

Notice of a public Decision Session - Cabinet Member for Environmental Services, Planning & Sustainability

To: Councillor Merrett

Date: Monday, 13 October 2014

Time: 5.30 pm

Venue: The Snow Room - Ground Floor, West Offices (G035)

AGENDA

Notice to Members – Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by:

4:00 pm on Wednesday 15th October 2014 if an item is called in.

*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Corporate and Scrutiny Management Committee.

1. Declarations of Interest

At this point the Cabinet Member is asked to declare:

- Any personal interests not included on the Register of Interests
- Any prejudicial interests or
- Any disclosable pecuniary interests

which he may have in respect of business on the agenda.

- 2. Minutes** (Pages 1 - 4)
To approve and sign the minutes of the meeting held on 20th March 2014.

3. Public Participation

At this point in the meeting, members of the public who have registered their wish to speak at the meeting can do so. The deadline for registering is 5pm on Friday 10th October 2014. Members of the public may speak on item on the agenda or an issue within the Cabinet Member's remit.

Any written representations should be with the Democracy Officer by 5pm Thursday 9th October on 2014.

Filming or Recording Meetings

Residents are welcome to photograph, film or record Councillors and Officers at all meetings open to the press and public. This includes the use of social media reporting, i.e. tweeting. Anyone wishing to film, record or take photos at any public meeting should contact the Democracy Officer (whose contact details are at the foot of this agenda) in advance of the meeting.

The Council's protocol on Webcasting, Filming & Recording of Meetings ensures that these practices are carried out in a manner both respectful to the conduct of the meeting and all those present. It can be viewed at

http://www.york.gov.uk/downloads/download/3130/protocol_for_webcasting_filming_and_recording_of_council_meetings

4. Proposed Upper and Nether Poppleton (Pages 5 - 16) Neighbourhood Plan

This report provides an update on the proposed joint Upper and Nether Poppleton Neighbourhood Plan and specifically requests approval of the formal application to allow the plan to progress.

5. Urgent Business

Any other business which the Cabinet Member considers urgent under the Local Government Act 1972.

Democracy Officer:

Name: Laura Bootland

Contact Details:

- Telephone – (01904) 552062
- E-mail – laura.bootland@york.gov.uk

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

 (01904) 551550

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City of York Council

Committee Minutes

| | |
|---------------|--|
| Meeting | Decision Session - Cabinet Member for Environmental Services |
| Date | 20 March 2014 |
| Present | Councillor Levene (Cabinet Member) |
| In attendance | Councillors Reid and Richardson |

16. Declarations of Interest

The Cabinet Member was asked to declare any personal interests not included on the Register of Interests, any prejudicial interests or any disclosable pecuniary interests which he might have in respect of business on the agenda. None were declared.

17. Minutes

Resolved: That the minutes of the Decision Session held on 11 March 2014 be approved and signed as a correct record.

18. Public Participation/Other Speakers

It was reported that there had been no registrations to speak at the meeting under the Public Participation Scheme but that two Members of Council had registered to speak.

Councillor Reid spoke in support of the Dringhouses and Woodthorpe Ward Winter Maintenance Petition (agenda item 4). She stated that this was the third time that she had spoken on the issue of salt bins and that it was fortunate that it had been a mild winter. She understood that there had been a budget overspend in the winter maintenance budget and hence there would be a need to review this budget. Although some Residents' Associations had chosen to fund some salt bins, not all of the ward was covered by a Residents Association or Parish Council. The changes in respect of ward committee funding was also a factor. Whilst supportive of the efforts of involving residents through the snow wardens initiative, it was important that there was adequate provision of salt bins.

Speaking in respect of agenda item 5 – Annual Highway Maintenance Report, Councillor Reid stated that she welcomed the extra funding that the Government had announced for road repairs and hoped that York would receive its share.

Councillor Richardson, speaking in respect of agenda item 5 – Annual Highway Maintenance Report, stated that he welcomed the fact that Windsor Drive had been included in the proposed Surface Treatment Programme 2014/15 but raised concerns regarding the condition of South Lane in Haxby. He stated that the poor condition of the road markings meant that parking restrictions could not be enforced and that this was causing real problems in the area. Referring to the winter maintenance programme, Councillor Richardson expressed concern at the lack of salt bins on the main thoroughfare to Ralph Butterfield Primary School. He requested that, at the very minimum, a bin be provided on Usher Lane.

19. Dringhouses and Woodthorpe Ward Winter Maintenance Petition

The Cabinet Member considered a report in response to a petition, with 179 names and addresses of residents, submitted to the Council by Councillor Reid. The petition requested that the Council retain the existing salt bin and gritting position in the Dringhouses and Woodthorpe wards.

The Cabinet Member considered the following options:

- Option 1: Consider the petition and reinstate the winter maintenance service to the 2012/13 arrangements
- Option 2: Maintain the approved winter maintenance service for 2013/14

The Cabinet Member stated that he was satisfied that the current gritting regime was safe and effective.

- Resolved:
- (i) That the petition be noted.
 - (ii) That Option 2 (Maintain the approved winter maintenance service for 2013/14) be approved.

Reason: The revised policy is derived from consultation and best practice guidance and allows for routes and grit bin locations to be prioritised and ranked accordingly providing a safe, efficient and effective service.

20. **Annual Highway Maintenance Report**

The Cabinet Member considered a report that provided a review of the service performance in highway maintenance over the last year. The report examined issues arising and proposed programmes of work to be undertaken in the financial year 2014/15.

The Cabinet Member stated that every effort would be made to ensure that York secured a fair share of the funding for road maintenance that had been announced by the Government.

Referring to concerns that had been raised regarding road markings on South Lane, the Cabinet Member stated that he would discuss this issue with officers. He would also ask officers to consider whether they could work with snow wardens in that area to address issues that had been raised regarding the situation on the route to the school.

The Cabinet Member thanked officers for their work in preparing the comprehensive report.

- Resolved:
- (i) That the review of 2013/14 and proposals for 2014/15 be noted.
 - (ii) That the allocation of budgets for 2014/15, as detailed in the report, be approved.
 - (iii) That the implementation of the proposed programme be approved.

Reason: To ensure delivery of highway maintenance services in an efficient and cost effective manner.

Councillor Levene, Cabinet Member
[The meeting started at 4.00 pm and finished at 4.10 pm].

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**Decision Session – Cabinet Member for
Environmental Services, Planning &
Sustainability**

13th October 2014

Proposed Upper and Nether Poppleton Neighbourhood Plan

Summary

1. This report provides an update on the proposed joint Upper and Nether Poppleton Neighbourhood Plan and specifically requests that the Council approves the formal application to allow the Plan to progress.

Background

2. As part of the Localism Act 2011, local communities are encouraged to come together to get more involved in planning for their areas by producing Neighbourhood plans for their area. Neighbourhood plans are centred specifically round creating plans and policies to guide new development.
3. Neighbourhood planning is about letting the people who know about and care for an area plan for it. It is led by the residential and business community, not the council, and is about building neighbourhoods – not stopping growth.
4. If adopted by the Council, neighbourhood plans and orders will have weight becoming part of the plan making framework for that area. Designation of a Neighbourhood Area is the first stage in the preparation of a Neighbourhood Plan.
5. Upper and Nether Poppleton Parish Councils submitted a joint application on the 19th May 2014. This application and associated boundary map is attached at Annex A.
6. The proposal is a joint one from Upper Poppleton Parish Council and Nether Poppleton Parish Council. The application boundary is the same as that of the two Parish Boundaries, which are adjacent to one another. It is this 'area application' that we are asking Members to approve.

Next Steps

7. If the area application is approved, the Council must publish the following details of the Plan:
 - The name of the neighbourhood area
 - A map identifying the area
 - The name of the Parish Councils who applied for the designation.
8. If they receive formal approval, Upper and Nether Poppleton Parish Councils can prepare one Neighbourhood Plan for the two parishes with assistance from the Council. They are then required to undertake pre submission consultation by publicising the proposals and inviting representations for a period of not less than 6 weeks.
9. The Parish Councils can then submit the Neighbourhood Plan to the Council along with a consultation statement containing details of those consulted, how they were consulted, summarising the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed Neighbourhood Plan.
10. On receipt of the draft Neighbourhood Plan, the Council needs to publicise the Plan and invite representations for a period of not less than 6 weeks. Once the Council is satisfied that the Plan meets the requirements of the Town and Country Planning Act 1990 the Council then appoints an independent inspector. The Council is responsible for paying the costs of the examination (see Table 2 below) so it is in the Council's interests to ensure that the proposed plan meets the requirements.
11. The Examination and subsequent Referendum will follow. Should the vote be in favour (50% plus 1), then the Council will publish the Neighbourhood Plan.

Timetable

12. Table 1 below sets out an estimated timetable based on the experience of other Local Authorities. This will be influenced by the progress on the York Local Plan as a Neighbourhood Plan must be in conformity with it.

Table 1

| Task | Date |
|---------------------------------------|-------------------------------|
| Decision session | 13 th October 2014 |
| Preparation of the Plan | October 2014 – April 2015 |
| Pre-submission consultation (6 weeks) | May - June 2015 |
| Plan submitted to Council | End July 2015 |
| Council publish draft Plan (6 weeks) | October 2015 |
| Appoint inspector | December 2015 |
| Examination | TBC |
| Referendum | TBC |
| Publish Neighbourhood Plan | TBC |

Costs

13. Based on examples from other Local Authorities, costs to the Council per Neighbourhood Development Plan is estimated to be approximately £40,000, albeit the costs of preparing neighbourhood development plans will vary depending on the complexity and size of the proposal, and the available supporting evidence. There is a significant level of human resource costs required. A high level of officer input at an appropriate level is needed to ensure legal conformity, plan content and appropriate liaisons with Parish Councils.
14. Whilst central government funding sources; Neighbourhood Planning Grant, from the Department for Communities and Local Government to the value of £30,000 is available for each Neighbourhood Plan produced, this still leaves a shortfall of approx £10,000 per neighbourhood plan. This shortfall will need to be met within existing resources.

Consultation

15. The Localism Act (Regulation 6) requires that the information to be published is:
 - *A copy of the application*
 - *Details of how to make representations*
 - *Details of the deadline for representations, not less than 6 weeks after the date of publication.*

This should be published on the website and in such other manner as is considered likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application applies.

16. The Council formally published the joint Upper and Nether Poppleton Parish Council's application on Monday 11th June for a 6 week period until 28th July 2014.
17. The application was published in the following ways which are legally compliant with the Act:
 - A letter, with the application attached was sent to the Parish Council (for info);
 - The neighbouring parish councils of Skelton, Rawcliffe, Rufforth with Knapton, Hessay, Moor Monkton and Overton;
 - A notice and a copy of the application was put up at several prominent locations around Upper and Nether Poppletons including the Parish's notice boards;
 - A letter with the application attached was sent to all businesses in Upper and Nether Poppleton;
 - A webpage has been created at www.york.gov.uk/neighbourhoodplanning where the joint Upper and Nether Poppleton application is available to view as well as additional information on the Neighbourhood Planning process.
 - A specific email address neighbourhoodplanning@york.gov.uk has been set up for representations as has a freepost address.
18. We have received 1 representation in support of the application for a joint Upper and Nether Poppleton Neighbourhood Plan.

Option Choices

19. The following options are available for the Cabinet Member to consider:

Option 1 – approve the application for a Poppleton Neighbourhood Plan, including the proposed boundary (attached at Annex A);

Option 2 – approve the application subject to amendments to the Neighbourhood Plan boundary;

Option 3 – reject the application.

Analysis

20. In accordance with the Regulations, the Council needs to consider how desirable it is to designate the whole of the Parish area as a neighbourhood area. Given that the proposed boundary is the existing Parish boundary and it is the Parish Council who wishes to proceed with Neighbourhood Plan, it is advisable that the application is viewed favourably. In addition, the extensive level of support received from residents and businesses of Upper and Nether Poppleton, would mean that the Plan would be beneficial to the community.

Council Plan

21. The proposed Poppleton Neighbourhood Plan will be a positive contribution to the Council Plan priority of “Building strong communities”.

Implications

22. **Financial/Programme** – If the council supports options 1 or 2 to produce a plan for Upper and Nether Poppleton the council will be required to pay for the examination and the subsequent referendum. The costs of these statutory processes will be met in part by central government funding sources from the Department for Communities and Local Government. Any shortfall will need to be accommodated within existing resource
23. **Human Resources** – None.
24. **Equalities** – None.
25. **Legal** – No implications other than those included in the report.
26. **Crime and Disorder** – None.
27. **Information Technology** – None.
28. **Property** – None

Risk Management

29. No significant risks are associated with the recommendation in this report have been identified.

Recommendations

30. The Cabinet Member is recommended to:

- (i) Approve the application including the proposed boundary as per Option 1.

Reason: It is a statutory requirement to support preparation of this plan.

Contact Details:

Authors

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Chief Officer Responsible for the report

Michael Slater
Assistant Director Development
Services, Planning and Regeneration

Report Approved **Date** 30.09.14

Specialist Implications Officer(s)

There are no specialist officer implications.

All

Wards Affected:

Rural West

For further information please contact the authors of the report.

Background Papers:

None.

Annexes:

Annex A – Upper and Nether Poppleton Neighbourhood Plan application

Nether Poppleton Parish Council

Chairman of Nether Poppleton Parish Council
4 Littlefield Close
Nether Poppleton
York
YO26 6HX

19 May 2014

Darren Richardson, Esq
Director, City and Environmental Services
City of York Council
West Offices
York
YO1 6GA.

Dear Mr Richardson

NETHER POPPLETON (WITH UPPER POPPLETON)
APPLICATION FOR DESIGNATION OF NEIGHBOURHOOD PLAN AREA.

I enclose a formal application to permit Nether Poppleton Parish Council to lead, in collaboration with Upper Poppleton Parish Council to begin preparations for the submission of a Neighbourhood Plan in these parishes.

We look forward to working closely with the relevant officers in your Department and as agreed we hope to receive a favourable response by at the latest September in order to be able to attract funding from relevant sources to fund this venture.

Yours sincerely



Glen Bradley
Chairman of Nether Poppleton Parish Council

Cc Caroline Strudwick
Rebecca Harrison
Stuart Robson (Chairman of Upper Poppleton Parish Council)
Cathie Brydson, Edie Jones, Peter Powel, Vivien Crabb (Steering Committee)

Nether Poppleton with Upper Poppleton Parish Councils

Application to City of York Council For designation of Neighbourhood Plan Area

Introduction

The two parishes of Nether and Upper Poppleton are situated approximately four miles north west of the centre of the historic city of York. The River Ouse bounds the village to the north and east and by the A 59 York to Harrogate road to the south and west. Poppleton, Nether and Upper, consists of two old village cores, which have coalesced to form one community. Recent expansion in the Parish of new housing and commercial areas now are included within the parish boundaries and it is the whole parished area that is the subject of the Neighbourhood Plan.

Statement explaining why the parish is considered to be an appropriate neighbourhood area.

The Parish Councils have jointly worked on a number of projects examples of which are attached as Appendix B. Whilst meeting independently the Parish Councils represent the interest of all the residents of the area designated on the attached map(Appendix A). Nether and Upper Poppleton are statutory consultees on planning applications within the parishes. Consultation to date shows that there is a desire for a neighbourhood plan, particularly given the recent government legislation with regard to localism. The villages jointly produced a Village Design Statement in 2003 and this will give the initial platform for the development of a Neighbourhood Plan. The Parishes already manage many areas, including the village greens, the Millennium Green, the Moat Field and other significant green spaces. The Parish Councils give financial support to numerous village groups and organisations and actively keep parishioners informed through its websites, Twitter account, notice boards and regular newsletters.(Appendix C example)

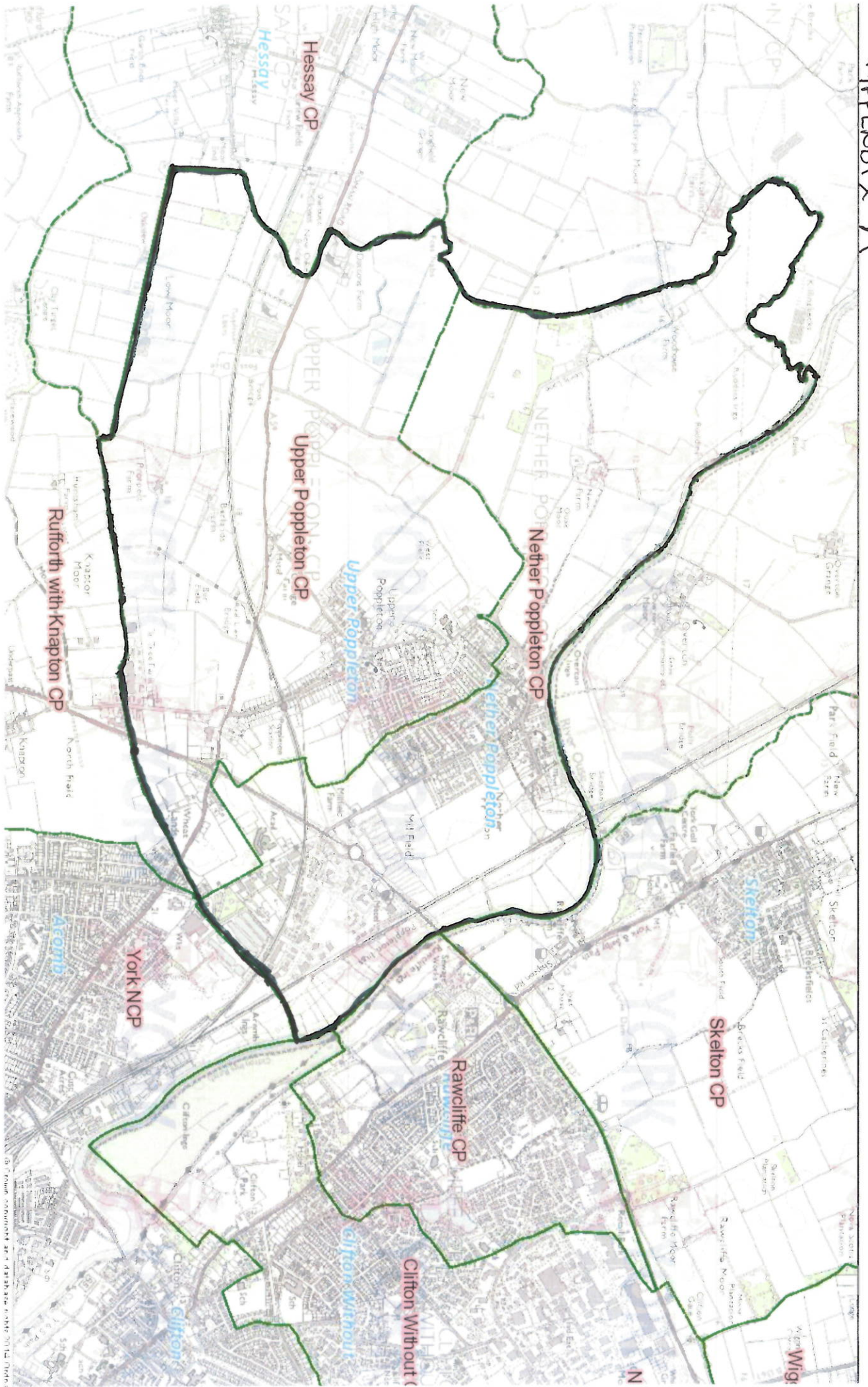
Nether Poppleton Parish Council as the Relevant Body

The two parish councils are the official statutory first tier of government in this parished area and enjoy strong support of the local community. For the purposes of this submission it has been agreed that the Chairman of Nether Poppleton Parish Council, will act as the lead to the executive committee comprising 2 councillors from each Parish. The Councils have considerable collective knowledge of their areas and a deep understanding of the area's planning opportunities and constraints and how these interact with the aspirations and concerns of the residents of the parishes.

Conclusion

Nether Poppleton Parish Council has been formally designated as the relevant body, working with the City of York Council, to produce the Neighbourhood Plan for the whole parished area.

(Appendix A). Map (Appendix B) List of shared projects



Appendix B

List of Shared projects between the two Parish Councils of Nether and Upper Poppleton.

- Poppleton Village Design Statement as Supplementary Planning Guidance August 2003.
- The Ecclesiastical Parish is known as the Parish of Nether with Upper Poppleton. This confirms the coalescent implied in the submission document.
- Joint collaboration with the Silver, Gold and Diamond Jubilee Celebrations of Her Majesty Queen Elizabeth 11.
- Joint entry into the Yorkshire in Bloom Competition 2012, 2013, 2014.
- Shared financial support in the village of Churches, Schools, Shops, Community Centre, Sports Clubs, and Historic Buildings, Youth Services.
- Joint attendance at meetings dealing with development of Poppleton Bar Park and Ride Scheme adjacent to the villages.
- Joint development of a vibrant community centre for use by villagers
- Joint development of traffic calming and traffic controls throughout the village.
- Collaborative and consultative meetings to deal with impact on the village of various schemes, such as residential development, wind farms and wind turbines.
- Joint work with City of York Councillor Ian Gilles when business park and employment developments have been undertaken.
- Joint work with the bus company First to ensure that there is public transport available throughout the day and evening within the village even during times when flooding occurs at the Ouse river bank.
- Impact analysis of the development of the Park and Ride Scheme on the residents of the village.
- Support for the local primary school nature reserve.
- Remembrance Sunday – joint civic service attended by councillors and residents from both Poppletons.
- 50th Anniversary of VE Day – joint funding to ensure a viable celebration for all residents
- Millennium Celebrations – joint funding to ensure a viable celebration for all residents.

Nether Poppleton Parish Council Newsletter Spring 2014

Welcome

Welcome to the Spring 2014 edition of the Nether Poppleton Parish Council newsletter.

In this edition we report on "Le Tour de France" coming in July, announce the completion of our new village sign, update you on Warren Lea and our Yorkshire in Bloom entry. We are also very proud to announce the completion of the War Memorial restoration, and much more.

As ever we **welcome your feedback** and ideas. A comments form is included on the back page.

Le Grand Depart



The exciting Le Tour de France Grand Depart will be racing down the A59 on Sunday 6th July.

The race starts just after 9am from York.

The Grand Depart consists of 200 riders in 22 teams and will be watched by 3 billion people worldwide.

So if you want to watch this once in a lifetime spectacle in person and cheer on our British riders, be sure to get there early.

There will be a series of road closures and some disruption to transport services during the day, so be sure to plan ahead. More information, times, the best places to view and traffic information will be available on the "Le Tour" and the City of York websites.



Vacancy for Parish Councillors

The Parish Council has two vacancies which it would like to fill.

Have you ever thought that you might like to try for one of these places? If you care about the area that you live or work in and the issues facing local people, you could be a councillor.

We are looking to co-opt just for the next 12 months as we are due for elections in May next year. Please make contact with either the Clerk or one of the other Councillors (our contact details on the back page) to find out what is involved.

Become a
Councillor

 The text "Become a Councillor" is displayed in a large, bold, sans-serif font. To the right of the word "Councillor" are two simple black silhouettes of a man and a woman standing side-by-side.

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