

**Report of Head of Policy and Plans**

**Report to Chief Planning Officer**

**Date: 8 April 2021**

**Subject: Re-designation of Rothwell Neighbourhood Forum**

Are specific electoral wards affected? If yes, name(s) of ward(s): Rothwell	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open 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**

**1. Main issues**

- The Council has received an application for the re-designation of Rothwell Neighbourhood Forum. The neighbourhood forum application covers the Rothwell Neighbourhood Area, which remains unchanged.
- The original forum designation was made in April 2015 and lasts for a period of 5 years. Rothwell Neighbourhood Forum wish to renew the designation to enable them to proceed with drafting the emerging plan through to pre-submission consultation, eventual examination and referendum, and to assist with the implementation of the plan once it has been made.
- The application was publicised and representations invited for a period of 6 weeks between 20 January and 3 March 2021, 10 representations were received.
- The Rothwell Neighbourhood Forum will continue preparing the emerging draft once the forum re-designation has been approved.

**2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- Neighbourhood planning helps to deliver on the ambitions of the Best Council Plan by enabling local communities to have a voice in shaping the future growth of their areas. It provides the opportunity to identify and plan for the future sustainability of an area by preparing locally-distinctive planning policies which will be used by the

Council to help determine planning applications in a given area and by setting out projects and aspirations.

### **3. Resource Implications**

- The Council has already claimed £10,000 for the designation of the Rothwell Neighbourhood Area and Forum. There is no additional funding available for the re-designation but the costs associated with this are minimal and can be accommodated within existing budgets.
- The Council will be able to claim £20,000 once the neighbourhood plan has been successful at examination and a date for the referendum has been set.

### **Recommendations**

- The Chief Planning Officer is recommended to:
1. Re-designate the Rothwell Neighbourhood Forum for the Rothwell Neighbourhood Area.

## **Purpose of this report**

- 1.1 This report seeks approval for the re-designation of the Rothwell Neighbourhood Forum.

## **2. Background information**

- 2.1 The Neighbourhood Planning (General) Regulations (2012) (as amended) specify what should be included in neighbourhood forum applications (and applications for re-designation):

- The name of the proposed neighbourhood forum;
- A copy of the constitution of the proposed neighbourhood forum;
- The name of the neighbourhood area to which the application relates and map which identifies the area;
- The name and contact details of at least one member of the proposed neighbourhood forum; and
- A statement which explains how the proposed forum meets the conditions as set out in the Town and Country Planning Act (1990)

- 2.2 The Act states that local planning authorities may designate a neighbourhood forum if they are satisfied that:

- It is established for the express purpose of promoting the economic, social and environmental wellbeing of an area that consists of or includes the neighbourhood area;
- Its membership is open to:
  - Individuals who live in the area;
  - Individuals who work there (whether for business carried on there or otherwise);
  - Elected Members
- Its membership includes a minimum of 21 individuals who meet the above criteria; and
- It has a written constitution.

- 2.3 If a neighbourhood forum designation is made, no other organisation or body can be designated for the same neighbourhood area (until the designation expires or is withdrawn).

## **3. Main issues**

### **The Neighbourhood Forum Re-designation Application**

- 3.1 The neighbourhood forum re-designation application (available at appendix 1) meets the criteria as set out in the Neighbourhood Planning (General) Regulations (2012) (as amended) and officers are satisfied that it meets the conditions set out in Section 61F of the Town and Country Planning Act (1990) (as amended).

## **Publicity of the Neighbourhood Forum Application**

- 3.2 The Neighbourhood Planning (General) Regulations 2012 specify that the local planning authority must publicise on its website and in other such manner as to bring the application to the attention who live, work or carry out business in the neighbourhood area:
- A copy of the application;
  - A statement that if a designation is made no other organisation or body can be designated for the neighbourhood area;
  - Details of how to make representations; and
  - The date by which those representations must be received (minimum of 6 weeks).
- 3.3 The neighbourhood forum re-designation application was publicised between Wednesday 20 January and Wednesday 3 March 2021.
- 3.4 The application was on the Council's Rothwell Neighbourhood Plan webpage: <https://www.leeds.gov.uk/planning/planning-policy/neighbourhood-planning/rothwell-neighbourhood-plan>. Due to Covid-19 restrictions paper copies could not be made available, but site notices were placed around the neighbourhood area giving details of the publicity, information on how to view the documents and a QR code signposting to an online survey providing the opportunity to respond to the consultation. There was also an option to discuss the application with the Council's Neighbourhood Planning officers over the phone.
- 3.5 The publicity of the neighbourhood plan met the requirements of the Regulations.
- 3.6 10 representations were received, including 5 responses to the online survey. 4 responses made no comment on the re-designation, 1 response objected to the re-designation and 5 supported the re-designation (see appendix 2). The objection to the re-designation does not necessarily relate to the proposal to re-designate the neighbourhood forum.

## **Progress of the Rothwell Neighbourhood Plan**

- 3.7 The neighbourhood forum have worked positively and collaboratively with the Council to prepare the neighbourhood plan. The group has a good capacity to prepare the neighbourhood plan.
- 3.8 It is expected that preparation of the emerging draft plan will continue during the course of 2021.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 The application was published on the Council's website and within the Rothwell Neighbourhood Area in line with regulatory requirements.
- 4.1.2 The emerging draft neighbourhood plan has been informed by a programme of engagement and consultation. Consultation will take place on the pre-submission draft plan in due course.

4.1.3 Ward members for Rothwell Ward have been consulted on the re-designation of the neighbourhood forum and have expressed their support for the re-designation.

4.1.4 Councillor Hayden has been consulted and supports the re-designation of the forum.

## 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 the Best Council Plan**

4.3.1 Neighbourhood planning helps to deliver the ambitions of the Best Council Plan by giving local communities the opportunity to directly shape the future of their local areas. It meets the Best City Priorities in a number of ways, for example:

- **Health and Wellbeing:** neighbourhood plans can address health and wellbeing through exploring green space and green infrastructure issues and including urban design principles;
- **Sustainable Infrastructure:** neighbourhood plans can identify opportunities to improve physical and social infrastructure and include projects to implement those improvements. In addition they can shape green / blue infrastructure design and delivery;
- **Child-Friendly City:** neighbourhood plans can identify sites for new play provision, improve connectivity to existing play provision and can help to ensure new development facilitates children's play and activity;
- **Age-Friendly Leeds:** neighbourhood plans can help older people to remain in their communities by encouraging new provision of housing suitable for elderly people or by identifying sites for new development;
- **Culture:** neighbourhood plans can help to protect existing cultural and community assets and facilities. In addition, they can identify areas of special historic / cultural character for consideration in the planning process and nominate non-designated heritage assets to the Council for inclusion in a Local Heritage List;
- **Housing:** neighbourhood plans can identify and allocate sites for housing development to meet local needs and can shape the delivery of the Council's development allocations;
- **Safe, Strong Communities:** neighbourhood plans can help to build local capacity and community cohesion by bringing together residents, businesses and other stakeholders to prepare a vision for their area; and
- **Inclusive Growth:** neighbourhood plans can be used to bid for funding for local projects which are important to the local community, they can also influence the spending of the neighbourhood portion of the Community Infrastructure Levy.

## **Climate Emergency**

4.3.2 Neighbourhood plans must contribute to the achievement of sustainable development and can help mitigate against the effects of climate change. In particular, they can shape how blue / green infrastructure is delivered and identify links and networks, identify sites that extend habitat networks, promote active travel, and support new development that is of a high quality and sustainable design.

4.3.3 The declaration of the Climate Emergency in 2019 has boosted interest within local communities in planning and development issues. Neighbourhood planning groups are being encouraged to play an active role and to include policies and projects which respond positively to climate change issues.

### **4.4 Resources, procurement and value for money**

4.4.1 The City Council has claimed the full grant funding available to local authorities from DCLG to help cover the cost of designating neighbourhood areas. The Council will be eligible to claim £20,000 when the neighbourhood plan has passed the independent examination and a date for the referendum has been set.

4.4.2 The Council has a statutory Duty to Support neighbourhood planning groups and must undertake a number of statutory responsibilities during the neighbourhood planning process, as follows:

- The designation of the neighbourhood area;
- The designation of the neighbourhood forum (where relevant);
- The publication of the neighbourhood plan once it has been submitted for independent examination;
- To organise, manage, and pay for the independent examination;
- To organisation, manage, and pay for the referendum; and
- The formal assessment of the neighbourhood plan against EU regulations.

### **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. The Council adopted its Core Strategy in November 2014 and the Leeds Site Allocations Plan was in 2019. The Core Strategy Selective Review was adopted in 2019.

4.5.2 The Council is responsible for ensuring that a neighbourhood plan has been prepared in accordance with relevant legislative requirements.

### **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.

4.6.2 There are risks that

- the plan will not receive more than 50% 'yes' votes in the referendum
- the plan will be the subject of a legal challenge or judicial review

4.6.3 The Council will work closely with the neighbourhood forum to manage and minimise these risks.

## **5. Conclusions**

5.1 The Council accepts that the Rothwell Neighbourhood Forum Designation application meets the relevant legislative requirements and agrees the re-designation of the Rothwell Neighbourhood Forum for the Rothwell Neighbourhood Area.

## **6. Recommendations**

6.1 The Chief Planning Officer is recommended to:

- a) Re-designate the Rothwell Neighbourhood Forum for the Rothwell Neighbourhood Area.

## **7. Background documents<sup>1</sup>**

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<sup>1</sup> 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.

**APPENDIX 1 – NEIGHBOURHOOD FORUM RE-DESIGNATION APPLICATION**

## **Rothwell Neighbourhood Forum Re-Designation Application**

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This application is intended for the renewal of the designation of the Rothwell Neighbourhood Forum and is pursuant to Parts 2 and 3 of the Town and Country Planning Act, which relates to Neighbourhood Planning (General) Regulations 2012 No. 637. A forum designation lasts for 5 years, Rothwell Neighbourhood Forum was designated on the 13<sup>th</sup> of April 2015 and as such it has now expired. In order to continue with the preparation of the neighbourhood plan, the forum must be redesignated.

**A) Name of the proposed/designated Neighbourhood Area**

- Rothwell Neighbourhood Area.

**B) The name of the proposed/designated Neighbourhood Forum**

- Rothwell Neighbourhood Forum.

**C) A copy of the written constitution of the Neighbourhood Forum**

- Rothwell written constitution can be found in Appendix 1.

**D) The name of the neighbourhood area to which the application relates and a map which identifies the area**

- Map of the Rothwell Neighbourhood area can be found in Appendix 2.

**E) Contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10;**

**Contact 1**

<b>Title: Acting Chair</b>
<b>First Name/s: Peter</b>
<b>Surname: Ellis</b>
<b>Address: 46, Park Lane, Rothwell</b>
<b>Postcode:LS26 0ES</b>
<b>Email: i513ellis@btinternet.co.uk</b>

**Contact 2:**

<b>Title: Committee Member</b>
<b>First Name/s: Roy</b>
<b>Surname: Garside</b>
<b>Address: 11, Wood Drive</b>
<b>Postcode:LS26 0UP</b>
<b>Email:r.garside111@btinternet.com</b>

**F) Statement explaining how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act**

- I. It is confirmed that Rothwell Neighbourhood Forum in submitting this application for re-designation meets the requirements of the relevant sections of the Town and Country Planning Act 1990(as amended by the Localism Act) and the Neighbourhood Planning (General) Regulations 2012.
- II. Rothwell Neighbourhood Forum will be a “relevant body” in the context of Section 61G(2)(b) of the Act and will continue to be fully capable of being designated a neighbourhood forum for the Area as described within Appendix 2 of this document.
- III. The above statement and associated information allied to the proposed Rothwell Neighbourhood Forum (including confirmation of the Neighbourhood Area) satisfy the conditions contained within section 61F(5) of the Act.

***Purpose, aims and ambitions of the proposed neighbourhood forum:***

The purposes aims and ambitions of the Rothwell Neighbourhood Forum remain very similar to those expressed when the Forum was originally designated in April 2015. It is these factors that have influenced the Forum in the production of policy information for inclusion in the eventual Neighbourhood Plan, though critically those stated criteria are now underpinned by community views secured by public engagement sessions and results of survey material.

The Forum has tried to ensure that its work reflects the views of the local community in a number of ways.

It has conducted a public engagement session, assisted by the Leeds Neighbourhood Planning Team, in a local authority building in the heart of Rothwell which included pictorial displays and a wealth of information for visitors to scrutinize. It also proved to be an opportunity to identify and introduce further Forum members and allowed the Forum by means of survey material to establish views and strength of feeling in respect of a number of key topics, for example land use, green space, schools, transport etc.

Following this major event, a more modest follow up event was organised to fit in with a local traditional fair and a base was set up in a local church hall. Again there were pictorial displays and members on hand to collect community views. It was then decided to progress a number of smaller scale discussions (structured to recover information in a SWOT format) with a selection of community and youth groups and these discussions yielded some very useful material to supplement previous opinion. Typical groups contacted were the local youth club, a parent teachers group, scouts, a tenants and residents association and a group of local volunteers as well as an interview session with an outlying community on the edge of the Neighbourhood Area.

Prior to the engagement initiatives, the Forum conducted an Area wide survey and delivered questionnaires to the vast majority of homes in Rothwell which was a considerable task. The uptake of this survey was modest in comparison with the amount of material distributed, but yielded some very useful data and this was analysed in overall terms and also looked at results from the perspective of age of the respondents. Surprisingly perhaps, many of the themes that were

investigated produced consistent responses irrespective of the age of those people who took the trouble to respond.

The Forum has met regularly over the past five years and has conducted just short of 80 meetings. It has also implemented a few additional discussions on particular topics.

The Forum has responded to multiple and successive consultations relating to the Leeds Core Strategy, the Site Allocation Plan for Leeds District notwithstanding other issues that impact on the local community, namely the HS2 project and a succession of planning applications that has seen the Forum meet a number of development companies and interested parties. Regrettably the level and complexity of some of these consultations have detracted from efforts to accelerate the completion of the Neighbourhood Plan.

The Forum also involved AECOM in the early stages of its work and a number of development areas were reviewed and also the Forum also progressed some professional ecological surveys in what is considered to be a very important habitat within the boundaries of the Neighbourhood Area (which does not as yet retain a Green space designation).

The Forum with the assistance of the LCC Neighbourhood Planning Team organised workshops that resulted in the production of a Policy Options Document which has been used to assist in the more recent authoring of a draft Policy Intentions Document that will be shortly submitted to the Neighbourhood Planning Team for comment.

Other aspects allied to the eventual plan have been under investigation, particularly in respect of green space and heritage assets etc. all of which is expected to provide evidential data within the eventual Neighbourhood Plan

## **G) Membership of Proposed Neighbourhood Forum**

Rothwell forum membership details can be found in Appendix 3 and a Membership Distribution Plan in Appendix 4

### **i) New Membership**

It has proved challenging to sustain the levels of membership that were apparent in April 2015, but nevertheless there have been enough interested members of the community to allow the Forum to continue with its work. Efforts are being made to try to increase membership substantially by means of a campaign in the local press and hopefully more public engagement and of course emails and other correspondence. In the immediate term it is recognised that the impact of such initiatives may be limited recognising the effects of the pandemic and the extent and timescales related to national and local lockdowns, but nevertheless it is hoped that all avenues can be pursued.

### **ii) Methods of Joining the Forum**

New members of the Forum have almost entirely occurred as a result of word of mouth and engagement sessions in recent times. Requests for more members appended to articles included in the local area magazine have previously had limited results, but existing members have worked hard to reach the present position and there is more to see and a clearer road to the end product. It is hoped that this might encourage more people to take part in assisting a successful outcome

It is clear that better integration and more universal involvement by an increased cohort of members of the Forum is required to allow what is a critical project to reach a conclusion.

The Forum maintains a website with up to date information on meetings and contact information:  
<http://rothwellneighbourhoodforum.blogspot.com/>

### iii) Forum Participation

This is achieved by monthly meetings (and resultant minutes) as referred to above and utilises constant email correspondence relating to issues allied to the production of Plan related information. It is hoped to introduce a project management tool shortly to try to reduce the proliferation of information that could be centrally held and acted upon.

### iv) Compliance

It is considered that the membership arrangements comply with condition B contained in section 61F (5) of Schedule 9 of the Town and Country Planning Act 1990 (as amended by the Localism Act).

A minimum of 21 members can be demonstrated to exist, each of whom live, work or carry out business in the neighbourhood area, or are an elected member\* (whose area falls within the neighbourhood area). \*The Forum members include two local councillors

The Neighbourhood Planning Regulations 2012 require a Neighbourhood Forum to comprise a good cross section of the Neighbourhood Area so as to be considered representative and the Forum membership complies with this requirement. Though many of its members are of retirement age, the membership does include individuals who operate a business or who have involvement with other community initiatives.

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## **Appendix 1**

### **ROTHWELL NEIGHBOURHOOD FORUM - CONSTITUTION**

#### **1. INTRODUCTION**

##### **Statutory Framework**

The Localism Act which received Royal Assent in 2011 introduced new rights to strengthen community involvement in the planning process. To deliver this, the Localism Act introduced the concept of Neighbourhood planning

The purpose of Neighbourhood Planning is to give local communities a much greater influence over how their neighbourhood develops and to increase engagement in the local planning decision making process.

The framework for achieving this comes from the Neighbourhood Planning (General) Regulations 2012 which sets out detailed provisions for the setting up and the administration of Neighbourhood Areas.

A 'Neighbourhood Area' is defined as an Area within the area of a local planning authority which has been designated by the Authority as such an Area to make decisions in relationship to:-

- Neighbourhood Forum
- Neighbourhood Development Plans.

In order for the Neighbourhood Plan Area to be established the Planning Authority needs to be satisfied that:-

- The proposed Area is appropriate to be a Neighbourhood Plan Area
- The Area has a clear boundary which is capable of being physically identified.
- The Area is a part of a single Parish.

Paragraph 3 of the Regulations contains provision for the setting up of Neighbourhood Forums who will govern activities within the Neighbourhood Area. In order for a body to be given Neighbourhood Forum Status the local Planning Authority needs to be satisfied that:-

- The purpose of the creation of the Forum is to promote or improve the social, economic and environmental well-being of the Area.
- The membership of the Forum must be open to all individuals 18 and over who live in the neighbourhood area.
- Work in the neighbourhood area.
- Are elected members for the area.
- Its membership must include a minimum of 21 eligible people
- Upon receiving approval to be officially established the Forum will enter into a formal agreement with the Council setting out their responsibilities.

A Neighbourhood Plan must meet the following set of basic conditions.

- Be in general conformity with National and Local Planning Policy ( National Planning Policy framework and Local Development Framework )
- Promote sustainable development.
- Not breach EU obligations
- Preserve or enhance the character / appearance of any conservation area.
- Preserve listed buildings and any features of special architectural/historical interest

If adopted the Plans will carry weight within the Planning System and will form part of the Statutory Local Plan.

## **2. THE CONSTITUTION.**

### **2.1. Name**

- a. The name of the Forum shall be the Rothwell Neighbourhood Forum.

### **2.2 Area.**

- a. The area covered by the Forum shall be the part of the Rothwell Ward shown on the attached map. The area shall be known as the Rothwell Neighbourhood Area.

### **2.3. Objectives.**

- a. The objectives of the Forum shall primarily be:
  - To develop a long term vision for the Rothwell Neighbourhood Area.
  - To produce a Neighbourhood Plan for the Rothwell Area in general conformity with national and local and in conjunction with the adjoining Neighbourhood Forums.
  - To reflect the needs of the people who live, work or carry out business in the area.
  - To promote the improvement of the social, economic and environmental well-being of the area within the plan and to continue after its adoption.

### **2.4. Powers**

The powers of the Forum will include:

- a. Produce a Neighbourhood Plan on behalf of the community within the designated Boundary referred to in Section 2.
- b. Arrange at least three General Meetings or other equivalent events per year

Including an Annual General Meeting (AGM) to which all Forum members will be Invited.

- c. Ensure that the Forum shall not be affiliated to any political party or organisation.
- d. To raise money or apply for funding as necessary.
- e. Buy or rent premises / equipment/ employ services and staff as required within the resources available.
- f. To continue working towards the set objectives if considered necessary beyond the adoption of the Neighbourhood Plan.

## **2.5. Values**

The Forum and its members will aim to uphold the following values in conducting its Business.

- Integrity
- Openness
- Honesty
- Accountability
- Objectivity
- Selflessness

And seek to promote these values by leadership and example.

## **2.6. Composition of the Forum and the Steering Committee**

The body responsible for producing the Neighbourhood Plan will be the Forum which will be advised by the Steering Committee who will be responsible for the day to day management of this process. The powers and responsibilities of the Steering Committee are set out in Section 3 of the document. Terms of Reference of the Steering Committee.

## **2.7. Membership of the Forum**

- a. Membership of the Forum shall be open to all residents of 16 or over living in the Area and those whose principal place of employment or whose business is located in the Forum Area.
- b. Applications can be made by individuals, corporate bodies or voluntary groups

- c. All applications for membership will be in writing stating the type of membership sought and made to the Secretary of the Forum
- d. Corporate bodies or voluntary groups which are accepted for membership must designate an individual empowered to represent them.
- e. All members of the Forum have a duty to declare at application stage any conflict of interest that could have an impact on their or the Forums work
- f. Non-voting membership shall be open to those who do not meet the requirements to be a voting member, but have an interest in assisting the Forum to achieve its aims.
- g. The Forum is designated for a period of 5 years. It can however apply to have the designation renewed.

## **2.8. Communications with the Membership**

- a. Communications with members shall normally be by e-mail and notices posted on the Neighbourhood's notice board. A written request for an alternative method of notification may be sent to the Membership Secretary. The Steering Committee will consider such a request and approve it where practical.

## **2.9. Steering Committee.**

- a. The Steering Committee shall be made up of 12 members including designated post holders (minimum number of 7) and will be responsible for the day to day management of the Forum and the management of the Forums finances, including the designation of its financial year.
- b. The Steering Committee shall be responsible for developing the Rothwell Neighbourhood Plan in conjunction with the Forum's membership and the local community.
- c. Membership of the Steering Committee shall be open to all voting members of the Forum but the proportion of members should be representative of the numbers of residents , people who work in the area or people whose business is based in the Area covered by the Forum

- d. All members of the Steering Committee shall be elected at the Forums Annual General Meeting. Retiring members shall be eligible for re-election.
- e. The Committee will appoint a Chair Person ; Vice Chair Person ; Forum Secretary; Membership Secretary ; Communications and IT Secretary and Treasurer at its first meeting after an AGM.
- f. Nominations for positions on the Steering Committee must be submitted in writing to the Chair or Vice Chair, seven days before the Annual general Meeting. The proposer the seconder and the nominee must all sign the nomination and must all be voting members of the Forum.
- g. The Steering Committee may co-opt members to the Committee to fill any vacancies that arise
- h. The Steering Committee may co-opt additional members to the Committee. Such co-opted members shall not be entitled to vote
- i. Members of the Forum may attend meetings of the Steering Committee as observers but will not be allowed to contribute to the meeting unless invited or to vote.
- j. The Steering Committee may appoint sub-committees to advise on particular subjects relative to the production of the Plan
- k. The Steering Committee will meet at least bi-monthly and the quorum of any meeting shall be at least 50% of the members.
- l. If the Steering Committee propose to disband the Forum then a Special General Meeting will be held and all members advised of the reason for the proposal. The decision to disband the Forum shall be taken if supported by two thirds of members voting at the Special General Meeting.

## **2.10. Meetings of the Forum**

- a. The first AGM will be held once the Forum has been officially designated. Information on elections to the Board including how to stand will be sent out to Forum members prior to the AGM, along with the agenda. Future AGM's will be held within six months of the designated end of the financial year and will be called with at least 14 days' notice.

- b.** Future AGM's will receive annual reports from the Chairperson and Treasurer , make new appointments for the coming year and review rules and policies of the Forum including the Constitution
- c.** Any changes to the constitution will require a majority of two thirds of the voting members all other voting shall be by a simple majority of those voting.
- d.** The quorum for the Annual General Meeting and any Special General Meeting shall be fourteen members. The quorum for an ordinary General Meeting shall be 10 members.
- e.** The election of members to the Steering Committee shall be by written ballot. All other votes shall be by show of hands except where a majority of members present vote for a written ballot.
- f.** At the Annual General Meeting a third of the Steering Committee members will resign and be eligible for re-election. Those to resign will be those who have been longest in office since their election. In the event of this being more than a third of the Committee lots will be drawn to determine who should resign.
- g.** There will be a minimum of 3 General Meetings a year, including an Annual General Meeting (AGM) to which all members will be invited.

## **2. 11. Conduct of Business**

- a.** The members and office bearers shall make and carry out decisions in accordance with the objectives of the Forum
- b.** No business shall be transacted at any meeting unless a quorum is present including the Chair or Vice Chair
- c.** The Secretary shall be responsible for the preparation and distribution of an agenda prior to each meeting. The agenda will be distributed to the membership at least four days before a meeting where possible. Items for the agenda should be forwarded to the Secretary and Chair seven days before the meeting where possible.

- d. The secretary will be responsible for ensuring minutes are taken, kept and sent out promptly, usually within seven days of the meeting.
- e. Decisions will be agreed by a simple majority, voted in through a show of hands. In the case of an equality of votes the Chair's decision shall prevail.
- f. Members must declare any conflict of interest. Commercially sensitive information must be protected. During meetings members should declare any conflict of interest prior to the agenda item where the conflict occurs. In these circumstances the member must withdraw from the debate and the vote.

## **2.12. Management of Meetings**

The following rules will apply to the management of all meetings.

- a. Chairing – All meetings will have a chairperson. The chair of the meeting will ensure that the business of the meeting is transacted in an orderly and respectful way.
- b. Decision Making - The Forum will endeavour to make decisions by consensus but in the case of a vote, decisions are made by a simple majority of those present and entitled to vote. When the vote is tied, the chair of the meeting will have a second and casting vote.
- c. Speaking - All members are entitled to speak but the chair of the meeting will have discretion to judge whether the item is relevant to the agenda and will have the power to impose time limits.
- d. Any offensive behaviour, including racist, ageist, sexist or inflammatory remarks will not be tolerated.

## **2.13. Finance**

- a. The Forum may raise funds by obtaining grants from other bodies or by fundraising schemes. All monies raised by or on behalf of the Forum shall be applied to further its objectives.

- b. All monies acquired by the Forum shall be held in the Forums bank account under the name Rothwell Neighbourhood Forum.
- c. All financial transactions must be authorised by any two of either Chair, Vice Chair or Treasurer.
- d. The Treasurer will keep a clear record of all income and expenditure and where necessary supported by receipted invoices.
- e. If the Forum is disbanded any assets after payment of all debts and liabilities will be disposed of to another organisation having similar objectives to those of the Forum. This to be agreed by a majority of 50% of remaining voting members.

#### **2.14. Complaints**

- a. Any complaints about the behaviour of a member of the Forum or sub Task-Groups in relation to the work undertaken shall be made in confidence in writing to the Secretary unless the complaint is about the Secretary in which case it shall be made to the Chair.
- b. The elected officers of the Forum will investigate and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the Forum will be appointed in their place.
- c. Appeals will be held by three members of the Committee who have not been involved in the complaint.

#### **2.15. Disbanding the Forum**

The Forum can only be disbanded at a duly advertised Special General Meeting called for the purpose of deciding to disband, to which all Forum members shall be invited. The decision to disband the Forum shall be taken if supported by two thirds of the members at the Special General Meeting.

If the Forum is disbanded any assets held in the name of the Forum (after payment of all debts and liabilities) will be disposed of to other organisations having similar objectives to those of the Forum as agreed by the remaining members.

### **3. TERMS OF REFERENCE of the STEERING COMMITTEE**

#### **3.1 Purpose of the Committee**

The purpose of the Steering Committee is to advise the Forum and to ensure that the objectives of the Forum set out in the Constitution are achieved.

In achieving these objectives the Steering Committee shall ensure that the following parameters are applied.

#### **3.2 Undertakings of the Steering Committee.**

- a. To undertake on the behalf of the Forum the preparation of a Neighbourhood Plan and any associated tasks for the Rothwell Neighbourhood Area in consultation with the Forum's membership who will be required to approve all the sections of the plan as it develops.
- b. To take responsibility for the planning, budgeting and cost control of the production of the Plan.
- c. To submit to the Forum for agreement at its inception and then update on a six monthly basis a Programme of Work outlining the principal tasks to establishing a Neighbourhood Plan.
- d. The Steering Committee may appoint sub-committees to advise on particular subjects relative to the production of the Plan.
- e. To work closely with the Leeds City Council and the Planning Authority.
- f. To ensure that the Plan conforms to local and national planning policies.
- g. Identify possible sources of funding and support.
- h. Ensure the financial viability of the project, specifically to ensure income is sufficient to cover all planned expenses.
- i. Liaise with relevant authorities, organisations and adjoining Forums to ensure the Plan is as comprehensive as possible.

- j. Identify ways of involving the whole community and gather views and opinions of as many groups and organisations as reasonably possible.
- k. Be responsible for the analysis of information arising from such consultation and production and submission of the final report to the Forum.
- l. To present the draft Neighbourhood Plan to the Forum, prior to consultation with local residents and businesses and the Independent Examiner.

**Acting Chair**

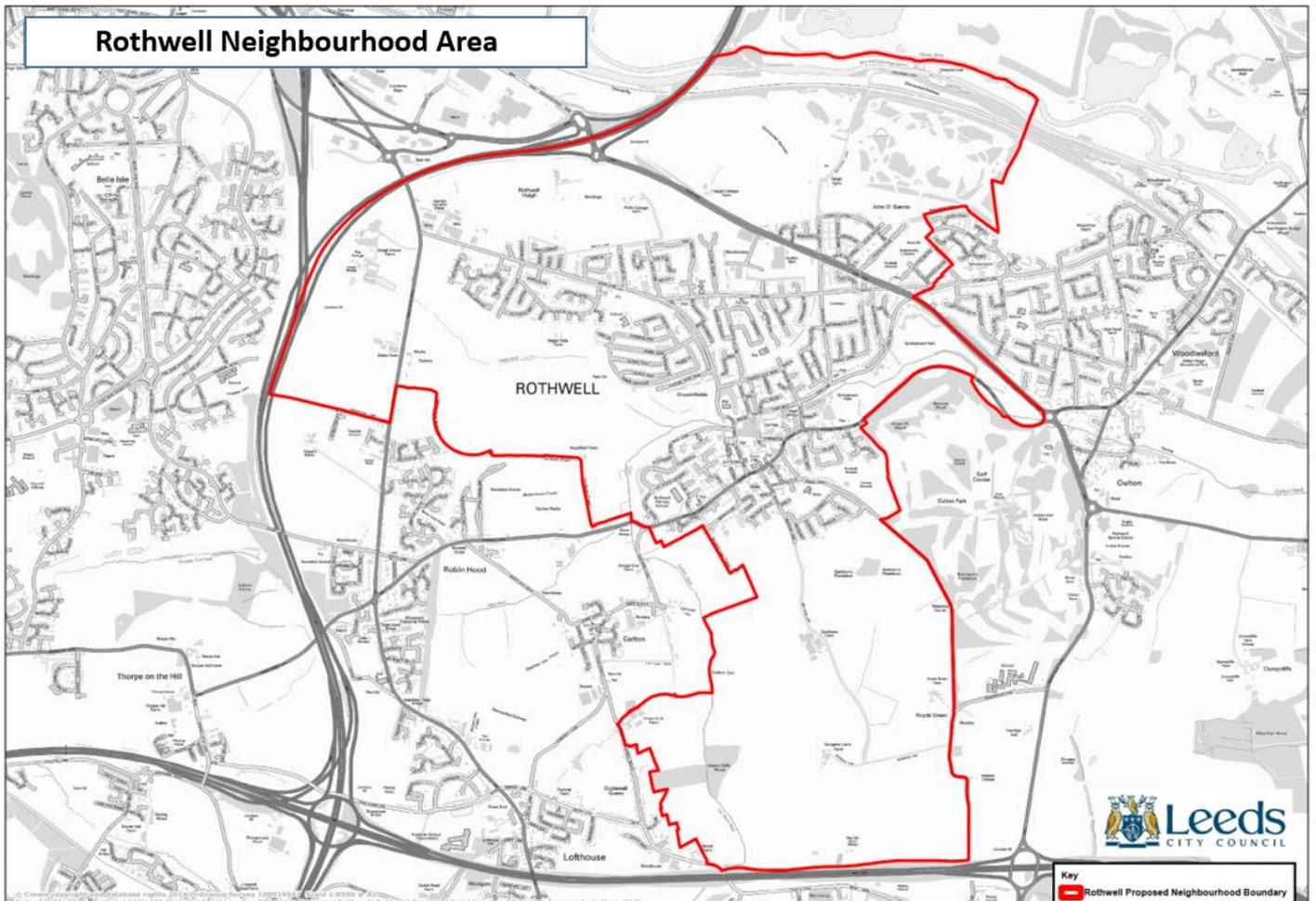


6.12.20

**P. L. Ellis** BTech( Hons) MSc CEng MCIBSE FIHEEM MAPM

## Appendix 2

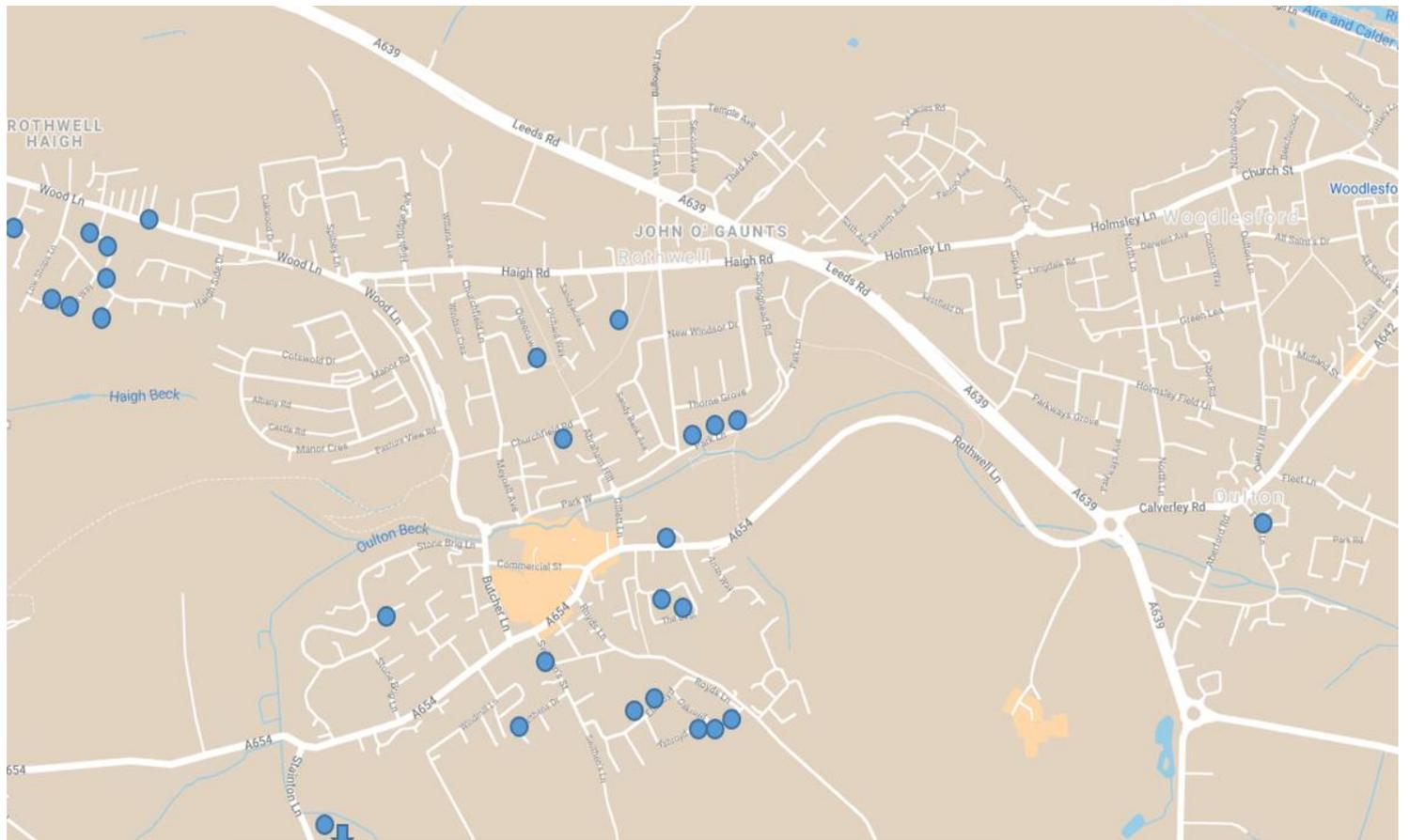
### Rothwell Neighbourhood Area





# Appendix 4

## Membership Distribution Plan



## APPENDIX 2 – RESPONSES TO THE PUBLICITY PERIOD

Name	Organisation	Comment
Cllr Golton/Cllr Chapman	Rothwell Ward Cllrs - LCC	The Rothwell Cllrs support the Rothwell re-designation.
Dominic Rogers	Natural England	<p>Thank you for your letter dated 20/01/2021 notifying Natural England of the above application to re-designate the Rothwell Neighbourhood Forum.</p> <p>Natural England does not wish to make a comment on the suitability of the proposed plan area or the proposed neighbourhood planning body.</p> <p>However, we would like to take this opportunity to provide you with information sources the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans may present. We have set this out in the annex to this letter.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. The local planning authority will be aware and should advise the neighbourhood planning body when Natural England should be consulted further on the neighbourhood plan.</p> <p>Neighbourhood plans and order present significant opportunities, but also risks, for the natural environment. Proposals should be in line with the National Planning Policy Framework. The key principles are set out in paragraphs 170-177.</p> <p>The neighbourhood planning body should also consider the natural environment policies in the area's Local Plan. The neighbourhood plan or order should be consistent with these, and the neighbourhood planning body may decide that the emerging Neighbourhood Plan should provide more detail as to how some of these policies apply or are interpreted locally.</p>
Claire Dennison	Environment Agency	<p>Thank you for consulting the Environment Agency on your proposed neighbourhood plan.</p> <p>For any site allocations to be included within the neighbourhood plan, these must be negotiated with Leeds City Council, if these are not already within their Local Plan</p> <p>Please take a look at the following information on what we would like to see in any neighbourhood plan.</p>

## **What we would like to see in Neighbourhood Plans**

Please look at the following Environment issues and decide if any/all relate to your area and how you could incorporate policies in relation to these:-

### **Flood Risk**

We would like to see flood risk policies and that minimising the impact of flooding referred to in an 'Environmental' section. This is a key sustainability issue and will be exacerbated in the future due to climate change.

In terms of both policy and site selection, flood risk should be a major consideration in your plan. In drafting your flood risk policy, you should:

- Emphasise that inappropriate development will not be considered acceptable in areas of high flood risk.
- Highlight, where necessary, the need to undertake the sequential and exception tests.
- Promote a sequential approach to development layout, to ensure the highest vulnerability development is located in areas at lowest flood risk.
- Address the potential impacts of climate change on flood risk.
- Describe what is expected of developers in terms of surface water run-off rates (for both brownfield and Greenfield sites) and sustainable drainage systems.
- Where possible, expect development to result in a betterment to the existing flood risk situation.
- Ensure that new development does not increase flood risk to others

A sequential approach to flood risk will also need to be taken when allocating sites.

New development proposals should be encouraged to contribute either financially or through physical works to reduce the flood risk to the wider village. This would require a clear understanding of what the flood risk reduction strategy is. This should be reflected in this section/policy.

### **Surface Water**

The Lead Local Flood Authority is now the responsible authority for commenting on the surface water drainage arrangements. We therefore recommend you consult your LLFA regarding the proposed management of surface water within the Plan.

### **Climate change allowance guidance**

Please be aware that our climate change allowance guidance was updated in February 2016. The new guidance is available here: <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

### **Green Infrastructure**

We would welcome a policy on green infrastructure. As well as providing ecological benefits, green infrastructure can be used as flood storage areas for river or surface water flows. This policy should promote green walls, roofs and soft borders.

### **Water efficiency**

There is currently no objectives that considers water resources and water efficiency. It is therefore considered that objective could be to include 'improve efficiency of water use'.

New developments should be designed to reduce water usage by incorporating water-efficient devices from the outset. Such measures could include low-flow taps and shower heads, water butts and rainwater harvesting systems. We would also strongly support a requirement for existing properties to be retrofitted with water efficiency measures as older properties are often the least water efficient.

Policies should aim to reduce the causes of climate change (for example by promoting carbon storage through appropriate land management) in addition to making development resilient to climate change. Similarly, the flood risk elements could also aim to reduce the impact of flooding in addition to avoiding and not contributing to flood risk.

### **Water quality**

Proper management is important to protect water quality, both for groundwater and surface water resources.

Drainage misconnections can occur in new developments, redevelopments, extensions or through refurbishment. Developers must ensure that they do not connect any foul drainage (including sinks, showers, washing machine/dishwasher outlets and toilets) to a surface water sewer, as this can send polluted water into watercourses. Similarly, developers should ensure that they do not connect surface water drainage (e.g. roof gutter downpipes) into foul sewers as this can cause overloading of the foul sewer during heavy rainfall.

Polluted surface water flows from areas like car parks or service yards should always have sufficient pollution prevention measures in place to ensure the protection of groundwater and watercourses from specific pollutants like

petrol (hydrocarbons) and suspended solids. Developers should follow appropriate pollution prevention guidance when designing formal drainage for large areas of hardstanding.

Ideally, applicants should introduce more 'surface' or 'green' drainage solutions to aid improvements in water quality, such as swales along hardstanding boundaries, or a more advanced reed bed system for larger sites. These solutions are easier to access and maintain than engineered solutions like petrol/oil interceptors, which require regular maintenance to ensure they operate correctly.

### **Foul drainage**

We always expect developments to connect to the mains network (where possible), as this is the most sustainable solution for sewerage discharges. Applicants will need to discuss their development proposals with the local sewerage provider to ensure that there is sufficient capacity in the system and to determine whether any additional infrastructure is needed to support the development.

For those settlements not connected to the main foul sewer network, it is likely that developments will require a form of non-mains drainage. In these instances, applicants will need to follow the foul drainage hierarchy described below and potentially seek our advice about preferred solutions. They may need to obtain an environmental permit for their foul drainage solution.

### **Foul drainage hierarchy**

Foul drainage should be discharged to a mains sewer system wherever possible. If this is not feasible, applicants should first consider using a package treatment plant which discharges to a soakaway. Provided that there is sufficient land and suitable ground conditions, a soakaway will attenuate the discharged water quality. A septic tank discharged to soakaway may also be acceptable in some circumstances.

If there is insufficient land for a soakaway, or ground conditions mean one would not operate effectively, applicants must consider whether discharging directly to a watercourse, drain or surface water sewer is possible. Any receiving watercourse must be capable of accepting both the proposed quantity and quality of discharge. If a direct discharge is possible, a package treatment plant must be used.

If neither the use of a soakaway or a direct discharge is possible, a system without any discharge (such as a sealed cess pool or chemical toilet) can be considered. Given their capacity to overflow and discharge raw sewage directly into the water environment, such systems are a last resort.

These type of systems also require regular emptying, creating additional carbon emissions and traffic which can impact on developments' sustainability.

We would like to see these details reflected in your plan so that applicants are aware of the most sustainable options for their foul drainage when they are not able to connect to the main foul sewer network. In particular, we would like you to state that where a non-mains drainage solution is proposed, the applicant must submit a Foul Drainage Assessment (FDA1) form with their planning application.

### **Water Framework Directive**

Any new development should take the objectives of the Water Framework Directive into account. The Water Framework Directive (WFD) is a European Directive that seeks improvements to the water environment to ensure that they are achieving a 'good' overall ecological status (or potential). The WFD sets targets for all waterbodies to achieve 'good' status or potential by 2027 at the latest (unless a lower status objective is proposed). The WFD is implemented regionally by way of River Basin Management Plans (RBMPs). You can access the details of the relevant catchments and watercourses on our Catchment Data Explorer pages (<http://environment.data.gov.uk/catchment-planning/>).

In order to improve watercourses so that they achieve 'good' status, your plan could include a policy encouraging the removal of weirs, installation of fish passes and improvements to the morphology of the rivers. We would strongly support a requirement for developers to carry out WFD actions when they are developing on sites adjacent to the relevant stretches of river.

### **Biodiversity**

We would welcome a policy which requires a net gain in biodiversity through all development,

### **River restoration**

We would welcome the inclusion of a specific river policy, addressing the following:

- Minimum of 8 metre (m) buffer zones for all watercourses measured from bank top to provide an effective and valuable river corridor and improve habitat connectivity. A 5m buffer zone for ponds would also help to protect their wildlife value and ensure that the value of the adjacent terrestrial habitat is protected.
- Development proposals to help achieve and deliver WFD objectives. Examples of the types of improvements that we may expect developers to

make are: removal of obstructions (e.g. weirs), de-culverting, regrading banks to a more natural profile, improving in-channel habitat, reduce levels of shade (e.g. tree thinning) to allow aquatic vegetation to establish, etc. Proposals which fail to take opportunities to restore and improve rivers should be refused. If this is not possible, then financial or land contributions towards the restoration of rivers should be required.

- River corridors are very sensitive to lighting and rivers and their 8m buffer zones (as a minimum) should remain/be designed to be intrinsically dark i.e. Lux levels of 0-2.

It may be useful to include ownership information details for landowners, applicants or developers who have a watercourse running through or adjacent to their site. Many people believe that the Environment Agency own 'main rivers' which is not the case. Whilst we hold permissive powers to carry out maintenance on main rivers, the site owner is the 'riparian owner' of the stretch of watercourse running through their site (whole channel) or adjacent to their site (up to the centre line of the channel) – and this includes culverted watercourses. Our 'Living on the Edge' publication provides important guidance for riverside owners.

Applicants should remove watercourses from existing culverts where this is feasible. This will help to reduce flood risk from blocked or collapsed culverts, and open channels are significantly easier for the landowner to maintain. Culverts that cause blockages of the watercourse are the responsibility of the owner to repair. Additionally, we will usually object to planning applications that propose new culverts.

Your plan policy should also provide details of 'buffer zones' that are left adjacent to watercourses. We will always ask developers to maintain an undeveloped, naturalised, 8 metre buffer zone adjacent to main rivers. We ask that applicants do not include any structures such as fencing or footpaths within the buffer zone as this could increase flood risk - through the inclusion of close-board fencing for example. Any works or structures that applicants intend within 8m of a main river will require a flood defence consent from us, which is separate from and in addition to any planning permission granted.

### **Net Gain**

New developments should not only protect watercourses and their riparian corridors but also provide overall net gain

for biodiversity. Net gain for biodiversity is defined as delivering more or better habitats for biodiversity and demonstrating this through use of the Defra Biodiversity Metric. It encourages development that delivers biodiversity improvements through habitat creation or enhancement after avoiding or mitigating harm.

At present, it is not clear how, or if, the proposed development will safeguard existing habitat value or provide enhancement. Trees and hedgerow sections on site should be retained where feasible and site enhancements could include appropriate native tree, shrub and hedgerow species planting, wildflower seeding, a sympathetic and appropriate lighting scheme and the incorporation of bird/bat nesting/roosting features.

Bagley Beck and the woodland adjacent to the site forms part of the Leeds Habitat Network. Therefore, in line with Policy G9 of the Leeds Core strategy, the development “will be required to demonstrate: (i) That there will be an overall net gain for biodiversity commensurate with the scale of the development, including a positive contribution to the habitat network through habitat protection, creation and enhancement, and (ii) The design of new development, including landscape, enhances existing wildlife habitats and provides new areas and opportunities for wildlife, and (iii) That there is no significant adverse impact on the integrity and connectivity of the Leeds Habitat Network”.

#### **Historic Landfill**

Historic landfill information is held with the Local Authority. They hold information of historic landfill data which is all the information that we previously held on the historic landfill sites. As such, we suggest you contact the local Authority for information on these.

#### **Land contamination**

Any land contamination policy should address the following matters:

- Requirement for developers to submit a Preliminary Risk Assessment (PRA) for contamination on sites where contamination is known or suspected. PRAs and remediation strategies should be in line with relevant guidance – in particular: ‘Groundwater protection: principles and practice (GP3)’, ‘Model procedures for the management of land contamination (CLR11)’ and ‘Guiding principles for land contamination (GPLC)’
- Developers should ensure that sites are suitable or made suitable for the intended use.
- There should be no liquid discharges to ground

through contaminated land.

- Developers should be encouraged to implement measures as required to prevent the spread of contamination.
- The WFD should be linked to and promoted in the contaminated land policy. The WFD also seeks to protect and improve groundwater resources.

There are a number of sensitive 'receptors' of land contamination, such as groundwater, surface waters or human health, all of which are affected by different pollutants and to differing degrees. This is why it is important for applicants to carry out a desktop study/PRA to assess any sources of contamination, any pathways that could mobilise contaminants (e.g. foundations, piling, and drainage) and the sensitive receptors that could be affected. If contamination is suspected or known, the applicant may have to undertake further intrusive site works to characterise and remediate the contamination, so that it no longer poses an unacceptable risk to the receptors.

#### **Groundwater**

It is critical that your plan includes policies to protect groundwater from pollution and harmful disturbances of groundwater flow.

We apply a general level of protection for all drinking water sources through the use of source protection zones (SPZs). These zones are used to identify areas close to drinking water sources where the risk associated with groundwater pollution is greatest. SPZs are an important tool for identifying sensitive groundwater areas and for focusing development control or advice.

Development proposals within a source protection zone should be supported by a risk assessment that assesses the risk to groundwater and its receptors. Risks to groundwater can occur at various stages of the development, including the construction and operational phases. For instance, surface water drainage systems can pose a high risk to groundwater – particularly infiltration systems which discharge water to ground. Whilst sustainable, infiltration drainage systems may not always be suitable.

We would expect high-risk developments, such as petrol stations, to be steered away from the highest risk groundwater areas, such as source protection zone 1. Our publication Groundwater Protection: Principles and Practice (GP3)(August 2013) sets out our position statements for different types of development.

		<p>Details and locations of source protection zones and other environmental constraints can currently be found on the 'What's in your backyard?' section of our website (although please be aware that prior to March 2017, it is planned that all of our environmental data maps will be moved to GOV.UK).</p> <p><b>Sustainable construction</b>  You could also help your community save money through sustainable construction. Neighbourhood planning is an opportunity for communities to encouraging efficient water and waste management systems in new buildings, and use locally sourced wood fuel for heating. You could also help to promote the use of sustainable materials in construction, and encourage energy efficiency measures for new builds. These measures will reduce the cost of construction for developers and help to reduce utility bills for those using the building. This will also help the environment by reducing emissions and improving air quality.</p> <p>We hope this response helps you develop your plan.</p> <p><u><a href="#">If you require any further information please do not hesitate to contact the Sustainable Places Team on 020 302 56862 or email <a href="mailto:sp-yorkshire@environment-agency.gov.uk">sp-yorkshire@environment-agency.gov.uk</a></a></u></p> <p><b>River restoration</b>  We would welcome any restorations river policy</p>
Simon D. Jones Esq.	Highways England	<p>Thank you for getting in touch regarding the application to re-designate the Rothwell Neighbourhood Forum.</p> <p>Whilst Highways England (on behalf of the Secretary of State for Transport) maintains an interest in the various Neighbourhood Plans, and at a more strategic level, the Local Plan for all Councils. <i><u>I have no comments to make</u></i> in regards to the regulatory process to continue the forum (individuals/representatives) that make up the cohort whom propose and draft the Neighbourhood Plan.</p>
Marie Kiddell	Homes England	<p>I would firstly like to thank you for the opportunity to comment on the consultation relating to the Rothwell Neighbourhood Forum's application to Leeds City Council to be formally redesignated in accordance with the Town and Country Planning Act 1990, the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>Homes England is the government's housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we're making</p>

		<p>possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p> <p>Homes England does not wish to make any representations on the proposal to redesignate the neighbourhood forum. We look forward to continuing to engage with you and consider any further consultation requests, as appropriate.</p>
Mr Neil Papworth	Local resident	<p>The online Smart Survey asked '<i>Do you support the redesignation of the Rothwell Neighbourhood Forum?</i>'</p> <p>Response: No</p> <p>At this cash strapped time any unnecessary speaking should be stopped, in this technology period online free methods for consultation already exist, the Leeds 26 forum on face book already serves much of what is planned but is free.</p>
Ms Julie Hartley	Local resident	<p>The online Smart Survey asked '<i>Do you support the redesignation of the Rothwell Neighbourhood Forum?</i>'</p> <p>Response: Yes</p>
Mrs Katharine Baldwinson	Local resident	<p>The online Smart Survey asked '<i>Do you support the redesignation of the Rothwell Neighbourhood Forum?</i>'</p> <p>Response: Yes</p> <p>No objections - although I didn't know it existed previously. If there are people interested in the planning and interests of Rothwell and there is no other objection I cannot see a problem.</p>
Mr Paul Rothwell	Local resident	<p>The online Smart Survey asked '<i>Do you support the redesignation of the Rothwell Neighbourhood Forum?</i>'</p> <p>Response: Yes</p>
Mr Michael Popplewell	Local resident	<p>The online Smart Survey asked '<i>Do you support the redesignation of the Rothwell Neighbourhood Forum?</i>'</p> <p>Response: Yes</p>