

Report of Forward Planning and Implementation

Report to Chief Planning Officer

Date: 2 June 2014

Subject: Designation of Aireborough Neighbourhood Area and Neighbourhood Forum

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Guiseley & Rawdon, Otley & Yeadon	<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

1.0 Summary of main issues

- 1.1 This report considers the designation of the Aireborough Neighbourhood Area and Neighbourhood Forum.
- 1.2 The proposed Aireborough Neighbourhood Area includes Yeadon, Guiseley, Hawsworth and High Royds as well as Leeds & Bradford International Airport.
- 1.3 The proposed Forum will be tasked with delivering the neighbourhood plan. The application proposes an initial membership of 48, made up of 34 residents, 10 local businesses, 16 individuals who work in the area and 6 elected representatives (4 city councillors, 1 Rawdon parish councillor and the Member of Parliament for Pudsey, Horsforth & Aireborough). If designation is made it is the intention of the forum to increase this initial membership.
- 1.4 A management committee has guided neighbourhood planning activity and has focussed on consultation and engagement through a series of meetings and workshops since 2012.
- 1.5 A copy of the application is attached as appendix 1. Also attached is a supplementary document (appendix 2) that provides further information on membership and the work undertaken so far.

- 1.6 The application 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.
- 1.7 No representations were made on the application during the 6 week publicity period.
- 1.8 The interim group are eligible to apply to Locality for up to £7,000 funding and, if the forum is designated, will also be able to apply to Locality for direct support to assist with the preparation of the neighbourhood plan and any other relevant need that the group has. However, this support is not guaranteed and is increasingly being targeted to more deprived areas.

2.0 Recommendations

2.1 It is recommended that:

- The Chief Planning Officer designates the Aireborough Neighbourhood Area (as shown on Plan) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990.
- The Chief Planning Officer designates the Aireborough Neighbourhood Forum, subject to the formal adoption of the constitution by the neighbourhood forum pursuant to Section 61F of the Town and Country Planning Act 1990.

3.0 Purpose of this report

3.1 This report recommends the designation of the Aireborough Neighbourhood Area and 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.

4.0 Background information

4.1 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 regard to national policy
- contribute to the achievement of sustainable development
- Be compatible with human rights requirements
- Be compatible with EU obligations

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

4.3 The Statutory responsibilities of the Council are:

- **the designation 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

4.4 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. In Leeds, 26 neighbourhood areas have been designated and 2 neighbourhood forums (Holbeck, Adel).

4.5 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 area and 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.

4.6 It was agreed at Executive Board on 20 June 2012 that prior to the designation of a neighbourhood area and 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.

Main issues

5.0 Summary of the application

5.1 In line with the Neighbourhood Planning (General) Regulations 2012 the interim Aireborough Neighbourhood Forum submitted an application for designation of a neighbourhood area and neighbourhood forum on 4th February 2014.

5.2 The application uses the Council's online application form and includes the following:

- Statement in support of the neighbourhood area

- Written constitution for the proposed neighbourhood forum
- List of Forum membership
- Neighbourhood Forum supporting statement in fulfilment of section 61(F) of the 1990 Act
- Map of proposed Neighbourhood Area
- Statement of Appropriateness to be designated a Neighbourhood Area
- Statement that the body making the application is a 'Relevant Body'

5.3 The Localism Act requires local authorities when determining **neighbourhood areas** to ensure that boundaries are coherent, consistent and appropriate. Relevant considerations in this respect could be:

- Any natural or man-made features (such as rivers, roads, railway lines or canals);
- Catchment areas for current or planned infrastructure;
- Development proposals and allocations;
- Environmental designations;
- Existing settlements

5.4 In the determination of **neighbourhood forums**, the Localism Act requires local authorities to ensure that they are made up of a minimum of 21 members who live, work and carry out business in the neighbourhood area. In addition to this, designations should be 'fit for purpose'. Considerations in this respect could include:

- The desirability of designating the forum
- The representativeness of the proposed forum
- The capacity of the forum to deliver a neighbourhood plan

The proposed neighbourhood area

Community identity

5.5 In support of the proposed neighbourhood area the steering group have made reference to research that they undertook since 2012. Reference is made to common planning issues faced across Aireborough and to it being a "unified economic and social area with distinctive townships and quarters". The application also points out that Aireborough has a distinctive sense of identity and is an historic area that goes back centuries as the parish of Guiseley and then Aireborough from 1937-74, with the name Aireborough still reflected in many organisations and institutions.

Tangibility of boundaries

5.6 The boundary of the proposed Aireborough Neighbourhood Area mainly follows existing established boundaries. The western extent is defined by the Leeds metropolitan boundary whilst the rest of the northern boundary follows the boundary between Otley and Yeadon and Guiseley and Rawdon Wards until veering

eastwards to run just to the north of Leeds Bradford Airport. The eastern boundary follows a short stretch of the boundary between Otley and Yeadon and Adel and Wharfedale Wards and then turns westwards along the boundary between Otley and Yeadon and Horsforth Wards, continuing along the boundary between Otley and Yeadon and Guiseley and Rawdon Wards until following the rest of the northern/eastern boundary of Rawdon Parish.

Appropriateness of the proposed neighbourhood area

- 5.7 The proposed neighbourhood area is a large and complex one and the majority of residents live within the two major settlements in the area, Guiseley and Yeadon. This presents both an opportunity and a challenge for the proposed forum. A large and complex area presents a wide variety of land use and project opportunities for the ambitious forum but it also presents challenges in ensuring that membership is geographically representative and that engagement and consultation is satisfactory. However, the group have been responsible for a series of high quality workshops, meetings and events and seem to possess the necessary skills to deliver.
- 5.8 No part of the proposed Neighbourhood Area overlaps any part of any other Neighbourhood Area (in fulfilment of Section 61G(7) of the Act).
- 5.9 No part of the proposed Neighbourhood Area consists of or includes the whole or any part of the area of a parish (in fulfilment of Section 61G(3)(b) of the Act).

The proposed neighbourhood forum

Representation

- 5.10 The forum membership of 48, made up 34 residents, 10 local businesses, 16 who work in the area and 6 elected representatives (4 city councillors, 1 Rawdon parish councillor and the Member of Parliament for Pudsey, Horsforth and Aireborough) will be tasked with delivering the neighbourhood plan.
- 5.11 For the purpose of designation the level of membership proposed (48) meets legislative requirements and it also provides an acceptable mix of individuals who live, work and carry out business in the neighbourhood area. There are more members based in Guiseley than Yeadon but the balance is acceptable given the respective size of each settlement. However, this balance should be kept under review. The mix of proposed members includes Leeds Bradford International Airport, Guiseley in Business, Aireborough Extended Services, Commission for the 15th Airedale Scouts, Guiseley in Bloom, Friends of Parkinson's Park, Friends of Engine Fields and Aireborough Civic Society. Some of the proposed membership both work and live in the area, including a partner in an architecture practice, an ecology business, an artist, a pet hotel and a marketing specialist. The geographical spread is also acceptable (see Plan x) but this will need to be kept under review.

Desirability

- 5.12 The constitution states that the purpose and aim of the forum is to support the regeneration and sustainable development of the Aireborough Neighbourhood Area,

to facilitate collaboration to “evaluate, plan and implement initiatives to improve the economic, social, cultural and environmental well-being of the people who live, work, or do substantial business in the Aireborough Neighbourhood Area. This is summed up in the working vision of the interim forum:

“To stimulate identity, in order to sustain vitality in this family of ‘sibling’ settlement, and enable them to live work and grow into a new modern economy together, as a unique cornerstone of Leeds City’s region and the proposed South Pennines National park. To resist becoming a suburban dormitory. “

- 5.13 The interim forum will continue to recruit members if designation is made and will particularly focus on improving the level (and range) of business representation and the geographical spread of members throughout the proposed neighbourhood area.

Capacity

- 5.14 The proposed membership of the forum includes significant skills that will be helpful in the preparation of a neighbourhood plan. This has been demonstrated by the quality of the meetings, events and workshops that have been organised in the area since 2012, boosted by a funding from CABI which enabled the commissioning of a specialist to advise on placemaking and other issues.
- 5.15 In conclusion, the application submitted for designation of a neighbourhood area and forum meets the requirements set out in legislation and although the proposed neighbourhood area is a large one which includes the two major settlements in the area, the interim forum has demonstrated a particular skill for engagement and consultation in the work undertaken so far.

Other

- 5.16 The constitution submitted with the application has been adopted at a management board meeting but will need to be formally approved by the neighbourhood forum. Only the neighbourhood forum will be able to make key decisions.

6.0 Next steps

- 6.1 Subject to designation being made, the Forum will elect a management group which will then be responsible for the election of a chair and secretary and other positions as outlined in the constitution.
- 6.2 A successful Neighbourhood Forum designation will allow the group to formally apply for support to prepare the neighbourhood plan, managed through Locality.
- 6.3 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.
- 6.4 The final neighbourhood plan and supporting documents will be submitted to the Council and will then publicised for a further 6 weeks.

- 6.5 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.
- 6.6 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.
- 6.7 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.

7.0 Corporate Considerations

- 7.1 A Neighbourhood Planning Agreement has been prepared to assist in the management of neighbourhood planning in Leeds. The agreement is optional and 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. If designated, the Aireborough Neighbourhood Forum will be asked to sign up to this.

8.0 Consultation and Engagement

- 8.1 The consultation was advertised in the Yorkshire Evening Post on Friday 18th April and the application was available to inspect at Guiseley Library. No representations were received.
- 8.2 Councillors Graham Latty and Ryk Downes have already stated their support for the designation of the neighbourhood area and forum. Ward members have been kept informed of progress over the past 2 years via meetings and email.
- 8.3 A series of meetings and workshops have been held throughout Aireborough since summer 2012. These have included public meetings in Guiseley and Yeadon and workshops on visioning, placemaking and other planning issues of interest and concern.
- 8.4 Ward members for Guiseley and Rawdon and Otley & Yeadon were consulted on 2 June 2014. No comments were received on the designation.

9.0 Equality and Diversity / Cohesion and Integration

- 9.1 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.

10.0 Council policies and City Priorities

- 10.1 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).

10.2 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.

11.0 Resources and value for money

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

12.0 Legal Implications, Access to Information and Call In

12.1 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.

13.0 Risk Management

13.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependent 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.

14.0 Conclusions

14.1 The application for area and forum designation by the interim Aireborough Forum meets legislative requirements and shows that while the proposed neighbourhood area is a large and challenging one it also presents some significant opportunities that could be addressed through a neighbourhood plan, which so far the interim forum has demonstrated that they can meet. However, there is a need for the Council to ensure that the representation of the forum continues to meet legislative requirements, relating in particular to the geographical spread of membership and business representation. There is also a requirement for the forum to adopt the constitution, rather than the management board.

15.0 Recommendations

15.1 It is recommended that:

- The Chief Planning Officer designates the Aireborough Neighbourhood Area (as shown on the Plan) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990.
- The Chief Planning Officer designates the Aireborough Neighbourhood Forum, subject to the formal adoption of the constitution by the neighbourhood forum pursuant to Section 61F of the Town and Country Planning Act 1990.