

# CABINET

## Scotforth Rural Parish Neighbourhood Plan Area Designation Application

### Report of the Service Manager - Planning and Housing Strategy

PURPOSE OF REPORT				
To accept the application by Scotforth Parish Council and designate the Scotforth Rural Parish Neighbourhood Plan Area.				
Key Decision	<input type="checkbox"/>	Non-Key Decision	<input checked="" type="checkbox"/>	Referral from Cabinet Member
Date of notice of forthcoming key decision	N/A			
This report is public				

#### RECOMMENDATIONS OF COUNCILLOR DOWDING

- (1) Accept the application by Scotforth Parish Council and designate the Scotforth Rural Parish Neighbourhood Plan Area.
- (2) To delegate authority to the Head of Financial Services / Section 151 Officer, in consultation with the Chief Executive to update the General Fund Revenue Budget to reflect the Ministry of Housing, Communities & Local Government (MHCLG) funding and associated expenditure.

#### 1.0 Introduction

- 1.1 Neighbourhood planning gives communities the chance to decide where new development should be located and what it should look like. This ranges from new housing to commercial development. A Neighbourhood Plan must be in line with the district's Local Development Plan, national policy and national planning guidance. It is subject to an independent examination and a community referendum. If approved by the local community then a Neighbourhood Plan forms part of the district's Local Development Plan. The documents that make up the Local Development Plan are used when making decisions on planning applications.
- 1.2 The designation of a Neighbourhood Area by the City Council is the first stage in producing a Neighbourhood Plan. It establishes the geographical area to be covered by the Plan.
- 1.3 The first stage of the Neighbourhood Plan process is to agree which area the plan will relate to. It can apply to the whole parish area or just part of it, or it may include more

than one parish if appropriate to do so. Guidance on defining the boundaries of a neighbourhood area is provided in National Planning Practice Guidance (NPPG). The NPPG suggests that in areas with parishes, a local planning authority is required to have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area. Where a Parish Council applies for the whole area of the parish to be designated as a neighbourhood area, then the local authority must designate the whole of the area applied for.

- 1.6 The Council will be required to publish the name, map of the neighbourhood plan area and the name of the organisation that applied.
- 1.7 The application was received on 24<sup>th</sup> November 2022. Once the designation area application has been accepted, the Parish Council will continue to develop a neighbourhood plan for their area. This is likely to start with engaging local stakeholders to develop a vision, values and objectives. On request, Lancaster City Council will provide advice, guidance and support via an initial meeting, provision of background data/evidence, professional advice and assistance and once complete review the draft neighbourhood development plan.

## 2.0 Proposal Details

- 2.1 Scotforth Parish Council has applied to designate the whole of the Parish of Scotforth Rural Parish Neighbourhood Plan Area.

## 3.0 Details of Consultation

- 3.1 Following national legislative changes in 2016, local authorities are not required to carry out a formal consultation at this stage of the process. The Cabinet Member is therefore requested to accept the Scotforth Rural Parish Neighbourhood Plan Area Designation.

## 4.0 Options and Options Analysis (including risk assessment)

	<b>Option 1:</b> Accept the designation of the Scotforth Rural Parish Neighbourhood Plan Area	<b>Option 2:</b> Decline the designation of the Scotforth Rural Parish Neighbourhood Plan Area
Advantages	This option would accord with national guidance and enable the community to proceed with a Neighbourhood Plan to meet the needs of their community.	None
Disadvantages	None	This option would not accord with national guidance and would fail to provide the community with the opportunity to pursue localism.
Risks	None	Potential legal challenge as the decision being contrary to national guidance.

## **5.0 Officer Preferred Option (and comments)**

5.1 Scotforth Parish Council has applied for their whole parish area to be designated, and there are no reasonable grounds for not accepting the application. Therefore, the Council must designate the whole of the area applied for.

## **6.0 Conclusion**

6.1 The Scotforth Rural Parish Neighbourhood Plan Area Designation is in line with the current parish boundary and therefore must be accepted, in accordance with the NPPG.

6.2 Once accepted, it is anticipated that the qualifying body (Scotforth Parish Council) will work through the more detailed stages of Neighbourhood Plan preparation and consultation.

### **RELATIONSHIP TO POLICY FRAMEWORK**

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, healthy and happy communities and being a co-operative, kind and responsible council.

Once adopted, neighbourhood plans will form part of the Council's Lancaster District Local Plan.

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)**

A neighbourhood plan will directly impact local communities. This impact depend upon the focus of the plan e.g. housing, local facilities, green/open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process.

Neighbourhood planning provides communities with an opportunity to shape future development in their area, as well as helping to protect and conserve their heritage and environment (in line with the district's Local Plan and national planning policy and guidance).

### **LEGAL IMPLICATIONS**

The designation must be made in accordance with legislation and guidance.

### **FINANCIAL IMPLICATIONS**

Lancaster City Council has a duty to provide officer support to a community preparing the plan and as a result will incur costs to cover;

- (1) various stages of publicity,
- (2) independent examination and
- (3) a referendum.

Local planning authorities can claim funds from the MHCLG to offset the costs of undertaking this work.

A payment of £20,000 becomes eligible once the local authority has set a date for the

referendum following a successful examination. This is not claimable if the Inspector does not endorse the Neighbourhood Plan. The local authority will not be reimbursed if the Neighbourhood Plan group decide not to take a successful plan to referendum.

The cost of an independent examination is determined by the time spent on the matter by the independent inspector appointed by the Neighbourhood Plan group. The length of the examination reflects the scale of the ambition of the plan, the complexity of the planning policy environment and the extent of support or objection received. Whilst it is not possible at this stage to state what an examination would cost, recent examination costs have ranged from £4,500 for Aldcliffe with Stodday to £10,154.60 for Slyne with Hest. There will also be costs associated with publicity of the examination, these have previously been around £1,000.

In relation to the referendum costs, these will vary depending on the number of voters, the geography of the area and the number of polling stations required. To provide an illustration of the likely scale of the costs for a referendum the council's democratic service officers have advised that the estimated direct costs of holding a referendum in the Scotforth Parish Council area (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £2290.85.

The total combined cost of the examination and referendum would therefore be £7,500-£13,500. The remaining grant (from the total grant of £20,000) would cover existing staff resources or fall into General Balances.

The support and advice for neighbourhood has been provided through the use of existing Economic Growth and Regeneration staff resources and for now is expected to continue through 2022/23. Managing a referendum will also need the resources of democratic services officers, this would need to be funded from the grant, and may require additional staff resources if it impacts on other elections.

It is difficult to estimate with any certainty when this application will come forward to the referendum stage, if at all, as it is very much led by the relevant parish council. Where possible officers will work with the parish to avoid a referendum taking place around any elections.

General fund revenue budgets will be updated under delegated authority.

## **OTHER RESOURCE IMPLICATIONS**

### **Human Resources:**

Some officer support has been put in place for neighbourhood planning.

### **Information Services:**

None.

### **Property:**

None.

### **Open Spaces:**

Scotforth Parish Council may decide to include open spaces within their neighbourhood plan.

## **SECTION 151 OFFICER'S COMMENTS**

S151 officer has been consulted and has no additional comments to add.

**MONITORING OFFICER'S COMMENTS**

The Monitoring Officer has been consulted and has no further comments, save that no timescales have been identified and it is recommended close attention is paid to the programme management of these applications to ensure capacity is maintained for any future council elections

**BACKGROUND PAPERS**

Scotforth Rural Parish Neighbourhood Plan  
Area Designation Application

Scotforth Parish Boundary Map

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