

TELFORD & WREKIN COUNCIL

CABINET - 19 SEPTEMBER 2013

DESIGNATION OF A NEIGHBOURHOOD PLAN AREA FOR ERCALL MAGNA

REPORT OF ASSISTANT DIRECTOR: PLANNING SPECIALIST

LEAD CABINET MEMBER – CLLR CHARLES SMITH

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 The Localism Act introduced legislation to allow Parishes to produce a Development Plan for their neighbourhood. Ercall Magna Parish Council is one of five Parish/Town Councils in the Borough currently preparing Neighbourhood Plans.
- 1.2 Ercall Magna Parish Council lead on the Ercall Magna Neighbourhood Development Plan and in line with the Neighbourhood Planning Regulations has applied to Telford & Wrekin Council to designate Ercall Magna Parish Council area as a Neighbourhood Area. On the basis of the information set out in this Report it is recommended that the Council support the designation as shown on the plan in Appendix A.
- 1.3 Once the Parish Council has prepared their Plan, this will be submitted to the Council to consider, and be the subject of a local examination and local referendum. If supported through these stages, the Plan would then be adopted as part of the Development Plan for the Borough.

2. RECOMMENDATION

2.1 That Cabinet support the Neighbourhood Area application by Ercall Magna Parish Council and approve the designation of the area shown in Appendix A as a Neighbourhood Area

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Co-operative Council: - Involving local people more in planning and running services - As a Council, supporting our community better and encouraging people to do more to help their own communities
	Will the proposals impact on specific groups of people?	
	Yes	Designation of the Ercall Magna Parish Council area as a neighbourhood plan area will help engage all parts of the community in planning.
TARGET COMPLETION/ DELIVERY DATE	The process would commence following Cabinet approval.	
FINANCIAL/ VALUE FOR MONEY IMPACT	Yes	The costs associated with the introduction of Neighbourhood Plans, including the additional costs of designations, referendum and examinations; have to be met by the Local Authority. Neighbourhood Planning Front Runner funding has been received in respect of Ercall Magna Parish and additional funding, up to a maximum of £30,000 is available from the

		DCLG in 2013/14 to offset costs incurred by the Local Authority. Should the examination process not be completed until the 2014/15 financial year there is a risk that DCLG funding will not be available and any costs in excess of the available Front Runner funding will be a budget pressure to the Local Authority. JAC 15/08/13
LEGAL ISSUES	Yes	The Localism Act 2011 provided a framework for a new statutory regime to establish Neighbourhood Planning. The 2012 Neighbourhood Planning (General) Regulations (SI 2012/637) (“the Regulations”) add more detail to that framework. Part 2 of the Regulations makes provision in relation to the procedure for designating a neighbourhood area, including the content of the application and what the local planning authority must do to publicise such an application. In considering the Ercall Magna Parish Council application, the Council in its capacity as Local Planning Authority has been mindful of the provisions of the Regulations, and in the view of Legal Services any risk of successful challenge to the process on procedural grounds is minimal.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	The development of Neighbourhood Plans does pose some potential risks to the preparation of the Local Plan including potential duplication or inconsistency with Borough Policy. This is being mitigated by regular Officer engagement with the Parish ensuring early discussion of any potential issues. Opportunities include a strengthening of local engagement in the planning process and in the development of Shaping Places Local Plan and acceptance of development proposed in the area. A successful frontrunner plan will raise the profile of the Council locally and nationally.
IMPACT ON SPECIFIC WARDS	Yes	Ercall Magna Ward

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

4.1 The Localism Act (2011) introduced Neighbourhood Planning as a mechanism to increase local engagement in plan making. In May 2011 Telford & Wrekin Council successfully bid with Ercall Magna Parish Council for the area to become one of the Government’s Frontrunners in Neighbourhood Planning

4.2 The development of a Neighbourhood Plan involves a number of stages:

- Designation of the Neighbourhood Plan area
- Establishing a local working/steering group
- Identification of the issues that the Neighbourhood Plan needs to address
- Developing the Plan’s vision and objectives and proposals to meet these including a proposals map
- Undertaking a sustainability appraisal of the Plan’s proposals
- Effective local consultation on the Plan
- Submission of the Plan to the Council for consideration
- Examination whereby an examiner, appointed by the Council, examines the Plan to establish if it meets all statutory obligations

- Referendum; a yes/no vote on the local implementation of the plan

4.3 Telford & Wrekin Council's role in the Neighbourhood Plan process is to:

- Give assistance and advice on the content of the plan and process
- Agree and formally designate the Neighbourhood Area
- Check the plan is in general conformity with relevant legislation and regulations and conforms with national planning policy and the strategic policies of Telford & Wrekin Councils Local Plan
- Arrange and pay for an independent examination
- Arrange and pay for a referendum of the Neighbourhood Plan
- Subject to the outcome of the previous stages, adopt the Neighbourhood Plan as part of Telford & Wrekin Councils Local Plan

4.4 The proposed neighbourhood plan area for Ercall Magna reflects the boundaries of the Parish Council and is shown in Appendix A. Under part 2 of the Neighbourhood Planning Regulations (2012), Telford & Wrekin Council is required to publicise the request for designation for 6 weeks, to consider the responses received and determine whether or not to support designation.

4.5 A legal notice, together with the correspondence submitted by the Parish Council requesting designation, were publicised via Telford & Wrekin Council's Website. The period of consultation ended on 24th May 2013 and no representations have been submitted to the Council.

4.6 It is therefore recommended that Ercall Magna Parish Council's request to designate the neighbourhood area is supported. No concerns with this boundary area have been raised, its correlation with the Parish Council area will assist with any future referendum and it provides a good model for future neighbourhood plan proposals.

4.7 Subject to the neighbourhood area being approved, the Ercall Magna Parish Council will continue to engage with local people and stakeholders, including Telford & Wrekin Council to develop the neighbourhood plan. The Parish Council will lead the development of the Plan. Members will be kept informed of this process with reports being brought to Cabinet at key stages.

4.8 The Council has no dedicated officer resource for neighbourhood planning but officers from the Business & Development Planning Unit offer advice on planning matters and can coordinate input from other parts of the Council to support the Parish Council to develop the Plan. This is important to avoid inconsistency between National/Borough Policy and service priorities and the neighbourhood plan proposals.

5. **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

N/A

6. **PREVIOUS MINUTES**

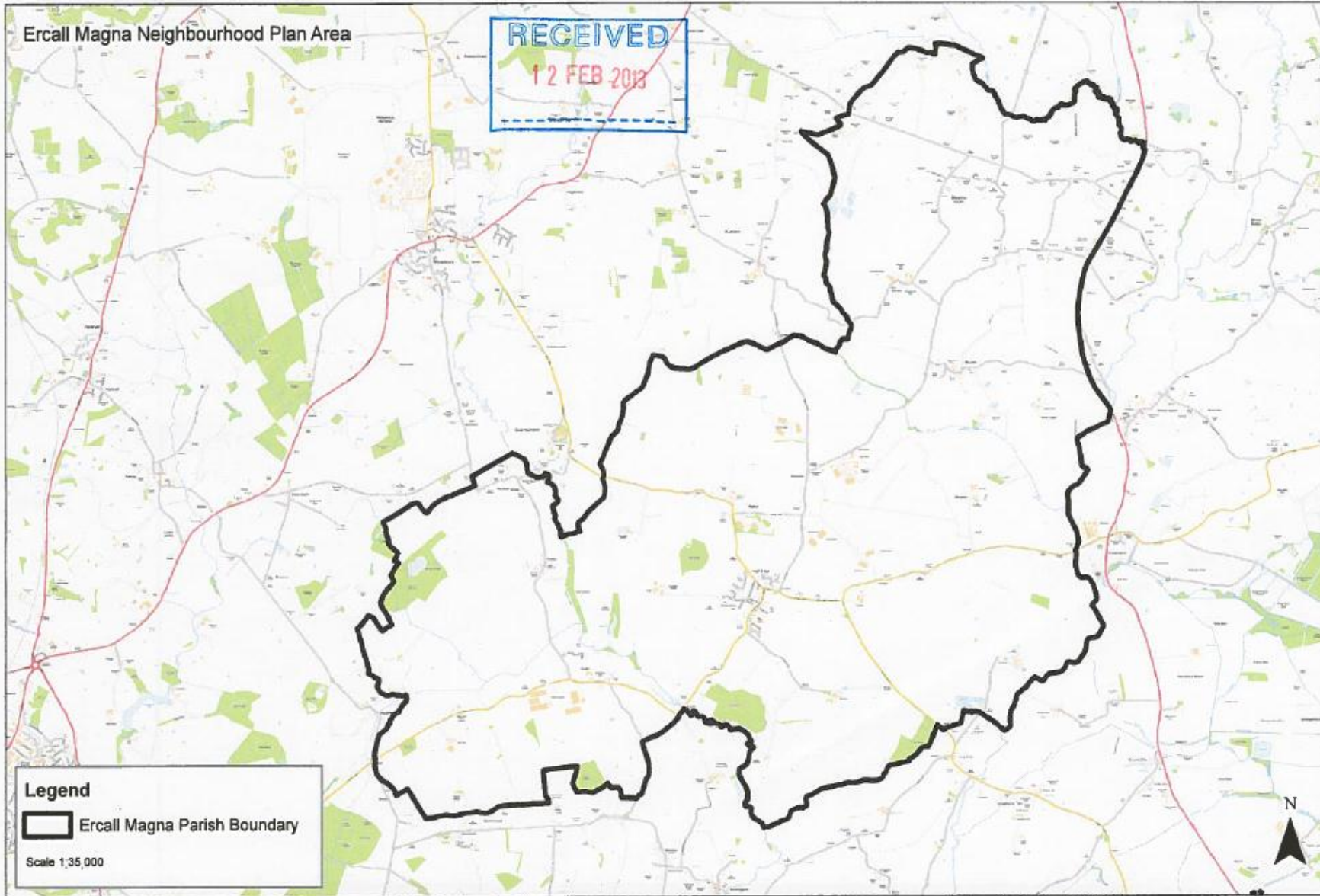
N/A

7. **BACKGROUND PAPERS**

N/A

Report prepared by Clare Francis, Project Officer, Environment & Planning Policy Team

Appendix A



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