Act
  - Holbeck Neighbourhood Forum (membership list)
  - Holbeck Neighbourhood Forum (membership map)
- 3.3 Leeds City Council is satisfied that the application submitted for designation of a neighbourhood forum meet the requirements set out in Regulation 8 of the

Neighbourhood Planning (General) Regulations 2012 and section 61F (5) of the Town and Country Planning Act 1990.

- 3.4 The proposed Holbeck Neighbourhood Forum has 52 individual members, 33 are residents in Holbeck, 17 work/do business in Holbeck and 3 are Councillors representing the Beeston Hill and Holbeck ward. Activities to sign-up members have included drop-in events, community walkabouts, the publishing and distribution of leaflets, a dedicated website and articles in the press. A publicity task group has committed significant time and energy to promoting the neighbourhood plan and will continue to do so if designation is made.

### **Next steps**

- 3.5 Subject to designation being made, the first full forum meeting is scheduled to take place on Saturday 29 March in St Matthews, Holbeck. The membership will be confirmed at this this meeting and a board of at least 7 members will be elected. The board will then be responsible for the election of a chair and secretary and other positions as outlined in the constitution.
- 3.6 A successful Neighbourhood Forum designation will allow the group to formally apply for Planning Aid England (PAE) support. Although PAE have been supporting the group informally since day one it is important that the relationship is formalised and a support package agreed. This will complement the support already being provided by the City Development Directorate and the Area Support Team and will focus on planning advice, project management and consultation and engagement.
- 3.7 A 'road map' or similar will be prepared to guide the forum, the board and the sub groups (Publicity and Promotion, Content of Plan, Community Projects).
- 3.8 If designated, the neighbourhood forum will prepare a neighbourhood plan and be responsible for consultation on it during the 6 week pre-submission stage. This will include consultation with the Council, landowners and other key stakeholders.
- 3.9 The final neighbourhood plan and supporting documents will be submitted to the Council and will then publicised for a further 6 weeks.
- 3.10 The neighbourhood plan will be assessed by an independent examiner who will only consider whether the plan meets the basic conditions as outlined in paragraph 2.1.
- 3.11 The Council will use the examiner's report to assess the neighbourhood plan and approve or reject the proposal. If the Council approves the proposal it will arrange for a referendum on the proposed plan to be held and all those registered to vote in the neighbourhood area will be entitled to vote. A majority of the votes in favour of the proposal is needed for the plan to be accepted.
- 3.12 If there is a majority vote in favour of the plan, the plan will be 'made' (adopted) by the Council and will become part of Leeds' Local Plan and will complement, though not repeat or replace local and national plans.

## **4.0 Corporate Considerations**

- 4.1 The designation of a neighbourhood area is the first step in preparing a neighbourhood plan. The designation of the Beeston Neighbourhood Area will assist Beeston Community Forum and the local community to prepare a neighbourhood plan.
- 4.2 A Neighbourhood Planning Agreement has been prepared to assist in the management of neighbourhood planning in Leeds. The agreement sets out Leeds City Council responsibilities, parish/town council responsibilities and obligations and working arrangements for the key stages in neighbourhood planning, from designation to referendum.

## **5.0 Consultation and Engagement**

### **Membership**

- 5.1 Over the past 18 months there has been a concerted drive to publicise and promote neighbourhood planning in Holbeck with the main aim to sign-up volunteers. Given that the area has lost a significant number of people due to demolition and has a relatively high transient population, it is a considerable achievement to have attracted 52 members. This was achieved by dedicated events (a drop-in sessions at St Matthews in Spring 2012), well publicised forum meetings and a series of targeted events (Holbeck Gala 2102 and 2013, Holbeck Christmas Fayre 2012). In addition to this an active publicity and promotions group has been responsible for a dedicated website, logo designs, flyers and badges.

### **Consultation on the application for the proposed Holbeck Neighbourhood Forum**

- 5.2 Under Regulations 6 and 9 (Neighbourhood Planning (General) Regulations 2012) the Council publicised the application to those who live or work in the area to which the application refers.
- 5.3 The consultation took place for a period of 7 weeks from 20<sup>th</sup> December 2013 to 10<sup>th</sup> February 2014. No representations were received.
- 5.4 Councillors Congreve, Gabriel and Ogilvie will all be active members of the forum. Membership of the forum is also open to City and Hunslet members as a small part of the neighbourhood area lies within this ward. Councillor Nash has expressed support for the forum although she does not wish to be a member.
- 5.5 The consultation was advertised in the Yorkshire Evening Post on 20<sup>th</sup> December 2013 and the application was available to inspect at St Matthews Community Centre.

## **6.0 Equality and Diversity / Cohesion and Integration**

- 6.1 The Government has undertaken an Equalities Impact Assessment of the Localism Act in relation to neighbourhood planning (2011). The Council views the

neighbourhood planning process as an opportunity to deliver equality, diversity, cohesion and integration objectives.

## **7.0 Council policies and City Priorities**

7.1 Neighbourhood plans link well to all three of the Council's corporate priorities set out in the Vision for Leeds:

- Leeds will be fair, open and welcoming (neighbourhood plans must not breach, and be otherwise compatible with, EU obligations and be compatible with human rights requirements);
- Leeds' economy will be prosperous and sustainable (the making of the neighbourhood plan must contribute to the achievement of sustainable development);
- All Leeds' communities will be successful (the making of the neighbourhood plan must be in general conformity with the strategic policies contained in the development plan for Leeds, a significant part of which is planning for growth).

7.2 The issues outlined also meet the Council value of 'Working with Communities' and related priority of 'consultation' set out in the Council's Business Plan 2011 – 15.

## **9.0 Resources and value for money**

9.1 The Department of Communities and Local Government will provide £5,000 to the Local Planning Authority for every designation made, to assist with designation costs.

## **10.0 Legal Implications, Access to Information and Call In**

10.1 Neighbourhood planning is taking place within a new and fast-changing national planning background which is focussed on economic growth, localism and sustainability meaning testing times for local decision-making. Over the next 12 months the Council hopes to adopt the Core Strategy, consult on the draft Site Allocations Plan and alongside this there will be a number of draft neighbourhood plans being prepared by local communities. Once adopted, these documents will comprise the 'local plan' for Leeds.

## **11.0 Risk Management**

11.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependant on the examiner's recommendations and a public vote. The Council will seek to manage this risk by working closely with designated areas to ensure that their neighbourhood plans complete the independent examination successfully.

## **12.0 Conclusions**

12.1 The application for designation of the Holbeck Neighbourhood Forum is a strong one that fully meets the legal requirements set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. Furthermore, the constitution

sets out a desirable and credible approach to plan delivery – focussed on ‘bottom up’ planning, partnership working and delivery. The Council – and other organisations – will still need to provide considerable support to the forum for some time to come but the expectation is that this will decrease over time. This will include the active involvement of local ward members in the neighbourhood forum.

### **13.0 Recommendations**

14.1 Members are recommended to:

Pursuant to Section 61F of the Town and Country Planning Act 1990 to authorise the Chief Planning Officer to designate the Holbeck Neighbourhood Forum.

### **15. Background documents<sup>1</sup>**

15.1 None

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.