

Report of: Chief Planning Officer

Report to: Outer North East Community Committee – Alwoodley, Harewood and Wetherby

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To Note

The role of Outer North East Community Committee in Neighbourhood Planning

Purpose of report

1. The purpose of this report is to explore the role of the Outer North East Community Committee (ONECC) within the neighbourhood planning process. Community Committees have no statutory role in the process however they are in a unique position between local communities and the City Council to assist in neighbourhood plan production and delivery.

Main issues

Background

2. Neighbourhood planning was established in the Localism Act 2011 which introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans. Neighbourhood Development Plans can be taken forward by town and parish councils or 'neighbourhood forums' (community groups designated specifically to take forward neighbourhood planning in areas without parishes) and can establish general planning policies for the development and use of land in a neighbourhood area.

Neighbourhood Planning Within Leeds

3. 35 communities within Leeds have embraced these new powers and have embarked on the production of a neighbourhood plan for their area, 11 of which have successfully established neighbourhood forums. Neighbourhood plans are at a variety of stages, with some areas and forums only recently achieving designation whilst others have draft

policy intentions and even advanced draft plans and one plan has successfully passed examination and referendum.

Neighbourhood Planning in the Outer North East

4. The Outer North East area has 17 communities actively working on neighbourhood plans which is the highest number of any area across the city. **Appendix A** lists the areas and gives details of what stage each are at. All the area is parished and many of the parishes were quick to be designated neighbourhood areas in 2012/13. Most areas are progressing well with their neighbourhood plans and the majority have at least draft planning policy intentions. There are some common themes emerging across a number of plans:
 - Protection of the landscape setting of villages
 - Protection of heritage assets
 - Protection of community facilities
 - Designation of local green space
 - Support for some growth that is proportionate and respectful of the existing character
 - Providing for a mix of housing types, especially an increase of smaller units.
5. The Linton Neighbourhood Plan is the most advanced across the city having successfully passed examination in August 2015 and comprehensively supported at Referendum on 17th December. The draft Plan was subject to an application to the High Court for permission to apply for judicial review on the grounds that (i) the City Council had failed to modify the draft plan as proposed by the examiner; (ii) the Plan fails to contribute to sustainable development; and (iii) the SEA screening had not been done correctly. The judge refused the application as he considered it was totally without merit. A subsequent application has now been lodged with the Court of Appeal to appeal the High Court judge's ruling. Although the Plan has not been formally 'made' by the City Council, it does have significant legal weight in determining planning application within the area.
6. Neighbourhood planning is inextricably linked with the production of the Site Allocations Plan and the location, scale and design of future development is of particular interest to several communities in the ONE area. Many have made representations during formal consultation periods and the Council has assisted neighbourhood planning groups in supplying information and material.

Ward Member and Community Committee involvement to date

7. There is no statutory requirement for Ward Members or Community Committees to be involved however local communities are positively encouraged to involve them and many have included Ward Members through sharing information and updates, community engagement and the inclusion of Ward Members on forums and steering groups. It has been up to each community and the individual Ward Member as to the degree of involvement and there is certainly great variation across the city. Officers have emailed local Ward Members and the chair of Community Committee to notify and seek their views and comments at key stages of the neighbourhood plan process e.g.

area designation, forum designation, pre-submission draft publicity and publicity once the plan is submitted for examination.

Future arrangements for Ward Member and Community Committee Involvement

8. As stated previously, there is no **statutory** role for Community Committees however there is scope to establish and define a clearer role for ONECC within the neighbourhood planning process in the Outer North East area. Firstly is this something that the Community Committee would like to do? If so, what roles does the ONECC want to have? How could they assist communities in the production of their neighbourhood plans?
9. Below are some ideas though this is not a comprehensive list, suggestions from the Community Committee are sought and welcomed:

Neighbourhood Plans Statutory Process

- Neighbourhood planning update is a standing item on Community Committee agenda at a frequency to be decided. This could give details on the progress of individual plans and draw out issues and lessons learnt over the preceding months.
- Neighbourhood plans are tabled at Community Committee at key statutory stages i.e. pre-submission stage and following submission for examination. Depending on the timescales of the pre-submission and post-submission publicity and the Community Committee meeting, there may be scope to make comments on the documents.
- Pre-submission and post-submission draft plans are sent to Ward Members and the Chair of ONECC for comment during the formal publicity period.
- Ward Members and the Chair of ONECC are notified of examiner's report and date of Referendum.

Delivery of Neighbourhood Plans

- Community Committees take on a key co-ordinatory and facilitatory role to assist in the delivery of neighbourhood plan projects.
- Provide a strategic, cross-neighbourhood area context within which individual plans and projects are considered and delivered.
- Provide procedural and practical support to the parish and town councils in the Outer North East area (completely parished) in the spending of the community's proportion ('neighbourhood fund') of any CIL receipts (15% or 25% depending on whether the parish has a neighbourhood plan). A report went to Executive Board on 21st October 2015 looking at the spending of CIL, including the neighbourhood fund, which incorporated a note 'Spending Guidance for Community Committees' produced following four workshops involving ward members, town and parish councils and neighbourhood planning groups. Executive Board approved the guidance for use by Community Committees and this has been circulated to members of the ONECC and is appended to this report (**Appendix B**).
- Assist communities in securing other funding, e.g. a proportion of the strategic fund.

Conclusion

10. Although Community Committees do not have a clear, statutory role in neighbourhood planning, their unique position between communities and the City Council puts them in a good position to facilitate and support the production of neighbourhood plans. This could be practically achieved through various arrangements and processes which ONECC could help to shape. This report has suggested some possibilities but also seeks ideas from members.