

# TELFORD & WREKIN COUNCIL

CABINET - 14 NOVEMBER 2013

## DESIGNATION OF A NEIGHBOURHOOD PLAN AREA FOR WATERS UPTON

REPORT OF ASSISTANT DIRECTOR: PLANNING SPECIALIST

LEAD CABINET MEMBER: COUNCILLOR CHARLES SMITH

### PART A) – SUMMARY REPORT

#### 1. SUMMARY OF MAIN PROPOSALS

- 1.1 The Localism Act (2011) introduced legislation to allow Parishes to produce a Development Plan for their neighbourhood. Waters Upton Parish Council is one of five Parish/Town Councils in the Borough currently preparing a Neighbourhood Plan.
- 1.2 Waters Upton Parish Council lead on the Waters Upton Neighbourhood Development Plan and in line with the Neighbourhood Planning Regulations has applied to Telford & Wrekin Council to designate Waters Upton 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 Telford & Wrekin 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 Waters Upton Parish Council and approve the designation of the area shown in Appendix A as a Neighbourhood Area**

#### 3. SUMMARY IMPACT ASSESSMENT

<b>COMMUNITY IMPACT</b>	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 Waters Upton Parish Council area as a neighbourhood plan area will help engage all parts of the community in planning.
<b>TARGET COMPLETION/ DELIVERY DATE</b>	The process would commence following Cabinet approval.	
<b>FINANCIAL/ VALUE FOR MONEY IMPACT</b>	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 of £20,000 has been received in respect of Waters Upton Parish and additional funding, up to a maximum of £30,000 is available from the DCLG to offset any additional costs incurred by the Local Authority

		JAC 07/10/13
<b>LEGAL ISSUES</b>	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 Waters Upton Parish Council application, Telford & Wrekin 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.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	The development of Neighbourhood Plans does pose some potential risks to the preparation of the borough-wide 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.
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Ercall Magna Ward (Councillor Stephen Bentley)

## **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 Waters Upton 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 Waters Upton reflects the boundaries of the Parish Council and is shown in Appendix A. Under part 2 of the Neighbourhood Planning (General) 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 20<sup>th</sup> September 2013. One representation was submitted to the Council from a neighbouring Shropshire Parish Council; Stoke upon Tern who have no objections to the area designation.
- 4.6 It is therefore recommended that Waters Upton 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 Waters Upton 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**

