

Report of Forward Planning and Implementation

Report to the Chief Planning Officer

Date: 7th May 2014

Subject: Designation of Oulton and Woodlesford Neighbourhood Area and Neighbourhood Forum

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Rothwell	<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 Oulton and Woodlesford Neighbourhood Area and Neighbourhood Forum.
- 1.2 The proposed Oulton and Woodlesford Neighbourhood Area extends from the River Aire to the north to the M62 to the south and includes the settlements of Oulton and Woodlesford. The boundary has been the subject of significant discussion and local agreement with adjacent neighbourhood planning areas.
- 1.3 The proposed Oulton and Woodlesford Neighbourhood Forum will be tasked with delivering the neighbourhood plan. The application states that there are 366 members made up of residents (294), individuals or representatives of organisations that either work or do business in the Oulton and Woodlesford Neighbourhood Area (69) and local Councillors (3).
- 1.4 A steering group has been established to guide neighbourhood planning activity and a particular strength of the work that has been undertaken has been early engagement and partnership working with a wide variety of local stakeholders.
- 1.5 The proposed neighbourhood area lies within Rothwell ward. The three Councillors (Councillors Nagle, Golton and Bruce) have been closely involved on issues such

as the appropriate neighbourhood area, local planning issues, membership and joint working.

- 1.6 A copy of the application is attached as Appendix 1. This 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.

Recommendations

- 1.9 The Chief Planning Officer is recommended to:
 - authorise the designation of Oulton and Woodlesford Neighbourhood Area (as shown on Plan) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990;
 - authorise the designation of Oulton and Woodlesford Neighbourhood Forum pursuant of Section 61F of the Town and Country Planning Act 1990;
 - agree to continue to work closely with the Oulton and Woodlesford Neighbourhood Forum on neighbourhood planning issues within the Oulton and Woodlesford Neighbourhood Area.

1 Purpose of this report

- 1.1 This report recommends the designation of the Oulton and Woodlesford 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.

2 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 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 against 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 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

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

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 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.

2.6 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.

3 Main issues

Summary of the application

3.1 In line with the Neighbourhood Planning (General) Regulations 2012 the Oulton and Woodlesford group submitted an application for designation of a neighbourhood area and neighbourhood forum on 4th February 2014.

3.2 The application comprises the following:

- Application Letter
- Written constitution for the proposed neighbourhood forum
- List of Forum membership
- Map showing distribution of Forum members
- Table showing Forum members by age group
- 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'
- Statement in fulfilment of section 61(F) of the 1990 Act

3.3 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 (as in this case).

3.4 The proposed Neighbourhood Area includes the villages of Oulton and Woodlesford as well as large tracts of agricultural land. The boundary predominantly follows prominent natural or man-made features, including the River Aire to the north and M62 motorway to the south. The proposed boundary has been subject to considerable local discussion and has been agreed with adjacent neighbourhood areas (Rothwell, Methley).

3.5 The proposed Oulton and Woodlesford Neighbourhood Forum has a very large number of members (366), significantly larger than the two other forums in Leeds, Holbeck (52), Adel (28) and possibly the largest forum membership in the country. The level of membership demonstrates the excellent early engagement undertaken by the interim forum and the passion that local people have for the area. There is no upper limit for forum membership and whilst this level of membership may present difficulties for the management of forum meetings it is a matter for the forum to make the necessary arrangements. Experience from elsewhere in the country shows that membership often falls throughout the preparation of the neighbourhood plan and this may also be the case here.

3.6 Leeds City Council is satisfied that the application submitted for designation of a neighbourhood forum meets 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.

Next steps

- 3.7 Subject to designation being made, the Forum will elect a board comprising 15 members. The board will then be responsible for the election of a chair and secretary and other positions as outlined in the constitution.
- 3.8 A successful Neighbourhood Forum designation will allow the group to formally apply for support to prepare the neighbourhood plan, managed through Locality.
- 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 1.11.
- 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.

Corporate Considerations

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, Neighbourhood Forums responsibilities and obligations and working arrangements for the key stages in neighbourhood planning, from designation to referendum. The Oulton and Woodlesford group will be asked to sign up to this.

4.1 Consultation and Engagement

4.1.1 Membership

The Forum has a total of 366 members, making it the largest Forum in Leeds. Over the last two years there has been a very effective drive by a small group of committed individuals to publicise and promote Neighbourhood Planning in Oulton and Woodlesford and sign up members to the Forum. This was achieved in part through well publicised Forum meetings, several Neighbourhood Planning events and a dedicated website (<http://www.oawnf.org/>). It was helped by the fact there already existed a number of community groups within the area (e.g. Oulton Civic Society).

- 4.1.2 Consultation on the application for the proposed Oulton and Wodlesford Neighbourhood area and forum.

- 4.1.3 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.
- 4.1.4 The consultation took place for a period of 6 weeks from 21st March 2014 to 2nd May 2014. No representations were received.
- 4.1.5 Councillors Golton, Nagle and Bruce have already stated their support for the designation of the neighbourhood area and forum. All three are members of the Forum, and Councillors Golton and Nagle are members of the Steering Committee.
- 4.1.6 The consultation was advertised in the Yorkshire Evening Post on 21st March 2014 and the application was available to inspect at Rothwell One Stop centre. The application was also advertised by the Forum at two local post offices and at the Oulton Institute.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 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.

4.3 Council policies and City Priorities

- 4.3.1 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).

- 4.3.2 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.

4.4 Resources and value for money

- 4.4.1 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.

4.5 Legal Implications, Access to Information and Call In

4.5.1 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.

4.6 Risk Management

4.6.1 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.

5 Conclusions

5.1 A particular strength of the work undertaken by the interim Oulton and Woodlesford Neighbourhood Forum has been the level and quality of the early engagement and the energetic approach to all other aspects of neighbourhood planning. As a result, the application for designation of the Oulton and Woodlesford Neighbourhood Area and Neighbourhood Forum is a strong one and 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 provide support to the forum as and when needed and will be responsible for arranging and paying for an independent examination and referendum.

6 Recommendations

6.1 The Chief Planning Officer is recommended to:

- authorise the designation of Oulton and Woodlesford Neighbourhood Area (as shown on Plan) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990;
- authorise the designation of Oulton and Woodlesford Neighbourhood Forum pursuant of Section 61F of the Town and Country Planning Act 1990;
- agree to continue to work closely with the Oulton and Woodlesford Neighbourhood Forum on neighbourhood planning issues within the Oulton and Woodlesford Neighbourhood Area.

7 Background documents¹

7.1 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.