

NORTH LINCOLNSHIRE COUNCIL

PROSPERITY CABINET MEMBER

**WINTERINGHAM NEIGHBOURHOOD PLAN – DESIGNATION OF
NEIGHBOURHOOD AREA**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To inform the Cabinet Member about the outcome of the six-week consultation into Winteringham Parish Council's application to have their area formally designated for the purpose of preparing a Neighbourhood Plan.
- 1.2 To seek the Cabinet Member's approval to formally designate Winteringham Parish Council's area for the purpose of preparing a Neighbourhood Plan and to publicise the designation.

2. BACKGROUND INFORMATION

- 2.1 The Localism Act 2011 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 give town/parish councils and neighbourhood forums powers to shape and encourage delivery of new development.
- 2.2 The local planning authority is under a duty to support and is obliged by law to help people draw up their neighbourhood plans. The Place Planning and Housing team has met the Parish Council and members of the local community to explain the neighbourhood planning process in order that residents can decide if a neighbourhood plan should be developed.
- 2.3 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.
- 2.4 The Council is responsible for receiving and determining applications for the designation of a neighbourhood area. The Neighbourhood Planning (General) Regulations 2012 prescribe time limits for the determination of a neighbourhood area application. These require the

Council to advertise the application for a consultation period of not less than six weeks. All representations received must then be considered and a recommendation made to either designate or to not designate the neighbourhood area.

- 2.5 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.
- 2.6 Winteringham Parish Council wishes to prepare a Neighbourhood Plan and submitted an application to the Council on 23 May 2019 to have its area formally designated for this purpose. The application was published and publicised for the required six-week period to allow comments to be made. The consultation period ran until 20 September 2019. Comments were invited by email and letter, and respondents could also reply via a Survey Monkey link on the Council website.
- 2.7 Three questions were asked as part of the consultation:
- 1) Do you think the area proposed by Winteringham Parish Council is a suitable Neighbourhood Area?
 - 2) Do you think the boundary of the proposed Neighbourhood Area should be changed?
 - 3) Do you have any other comments on the Neighbourhood Area Application?
- 2.8 Comments were received from nine organisations and individuals.
- 2.9 Three respondents support the proposed Neighbourhood Area, commenting that, for example:
- it appears to comprise the entirety of Winteringham Parish Council area and, as such, would seem to be a very pragmatic area to select; and
 - it will allow local residents to have more influence over planning-related decisions made about the neighbourhood and community.
- 2.10 The six remaining respondents presented neutral comments on the proposed Neighbourhood Area, although three of these provided general advice and information to be considered as the Neighbourhood Plan develops.
- 2.11 None of the respondents think the boundary of the proposed Neighbourhood Area should be changed.

3. **OPTIONS FOR CONSIDERATION**

3.1 There are two options for consideration:

3.2 **Option 1** – formally designate the Winteringham Neighbourhood Area and publicise the designation.

3.3 **Option 2** – do not formally designate the Winteringham Neighbourhood Area.

4. **ANALYSIS OF OPTIONS**

4.1 **Option 1** would ensure that the Council meets its duties under the Localism Act and the Neighbourhood Planning Regulations to formally designate the neighbourhood area. It would also allow the Council to discharge its duty to support communities wishing to undertake a neighbourhood plan.

4.2 Following designation, a decision document will be issued to the Parish Council and a formal notice will appear on local notice boards and on the North Lincolnshire Council website.

4.3 Based on the consultation responses there is no reason why the proposed neighbourhood area should not be formally designated. This is the preferred option.

4.4 **Option 2** would mean that the Council would not meet its duties under the Localism Act and the Neighbourhood Planning Regulations to formally designate the neighbourhood area. It would also mean that the Council would not discharge its duty to support communities wishing to undertake neighbourhood planning.

4.5 Furthermore, it would delay Winteringham 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. **FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)**

Financial

5.1 The Council can submit bids to the Ministry of Housing, Communities and Local Government (MHCLG) 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. Local planning authorities can now claim £20,000 once they have set a date for a referendum following a successful examination.

- 5.2 The neighbourhood planning process includes the requirement for an independent examination of the plan and for a referendum that ensures the community has a final say on whether a neighbourhood plan is adopted. These should be organised and paid for by the local authority.
- 5.3 The 2018-22 Neighbourhood Planning Support Programme aims to continue delivering support to communities who are interested in creating a neighbourhood plan. Community groups are able to access a range of free help including financial support and latest planning expertise from trained professionals to guide them through the process of preparing a neighbourhood plan.
- 5.4 Financial assistance is available in the form of grants of up to £9,000 to help them with their costs. In addition, groups in certain priority areas are eligible to apply for a further £8,000 grant funding and technical support packages.
- 5.5 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.

Staffing

- 5.6 The Place Planning and Housing team will provide the staffing resources required for supporting the neighbourhood planning process. Officers in Legal and Democratic Services will organise and administer the referendum that will determine whether a neighbourhood plan is to form part of the development plan.
- 5.7 There are no further resource implications.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 There are no implications for decisions on crime and disorder arising from the implementation of recommendations in this report.
- 6.2 There are no equalities issues arising from the implementation of recommendations in this report. However, as the neighbourhood plan develops, all sections of the local community will be encouraged to shape the contents of the plan.
- 6.3 Development of a neighbourhood plan in Winterringham will, through community involvement, participation and engagement, potentially contribute towards all three Council priorities as set out in the Council Plan.
- 6.4 There are no environmental implications and significant risks arising from the implementation of recommendations in this report. However, as the neighbourhood plan develops, it will seek to protect the

environment and integrate environmental considerations with a view to promoting sustainable development.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 An integrated impact assessment has been completed and no issues of concern are apparent.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 The Place Planning and Housing team has met Winteringham Parish Council and members of the local community as part of awareness raising and to explain the neighbourhood planning process. The local community is keen to develop a Plan.

8.2 Based on the positive responses to the questions set as part of the consultation exercise there is no reason why the proposed neighbourhood area should not be formally designated.

9. RECOMMENDATIONS

9.1 That the Cabinet Member notes the contents of this report.

9.2 That the Cabinet Member endorses the approach set out in Option 1 of this report to formally designate the Winteringham Neighbourhood Area and publicise the designation.

DIRECTOR OF BUSINESS DEVELOPMENT

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL

Author: Dave Lofts

Date: 24 September 2019

Background papers used in the preparation of this report:

- Town and Country Planning Act 1990
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- Responses to six-week consultation into Winteringham Parish Council's application to have their area formally designated for the purposes of preparing a Neighbourhood Plan