

NORTH LINCOLNSHIRE COUNCIL

PLACE SHAPING CABINET MEMBER

**BARROW UPON HUMBER NEIGHBOURHOOD PLAN – APPLICATION FOR
NEIGHBOURHOOD AREA STATUS**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member that Barrow upon Humber Parish Council has applied to have its 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 Barrow upon Humber 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 planning 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 to be formally designated.
- 2.3 The council is responsible for receiving and determining applications for the designation of a neighbourhood area. The Neighbourhood Planning (General) (Amendment) Regulations 2016 prescribe time limits for the determination of a neighbourhood area application and require the council to advertise the application for a consultation period of not less than six weeks.
- 2.4 Once the application for designation is publicised and comments invited a decision must be issued within 13 weeks. Thereafter, the council is required to publicise the designation. If the council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.
- 2.5 Barrow upon Humber Parish Council wishes to prepare a Neighbourhood Plan for its area. An application to have the area formally designated has been submitted (see Appendix 1). The council now needs to consult with the community and others on the application.

- 2.6 The local planning authority is under a duty to support and is obliged by law to help people draw up their neighbourhood plans. The Spatial Planning team has held initial discussions with the Parish Council as part of awareness-raising about neighbourhood planning and to explain the neighbourhood planning process.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options for consideration:

3.1.1 **Option 1** – advertise Barrow upon Humber 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 Barrow upon Humber 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) (Amendment) Regulations 2016 to advertise applications for 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 to not 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) (Amendment) Regulations 2016. It would also mean that the council would not discharge its duty to support communities wishing to undertake neighbourhood planning. Furthermore, it would delay Barrow upon Humber Parish Council in the timely preparation of its Neighbourhood Plan. If the council fails to determine the application within 13 weeks it must designate the area as a neighbourhood area.

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. This is intended to cover its costs in terms of some aspects of neighbourhood planning including providing advice and assistance to local communities. From April 2017 to March 2018 local planning authorities can claim £5,000 for the first five neighbourhood areas designated only and £20,000 once they have set a date for a referendum following a successful examination.

The neighbourhood planning process includes the requirement for an independent examination of the plan and for a referendum that ensures that the community has a final say on whether a neighbourhood plan is adopted.

Communities undertaking neighbourhood planning can apply to the Neighbourhood Planning and Community Buildings Programme for financial assistance. Under the 2015-2018 programme they can apply for up to £9,000 to help them with their costs. Also, parishes with a neighbourhood plan are eligible to receive up to 25% of any Community Infrastructure Levy (CIL) monies arising from development 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 has been completed and no issues of concern are 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. The Spatial Planning team has had initial discussions with the Parish Council as part of awareness-raising about neighbourhood planning and to explain the neighbourhood planning process.

8. **RECOMMENDATIONS**

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8.1 That the Cabinet Member agrees to:

- advertise Barrow upon Humber Parish Council's application for neighbourhood area status; and
- undertake a six week public consultation on the application.

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Background papers used in the preparation of this report

- Localism Act 2011
- Statutory Instrument 2016 No. 873 - *The Neighbourhood Planning (General) (Amendment) Regulations 2016*