

Report of Policy and Plans

Report to the Chief Planning Officer

Date: 14 November 2016

Subject: Designation of revised Wetherby, Boston Spa, Bramham, Bardsey and Scarcroft Neighbourhood Areas

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Wetherby, Harewood	<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

Summary of main issues

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.
2. The Neighbourhood Areas for Wetherby, Boston Spa, Bramham and Bardsey were designated by the City Council on 17th September 2012 and Scarcroft was designated on 31st January 2013 to coincide with the Town/Parish Council boundaries at that time. The boundaries were subsequently amended following a review and the new boundaries came into force on 1st April 2014. The Town/Parish Councils applied to the City Council between 1st February 2016 and 3rd March 2016 to amend the Neighbourhood Areas to follow the new parish boundaries.
3. The applications were publicised on the Leeds City Council website and through site notices posted in the areas. The parish/town councils also publicised them where possible and paper copies of the applications were available to view at the relevant town or village hall. No representations were received.

Recommendations

4. It is recommended that:

- The Chief Planning Officer designates the revised Wetherby, Bramham, Boston Spa, Bardsey and Scarcroft Neighbourhood Areas (as shown on Plans 1 - 5) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990.

1.0 Purpose of this report

- 1.1 This report recommends the designation of the revised Neighbourhood Areas of Wetherby, Boston Spa, Bramham, Bardsey and Scarcroft and covers information relevant to the designation.

2.0 Background information

- 2.1 The Localism Act 2011 devolves some planning powers to town and parish councils and neighbourhood forums. Neighbourhood plans are the cornerstone of this change and there are currently 35 neighbourhood areas in the Leeds area. One plan has successfully been through referendum whilst two have recently been examined by an independent examiner. Both have been recommended to proceed to referendum subject to proposed modifications. A further eight areas have completed their pre-submission consultation and are expected to submit their draft plans for examination shortly. One area is currently undertaking pre-submission consultation and another is expected to start in November.
- 2.2 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 neighbourhood areas. For applications made for designation of a neighbourhood area the Council is required to publicise and to bring the application to the attention of people who live, work or carry on business in the area. Once this is done the Executive Board Member for Regeneration, Transport and Planning, Community Committee chairs and local ward members are consulted.
- 2.3 The five neighbourhood areas were originally designated by the City Council to follow the parish boundaries at the time. The parish boundaries have been subsequently amended following the review and each parish/town council applied to the City Council to amend their neighbourhood area to follow the new boundaries.

3.0 Main issues

3.1 Assessing an application for Neighbourhood Area designation

- 3.1.1 The 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).

4.0 The proposed revised Neighbourhood Areas

4.1 Each town and parish council applied for the designation of the relevant amended Town or Parish Council boundary as the new Neighbourhood Area. The applications outline the following reasons as justification for the proposed boundary:

Area	Justification
Wetherby	<p>The 2014 Parish Review amended several Parish boundaries across the Leeds district including Wetherby which expanded in size very slightly, with a small parcel of land to the south adjacent to the A1 being transferred from Boston Spa Parish. Given that the Parish Review post-dates the designation of Wetherby Neighbourhood Area we now have a situation where part of Wetherby Parish is within the Boston Spa Neighbourhood Area. It is desirable for the Wetherby Neighbourhood Area to include all of the area under the control of the Town Council. Boston Spa Parish Council has agreed to re-designate their current Neighbourhood Area to reflect the revised Parish boundaries. This will ensure that the proposed Wetherby Neighbourhood Area will not overlap with another designated Neighbourhood Area.</p> <p>The whole parish is considered to be the area most appropriate to be designated as a Neighbourhood Area for planning purposes. The proposed boundary makes sense to the community of Wetherby and is logical in spatial terms. Using the administrative boundary of the Parish also has governance benefits which will be particularly useful at referendum stage and could simplify CIL monies administration.</p>
Boston Spa	<p>The 2014 Parish Review amended several Parish boundaries across the Leeds district including Boston Spa Parish which changed to exclude a small parcel of land to the west of the A1 which was transferred to Wetherby Parish along with the inclusion of a parcel of land to the east from Bramham Parish (see attached plan). Given that the Parish Review post-dates the designation of Boston Spa Neighbourhood Area we now have a situation where Boston Spa Parish no longer includes all of the land within the designated Neighbourhood Area. It is desirable for the Boston Spa Neighbourhood Area to include all of the area under the control of the Parish Council. Both Bramham and Wetherby Parish/Town Councils have agreed to re-designate their current Neighbourhood Areas to reflect the revised Parish boundaries. This will ensure that the proposed Boston Spa Neighbourhood Area will not overlap with another designated Neighbourhood Area.</p>

	<p>The whole parish is considered to be the area most appropriate to be designated as a Neighbourhood Area for planning purposes. The proposed boundary makes sense to the community of Boston Spa and is logical in spatial terms. Using the administrative boundary of the Parish also has governance benefits which will be particularly useful at referendum stage and could simplify CIL monies administration.</p>
Bramham	<p>The 2014 Parish Review amended several Parish boundaries across the Leeds district including Bramham Parish which contracted in size, with a parcel of land to the north-east being transferred into Boston Spa Parish. Given that the Parish Review post-dates the designation of Bramham Neighbourhood Area we now have a situation where the designated Bramham Neighbourhood Area now contains land within the control of Boston Spa Parish Council. It is desirable for the Bramham Neighbourhood Area to include only the area under the control of the Parish Council. Boston Spa Parish Council has agreed to re-designate their current Neighbourhood Area to reflect the revised Parish boundaries. This will ensure that the proposed Bramham Neighbourhood Area will not overlap with another designated Neighbourhood Area.</p> <p>The whole parish is considered to be the area most appropriate to be designated as a Neighbourhood Area for planning purposes. The proposed boundary makes sense to the community of Bramham and is logical in spatial terms. Using the administrative boundary of the Parish also has governance benefits which will be particularly useful at referendum stage and could simplify CIL monies administration.</p>
Bardsey	<p>The 2014 Parish Review amended several Parish boundaries across the Leeds district including Bardsey-cum-Rigton Parish which contracted in size, with a parcel of land to the south being transferred into Scarcroft Parish. Given that the Parish Review post-dates the designation of Bardsey Neighbourhood Area we now have a situation where the designated Bardsey Neighbourhood Area contains land within the control of Scarcroft Parish Council. It is desirable for the Bardsey Neighbourhood Area to include only the area under the control of the Parish Council. Both Bardsey and Scarcroft Parish Councils have agreed to re-designate their current Neighbourhood Areas to reflect the revised Parish boundaries. This will ensure that the proposed Bardsey Neighbourhood Area will not overlap with another designated Neighbourhood Area.</p> <p>The whole parish is considered to be the area most appropriate to be designated as a Neighbourhood Area for planning purposes. The proposed boundary makes sense to the community of Bardsey and is logical in spatial terms. Using the administrative boundary of the Parish also has governance benefits which will be particularly useful at referendum stage and could simplify CIL monies administration.</p>

Scarcroft	<p>The 2014 Parish Review amended several Parish boundaries across the Leeds district including Scarcroft Parish which expanded in size, with a parcel of land in the north being transferred into Scarcroft Parish from Bardsey Parish. Given that the Parish Review post-dates the designation of the existing Scarcroft Neighbourhood Area, we now have a situation where part of Scarcroft Parish is currently covered by the Bardsey Neighbourhood Area. It is desirable for Scarcroft Neighbourhood Area to be re-designated to include the whole of the amended Parish boundary. Bardsey-cum-Rigton Parish Council has agreed to re-designate their current Neighbourhood Area to reflect the revised Parish Boundaries. This will ensure that the proposed Scarcroft Neighbourhood Area will not overlap with another designated Neighbourhood Area.</p> <p>The whole parish is considered to be the area most appropriate to be designated as a Neighbourhood Area for planning purposes. The proposed boundary makes sense to the community of Scarcroft and is logical in spatial terms. Using the administrative boundary of the Parish also has governance benefits which will be particularly useful at referendum stage and could simplify CIL monies administration.</p>
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5.0 Consultation on the proposed Neighbourhood Areas

5.1 Each of the applications was advertised and made available to view on the Leeds City Council website, with paper copies at the City Development Department reception at The Leonardo Building, 2 Rossington Street and in each Town/Village Hall. Where possible, they were also advertised on the respective Parish/Town Council websites. The application included:

- A map which identified the area to which the application relates;
- A statement explaining why this area was considered appropriate to be designated as a neighbourhood area; and
- A statement that the organisation or body making the area application was a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990.

5.2 Site notices were also put up in a number of locations mainly within the affected areas. Comments were invited on the application between 8th August and 19th September 2016 for Wetherby, Bramham and Boston Spa, and between 15th July 2016 and 26th August 2016 for Bardsey and Scarcroft. No representations were received.

6.0 Corporate Considerations

6.1 The designation of a neighbourhood area is the first step in preparing a neighbourhood plan. The Neighbourhood Areas were originally designated between 17th September 2012 and 31st January 2013 and each of the Town/Parish

Councils is well advanced in preparing their Neighbourhood Plan. Designation of the revised neighbourhood area is required prior to submission of the draft plan for examination.

7.0 Consultation and Engagement

7.1 The applications were advertised on the City Council website and site notices were put up in the areas prior to the start of the consultation periods. In addition the applications were placed on the Parish/Town Council websites, where possible, and paper copies were placed in The Leonardo Building and the town/village halls for a period of 6 weeks. Representations could be made via email or post. No representations were received.

8.0 Equality and Diversity / Cohesion and Integration

8.1 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.

9.0 Council policies and City Priorities

9.1 Neighbourhood plans link well to the values, objectives and priorities of the Best Council Plan 2015 – 20. The following are particularly relevant:

Values:

- Working as a team for Leeds;
- Working with communities

Objectives:

- Supporting communities and tackling poverty.
- Promoting sustainable and inclusive economic growth

2016/17 Priorities:

- Supporting communities, raising aspirations
- Enhancing the quality of our public realm and green spaces.

10.0 Resources and value for money

10.1 The Department for Communities and Local Government provides £5,000 to Local Planning Authorities for the first five neighbourhood areas designated to assist with designation costs. Leeds City Council has already claimed for more than 5 neighbourhood area designations under previous rules therefore these additional area designations do not qualify. If the Neighbourhood Plans successfully pass examination, the City Council can claim £20,000 for each area once a referendum date has been set.

11.0 Legal Implications, Access to Information and Call In

11.1 The Council will be responsible for ensuring that a neighbourhood plan has been produced in line with relevant legislation.

12.0 Risk Management

12.1 The examination and referendum process introduces risks in the neighbourhood planning system where the outcome will be dependant on the examiner's recommendations and a public vote. The Council seeks to manage this risk by working closely with designated areas to ensure that their neighbourhood plans complete the independent examination successfully.

13.0 Conclusions

13.1 The boundaries put forward for designation for the revised Wetherby, Bramham, Boston Spa, Bardsey and Scarcroft Neighbourhood Areas are logical, coherent and appropriate as they follows the recently revised Parish boundaries.

14.0 Recommendations

14.1. It is recommended that:

- The Chief Planning Officer designate the revised Wetherby, Bramham, Boston Spa, Bardsey and Scarcroft Neighbourhood Areas (as shown on Plan 1-5) pursuant to Section 61G and 61I of the Town and Country Planning Act 1990

15.0 Background documents¹

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.