

NORTH LINCOLNSHIRE COUNCIL

REGENERATION CABINET MEMBER

**APPLEBY NEIGHBOURHOOD PLAN – APPLICATION FOR NEIGHBOURHOOD
AREA STATUS**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member that Appleby Parish Council have applied to have their area formally designated for the purposes of preparing a Neighbourhood Plan
- 1.2 To seek the Cabinet Member's agreement to advertise and consult on Appleby Parish Council's application for neighbourhood area status.

2. BACKGROUND INFORMATION

- 2.1 The Localism Act 2011 (the Act) introduced new opportunities for local communities to get involved in the planning of their areas by preparing neighbourhood plans, neighbourhood development orders and community right to build orders. The Act and associated neighbourhood planning regulations gives town/parish councils and neighbourhood forums powers to shape and encourage delivery of new development.
- 2.2 Before town/parish councils or neighbourhood forums can begin the work of preparing a Neighbourhood Plan, they must apply to have the area they wish the plan to cover formally designated.
- 2.3 The council is responsible for receiving and determining applications for the designation of a neighbourhood area. The council is required to advertise the application for a six week consultation period. Following consideration of any representations, the council can then decide whether to designate the neighbourhood area.
- 2.4 Thereafter, the council is required to publicise the designation. Should the council refuse to designate a neighbourhood area, they must produce and publish a decision document outlining their reasons for doing so.
- 2.5 Appleby Parish Council wishes to prepare a Neighbourhood Plan for their area. As such, they have submitted an application to have their area formally designated (see Appendix 1). The council now needs to consult with the community and others on the application.
- 2.6 Officers have initial discussions with the Parish Council as part of awareness raising about neighbourhood planning. The local planning authority is under a duty to support and obliged by law to help people draw up their neighbourhood plans.

3. OPTIONS FOR CONSIDERATION

3.1 There are two options for consideration

3.1.1 Option 1 – advertise Appleby Parish Council's application for neighbourhood area status and undertake a six week public consultation period on the application.

3.1.2 Option 2 – do not advertise Appleby Parish Council's application for neighbourhood area status and do not undertake a six week public consultation period on the application.

4. ANALYSIS OF OPTIONS

4.1 Option 1 would ensure that the council meets its duties under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 to advertise applications of the neighbourhood area status. It would also allow the council to discharge its duty to support communities wishing to undertake neighbourhood planning. There is no reason not to advertise the application for consultation purposes. This is the preferred option.

4.2 Adopting **Option 2** would mean that the council would not meet its duties under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012. It would also mean that the council would not discharge its duty to support communities wishing to undertake neighbourhood planning. Furthermore, it would delay Appleby Parish Council in the timely preparation of their Neighbourhood Plan.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Financial

The council can submit bids to the Department for Communities & Local Government (DCLG) for funding assistance to cover its costs in terms of some aspects of neighbourhood planning. This includes for providing advice/assistance. The neighbourhood planning process also includes for an independent examination of the plan and for a community referendum that ensures that the community has a final say on whether a neighbourhood plan is adopted. The available funding assistance is intended to help meet any costs arising from these processes. From April 2013 to March 2014, local planning authorities can claim up to £30,000 of neighbourhood planning grant for each designated neighbourhood area. DCLG will make stage grant payments to reflect the work involved in getting a plan to the point of publication prior to examination.

Communities undertaking neighbourhood planning can also apply to the 'Supporting Communities in Neighbourhood Planning Programme' for financial assistance. They can apply for up to £7,000 to help them with their costs. Also parishes with a neighbourhood plan are eligible for up to 25% of any Community Infrastructure Levy (CIL) monies arising from developments in their area.

5.2 Staffing

The Spatial Planning team will provide the staffing resources required for neighbourhood planning. Officers in Legal and Democratic Services will organise and administer any referendum that is subsequently required.

5.3 There are no further resource implications.

6. OUTCOME OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 An integrated impact assessment was completed and no issues of concern were apparent.

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED

7.1 Consultation has taken place with relevant officers within the council and any comments incorporated into the preceding information. Officers have had initial discussions with the Parish Council as part of awareness raising about neighbourhood planning.

8. RECOMMENDATIONS

8.1 That Cabinet Member agrees to advertise Appleby Parish Council's application for neighbourhood area status and undertake a six week public consultation on the application.

DIRECTOR OF PLACES

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Background papers used in the preparation of this report

- Localism Act 2011
- Statutory Instrument 2012 No. 637 – *The Neighbourhood Planning (General) Regulations 2012* (TSO, 2012)

