

Report of Forward Planning & Implementation

Report to Chief Planning Officer

Date: 19 February 2015

Subject: Designation of Rothwell 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 The application for designation of the Rothwell Neighbourhood Forum has been made by the Rothwell Neighbourhood Planning Steering Group (RNPSG) and follows on from the designation of the Rothwell Neighbourhood Area.
- 1.2 The proposed Forum will be tasked with delivering the neighbourhood plan. This plan will be in general conformity with the Local Development Framework being prepared by the Council. The application proposes an initial membership of 181, made up of 157 residents, 21 people who work in the Neighbourhood Area and the 3 ward councillors.
- 1.3 The application includes information in support of the application arising from the Localism Act 2011 and the supporting Neighbourhood Planning (General) Regulations 2012.
- 1.4 No representations were made on the application during the 6 week publicity period.
- 1.5 If designated, the Forum will be able to apply for funding to assist with the preparation of the neighbourhood plan. This would complement the support already provided by the Council and others.

2.0 Recommendations

2.1 The Chief Planning Officer is recommended to:

- Pursuant to Section 61F (5) of the Town and Country Planning Act 1990 to designate the Rothwell Neighbourhood Forum.

3.0 Purpose of this report

3.1 This report recommends the designation of the Rothwell 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. A Neighbourhood Plan could decide where new development takes place, what it looks like and 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, 33 neighbourhood areas have been designated and 8 neighbourhood forums (Holbeck, Garforth, Adel, Oulton & Woodlesford, Aireborough, Headingley, Beeston and Seacroft).

- 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 If the application for the Designation of this Neighbourhood Forum 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.
- 4.7 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 RNPSG has submitted an application for designation of a neighbourhood forum. The application was submitted on 6th November 2014.
- 5.2 The application includes the following:
- 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 designated Neighbourhood Area;
 - Statement that the body making the application is a 'Relevant Body'.
- 5.3 In determining an application for **neighbourhood forum** designation the Council must ensure that 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 a local authority is not required in law to consider this.

The proposed neighbourhood forum

- 5.4 Since its inception in Spring 2013, the RNPSG has steadily expanded its membership. This is largely the result of a few dedicated and hard-working members who have publicised Neighbourhood Planning in Rothwell through poster displays, leafleting, public meetings and a series of successful events. These events include a drop in event (hosted by the Steering Group, LCC and Planning Aid England) and Rothwell Christmas Fair (where the RNPSG had a dedicated Neighbourhood Planning Stall). Rothwell ward members were actively involved in these early events.
- 5.5 The application proposes an initial membership of 181, made up of 157 residents, 21 who work in Rothwell (whether for business carried out there or otherwise) and the 3 ward councillors (Councillors Nagle, Golton and Bruce).

Representations on the proposed neighbourhood forum

- 5.6 No representations were received on the proposed neighbourhood forum during the 6 week publicity period.

Membership

- 5.7 The membership broadly reflects those who live, work and carry out business in the Neighbourhood Area. With 181 proposed members, the application easily exceeds the minimum of 21 required by legislation. As it is unlikely all 181 will be actively involved with the Forum, two separate lists have been compiled. The first contains the names and details of 25 members who regularly attend meetings and who will almost certainly continue to be involved. The second contains the names and addresses of an additional 156 who have expressed an interest in Forum membership. The second table is attached to the application as an appendix.

Residents

- 5.8 There are 157 individuals who live in the neighbourhood area who have expressed an interest in becoming a member of the Forum. Representation has been achieved from all parts of the Neighbourhood Area.

Business

- 5.9 Of the 25 members referred to in paragraph 5.7, four businesses in the Neighbourhood Area are represented – ISIS Window Cleaning Services, Stephen Ward Photography, Brew Tea Rooms and Garners Pharmacy. Other businesses that have expressed an interest as part of the wider membership include a Confectionary, Specialist Decorator, Local Magazine Publisher and Recruitment Consultancy.
- 5.10 It is a challenge to secure and retain business membership across the country and this will also be the case in Rothwell. Continuing active business involvement will be dependent on the difference Neighbourhood Planning can make to business and the business environment in Rothwell.

Desirability

- 5.11 The constitution submitted with the application clearly sets out the aims and objectives and governance arrangements for the Forum. This includes the preparation of a neighbourhood plan that is in general conformity with local and national planning policy and a strong desire to work in partnership with the Council. The aims of the proposed Rothwell Neighbourhood Forum are:
- To co-ordinate the development and delivery of a neighbourhood plan which reflects the needs and aspirations of the community in an open and accountable manner
 - To inform, engage and empower local groups and individuals in the further development and regeneration of the Rothwell Forum Area
 - To encourage and support partnership working between the local community, local businesses, service providers and local community and voluntary groups
 - To be an effective and strong voice, capable of representing our Area in respect of its future development

Capacity

- 5.12 The RNPSG has met regularly since Spring 2013 during which time they have built up a range of skills and a strong understanding of neighbourhood planning.
- 5.13 The Steering Group have been ably supported by officers and others. In particular, they have had the support of Alex Cowling (a Town Planning graduate from Leeds Beckett University) and Edward Wills (a Planning Aid England volunteer).
- 5.14 As of April 2015, communities such as Rothwell will be able to apply for up to £14,000 grant funding. Although direct one-on-one support will not be available, officers will work with the Forum to secure other arrangements if possible and to continue existing support arrangement.

6.0 Next steps

- 6.1 Subject to designation being made, the Forum will elect a Board which will consist of up to 12 members, including a Forum Chair, Secretary and Treasurer and other positions as set out in the constitution. The Board will act on behalf of the Forum in the preparation of the Neighbourhood Plan and will be responsible for day to day business.
- 6.2 A successful Neighbourhood Forum designation will allow the group to formally apply for support and grant funding 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. An early discussion with the Council to agree the scope of the neighbourhood plan will be a priority.
- 6.4 The final neighbourhood plan and supporting documents will be submitted to the Council and will then be 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, the responsibilities of the forum 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 throughout the neighbourhood area and took place between 14th November 2014 and 26th December 2014. The application was available to inspect at Rothwell One Stop Centre, Rothwell Library, the Development Enquiry Centre (Leeds City Council, Leonardo Building), and Leeds City Council's website. No representations were received.
- 8.3 An initial meeting was held to discuss opportunities and challenges in August 2012 at Royds Court. It was chaired by Councillor Golton and attended by Councillor Bruce and Councillor Nagle. It was agreed at this meeting to explore Neighbourhood Planning further. The first public meeting took place in Autumn 2012 at Blackburn Hall. Strong support was expressed for a neighbourhood plan and it was agreed that a neighbourhood planning steering group should be established. The Steering group met with planning officers in January 2013 to discuss next steps.
- 8.4 The RNPSG has met regularly since Spring 2013 and is made up of local residents, businesses and the three elected ward members.
- 8.5 A 'Rothwell Neighbourhood Planning' drop-in session was held at Blackburn Hall in Spring 2013. This was attended by Councillors, local residents, officers and Planning Aid England to further promote neighbourhood planning and to attract new members.
- 8.6 In September 2013 it was agreed that Alex Cowling (a Masters student at Leeds Beckett University) would help support the Steering Group. Alex has attended several meetings and has assisted with evidence gathering, publicity and

administration. Although he is now in full time employment, Alex still intends to continue his work with the group.

- 8.7 RNPSG have a good working relationship with neighbouring forums with members from Oulton and Woodleford Steering Committee and the proposed Carlton Neighbourhood Forum regularly attending Steering Group meetings. The proposed constitution explicitly mentions the need to liaise with adjoining Forums.
- 8.8 If designated, the first forum meeting will set out the process for the election of the board, chair, treasurer and secretaries.
- 8.9 All 3 elected ward members have been actively involved in the Steering Group.
- 8.10 This report was circulated to all 3 ward members on 6th February 2015 for their comments. Councillor Nagle and Councillor Bruce responded by offering their support. All 3 ward members have previously voiced their support for the designation of the 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 Council has already claimed £5,000 from the Department of Communities and Local Government for the neighbourhood area designation and can claim a further £5,000 for the forum designation.

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. Following the adoption of the Core Strategy in November 2014 the Council hopes to consult on the draft Site Allocations Plan. 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 Rothwell Neighbourhood Planning Steering Group have submitted a strong application which meets legislative requirements. The proposed Forum includes individuals who live and/or work in the Neighbourhood Area, as well as the three elected ward members. The proposed membership exceeds the 21 required by legislation. The interim forum intends to prepare a neighbourhood plan for Rothwell that is in general conformity with local and national planning policy. The Forum will be able to apply for funding to assist with the preparation of the plan.

15 Recommendation

15.2 The Chief Planning Officer is recommended to:

- Pursuant to Section 61F (5) of the Town and Country Planning Act 1990 to designate the Rothwell Neighbourhood Forum.

16 Background documents¹

16.1 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.