

# Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Keighley Area Committee to be held on 27 November 2014.

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**Subject:****Neighbourhood Planning – Neighbourhood Area Application****Summary statement:**

The Council's Executive Committee has resolved the governance arrangements for discharging the Council's new duties in relation to neighbourhood planning in respect of the Localism Act 2011. The Area Committees are identified as a consultation body to consider any Neighbourhood Area Applications which have been submitted to the Council, prior to a final decision at Executive.

This report sets out details of the Neighbourhood Area Application submitted to the Council by Steeton-with-Eastburn Parish Council, including the area of Silsden Town Council. It also responds to the matter raised by the Area Committee in deferring the application at their meeting on 23 October 2014.

The Area Committee is invited to comment on the application.

The Area Committee is recommended to take note of the Executive decision as a decision to approve the Neighbourhood Area may require a level of support from Neighbourhood Services.

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**Portfolio:**  
**Housing, Planning & Transport**

**Overview & Scrutiny Area:**

**Regeneration & Economy**



## 1. SUMMARY

- 1.1 The Council's Executive Committee has resolved the governance arrangements for discharging the Council's new duties in relation to neighbourhood planning in respect of the Localism Act 2011. The Area Committees are identified as a consultation body to consider any Neighbourhood Area Applications which have been submitted to the Council, prior to a final decision at Executive.
- 1.2 This report sets out details of the Neighbourhood Area Application submitted to the Council by Steeton-with-Eastburn Parish Council, including the area of Silsden Town Council. It also responds to the matter raised by the Area Committee in deferring the application at their meeting on 23 October 2014.
- 1.3 The Area Committee is invited to comment on the application.
- 1.4 The Area Committee is recommended to take note of the Executive decision as a decision to approve the Neighbourhood Area may require a level of support from Neighbourhood Services.

## 2. BACKGROUND

- 2.1 The Localism Act 2011 devolves planning powers to Town and Parish Councils or Neighbourhood Forums to lead on the preparation of Neighbourhood Development Plans (NDPs) for their area. These powers provide local communities with the opportunity to take responsibility and accountability to shape development and growth in their areas.
- 2.2 Neighbourhood planning is one of the five key measures in the Localism Act. There is now a package of non mandatory neighbourhood planning tools which are available for use by local communities through qualifying bodies should they choose to use them. These relate to the production of:
- Neighbourhood Development Plans (NDP)
  - Neighbourhood Development Orders (NDO)
  - Community Right to Build Order (CRTBO)
- 2.3 The Neighbourhood Planning (General) Regulations 2012 came into force on 6th April 2012. The Regulations outline seven key roles and responsibilities for the Council:
1. Designation of a neighbourhood plan area
  2. Designation of Neighbourhood Forums
  3. Consider compliance with statutory and EU requirements
  4. Organise and fund independent examination
  5. Organise and fund a referendum
  6. General 'duty to support'
  7. Duty to adopt



- 2.4 A report entitled '*Localism Act Neighbourhood Planning Provisions*' was considered and approved by the Executive Committee on 9<sup>th</sup> October 2012 setting out the legal provisions, regulatory procedures, financial and resource implications for both the Council and communities and also the implications for the Council in terms of duties (resource and financial) and legal compliance. The report sets out the Council's approved governance arrangements for neighbourhood planning.

### **Neighbourhood Planning**

- 2.5 Neighbourhood planning provides an opportunity for local communities to be fully engaged in the future of their communities and the local ownership that comes from neighbourhood planning is an opportunity to assist the Council in improving equality, diversity, cohesion and integration in our communities. Through neighbourhood planning communities can:

- have say on where they want new homes, shops and offices to be built;
- have their say on what those new buildings should look like;
- include any other planning matters that are important to them in their Plan.

- 2.6 The neighbourhood planning powers are non mandatory and it is up to each local community to consider the issues in their locality and whether the neighbourhood planning tools are the right mechanism for them. It will then be a community decision whether or not to prepare a Neighbourhood Development Plan given the issues, resources and timescales available.

### **Neighbourhood Development Plans**

- 2.7 Neighbourhood Development Plans are required to be 'pro-development'. They cannot be used as a means to stop development from taking place within an area, or propose less development than is set out in the Local Plan (Core Strategy and the Allocations Development Plan Documents). They can, however, propose more development than set out in the Local Plan.

- 2.8 The National Planning Policy Framework (NPPF) sets out guidance on Neighbourhood Development Plans which makes clear that they should be positive planning documents which need to confirm with the strategic policies in the Local Plan which relate to:

1. The homes and jobs needed in the area;
2. The provision of retail, leisure and other commercial development;
3. The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change;
4. Management, and the provision of minerals and energy (including heat);
5. The provision of health, security, community and cultural infrastructure and other local facilities; and
6. Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.



- 2.9 The content of the plan will be decided by local communities, as will the decision to prepare the plan. The plan can be a means of setting out more detailed policies for their community over and above the Local Plan, to start to shape the choices over the use of land and the designation of land for housing, employment, community uses. Neighbourhood Development Plan should cover land use planning issues; however non-planning related issues could be included as a separate / supplementary part of the plan.

### **Neighbourhood Planning – The Process**

- 2.10 The key stages in the preparation of a Neighbourhood Development Plan are set out in Appendix 1. This also identifies some of the key roles and duties.
- 2.11 The first step in producing the Neighbourhood Development Plan is the submission of an application to the Council for a Neighbourhood Area (i.e. an area to which a Neighbourhood Development Plan will relate) by a relevant body (parish/town council or body designated as a neighbourhood forum for the discharge of neighbourhood planning). In fully parished areas the application can only be submitted by a qualifying body, i.e. a town or parish council. The application is published by the Council and comments are invited from members of the public and other interested bodies and organisations. Following public consultation the Council must formally decide whether or not to approve the neighbourhood Area Application. The Council's decision must then be published.
- 2.12 If a Neighbourhood Area Application is approved by the Executive the qualifying body can then commence work on their Neighbourhood Development Plan.
- 2.13 Once a Neighbourhood Development Plan has been prepared by the qualifying body, it will be submitted to the Council who will then publish the Plan for formal representations. The Council will appoint an independent examiner to check that the Plan meets the basic conditions, including compliance with the Local Plan for the Bradford District. If the plan does not meet the required standards, the examiner could recommend changes. The planning authority will then need to consider the examiner's views and decide whether to make those proposed changes.
- 2.14 If the examiner recommends significant changes, then the qualifying body may decide to re-consult the local community before proceeding any further.
- 2.15 If the plan is deemed acceptable following the examination by an independent inspector a referendum will be held and with a simple majority in favour, the Plan can become part of the statutory development plan for the District.

### **The level of interest in Neighbourhood Plans**

- 2.16 To date the Executive has approved four Neighbourhoods Area Applications for the following areas:
- Burley-in-Wharfedale
  - Haworth



- Ilkley
- Oxenhope

These Parish Councils have now commenced work preparing their Neighbourhood Development Plans.

2.17 The Council has received three new Neighbourhood Area Applications, as listed below.

- Menston Parish Council
- Steeton-with-Eastburn Parish Council, including the area of Silsden Town Council; and
- Wilsden Parish Council.

2.18 The views of the Area Committee regarding the Steeton-with-Eastburn application will be presented to the Executive at its meeting on 2<sup>nd</sup> December alongside Shipley Area Committees comments in relation to Menston and Wilsden Neighbourhood Area Applications.

2.19 The Council has received a further Neighbourhood Area Application from Cullingworth Village Council. The application will be presented to future meetings of the Shipley Area Committee and the Executive Committee.

### **Local Authority roles and responsibilities**

2.20 The Local Planning Authority has the primary responsibility for determining applications for neighbourhood areas and designating neighbourhood forums. This includes carrying out public consultations on any Neighbourhood Area Applications and on the final Neighbourhood Development Plan prior to an examination.

2.21 Support from other Council services including Democratic Services, Strategic Policy and Research, Consultation and Engagement, Neighbourhood Services and Legal Services may be required as and when appropriate.

2.22 The Council has a general 'duty to support' local communities through the provision of advice and assistance to qualifying bodies in developing proposals for plans and plan preparation.

2.23 There is no requirement on the Local Planning Authority to provide financial assistance but it is not prohibited. However, the Council has a duty to pay for and organise the examination and referendum on the Neighbourhood Development Plan.

### **The Role of the Area Committee**

2.24 It was agreed at the Executive meeting on 9<sup>th</sup> October 2012 (see Appendix 2 to this report) that Area Committees will have a consultative role to play in all aspects of neighbourhood planning.

2.25 In addition to the role outlined above it is envisaged that Area Committees and local



members, through their Area Co-ordinators, will have the opportunity to play an important role in adding value through advising, signposting, empowering, resolving any conflict and partnership working with qualifying Town and Parish Councils and Neighbourhood Forums to aid delivery of a plan.

- 2.26 Neighbourhood Development Plans could include 'non-planning' related issues and opportunities; however this must be a separate / supplementary part of the Plan. This is something that Area Committees could take a lead on and link to with their own Ward plans.

### **Neighbourhood Area Applications**

- 2.27 The Council is responsible for receiving and determining applications for the designation of a neighbourhood area (i.e. an area to which a neighbourhood plan relates). Part 2, Section 5 of the Neighbourhood Planning (General) Regulations 2012 states that application for designation of a neighbourhood area must include:
- a map which identifies the area to which the area application applies;
  - a statement explaining why the area is considered appropriate to be designated as a neighbourhood area; and
  - a statement that the organisation or body making the area application is the relevant body for the purpose of section 61G of the 1990 Act.
- 2.28 As soon as practicable after receiving an area application, the Council must formally publish it on its website for a statutory period of 6 weeks. This must include a copy of the area application, details of how to make representations and a date by which those representations must be received. The Council is then required to consider any representations received.
- 2.29 At this stage, it is only the **principle** of becoming a neighbourhood area and the extent of the proposed boundary which is being requested for consideration and approval. The application does not consider the content or approach of the proposed Neighbourhood Development Plan.
- 2.30 The Neighbourhood Area Application for Steeton-with-Eastburn, including Silsden has met the requirements of the Neighbourhood Planning regulations.
- 2.31 The Keighley Area Committee is requested to consider and provide comment on the Steeton-with-Eastburn and Silsden Neighbourhood Area Application:

### **Steeton-with-Eastburn Parish Council, including the area of Silsden Town Council, Neighbourhood Area Application**

- 2.32 The Council received a formal application from Steeton-with-Eastburn Parish Council on 11<sup>th</sup> June 2014 requesting to become designated a neighbourhood area for the purpose of producing a joint Neighbourhood Development Plan. The application covers the whole of the parishes of Steeton-with-Eastburn and Silsden. Steeton-with-Eastburn Parish Council are the lead parish and applicant in this case.



- 2.33 The application was reviewed by the Assistant Director to ensure it included the key requirements under the relevant regulations. The accepted application was then published by the Council on its website and formal representations invited over an 8 week period from 14<sup>th</sup> July to 8<sup>th</sup> September 2014. A press release was issued to raise the awareness of those living and working in the area. This resulted in several articles in locally circulating newspapers including the Telegraph and Argus, Craven Herald and Keighley News. The Council also included an article in the July 2014 edition of its e-newsletter 'Plan-it Bradford' and also notified relevant parties on the Local Plan consultation database.
- 2.34 The Neighbourhood Area Application for Steeton-with-Eastburn, including the area of Silsden is contained in Appendix 3. In line with the regulations it is made up of a map showing the extent of the proposed area, a statement confirming that they are a qualifying body and outlining why the proposed area is appropriate. The Parish Council propose that the Neighbourhood Area boundary matches the extent of the existing Parish boundaries of Steeton-with-Easburn and Silsden.
- 2.35 Although not required for the determination of the application, the Parish Council have set out nine essential aims for their Neighbourhood Development Plan to address key local issues such as
- 1) Preserve and enhance the character of Steeton, Eastburn and Silsden;
  - 2) Meet the defined housing needs in a manner commensurate to the Local Plan and the character of the area;
  - 3) Maintain and improve shopping, recreational, cultural and community facilities;
  - 4) Meet defined employment need in a manner commensurate to the Local Plan and the character of the area;
  - 5) Ensure a flourishing commercial, business and economic environment;
  - 6) Meet the needs of residents in the areas of education, health, leisure, recreation, sport and transport, including footpaths and cycleways;
  - 7) Ensure that both parishes are good places to live with facilities for young and old alike;
  - 8) Maintain and protect the natural environment and availability of green spaces;
  - 9) Maintain an on-going dialogue with local organisations, developers, individuals and the Local Planning Authority to ensure that the agreed Local Plan criteria are met throughout the initial development of the Neighbourhood Development Plan.
- 2.36 Although not required for the determination of the application, in addition the application included other background documents relating to the working relationships of the two local councils.
- 2.37 The Council received a total of 15 representations within the formal consultation period. A summary of the representations and the Council's response to the issues raised by those making representations is set out in Appendix 4.
- 2.38 There was general support for designation of a Neighbourhood Area, with no objections from members of the public or organisations. Several respondents raised a number of considerations for the Parish Council to bear in mind should



they gain Neighbourhood Area status from the Council and begin work on a Neighbourhood Development Plan.

- 2.39 The Keighley Area Committee considered the application at their meeting on 23 October 2014 and resolved;  
*“That the item be deferred to allow the Strategic Director, Regeneration and Culture, to provide clarification on the legality of the application as Members felt that there was no evidence to confirm that Silsden Parish Council had democratically agreed the Neighbourhood Area Application.”*
- 2.40 The Neighbourhood Area Application, included as part of Appendix 3, as submitted by Steeton-with-Eastburn Parish Council complied with Part 2, Section 5 of the Neighbourhood Planning (General) Regulations 2012, in that
- a) it included a map which identifies the area to which the area application applies;
  - b) it contained a statement explaining why the area is considered appropriate to be designated as a neighbourhood area; and
  - c) it contained a statement that the organisation or body making the area application, namely Steeton-with-Eastburn Parish Council, is the relevant body for the purpose of section 61G of the 1990 Act.
- 2.41 It is not a requirement of the Regulations that the neighbourhood area application include any evidence that Silsden Town Council has democratically agreed to the application.
- 2.42 However, later on in the process when any Draft Neighbourhood Development Plan is submitted to the Council, as noted in paragraph 2.13 of this report, the Localism Act 2011, under Section 116, inserts additional provisions into the Town and Country Planning Act 1990, where, under Section 61E, Schedule 4B,

*6 (2) The Local Authority must consider-*

*a) whether the qualifying body is authorised for the purposes of a neighbourhood development order to act in relation to the neighbourhood area concerned as a result of Section 61F.*

Section 61F relates to authorisation to act in relation to neighbourhood areas.

*(2) If that neighbourhood area also includes the whole or any part of another parish council, the parish council is authorised for those purposes to act in relation to that neighbourhood area only if the other parish council have given their consent.*

The Localism Act 2011 also amended the Planning and Compulsory Purchase Act 2004, by inserting as Section 38C Supplementary provisions. These state that,

*a. The following provisions of the principal Act apply in relation to neighbourhood development plans*

*b. The provisions to be applied are*

*(a) Section 61F (authorisation to act in relation to neighbourhood areas)*





- 2.43 The resolutions of both local councils were included, for information, as part of the application. These are included as part of Appendix 3. If these were submitted as part of the Draft Neighbourhood Development Plan, they would not have satisfied the above provisions under Section 61F.
- 2.44 Similarly, the resolution of Silsden Town Council, on 6 March 2014, which was made available after the last meeting of the Area Committee on 23 October 2014, and is included as Appendix 5, would also not satisfy the above provisions for the submission of a Draft Neighbourhood Development Plan under Section 61F.
- 2.45 Appendices 6 and 7, include new resolutions of both local councils clarify their intent to satisfy the above provisions under Section 61F. This includes;
1. Steeton-with-Eastburn Parish Council formally resolved, on 5 November 2014, that Steeton-with-Eastburn Parish Council are the lead council for the purposes of preparing the Neighbourhood Development Plan and, accordingly, their consent under Section 61F of the Town and Country Planning Act 1990.
  2. Silsden Town Council formally resolved, on 6 November 2014, that Steeton-with-Eastburn Parish Council are the lead council for the purposes of preparing the Neighbourhood Development Plan and, accordingly, their consent under Section 61F of the Town and Country Planning Act 1990.
- 2.46 It is not a requirement of the Regulations that the Neighbourhood Area Application should include any evidence that Silsden Town Council has democratically agreed to the application. However, this evidence will be required later in the process, under the provisions of Section 61F, when any Draft Neighbourhood Development Plan is submitted to the Council.
- 2.47 However to satisfy the concerns raised by the Keighley Area Committee, at their meeting on 23<sup>rd</sup> October 2014, this evidence is included as part of Appendix 6.
- 2.48 The Area Committee is invited to make comments on the principle of approving a neighbourhood area covering the extent of the Parish boundaries of Steeton-with-Eastburn and Silsden (see Section 4.2 and 4.3). Any comments will then be reported verbally to the Executive Committee at their meeting on 2 December 2014 alongside the initial application and public comments who will then make a formal decision on the designation of a neighbourhood area.

### **Neighbourhood Area Application - Considerations for the Area Committee**

- 2.49 There are two considerations in relation to neighbourhood area applications, these are:
- 1) Whether the extent of the area proposed is considered appropriate for the purpose of producing a Neighbourhood Development Plan.
  - 2) Whether the body submitting the application is a relevant qualifying body for the purposes of the Localism Act to pursue neighbourhood planning functions.



2.50 In addition to the above considerations, the Area Committee is also requested to consider the two options as set out in Section 4 of this report along with the recommendations set out in section 10.

### **3. OTHER CONSIDERATIONS**

#### **Funding and Support**

3.1 There are several sources of advice and support for Councils and communities that are interested in neighbourhood planning.

3.2 From April 2013 Local Planning Authorities could claim for up to 20 area designations (£100,000) in each financial year 2013 to 2014 and 2014 to 2015. This money recognised the duties that local authorities have in relation to neighbourhood planning.

3.3 The payments are broken down into three stages to reflect the work involved in getting a plan to the point of being published prior to an examination. The payments are broken down as follows:

- 1) First payment of £5,000 is payable to the LPA upon designation of a neighbourhood area in recognition of officer time supporting and advising the community in taking the Neighbourhood Development Plan forward.
- 2) Second payment of £5,000 is made to the LPA once it publicises the Neighbourhood Development Plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
- 3) Third payment of £20,000 is made upon successful completion of a Neighbourhood Development Plan examination. This fund will, in part, pay for the examination and any other further steps that maybe needed for the Neighbourhood Development Plan to come into legal forces, including a local referendum.

3.4 These monies can only be claimed on applications within set claim periods.

3.5 The Department for Communities and Local Government has established separate support for communities. From May 2013 the Government ran a £10.5 million, 2-year rolling programme to provide support and grants to communities to progress their Neighbourhood Development Plans. Communities could apply for direct support and / or grants of up to £7,000 to help them develop a Neighbourhood Development Plan.

3.6 With effect from 20<sup>th</sup> August 2014 the Government were no longer accepting any new expressions of interest of grants. It is likely that a new support programme will be available from April 2015.



- 3.7 The Government has pledged funding along with support to communities directly through organisations such as Locality, mycommunityrights.org, RTPi and Planning Aid England. There is an array of support networks available to communities should they wish to request assistance.

### **Community Infrastructure Levy**

- 3.8 The Government has announced that Local Planning Authorities operating a Community Infrastructure Levy (CIL) will pass on 25% of the money raised from development within a neighbourhood plan area to the community itself, so that they can decide how the money is to be spent. The Localism Act sets out what neighbourhood CIL can be spent on: the provision, improvement, replacement, operation or maintenance of infrastructure - or anything else that is concerned with addressing demands that development places on an area. Communities without a Neighbourhood Development Plan would only be entitled to 15% of any CIL monies received. To qualify, a Neighbourhood Development Plan must have been through a referendum and brought into force and the local authority needs to have introduced CIL.
- 3.9 The Council is currently investigating the potential of a Community Infrastructure Levy for the Bradford District. This will be the subject of a future report to the Executive Committee.

### **Bradford's Local Plan**

- 3.10 Progress in putting in place an up to date development plan, now known as the Local Plan, to replace the Replacement Unitary Development Plan (RUDP) is critical to support the take up of the new neighbourhood planning provisions. The Core Strategy Development Plan Document (DPD) will provide the key strategic planning policies against which Neighbourhood Development Plans will be tested against to ensure conformity. At present it is anticipated that the Core Strategy will be adopted in 2015 following an independent examination. Work on identifying sites via the Allocations DPD as well as the two area Action Plans for the City Centre and Shipley Canal Road Corridor will follow on from the Core Strategy.
- 3.11 Details of the timetable of the Local Plan are contained within the Local Development Scheme (LDS) 2014-2017. At its meeting on 22<sup>nd</sup> July 2014, the Executive approved the revised Local Development Scheme. The LDS also sets out the anticipated programme for CIL.

## **4. OPTIONS**

- 4.1 The Area Committee is invited to respond to three consultation questions and make any additional comments regarding the principle of designating a Neighbourhood Area for Steeton-with-Eastburn, including Silsden.



4.2 The three consultation questions consist of the following:

1) <b>Do you support or object this proposal for a Neighbourhood Area?</b>
2) <b>Do you think the area identified is suitable for the basis of a Neighbourhood Plan?</b>
3) <b>Is the proposed boundary appropriate?</b> (Please consider if the proposed boundary is drawn too tight or too wide)

4.3 For the neighbourhood area application there are two general options:-

- Option 1 expresses general *support* for the proposal of designating a neighbourhood area for the purpose of producing a Neighbourhood Plan and the appropriateness of the proposed boundary.
- Option 2 expresses *objections* towards the proposal to designate a neighbourhood area and the appropriateness of the proposed boundary.

4.4 The option to support the designation of a Neighbourhood Area (Option 1) will be reported to the Executive Committee to inform their final decision. Should the Executive approve the designation of Neighbourhood Area then the Parish/Town Council may then commence work to prepare and produce a Neighbourhood Development Plan for the extent of the area indicated in their application.

4.5 The production of a Neighbourhood Development Plan by the Parish/Town Council may require a level of support and assistance by the Council. At this stage it is not possible to outline the extent of support which may be required as this is dependant upon the needs of the Parish/Town Council and the nature of the Neighbourhood Development Plan. Good practice from elsewhere suggests this should be dealt with by the qualifying body producing a project plan for discussion with the Council. A Service Level Agreement (SLA) could be put in place to manage the support the Council can offer in discharge of its duties if considered appropriate.

4.6 The option to object to the designation of a Neighbourhood Area (Option 2) will be reported to the Executive Committee to inform their final decision. Should the Executive take on board all comments received during the consultation process and decide not to approve the application the Parish Council may not commence work on a Neighbourhood Development Plan. Instead the future development of the area will be primarily guided by the policies and plans set out within the Council's Local Plan (Core Strategy and Allocations Development Plan Documents). There will be no further implications for the Area Committee.

4.7 The final recommendations of the Area Committee regarding the Steeton-with-Eastburn Neighbourhood Area Application will be reported to the Executive Committee at the meeting on 2<sup>nd</sup> December 2014 alongside the Shipley Area Committees comments in relation to Menston and Wilsden Neighbourhood Area Applications.



## **5. FINANCIAL & RESOURCE APPRAISAL**

- 5.1 There are potentially significant financial and resource implications from the discharge of the duties under the Localism Act. The full scope of the financial and resource implications from the discharge of the new duties are documented in the 9 October 2012 report to the Executive (see background document 12.4).
- 5.2 These burdens will depend upon the overall take up by communities of these non mandatory activities. The government has made available resources to cover these additional burdens, and the Council will make prompt application for payment, at each appropriate stage, as long as the funding support is available. However as this is a relatively new process the implications are unknown for Bradford. The impact on resources of the council will need to be carefully monitored and may need to be subject to prioritisation.
- 5.3 For the year 2014/2015, the Government pledged further financial support to councils with neighbourhood planning. The Council is able to claim for up to £30,000 per area designation. For further information please refer to paragraph 3.3 of this report.

## **6. RISK MANAGEMENT AND GOVERNANCE ISSUES**

- 6.1 The portfolio holder for Change Programme, Planning and Housing will take the lead for neighbourhood planning.
- 6.2 The Assistant Director for Planning, Transportation and Highways will coordinate and manage the Council's neighbourhood planning role and responsibilities.
- 6.3 Appendix 2 sets out the governance arrangements for the key decisions within the respective processes for neighbourhood planning, as approved by the Executive.

## **7. LEGAL APPRAISAL**

- 7.1 The legal requirements related to neighbourhood planning are set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012.
- 7.2 The Neighbourhood Area Application is considered to have met the relevant regulations at this stage in the process.

## **8. OTHER IMPLICATIONS**

### **8.1 EQUALITY & DIVERSITY**

- 8.1.1 Any Neighbourhood Development Plan which is produced by a Parish/Town Council must be in line with the policies and plans contained within the Local Plan which has been subjected to its own Equality Impact Assessment.
- 8.1.2 Good practice would suggest that the Parish Council should seek to ensure compliance with equality legislation in preparation of a Neighbourhood



Development Plan, including the production of an Equality Impact Assessment, where relevant and appropriate.

## **8.2 SUSTAINABILITY IMPLICATIONS**

8.2.1 Neighbourhood Development Plans are required to conform to national and local policy which is supported by sustainability appraisals. However, depending on the nature of the Neighbourhood Development Plan, the Plan may need to be supported by its own Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA).

## **8.3 GREENHOUSE GAS EMISSIONS IMPACTS**

8.3.1 Any Neighbourhood Development Plan would need to ensure compliance with national and local policy which promote sustainable development and seek to minimise impact on climate change.

## **8.4 COMMUNITY SAFETY IMPLICATIONS**

8.4.1 There are no community safety issues.

## **8.5 HUMAN RIGHTS ACT**

8.5.1 All neighbourhood planning tools are subject to consultation and engagement. There is a third party right to be heard at the independent examination.

## **8.6 TRADE UNION**

8.6.1 There are no trade union implications.

## **8.7 WARD IMPLICATIONS**

8.7.1 The neighbourhood planning tools can be picked up by communities and can relate to small areas within and across wards. At present within the Committee's area there are two Parish/Town Councils who are jointly taking forward a Neighbourhood Development Plan proposal, of which relate to the following wards:

- Craven ward – Steeton-with-Eastburn and Silsden

## **8.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)**

8.8.1 The Area Committee is requested to take note of the Neighbourhood Area Application and the forthcoming decision of the Executive Committee on 2<sup>nd</sup> December 2014. The potential decision to approve the application for designation of a Neighbourhood Area by Executive will require the Area Committee to note this in any future Action Plans.



8.8.2 There is a potential opportunity for the preparation of Neighbourhood Development Plans to link to Area Committee Action Plans and their implementation.

## **9. NOT FOR PUBLICATION DOCUMENTS**

9.1 None.

## **10. RECOMMENDATIONS**

10.1 The views of Members to the three questions contained at Paragraph 4.2 and the two options at paragraph 4.3 are requested. Those views be referred to the Executive for consideration at its meeting on 2 December 2014.

## **11. APPENDICES**

- 1 Neighbourhood Plans Process
- 2 The governance arrangements for the key decisions within the respective processes for neighbourhood planning.
- 3 Steeton-with-Eastburn, including Silsden, Neighbourhood Area Application
- 4 Summary of representations to Steeton-with-Eastburn, including Silsden Neighbourhood Area Application
- 5 Resolution of the Silsden Town Council, 6 March 2014
- 6 Resolution of the, Steeton-with-Eastburn Parish Council 5 November 2014
- 7 Resolution of the Silsden Town Council, 6 November 2014

## **12. BACKGROUND DOCUMENTS**

- 12.1 The Localism Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- 12.2 The Neighbourhood Planning (General) Regulations 2012  
<http://www.legislation.gov.uk/uksi/2012/637/made>
- 12.3 National Planning Policy Framework (March 2012)  
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115939.pdf>
- 12.4 Report of the Assistant Director (Planning, Transportation & Highways) to the meeting of Executive to be held on 9 October 2012. (Document AE)

