

CABINET

Gressingham and Eskrigge Parish Council Application for Neighbourhood Area Designation

Individual Cabinet Member Decision

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

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

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