



**LANCASTER
CITY COUNCIL**

Promoting City, Coast & Countryside

INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS

WEDNESDAY, 25 APRIL 2018

Please find enclosed a Decision Notice in connection with the following:

ICMD6 Designation of Carnforth Neighbourhood Plan Area (Page 1)

Please note that this is subject to call-in.

Queries regarding these documents

Please contact Tessa Mott, Democratic Services - telephone 01524 582074, or e-mail tmott@lancaster.gov.uk.

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LANCASTER CITY COUNCIL

Promoting City, Coast & Countryside

EXECUTIVE DECISIONS TAKEN BY CABINET PORTFOLIO HOLDER NOTICE OF DECISION

THIS SECTION TO BE COMPLETED BY THE PORTFOLIO HOLDER AND CONTACT OFFICER

TITLE OF DECISION: DESIGNATION OF CARNFORTH NEIGHBOURHOOD PLAN AREA					
NAME OF DECISION TAKER:	COUNCILLOR JANICE HANSON				
POSITION AND RESPONSIBILITY HELD:	CABINET MEMBER AND PORTFOLIO HOLDER RESPONSIBLE FOR ECONOMIC REGENERATION AND PLANNING				
CONTACT OFFICER:	JENNIFER MILLIGAN				
TELEPHONE:	01524 582650				
E-MAIL:	jmilligan@lancaster.gov.uk				
Details of Decision:					
To accept the Carnforth Neighbourhood Plan Area Designation Application.					
To delegate authority to the Chief Officer (Resources), in consultation with the Chief Executive to update the General Fund Revenue Budget to reflect the MHCLG funding and associated expenditure.					
Reasons for the decision:					
If a 'whole' parish area application is made by a parish council, the local authority must designate the proposed area.					
IS THE DECISION URGENT No					
PLEASE DELETE AS APPROPRIATE AND GIVE REASONS FOR URGENCY BELOW: N/A					
I CONFIRM THAT I HAVE BEEN CONSULTED ON THE ABOVE DECISION AND THAT IT IS URGENT AND REASONABLE IN ALL THE CIRCUMSTANCES. (IN ACCORDANCE WITH SECTION 17 OF THE OVERVIEW & SCRUTINY PROCEDURE RULES)					
SIGNATURE OF THE OVERVIEW & SCRUTINY CHAIRMAN: N/A					
I confirm that I have taken account of the options proposed by officers, the various implications set out in the report and the comments of the Monitoring and Section 151 Officers and am authorising the decision as set out above.					
SIGNATURE OF DECISION TAKER:	Councillor Janice Hanson				
DATE:	24.04.18				
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>					
DATE DECISION TAKEN:	24.04.18	DATE RECEIVED BY DEMOCRATIC SERVICES:	25.04.18	REF NO.	ICMD6
DATE DECISION PUBLISHED:	25.04.18	IMPLEMENTATION DATE (publication day + 5 working days):	03.05.18		



**Carnforth Neighbourhood Plan
Application for Area Designation**

**Individual Cabinet Member Decision
(Councillor Hanson)**

**Report of the
Chief Executive**

PURPOSE OF REPORT				
To accept the Carnforth Neighbourhood Plan Area Designation Application.				
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				

OFFICER RECOMMENDATION

- a. **To accept the Carnforth Neighbourhood Plan Area Designation Application.**
- b. **To delegate authority to the Chief Officer (Resources), in consultation with the Chief Executive to update the General Fund Revenue Budget to reflect the MHCLG funding and associated expenditure.**

1.0 INTRODUCTION

- 1.1 Neighbourhood planning gives communities the chance to decide where new development should be and what it should look like. For example, new homes, shops and offices. A Neighbourhood Plan must be in line with the district's local development plan and national planning guidance and is subject to an independent examination and community referendum. If approved by the local community then a neighbourhood plan forms part of the district's local development plan and is used to make decisions on planning applications.
- 1.2 The designation of a Neighbourhood Area by the Council is the first stage in producing a Neighbourhood Plan. It establishes the area to be covered by the Plan.
- 1.3 The Council is no longer required to carry out a formal consultation on neighbourhood plans. Therefore the Cabinet Member is requested to accept the Carnforth Neighbourhood Plan Area Designation Application.

2.0 BACKGROUND

- 2.1 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 include more than one parish if appropriate to do so. Guidance on defining the boundaries of a neighbourhood area are provided in National Planning Practice Guidance (NPPG).
- 2.2 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. However, whilst this should always be considered as a starting point there are a number of other considerations which are important when deciding the boundaries of a neighbourhood area. These include:
- a. Village or settlement boundaries, which reflect areas of planned expansion;
 - b. The catchment area for walking to local services;
 - c. The areas where formal or informal networks of community groups operate;
 - d. The physical appearance or characteristics of a neighbourhood;
 - e. Whether the area forms all or part of a coherent estate either for business or residents;
 - f. Whether the area is wholly or predominantly a business area;
 - g. Whether infrastructure or physical features define a natural boundary, for example a major road or rail line;
 - h. The natural setting or features in an area; and
 - i. Size of the population living and working in the area.
- 2.3 If a 'whole' parish area application is made by a parish council, the local authority must designate the proposed area.
- 2.4 The Council will be required to publish the name, map of the neighbourhood plan area and the name of the organisation that applied.

3.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)

- 3.1 If a 'whole' parish area application is made by a parish council, the local authority must designate the proposed area. Therefore there is no reasonable ground for not approving the application, and therefore no realistic other option.

5. CONCLUSIONS

- 5.1 The Carnforth Neighbourhood Plan Area Designation is in line with the current parish boundary and therefore must be approved.

RELATIONSHIP TO POLICY FRAMEWORK

Neighbourhood Planning contributes to the Council's corporate plan priorities, in particular, sustainable economic growth.

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. However, this impact will be subject to the plans focus e.g. housing, local facilities, open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process.

Neighbourhood planning provides rural 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 guidance).

LEGAL IMPLICATIONS

Legal have been consulted and have no further comments.

FINANCIAL IMPLICATIONS

To support the preparation of any neighbourhood plan Lancaster City Council has a duty to provide officer support to the community preparing the plan and as a result will also incur additional costs to cover; (1) various stages of publicity, (2) independent examination and (3) a referendum. The local planning authorities are able to claim monies from the Ministry of Housing, Communities and Local Government (MHCLG, previously known as DCLG) to offset the costs of undertaking this work. However, the MHCLG have now updated and reviewed the arrangements for claiming financial support for neighbourhood plan, amending the levels of financial support offered and the stages where payment can be claimed.

A payment of £20,000 becomes eligible once the local authority have set a date for the referendum following a successful examination. As in previous applications, it would not be claimable if the Inspector did not endorse the Neighbourhood Plan. It should also be noted that since reporting on previous designations, as a result of the MHCLG updates referred to above, the local authority will no longer be reimbursed should 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 therefore not possible to say at this stage what an examination would cost, a recent examination undertaken by another neighbouring authority cost a little under £4,000.

In relation to the referendum costs, these will vary greatly 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 for Carnforth the council's democratic service officers have advised that the estimated direct costs of holding a referendum in the Carnforth Town Council area (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £8,000.

Neighbourhood plan examination costs will vary greatly due to potential complexities (examination) and area covered (referendum) and so it cannot be guaranteed that all additional costs will be covered by the grant funding for any given application. Should the examination for Carnforth prove not complex then likely costs would comprise around £1,000 for publicity of the examination and then £4,000-£6,000 for the examination itself, thus, total examination costs would be £5,000-£7,000. The total combined cost of the examination and referendum would therefore be £13,000-£15,000. The remaining grant (from the total grant of £20,000) would cover existing staff resources or fall into General Balances.

To date support and advice for this and previous neighbourhood plan designation applications has been provided through the use of existing Regeneration and Planning staff resources and for now is expected to continue through 2018/19, however support for other plans (if they come forward) will need to be reviewed at the designation stage as it will depend on the timings of such applications to some extent, i.e. if more than one came forward at the same time for example. Managing a referendum will also need the resources of democratic services officers, and although at this stage for Carnforth this is expected to be

managed within existing staff resources, again, this would need to be reviewed on a case by case basis should further Neighbourhood Plans come forward in the future.

It is re-iterated that it is difficult to estimate with any certainty when this application (or indeed the previous eight) will come forward to the referendum stage, if at all, as is very much led by the relevant parish council, however where possible Regeneration & Planning Officers will work with the parishes to avoid a referendum taking place around any elections.

OTHER RESOURCE IMPLICATIONS

Human Resources:

Some officer support has been put in place for neighbourhood planning, however, this is the ninth application and the impact on support services may need to be re-considered if demand increases or more than one application comes forward at the same time.

Information Services:

None.

Property:

None.

Open Spaces:

Carnforth Town Council may decide to include open spaces within their neighbourhood plan.

DEPUTY SECTION 151 OFFICER'S COMMENTS

The Deputy Section 151 Officer has been consulted and has no further comments.

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

Department of Communities & Local Government Neighbourhood Planning Bill Factsheet: Neighbourhood planning (clauses 1-5) January 2017.

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Lancaster City Council's Equality Impact Assessment

Section 1: Details

Service	Regeneration & Housing
Title and brief description (if required)	Draft Carnforth Neighbourhood Plan Area Designation Application Acceptance
New or existing	New
Author/officer lead	Jennifer Milligan
Date	11 April 2018

Does this affect staff, customers or other members of the public?

No

Section 2: Summary

What is the purpose, aims and objectives?

Under the Localism Act 2011, local communities can produce Neighbourhood Plans, setting out policies on the development and use of land in their area. If the Plans are adopted by the Council they will have the same weight as other Development Plan documents for the Lancaster District. A Neighbourhood Plan is a community-led framework for guiding the future development and growth of an area. It may contain vision, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. It may deal with a wide range of issues (like housing, employment, heritage and transport) or it may focus on one or two issues that are of particular importance in a local area.

First stage

The designation of a Neighbourhood Area by the Council is the first stage in producing a Neighbourhood Plan. It establishes the area to be covered by the Plan.

The Carnforth Neighbourhood Plan Area Designation is in line with the current parish boundary and therefore must be approved.

Who is intended to benefit and how?

A neighbourhood plan will directly impact local communities. However, this impact will be subject to the plans focus e.g. housing, local facilities, open space etc. Equality and diversity and sustainability impact assessments will be required as part of the neighbourhood plan development process. Neighbourhood planning provides rural 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 guidance).

Section 3: Assessing impact

Is there any potential or evidence that this will or could:		
• Affect people from any protected group differently to others?		Yes
• Discriminate unlawfully against any protected group?		No
• Affect the relations between protected groups and others?		No
• Encourage protected groups to participate in activities if participation is disproportionately low (won't always be applicable)?		No
• Prevent the council from achieving the aims of its' Equality and Diversity Policy?		No

If yes, please provide more detail of potential impact and evidence including:	
<ul style="list-style-type: none"> - A brief description of what information you have and from where eg getting to know our communities data, service use monitoring, views of those affected ie discussions or consultation results? - What does this tell you ie negative or positive affect? 	
Age including older and younger people and children	No impact
Disability	No impact
Faith, religion or belief	No impact
Gender including marriage, pregnancy and maternity	No impact
Gender reassignment	No impact
Race	No impact
Sexual orientation	No impact

Including Civic Partnership	
Rural communities	<p>The Carnforth Neighbourhood Plan designation provides the community 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 guidance).</p> <p>Carnforth Parish Council will need to engage with its communities to help to inform their Neighbourhood Plan.</p>
People on low incomes	No impact

Section 4: Next steps

Do you need any more information/evidence eg statistics, consultation? If so, how do you plan to address this?

N/A

How have you taken/will you take the potential impact and evidence into account?

N/A

How do you plan to monitor the impact and effectiveness of this change or decision?

The process following on from the designation of the Neighbourhood Area (creating the Neighbourhood Plan) will need to be informed through the development of the Consultation Strategy/Plan that assesses how groups and individuals can be included in plan making, potential barriers to engagement and potential solutions