

Report of Forward Planning and Implementation

Report to Chief Planning Officer

Date: 23 October 2014

Subject: Designation of Headingley Neighbourhood Area and Neighbourhood Forum

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Headingley, Hyde Park and Woodhouse, Kirkstall, Weetwood, Chapel Allerton		
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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

1.0 Summary of main issues

- 1.1 This report considers the designation of the Headingley Neighbourhood Area and Neighbourhood Forum.
- 1.2 The proposed Headingley Neighbourhood Area is shown on Plan 1. It is an extensive area that lies mainly within Headingley, Weetwood and Hyde Park & Woodhouse wards but also includes small areas within Kirkstall and Chapel Allerton wards (Plan 2 refers).
- 1.3 The proposed Forum will be tasked with delivering the neighbourhood plan. The application proposes an initial membership of 34, made up of 15 residents, 7 businesses, 5 individuals who work in the area and 7 elected representatives
- 1.4 Local ward members for Headingley, Hyde Park and Woodhouse, Kirkstall and Weetwood have been consulted. Councillor Walshaw has expressed his support for the recommendations outlined in this report.
- 1.5 A steering group will be formed to guide neighbourhood planning activity and this group intends to work closely with the existing Inner North West Planning Forum, chaired by Councillor Walshaw.

- 1.6 A high number of representations were made during the 6 week publicity period, 53 in total (28 objections, 24 supports and 3 neutral).. These are summarised in Appendix 1.
- 1.7 The application includes information in support of the application arising from the Localism Act 2011 and the supporting Neighbourhood Planning (General) Regulations 2012.
- 1.8 Fifty two representations were made on the application during the 6 week publicity period. Appendix 1 provides a summary of the points made.
- 1.9 An application has also been received for the designation of the Hyde Park Neighbourhood Area (6 week publicity period commenced on 4th July 2014). This proposes the inclusion of Hyde Park Corner, part of the proposed Headingley Neighbourhood Area.
- 2.0 The interim group are eligible to apply to Locality for up to £8,000 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.

2.0 Recommendations

The Chief Planning Officer is recommended to:

- Pursuant to Section 61G and 61I of the Town and Country Planning Act 1990 designate the revised Headingley Neighbourhood Area (as shown on Plan 1);
- Pursuant to 61G (9) publish the designation decision (Appendix 2) on the Council's website, including reasons for the refusal of the original application ('designation decision notice');
- Pursuant to Section 61F (5) of the Town and Country Planning Act 1990 designate the Headingley Neighbourhood Forum.

3.0 Purpose of this report

- 3.1 This report recommends the designation of the Headingley 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 and 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, 27 neighbourhood areas have been designated and 4 neighbourhood forums (Holbeck, Adel, Oulton & Woodlesford and Aireborough).
- 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 Under section 61H of the 1990 Act whenever a local planning authority exercises powers under section 61G to designate an area as a Neighbourhood Area, consideration must be given to whether the authority should designate the area concerned as a business area. The designation of the specified area can only occur if the authority considers that the area is wholly or predominately business in nature [Section 61H (3)].
- 4.7 If the application for the Designation of this Neighbourhood Area is approved, then Regulation 7(1) of the Neighbourhood Planning (General) Regulation 2012 requires the designation to be publicised. If the application is refused, reasons must be given under 61G(9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.
- 4.8 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:

- 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.

5.0 Main issues

Summary of the application

- 5.1 In line with the Neighbourhood Planning (General) Regulations 2012 the interim Headingley Neighbourhood Forum submitted an application for designation of a neighbourhood area and neighbourhood forum on 9th April 2014.
- 5.2 The application 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;
 - Community identity.
- 5.4 In the determination of a **neighbourhood forum** membership must include a minimum of 21 members who live, work and carry out business in the neighbourhood area. The Localism Act also obliges local authorities to consider the desirability of designating an organisation which has secured membership drawn from different areas and different sections of the community and whose purpose reflects in general terms the character of the area. The capacity to deliver is also a relevant consideration, although the Council is not required in law to consider this.

The proposed neighbourhood area

- 5.5 The proposed neighbourhood area is shown on Plan 1 and is broadly follows the Character Areas defined in the Headingley and Hyde Park Neighbourhood Design Statement (2010), with the following exceptions: **excludes** Woodhouse Moor, parts of the South Headingley character area to the south of Victoria Road and **includes** the Becketts Park Area (at the request of the Becketts Park Residents Association).

Representations on the proposed neighbourhood area

- 5.7 During the 6 week publicity period a total of 55 representations were made, the majority objecting to or supporting the inclusion of Hyde Park Corner in the Headingley Neighbourhood Area. There was also objection was to the inclusion of greenspace to the north of Woodhouse Street (also part of the proposed Hyde Park Neighbourhood Area). Appendix 1 lists the representations made, mainly relating to Hyde Park corner and Woodhouse Moor.

Community identity

- 5.8 In support of the proposed neighbourhood area the interim Headingley Neighbourhood Forum states that:

“There is a strong local sense of neighbourhood. In 2010, the Council adopted as SPD the Headingley & Hyde Park Neighbourhood Design Statement, prepared on their own initiative by local residents. As well as the residents’ groups already described it is a centre for other connecting social networks such as Headingley Development Trust, Headingley Community website and mailing lists.”

- 5.9 The applications makes the following points In support of the inclusion of the Hyde Park Corner in the proposed Headingley Neighbourhood Area: Hyde Park Corner is included in the recently adopted (2010) Headingley and Hyde Park Neighbourhood Design Statement, it acts as a ‘gateway’ to Headingley and the inclusion of the area is supported by the local community group (North Hyde Park Residents Association).
- 5.10 Both Headingley and Hyde Park areas share a common history and identity with Hyde Park Corner but the relationship is a stronger one with Hyde Park, as reinforced by the representations received and an informal study undertaken of businesses operating at Hyde Park Corner, where all surveyed stated that the wish to be part of the Hyde Park Neighbourhood Area.

Tangibility of boundaries

- 5.11 The chosen boundaries follow clear physical features, namely the existing Character Areas outlined in the Headingley and Hyde Park Neighbourhood Design Statement which was adopted by the Council in 2010 as a Supplementary Planning Document. The proposed Neighbourhood Area excludes Woodhouse Moor and

parts of the South Headingley Character Area to the south of Victoria Road, and proposes to extend the boundary to north to include the Becketts Park Area.

- 5.12 The western extent is bounded by Becketts Park which continues south on Queenswood Drive, the boundary then follows the railway line which acts as a natural boundary including The Turnways & Stadium Cardigan Triangle areas. The southernmost tip of the boundary includes Burley Park Train Station before veering eastward to including a short stretch of Cardigan Lane before joining Victoria Road. The southern eastern corner of the boundary includes Hyde Park Corner and a short stretch of Woodhouse Street before turning northwards to form the eastern extent which is defined by the northern part of Hyde Park Character Area, City of Leeds School and Woodhouse Cliff; the eastern extent continues north until it meets Grove Lane which forms the northern boundary.
- 5.13 The proposed Headingley Neighbourhood Area includes the Woodhouse Street greenspace (also within the proposed Hyde Park Neighbourhood Area). This area was originally part of Woodhouse Moor but no longer functions as such and has a stronger relationship with the proposed Headingley Neighbourhood Area. Furthermore, Woodhouse Street offers a clearly defined neighbourhood area boundary.

Appropriateness of the proposed neighbourhood area

- 5.14 The proposed neighbourhood area is an extensive one that provides many opportunities that could be addressed by a neighbourhood plan, with partnership working with the Council and others.
- 5.15 No part of the proposed Neighbourhood Area overlaps any part of any other Neighbourhood Area (in fulfilment of Section 61G (7) of the Act).
- 5.16 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).
- 5.17 The specified area is not wholly or predominantly business in nature and so it is inappropriate to designate it as a business area.

The proposed neighbourhood forum

- 5.18 The application proposes an initial membership of 34, made up of 15 residents, 7 businesses, 5 individuals who work in the area and 7 elected representatives. The interim forum has worked closely with the Inner North West Planning Group, chaired by Councillor Walshaw (although this group has not agreed boundaries) as well as all the community and residents groups in the proposed Headingley Neighbourhood Area.

Representations on the Proposed Neighbourhood Forum

- 5.19 During the 6 week publicity period a number of representations were made on the proposed neighbourhood forum, covering issues relating to representation by young people and students. Appendix 1 lists the representations made and provides a brief response.

Representation

- 5.20 The application proposes an initial membership of 34 who live, work and carry out business in the proposed neighbourhood area.. The application is satisfactory in terms of the number of members and the general balance between the three categories of membership. There is also a broad spread of members from different parts of the neighbourhood area, although businesses operating in Hyde Park Corner are not represented (Plan 2). The key issues are covered below:

Students and young people

- 5.21 Representations have highlighted that student membership is low (6% of the total membership in an area with a high student population). However, representation by young people on neighbourhood forums across the city and nationally is an issue and it is positive that the Headingley group have some representation from official student representatives. It is, however, desirable that there are individual student memberships also.
- 5.22 In order to attract student members, the interim forum has contacted the Leeds University and Leeds Beckett University, as well as publicising the plan using flyers and emails. However, this had limited success and the interim forum have said they will repeat this in the new academic year. This is a reasonable approach to take.

Residents

- 5.23 The interim forum has worked closely with existing residents organisations and this is a particular strength of the application.

Business

- 5.24 The application proposed 7 business members, including Headingley Development Trust, Leeds Metropolitan University, Leeds University, Headingley Stadium and a number of small businesses. Hyde Park Corner is not represented and this weakens the argument to include this area in the Headingley Neighbourhood Area.
- 5.25 Although the proposed business membership is at the lower end of representation it does meet legislative requirements. It may be that once the forum is more established others may wish to join the forum. Ensuring business representation is a challenge for all neighbourhood forums and it is an achievement to have secured the representation that the group has but the membership should be increased, particularly to reflect the diversity of business interests throughout the area.

Desirability

- 5.26 The interim forum provides a strong statement in support of their intentions:

“The Headingley Neighbourhood Forum will provide a space where the residents, businesses and organisations that operate in the area and local councillors can, together, work to build a confident, sustainable community, which will improve the wellbeing and quality of life for everyone who lives and works in Headingley. It will develop trust and understanding between people and groups in the area which are often perceived as having conflicting interests and enable them, as a community, to shape their own destiny, creating a sustainable, mixed and inclusive community.

- 5.27 A particular strength of the application is the partnership working outlined between the Council, the universities, the stadium and local business.

Capacity

- 5.28 The proposed forum has a high capacity to prepare a neighbourhood plan for independent examination. Many of the forum members already have particular planning-related skills (previous involvement in the Headingley and Hyde Park Neighbourhood Design Statement) and there are also a number of members who have valuable consultation and engagement skills, largely members of existing community and residents associations.
- 5.29 Membership of the Inner North West Planning Support Group help ensure that Inner North West plans are joined-up and complimentary and that capacity issues to prepare a plan are addressed
- 5.30 There is an untapped opportunity to make use of the high proportion of younger people living in the area. This could also help improve the level of membership among young people.

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 4.1.

- 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's responsibilities, parish/town council's responsibilities and obligations and working arrangements for the key stages in neighbourhood planning, from designation to referendum.

8.0 Consultation and Engagement

- 8.1 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.
- 8.2 The statutory 6 week publicity period was advertised in the Yorkshire Evening Post and took place 18th April-30th May. The application was available to inspect at the Swarthmore Centre. Appendix 1 summarises the representations received.
- 8.3 A series of meetings drop-ins have been held throughout the Neighbourhood area since 2012, focussing on early engagement, publicising neighbourhood planning and attracting new members.
- 8.4 The Inner North West Planning Sub-group, chaired by Councillor Walshaw, has provided support and direction for the interim forum and kept local ward members informed of progress.
- 8.5 Ward members for Headingley, Hyde Park and Woodhouse, Kirkstall and Weetwood have been consulted on this application.
- 8.6 Members of the interim Headingley Forum have taken an active part in the Inner North West Planning Sub group discussions on neighbourhood planning and have undertaken numerous community events over the past 18 months which have also been used to promote neighbourhood planning and to encourage ideas and membership.
- 8.7 The proposed neighbourhood areas for Headingley, Hyde Park and Little Woodhouse were discussed at a meeting with Councillors Walshaw (Headingley) and Councillor Akhtar (Hyde Park & Woodhouse) on 12th September. It was considered that the Headingley designation should exclude the Hyde Park Corner Local Centre and include Woodhouse Street greenspace, subject to further discussion with Headingley ward members and Councillor Gruen. This meeting took place on 22 October, chaired by Councillor Gruen and attended by

Councillors Washaw and Pryor. It was agreed to recommend that the designation of the Headingley Neighbourhood Area would include Woodhouse Street greenspace and the Beckett's and to exclude Hyde Park Corner. It was also agreed to designate the neighbourhood forum.

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's 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 £2,000 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 has been considered alongside the application for the proposed Hyde Park Neighbourhood Area, received after the Headingley application was made. There are two areas to consider regarding the designation of the neighbourhood area - Hyde Park Corner and the Woodhouse Street greenspace. It is clear that Hyde Park Corner has a stronger relationship with Hyde Park than it does with Headingley and so it would be logical and appropriate to exclude this area from the Headingley designation; whereas, the Woodhouse Street greenspace has a stronger relationship with the proposed Headingley Neighbourhood Area. The forum application meets statutory requirements but a number of representations were made regarding the "low level" of student membership. However, the interim Headingley Forum has taken satisfactory steps to encourage student membership and plans are already underway to encourage further members, including students. As well as this, it is highly likely that as the forum becomes more widely known locally new members (including students) will join. More generally, the Council will facilitate a neighbourhood forum for INW and this will ensure that neighbourhood planning groups work together to ensure plans are joined up and complimentary.

15.0 Recommendations

- 14.1 The Chief Planning Officer is recommended to:
- Pursuant to Section 61G and 61I of the Town and Country Planning Act 1990 designate the revised Headingley Neighbourhood Area (as shown on Plan 1);
 - Pursuant to 61G (9) publish the designation decision (Appendix 2) on the Council's website, including reasons for the refusal of the original application ('designation decision notice');
 - Pursuant to Section 61F (5) of the Town and Country Planning Act 1990 designate the Headingley Neighbourhood Forum.

15.0 Background Papers¹

- 15.1 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.

