



## Planning Policy Committee – 21 January 2013

### Applications for Designation of Two Neighbourhood Areas: Higham Ferrers and Oundle

#### Purpose of report

Applications for two Neighbourhood Areas have been received from Higham Ferrers and Oundle Town Councils. This report is presented for Members' information and to seek support for consultation to commence.

#### Attachment(s)

Appendix 1 Applications

<b>1.0</b>	<b>Background</b>
1.1	The Localism Act 2011 gave Town and Parish Councils the powers to produce Neighbourhood Plans. Neighbourhood planning is central to the Government's decentralisation, localism and Big Society agenda. The Plans are community-led, but the local planning authority provides advice, make decisions at key stages and carries out certain technical procedures, as part of the preparation process.
1.2	The Neighbourhood Plan (General) Regulations came into force in April 2012 and set out the steps that Town and Parish Councils must complete if they wish to prepare Neighbourhood Plans.
1.3	Members will be aware that, in East Northamptonshire, the towns of Oundle and Raunds are "Neighbourhood Plan Frontrunners". The Department of Communities and Local Government (DCLG) has set aside £20,000 for the investigation and potential development of Neighbourhood Plans for each of these towns. Raunds has already submitted its application for the designation of a Neighbourhood Area (Planning Policy Committee 10/12/12).
<b>2.0</b>	<b>Applications and Next Steps</b>
2.1	Applications for Neighbourhood Area designation have now been submitted by two further councils: Higham Ferrers and Oundle (Appendix 1).  These applications consist of : a) maps which identify the areas to which the applications relate; b) statements explaining why these areas are considered appropriate for designation as neighbourhood areas; and c) statements that the organisations or bodies making the applications are relevant bodies for the purposes of section 61G of the 1990 Town and Country Planning Act.
2.2	The two proposed areas cover the whole parishes of Higham Ferrers and Oundle respectively.
2.3	Members shall note that there is no legal or procedural requirement to present the initial Neighbourhood Area application to committee for approval, prior to consultation commencing. However, officers feel that this approach provides best practice.

2.4	<p>The Regulations require Neighbourhood Area applications to be consulted on for a minimum of 6 weeks. These will be publicised on the District Council's website and 'in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business on the area to which the application relates'.</p> <p>It is therefore anticipated that both applications will be primarily advertised for consultation as follows:</p> <ul style="list-style-type: none"> <li>• On the websites of East Northamptonshire Council, Higham Ferrers and Oundle Town Councils;</li> <li>• Notices at relevant Libraries and Parish Noticeboards;</li> <li>• Advert in Nene Valley News;</li> <li>• Letter to Ward Councillors, County Councillors and neighbouring Town/Parish Councils, Northamptonshire County Council Highways and Planning Teams, and statutory bodies, for example English Heritage, the Highways Agency, and the Environment Agency.</li> </ul>
2.5	<p>Following the consultations, any responses will be considered by the Planning Policy Committee and amendments may be suggested to the proposed boundaries. The District Council must ensure that any final Neighbourhood Area is coherent, consistent and appropriate in planning terms.</p> <p>Note: Unless there are valid reasons, the District Council will designate a final proposed Neighbourhood Area. If the Council considers the area not to be appropriate it must issue a refusal notice, explaining why, and designate a revised plan area to include some or all of the originally proposed area.</p>
2.6	<p>Once a Neighbourhood Area has been agreed and designated, the next stage will be for both Town Councils to engage with their communities and prepare the Plans. The Town Councils will need to work closely alongside the District Council, in particular to ensure that they fully consider any existing or emerging plans for their respective areas. The preparation process will also include a requirement for them to undertake a formal 6 week consultation period on their Draft Plans.</p>
2.7	<p>Any changes will be made and a revised Neighbourhood Plan prepared, which will then be submitted to the District Council, who will provide a check to ensure that it has been prepared correctly and then initiate a further 6 week formal consultation period. Once the Neighbourhood Plan has been prepared, the District Council will facilitate and fund the independent examination into the Plan. Providing that the Examiner recommends that the Neighbourhood Plan is taken forward then a referendum will be called for which the District Council again will be responsible for facilitating and funding. The Plan requires the support of a majority of those who vote in the referendum. If the referendum indicates community support, the Neighbourhood Plan will normally then be adopted by the District Council. Once the Plan has been adopted by the District Council it becomes a part of the statutory development plan against which relevant planning applications will be determined.</p>
<b>3.0</b>	<b>Conclusion</b>
3.1	<p>Applications have been received from the Town Councils of Higham Ferrers and Oundle for two proposed Neighbourhood Areas, prior to work commencing on their Neighbourhood Plans. This report has been provided for Members' information and to seek Members' support for consultation to commence on the proposed Areas.</p>
<b>4.0</b>	<b>Equality and Diversity Implications</b>
4.1	<p>There are no equality and diversity implications at this stage. Consideration will have</p>

	to be given at each of the consultation stages to ensuring that all groups and individuals are made aware of the proposals and are able to comment if they wish
<b>5.0</b>	<b>Legal Implications</b>
5.1	At this stage there are no legal implications.
<b>6.0</b>	<b>Risk Management</b>
6.1	There are no risks at this stage.
<b>7.0</b>	<b>Financial Implications</b>
7.1	The financial implications arising from this paper fall into three areas: <ul style="list-style-type: none"> <li>• the expenses of preparing the Neighbourhood Plan itself, including any necessary specialist studies.</li> <li>• The expenses of the Examination and Referendum processes</li> <li>• ENC staff time in supporting</li> </ul>
7.2	Oundle is a “Neighbourhood Plan Frontrunner” and therefore the District Council is already holding funds of £20,000 from DCLG, which is designed to help that community undertake activities to develop their neighbourhood plan. Policy and Resources Committee in December 2012 agreed to support the preparation the Higham Ferrers Neighbourhood Plan( and associated Community Plan) to a maximum of £42,050 payable between 2012-13 & 2013-14, providing additional information to support the funding request was provided.
7.3	For 2012/13 the Government has provided additional, non ring-fenced, funding to planning authorities under the New Burdens procedure to assist with the costs of production of Neighbourhood Plans. The money is paid in two tranches. The first payment of £5,000 will be made following designation of a neighbourhood area to recognise the officer time supporting and advising the community in taking forward a neighbourhood plan. The second payment of £25,000 will be made on successful completion of the neighbourhood planning examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including a referendum.
7.4	It is not known yet what the arrangements for future years will be, although something similar may be provided. However, this year’s payment regime clearly indicates an expectation that planning authorities will both provide officer support to the process and fund the examination and referendum processes. It is not anticipated, therefore, that any of this £30,000 will be made directly available to Town or Parish Councils, particularly as the government has also funded some advice services to help groups, including Town Councils, producing Neighbourhood Plans
<b>8.0</b>	<b>Corporate Outcomes</b>
8.1	The relevant corporate outcomes are: <ul style="list-style-type: none"> <li>• Regeneration and Economic Development</li> <li>• Sustainable Development</li> <li>• Strong communities</li> <li>• High quality built environment</li> <li>• Strong strategic partnerships</li> <li>• A proactive and listening Council</li> </ul>

<b>9.0</b>	<b>Recommendations</b>
9.1	That support be given for consultation to commence on the proposed two Neighbourhood Areas for Higham Ferrers and Oundle <i>(Reason – to enable work to commence on their Neighbourhood Plans and enable the draw down of Government funding in 2012/13)</i>

<b>Legal</b>	Power: <b>Neighbourhood Planning (General) Regulations 2012</b> <b>Section 61G of The Town And Country Planning Act 1990</b>				
	Other considerations: None				
<b>Background Papers:</b> N/A					
<b>Person Originating Report:</b>		Karen Britton (Planning Policy and Conservation Manager) Tel: 01832 742142			
<b>Date:</b> 2/1/13					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

**Town and Country Planning Act 1990  
As amended by the Localism Act 2011, Sch 9, Part 1**

**The Neighbourhood Planning (general) Regulations 2012 – Part 2 (5) –  
Application for designation of a Neighbourhood Area**

**APPLICATION BY HIGHAM FERRERS TOWN COUNCIL**

Higham Ferrers Town Council hereby applies for the designation of the following area to be the subject of a Neighbourhood Plan under the above Regulations:

**Section 5(1) (a) Application Area**

The area outlined in blue on the attached plan encompassing and representing the whole of the Parish of Higham Ferrers is the land to be applied for as the Neighbourhood Plan area.

**Section 5(1) (b) Appropriate Statement**

The area is considered appropriate for designation as a neighbourhood area for the following reasons:

- The Town Council and the Project Group consider that the whole Parish is an appropriate area. This will ensure that any policies which are developed which extend or have influence outside of the existing urban confines and Town boundary line can be implemented and will have weight within the plan.
- The allocation of sites for housing, employment and community facilities across the Parish will have an impact on the delivery of the Neighbourhood Plan aspirations and therefore the entire Parish should be included within the designated area. The Neighbourhood Plan will require to be in conformity with the emerging Core Spatial Strategy and Four Towns Plan.

**Section 5(1) (c)**

Higham Ferrers Town Council meets the criteria of a relevant body by virtue of satisfying the requirements of the Town and Country Planning Act 1990 as amended by the Localism Act 2011, Section 9, Part 1, section 61G(2) (a).

Signed .....  ..... Mayor

Signed .....  ..... Proper Officer

18 December 2012