

Cabinet

7th January 2014

Report of the Cabinet Member for Transport, Planning and Sustainability

Neighbourhood Planning

Summary

1. This report requests that members approve the formal application to allow the Copmanthorpe Neighbourhood 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 help plan for it. It is led by the residential and business community, with the Council's input and is about building neighbourhoods – not stopping growth.
4. Neighbourhood planning is a statutory duty for the Council and 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. Dunnington Parish Council had their boundary approved in October 2013 and the Council is therefore committed to this Plan. Several other Parish Councils have shown an interest in producing Neighbourhood Plans as well and the resource and financial implications of this need to be considered. There is an opportunity to be explored by parishes to combine as neighbourhood forums to jointly produce neighbourhood plans for wider areas.

6. Copmanthorpe Parish Council submitted an application in September 2013. This application and associated boundary map is attached at Annex A and requires Members' approval.
7. The proposal is from the Parish Council and the application boundary is the same as that of the Parish Boundary. It is this 'area application' and recognition that the parish council is an appropriate body to produce a neighbourhood plan that we are asking Members to approve.

Steps for Producing a Neighbourhood Plan

8. If a Neighbourhood Plan 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 Council who applied for the designation.
9. Following this, the Parish Council can prepare the Neighbourhood Plan 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.
10. The Parish Council 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.
11. 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.
12. 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 for Copmanthorpe Neighbourhood Plan if approved

13. 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
Cabinet	7 th January 2013
Preparation of the Plan	January– February 2013
Pre-submission consultation (6 weeks)	February-March 2014
Plan submitted to Council	End March 2014
Council publish draft Plan (6 weeks)	April – May 2014
Appoint inspector	June 2014
Examination	TBC
Referendum	TBC
Publish Neighbourhood Plan	TBC

Costs

14. Based on examples from other Local Authorities, costs to the Council per Neighbourhood Development Plan could be as follows, albeit the costs of preparing neighbourhood development plans will vary depending on the complexity and size of the proposal, and the available supporting evidence:

Table 2

Task	Costs
Designation of a Neighbourhood Plan Area	£2,775
Drafting of Neighbourhood Plan	£7,250
Consultation and publicity on drafted Neighbourhood Plan	£9,750
Lead into and Examination	£14,360
Referendum	£7,085
Total	£41,220

15. The table recognises the significant level of human resource costs required, although these are an indication based on other local authorities' experiences. A high level of officer input at an appropriate

level is needed to ensure legal conformity, plan content and appropriate liaisons with Parish Councils.

16. 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 £11,000 per neighbourhood plan. As the plan progresses, work will continue to bring the budget closer to the level of funding available from DCLG.
17. Despite the funding being available from DCLG, the monies for producing the various stages will be needed up front as the Neighbourhood Planning Grant is only available once certain stages have been completed e.g. £5,000 following the designation, £5,000 prior examination, and £20,000 on successful completion of the examination.

Consultation

18. With regard to the first stage of the production of the Neighbourhood Plan (post application), the Localism Act (Regulation 6) requires that the following information be published:
 - *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.

19. The Council formally published the Copmanthorpe Parish Council's application on 25th September for a 6 week period until 6th November 2013.
20. 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), Rural West ward councillors, and relevant internal bodies;

- A notice and a copy of the application was put up at several prominent locations around Copmanthorpe including the Parish notice board;
 - A letter with the application attached was sent to all businesses in Copmanthorpe;
 - A letter and copy of the application and boundary was sent to all neighbouring parish councils, these are:
 - Acaster Malbis
 - Appleton Roebuck & Acaster Selby
 - Askham Bryan
 - Bishopthorpe
 - Colton & Steeton
 - A webpage has been created at www.york.gov.uk/neighbourhoodplanning where the Copmanthorpe 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.
21. We received a petition-style spreadsheet containing 124 signatures to support the production of the Neighbourhood Plan and approving the proposed boundary, in addition to one received through our Neighbourhood Plan mailbox.

Option Choices

22. The following options are available for Cabinet to consider:

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

Option 1b – approve the application subject to amendments to the Neighbourhood Plan boundary;

Option 1c – reject the application.

Analysis

23. Work is underway for the Copmanthorpe Neighbourhood plan and consultation has been undertaken on a boundary. The production and boundary have been unanimously supported during this exercise. It is therefore considered that Option 1a is the most appropriate way forward.

Council Plan

24. Neighbourhood plans and in this case, the proposed Copmanthorpe Neighbourhood Plan will be a positive contribution to the Council Plan priority of “Building strong communities”.

Implications

25. **Financial/Programme** – If the council supports options 1a or 1b to produce a plan for Copmanthorpe the council will be required to pay for the examination and the subsequent referendum as per the estimates in table 2. These costs 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 with existing resource.
26. **Human Resources** – None.
27. **Equalities** – None.
28. **Legal** –The local planning authority has a legal duty to support and advise those communities undertaking neighbourhood planning. The steps outlined in this report comply with the Government’s Neighbourhood Planning (General) Regulations 2012. There are no further legal implications.
29. **Crime and Disorder** – None.
30. **Information Technology** – None.
31. **Property** – None.

Risk Management

32. No risk.

Recommendations

33. Cabinet is recommended to approve the Copmanthorpe application including the proposed boundary as per Option 1a.

Reason: To allow Copmanthorpe Parish Council to proceed with the preparation of their Neighbourhood Plan.

Contact Details

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Wards Affected: Rural West			
<i>For further information please contact the authors of the report</i>			

Background Papers:

None.

Annexes:

Annex A – Copmanthorpe Neighbourhood Plan application