

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.

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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