

Report of Forward Planning and Implementation

Report to the Chief Planning Officer

Date: 25th March 2014

Subject: Designation of Adel Neighbourhood Forum

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Adel and Wharfedale, Weetwood	<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 Adel Neighbourhood Area has already been designated and covers the YMCA site, the University playing fields, Boddington Hall, the Government Buildings site, Lawnswood Cemetery, the residential areas of old and new Adel, the Parkway Hotel, open fields on either side of the A660 stretching to Golden Acre Park and the park itself.
2. This report considers the designation of the Adel Neighbourhood Forum, the group that will be tasked with delivering the neighbourhood plan. The application states that there are 28 members:
 - 14 of whom are purely residents
 - 8 of whom are residents and representatives of organisations that either work or do business in the Adel Neighbourhood Area
 - 4 of whom are representatives of organisations that either work or do business in the Adel Neighbourhood Area
 - 1 secretary to the Forum
 - 1 Ward Councillor
3. A copy of the application is attached as Appendix 1. It 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.

4. Three representations were made on the application during the 6 week publicity period, two from local residents and one from West Park Residents Association. The local residents were supportive of the application whilst WPRA made comments on the neighbourhood area which has already been designated on 6th November 2013. Adel and Wharfedale and Weetwood Ward Members have no objections to the designation of the Forum.
5. Adel has successfully secured direct support and grant funding of £7,000 through Locality which will be used to assist in the preparation of the plan.
6. The Council has been working in close partnership with the Interim Adel Neighbourhood Planning Forum 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 other important issues identified by the community.

Recommendations

7. It is recommended that:
 - The Chief Planning Officer designates Adel Neighbourhood Forum pursuant to Section 61F of the Town and Country Planning Act 1990

1.0 Purpose of this report

1.1 This report recommends the designation of the Adel 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. Adel is one of the first neighbourhood forum applications the City Council has received. The designation of the forum will enable the group to build on their achievements to date and progress the neighbourhood plan to inquiry and referendum.

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 Adel group submitted an application for designation of a neighbourhood forum on 10 December 2013.

3.2 The application was submitted by the co-chair of the Forum and comprises the following:

- Letter of application – including detail of forum name, area, contact details etc
- Written constitution on the proposed neighbourhood forum
- Plan of the designated neighbourhood area
- Statement in fulfilment of section 61F(5) of the Act
- Adel Neighbourhood Forum membership list
- Adel 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 Adel Neighbourhood Forum has 28 individual members, 14 are purely residents in Adel, 8 are residents who also work/do business in Adel, 4 just work/do business in the area, 1 Adel and Wharfedale Councillor and the Forum's secretary. Activities to sign-up members have included articles in the local press / parish magazine, Adel Neighbourhood Forum website, public consultation events, public meetings (Adel Association), and word of mouth.

Achievements to date

3.5 The Interim Adel Neighbourhood Forum had its inaugural meeting on 5th November 2012 where it was agreed to set up a Steering Group to actually do the bulk of the work and focus groups to concentrate on specific topics (Greenspace and Heritage, Housing, Education Provision, Community Facilities, Business Support and

Highways and Transportation). The various committee positions were filled via election over two Forum meetings in 2013.

- 3.6 The Adel Neighbourhood Area was designated on 6th November 2013 which allowed the Interim Forum to apply for grant aid and direct support through Locality. They have been awarded £7,000 and are receiving direct support and advice from Planning Aid England (PAE). This complements the support the group is receiving from the City Development Directorate and the Area Support Team.
- 3.7 The Interim Forum has already undertaken considerable public engagement through, for example, two open days in April and October 2013, having dialogue with various key organisations and individuals in the area and a questionnaire and has collected a significant amount of evidence which will inform and guide the neighbourhood plan.

Future tasks

- 3.8 The designated Forum has further engagement and evidence gathering work to undertake to ensure the plan is based on robust, transparent and meaningful evidence which will stand up to scrutiny at examination.
- 3.9 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.
- 3.10 The final neighbourhood plan and supporting documents will be submitted to the Council and will then publicised for a further 6 weeks.
- 3.11 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.
- 3.12 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.
- 3.13 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 one of the first steps in preparing a neighbourhood plan. The designation of the Adel Neighbourhood Area and Adel Neighbourhood Forum will assist 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 Adel with aims to sign-up volunteers and hear how local residents, businesses and other organisations would like Adel to change over the next 15 years or so. This led to the inaugural meeting of the Interim Forum in November 2012 and has culminated in the current Forum with 28 members which is now seeking designation. The members were recruited through articles in the local press / parish magazine, the Adel Neighbourhood Forum website, public consultation events, public meetings (Adel Association), and via word of mouth. A member of the Forum has taken on the responsibility for publicity, including the Adel Neighbourhood Forum website which can be found at <http://adelneighbourhoodforum.co.uk/>.

Consultation on the application for the proposed Adel 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 23rd December 2013 to 10th February 2014. 3 representations were received, two from local residents and one from West Park Residents Association. The local residents were supportive of the application whilst WPRA made comments on the neighbourhood area which has already been designated on 6th November 2013.
- 5.4 Members for Adel and Wharfedale and Weetwood Wards have been notified of progress on the plan at key stages. A member for Adel and Wharfedale sits on the Forum and is very actively involved in the neighbourhood planning process in Adel. Adel and Wharfedale and Weetwood members have no objections to the designation of the Forum.
- 5.5 The consultation was advertised in the Yorkshire Evening Post on 23rd December 2013 and the application was available to inspect at Holt Park Community Library.

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.

8.0 Resources and value for money

8.1 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.

9.0 Legal Implications, Access to Information and Call In

9.1 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.

10.0 Risk Management

10.1 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.

11.0 Conclusions

11.1 The application for designation of the Adel 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.

12.0 Recommendations

12.1 It is recommended that:

- The Chief Planning Officer designates Adel Neighbourhood Forum pursuant to Section 61F of the Town and Country Planning Act 1990.

13.0 Background Papers¹

13.1 None

¹ 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.