



**LANCASTER  
CITY COUNCIL**

*Promoting City, Coast & Countryside*

**INDIVIDUAL CABINET MEMBER AND OFFICER DELEGATED DECISIONS**

**THURSDAY, 5 SEPTEMBER 2019**

Please find enclosed Decision Notice in connection with the following:

**ICMD3          Gressingham and Eskrigge Parish Council Application for Neighbourhood  
Area Designation - (Pages 1 - 12)**

Please note that this is subject to call-in.

**Queries regarding these documents**

Please contact Liz Bateson, Democratic Services - telephone 01524 582047, or e-mail [ebateson@lancaster.gov.uk](mailto:ebateson@lancaster.gov.uk).

Democratic Services,  
Town Hall,  
Dalton Square,  
Lancaster,  
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Published on THURSDAY, 5 SEPTEMBER 2019

# 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*

<b>TITLE OF DECISION:</b> <b>DESIGNATION OF GRESSINGHAM AND ESKRIGGE NEIGHBOURHOOD PLAN AREA</b>			
<b>NAME OF DECISION TAKER:</b>	<b>CLLR JOHN REYNOLDS</b>		
<b>POSITION AND RESPONSIBILITY HELD:</b>	<b>CABINET MEMBER AND PORTFOLIO HOLDER RESPONSIBLE FOR PLANNING</b>		
<b>CONTACT OFFICER:</b>	<b>MAURICE BROPHY</b>		
<b>TELEPHONE:</b>	01524 582330		
<b>E-MAIL:</b>	<a href="mailto:mbrophy@lancaster.gov.uk">mbrophy@lancaster.gov.uk</a>		
<b>Details of Decision:</b>			
<ol style="list-style-type: none"> <li>1. To approve the application for the Gressingham and Eskrigge Neighbourhood Plan Designation Area</li> <li>2. To update the General Fund Revenue Budget to reflect the DCLG funding and associated expenditure</li> </ol>			
<b>Reasons for the decision:</b>			
<p>The Council can only refuse a neighbourhood plan designation area application, if it is considered not to be an appropriate area. That is not the case with this application, as the area follows the parish boundary, and there is therefore no reason not to approve the application.</p>			
<b>IS THE DECISION URGENT</b> No			
<p>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 &amp; SCRUTINY PROCEDURE RULES)</p> <p><b>SIGNATURE OF THE OVERVIEW &amp; SCRUTINY CHAIRMAN: N/A</b></p>			
<p>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.</p>			
<b>SIGNATURE OF DECISION TAKER:</b>	Cllr John Reynolds		
<b>DATE:</b>	5.9.19		
<i>THIS SECTION TO BE COMPLETED BY DEMOCRATIC SERVICES</i>			
		<b>REF NO.</b>	ICMD3
<b>DATE DECISION TAKEN:</b>	5.9.19	<b>DATE RECEIVED BY DEMOCRATIC SERVICES:</b>	5.9.19
<b>DATE DECISION PUBLISHED:</b>	5.9.19	<b>IMPLEMENTATION DATE (publication day + 5 working days):</b>	13.9.19

<b>CABINET</b>
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## Gressingham and Eskrigge Parish Council Application for Neighbourhood Area Designation

### Individual Cabinet Member Decision

<b>PURPOSE OF REPORT</b>			
To accept the Gressingham and Eskrigge Neighbourhood Area Designation Application.			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<input checked="" type="checkbox"/> <b>Referral from Cabinet Member</b>
<b>Date of notice of forthcoming key decision</b>	N/A		
<b>This report is public</b>			

#### RECOMMENDATIONS OF THE DIRECTOR FOR ECONOMIC GROWTH & REGENERATION:

- (1) Following an application by Gressingham Council, to accept the designation of the Gressingham and Eskrigge Neighbourhood 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 Gressingham Parish Council are seeking designation of a Neighbourhood Area with a view to an authorised Community Group pursuing a Community Right to Build Order. Community Right to Build Orders is a neighbourhood planning tool which allows a local community to grant planning permission for a specific development, for example homes, or community buildings. A Community Right to Build Order must be in line with the District's Local Development Plan and national planning guidance, and is subject to an independent examination and a community referendum.
- 1.2 The designation of a Neighbourhood Area by the City Council is the first stage in producing a Community Right to Build Order. It establishes the geographical area for the community and area over which consultation and the referendum will take place.
- 1.3 Following national legislative changes in 2016, local authorities are no longer required to carry out a formal consultation at this stage of the process regarding a Neighbourhood Area Designation. Therefore the Cabinet Member is requested to accept the Gressingham and Eskrigge Neighbourhood Area Designation.

#### 2.0 BACKGROUND

- 2.1 The first stage of the Community Right to Build process is to agree a Neighbourhood Plan Area. 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 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 material 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 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.
- 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.
- 2.5 The application was received on 13 June 2019. Once the designation area application has been accepted, it is intended that a Community Group will continue to develop a Community Right to Build Order. 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.

### **3.0 OPTIONS AND OPTIONS ANALYSIS (including Risk Assessment)**

- 3.1 There are no other options for the Council to consider, for the reasons stated in Paragraph 2.3 above. In this particular case, Gressingham Parish Council have 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 being applied for.

### **5. CONCLUSIONS**

- 5.1 The Gressingham and Eskrigge Neighbourhood Area Designation is in line with the current parish boundary and therefore must be accepted, in accordance with the NPPG.
- 5.2 Once accepted, it is anticipated that the Community Right to Build Order will be carried out by a Community Group which will work through the more detailed stages of the Order preparation and consultation.

**RELATIONSHIP TO POLICY FRAMEWORK**

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

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

Neighbourhood planning and the Community Right to Build Order will directly impact local communities. However, this impact will be subject to the Orders focus e.g. housing, local facilities, highways and the historic environment. Equality and diversity and sustainability impact assessments will be required as part of the Community Right to Build process.

Neighbourhood planning and Community Right to Build Orders provide 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 Community Right to Build Order, Lancaster City Council has a duty to provide officer support to the community preparing the Order and as a result will also incur additional costs to cover; (1) various stages of publicity, (2) independent examination and (3) a referendum. Local planning authorities are able to claim funds from the Ministry of Housing, Communities and Local Government (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. It would not be claimable if the Inspector did not endorse the Community Right to Build Order. It should also be noted that the local authority will not be reimbursed should the Neighbourhood Plan group decide not to take a successful Order to referendum.

The cost of an independent examination is determined by the time spent on the matter by the independent inspector appointed by the Community Right to Build 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. A recent examination into a Neighbourhood Plan cost a little under £4000.

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 for Gressingham Parish, the council's democratic service officers have advised that the estimated direct costs of holding a referendum (comprising printing and posting of voting materials, the Poll Station day staff and count voters) would be in the region of £2000.

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 Gressingham and Eskrigge 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 around £7000. 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 area designation applications has been provided through the use of existing Planning staff resources and for now is expected to continue through 2019/20, 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, this would need to be funded from the grant, and may require additional staff resources if it impacts on other elections.

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

General fund revenue budgets will be updated under delegated authority

**OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:**

None

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no comments

**DEPUTY MONITORING OFFICER'S COMMENTS**

The Deputy Monitoring Officer has been consulted and has no comments

**BACKGROUND PAPERS**

1. Gressingham Parish Neighbourhood Area Designation Application Form
2. Gressingham Parish Boundary Map

**Contact Officer:** Fiona Clark / Gillian Dobson  
**Telephone:** 01524 582650  
**E-mail:** [fjclark@lancaster.gov.uk](mailto:fjclark@lancaster.gov.uk)  
[gdobson@lancaster.gov.uk](mailto:gdobson@lancaster.gov.uk)



## LANCASTER DISTRICT LOCAL PLAN 2011 – 2031

### APPLICATION TO DESIGNATE A NEIGHBOURHOOD AREA

#### Town and Country Planning Act 1990

#### Neighbourhood Planning (General) Regulations 2012

##### Publication of applications on the planning authority website

Please note, as required under the Neighbourhood Planning (General) Regulations 2012, a copy of this form and accompanying information will be published on the Lancaster City Council website.

However, all personal information, with the exception of the name and address of the main contacts will be redacted from the website. The complete form will be available to view in the council's officers at Morecambe Town Hall, Marine Road, LA4 4AF. If you require any further information, please contact the Planning and Housing Policy Team on [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk).

1. Parish Clerk Details				2. Additional Details			
<b>Title:</b>	Mrs	<b>First Name:</b>	Lesley	<b>Title:</b>	Ms	<b>First Name:</b>	Jane
<b>Last Name:</b>	Wareing			<b>Last Name:</b>	Paxman		
<b>Address:</b>	Sandbeds Farm Cottage			<b>Address:</b>	Gressingham Hall		
	Gressingham				Gressingham		
	Lancaster				Lancaster		
<b>Post Code:</b>	LA2 8LY			<b>Post Code:</b>	LA2 8LP		
<b>Email:</b>	lesleywareing@gmail.com			<b>Email:</b>	jfpax@msn.com		

3. Relevant Body			
Please confirm that you are the relevant body to undertake neighbourhood planning in your area in accordance with Section 61G of the 1990 Act and Section 5C of the 2012 Regulations.			
<b>Yes</b>	Y	<b>No</b>	
<b>Name of the Parish Council</b>		Gressingham	

4. Name of Neighbourhood Area
Please give a name by which your neighbourhood area will be formally known:
Gressingham and Eskrigge

5. Extent of the Area	
Please indicate below and attach a map identifying the extent of the area to which the area application relates to.	
Whole Parish Boundary Area	Yes
Part of the Parish	No
Joint with Neighbouring Parish	No
(Please complete details in Section 7 below if applying as joint parishes)	

6. Intention of Neighbourhood Area	
Please indicate which of the following you intend to undertake within your Neighbourhood Area	
Neighbourhood Development Plan	No
Neighbourhood Development Order	No
Community Right to Build Order	Yes

7. Additional Joint Parish Details	
If you are applying with an adjoining parish or parishes, please give the clerk's details for each parish.	
N/A	

8. Statement	
Please explain below (or on an attached sheet) why this area is considered appropriate to be designated as a neighbourhood area. This element of the submission should include a plan which identifies the boundaries of the designated area.	
<p>The boundaries of the proposed neighbourhood area are the same as the parish boundary – map below outlines the parish boundary/proposed neighbourhood area in red.</p> <p>Gressingham is in a rural parish and, apart from a handful of farms, the village of Gressingham (together with the adjacent hamlet of Eskrigge) is the only settlement in the parish. The parish boundary passes through countryside and the next nearest settlements are 1.5-2 miles away meaning Gressingham is a clearly identifiable and distinct neighbourhood in the Lune valley.</p> <p>Provision for the social, cultural and religious life in the neighbourhood is provided by the Old School Room and the parish church. The constitution of the charity owning the Old School Room stipulates that its objective is 'the provision and maintenance of a building or buildings for the use of the inhabitants of the area of benefit.' The area of benefit is defined as 'exactly coextensive with both the civil parish of Gressingham and the ecclesiastical parish of Gressingham, which have been identical and unchanged for at least 100 years.' The parish church still operates as a parish church and is, by definition, also based upon the parish boundary marking the limits of the neighbourhood.</p> <p>The operation of both the Old School Room and church underline and exemplify how the neighbourhood is defined by the parish boundary and how the parish is a logical and natural unit to be designated as a neighbourhood area. This application to designate a neighbourhood area is being sought for the purposes of a Community Right to Build Order that will be applied for by a community group (not the Parish Council).</p>	



<b>9. Declaration</b>			
I/we hereby apply to designate a neighbourhood area as described on this form and the accompanying plan.			
In the case of joint parish applications, a name from each parish is required			
Name:	LESLEY WAREING	Date:	12 JUNE 2019
Name:	N/A	Date:	

Please submit the completed form to:

*Lesley Wareing*

The Planning and Housing Policy Team, Lancaster City Council, PO Box 4, Town Hall, Dalton Square, Lancaster, LA1 1QR or [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk)

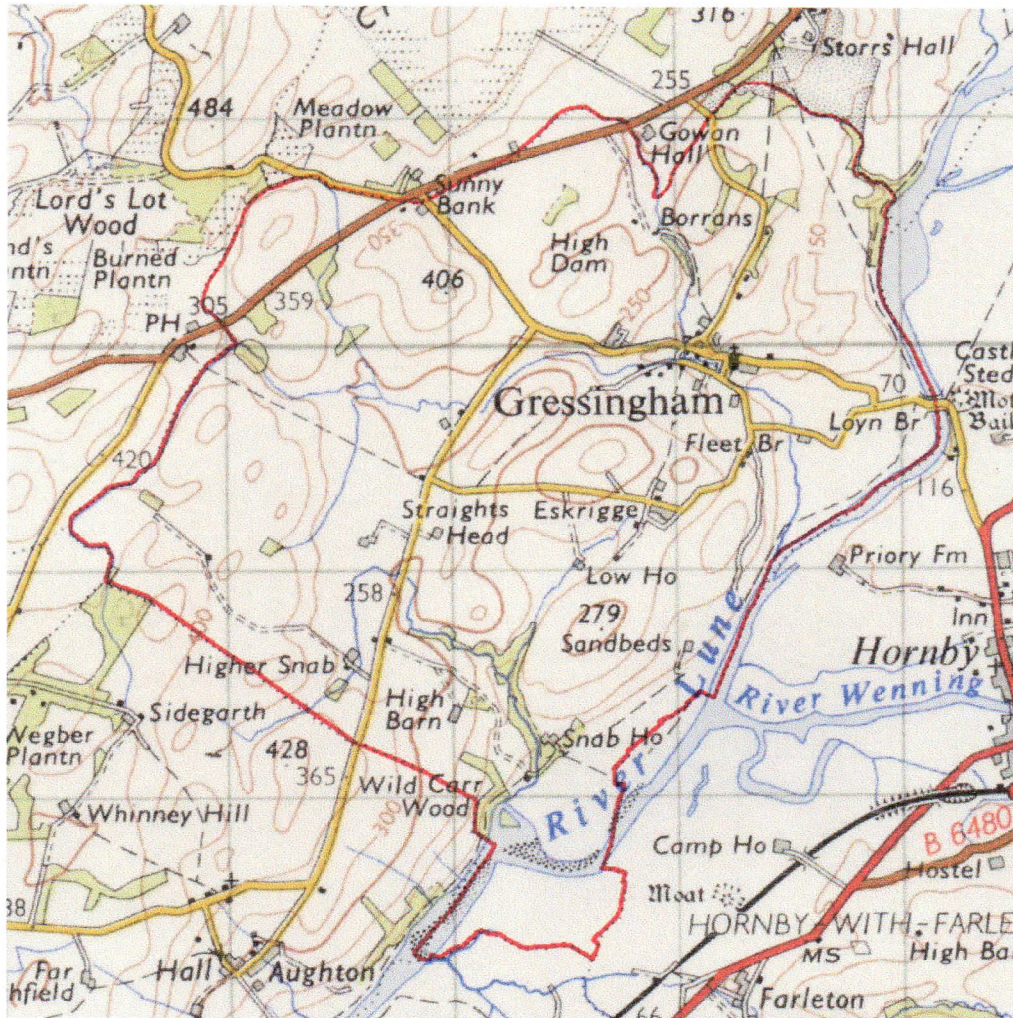
For further information please contact the Planning and Housing Policy Team using the details above or on 01524 582329

If you need this information in a different format, or need help filling in this form, please contact the Council.

DRAFT

Attachment

Map of area application – (follows Gressingham parish boundary and is shown in red)



# Equality Impact Assessment

This **online** equality impact assessment should:

An equality impact assessment should take place when considering doing something in a new way. Please submit your completed EIA as an appendix to your committee report. Please remember that this will be a public document – do not use jargon or abbreviations.

**Service**

## Title of policy, service, function, project or strategy

**Type of policy, service, function, project or strategy:** Existing  New/Proposed

**Lead Officer**

## People involved with completing the EIA

### Step 1.1: Make sure you have clear aims and objectives

Q1. What is the aim of your policy, service, function, project or strategy?

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 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. 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 Gressingham and Eskrigge Parish Council Neighbourhood Plan Area Designation is in line with the current parish boundary and therefore must be approved.

Q2. Who is intended to benefit or have a detrimental effect on 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) prepared by other organisations and partnerships working with the community of the Lancaster District.

# Equality Impact Assessment

## Step 1.2: Collecting your information

Q3. Using existing data (if available) and thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on the groups below?

Group	Negative	Positive/No Impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Faith, religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender including marriage, pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation including civic partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other socially excluded groups such as carers, areas of deprivation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rural communities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Step 1.3 – Now you need to consult!

Q4. Who have you consulted with? If you haven't consulted yet please list who you are going to consult with? Please give examples of how you have or are going to consult with specific groups of communities

The use of Equality Impact Assessments will be carried out at the forth coming public consultation process

## Step 1.4 – Assessing the impact

Q5. Using the existing data and the assessment in questions 3 what does it tell you, is there an impact on some groups in the community?

<b>Age:</b> No impact
<b>Disability:</b> No impact
<b>Faith, Religion or Belief:</b> No impact
<b>Gender including Marriage, Pregnancy and Maternity:</b> No impact
<b>Gender Reassignment:</b> No impact
<b>Race:</b> No impact
<b>Sexual Orientation including Civic Partnership:</b> No impact
<b>Rural Communities:</b> The Gressingham and Eskrigge 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). Gressingham and Eskrigge Parish Council will need to engage with its communities to help to inform their Neighbourhood Plan.

## Step 1.5 – What are the differences?

Q6. If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

N/A

# Equality Impact Assessment

Q7. Do you need any more information/evidence eg statistic, consultation. If so how do you plan to address this?

N/A

### Step 1.6 – Make a recommendation based on steps 1.1 to 1.5

Q8. If you are in a position to make a recommendation to change or introduce the policy, service, function, project or strategy, clearly show how it was decided on.

N/A

Q9. If you are not in a position to go ahead, what actions are you going to take?

N/A

Q10. How do you plan to monitor the impact and effectiveness of this change or decision?

N/A

### Step 1.7 – Publish your results

This EIA has been approved by:

Maurice Brophy

Contact Number:

01524 582383

Date

27/06/2019