

**Committee: CABINET**

**Date of meeting: 6 July 2016**

<b>Subject:</b>	Proposed Neighbourhood Area and Forum Application for Burwood Park, Hersham
<b>Lead Officer:</b>	Zoe Belton, Senior Planning Officer (Strategy and Policy)
<b>Portfolio Holder:</b>	Cllr Karen Randolph, Portfolio Holder for Planning Services
<b>Link to Council Priorities:</b>	P1 and P3
<b>Exempt information:</b>	None
<b>Delegated status:</b>	For resolution
<b>Key decision:</b>	Yes

### **EXECUTIVE SUMMARY:**

On 29 February 2016, Elmbridge Borough Council received an application to designate a neighbourhood area and forum for the Burwood Park Private Estate. In accordance with the Neighbourhood Planning Regulations 2012, community groups intending to take up neighbourhood planning will first need to apply to the Council for neighbourhood area and forum designation. These need to be agreed with the local authority.

This report provides Members with a background to the submitted application and a brief summary of Neighbourhood Planning, with an explanation into the requirements of both an area and forum application. It goes on to describe how the Council carried out the required public consultation and sets out the conditions that must be met in order to determine the designation. The report also includes details of the submitted applications and the comments expressed by the local community. This allows members to make a decision on the designation of the proposed Burwood Park neighbourhood area and forum.

### **RECOMMENDATION:**

- (A) THE CABINET AGREES TO THE DESIGNATION OF THE PROPOSED BURWOOD PARK NEIGHBOURHOOD AREA WHICH IS TO BE COVERED BY THE BURWOOD PARK NEIGHBOURHOOD DEVELOPMENT PLAN (NDP).**
- (B) THE CABINET AGREES TO THE DESIGNATION OF THE PROPOSED BURWOOD PARK NEIGHBOURHOOD FORUM THAT WILL BE RESPONSIBLE FOR THE PREPARING OF THE BURWOOD PARK NEIGHBOURHOOD DEVELOPMENT PLAN (NDP).**

### **REPORT:**

#### **1 Background**

- 1.1 On 29 February 2016, the Council received an application to designate a neighbourhood area and forum for the Burwood Park Private Estate for the purposes of preparing a Neighbourhood Development Plan (NDP). The

proposed area and forum application is the first part of a formal process which requires Elmbridge Borough Council to consult on and then consider whether to designate both the proposed area the plan will cover and the community group leading the process. The content of a future NDP is not part of this initial process and cannot influence the decision to designate the proposed area or forum.

- 1.2 In accordance with Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012 and as soon as possible after receiving a submission, the Council has to publicise the proposed neighbourhood area and forum application inviting representations for a minimum of six weeks. On Monday 14 March 2016, the Council began a seven week public consultation (with an extra week to account for the Easter bank holidays). A copy of the application, details on how to make representations and the date by which representations need to be received was published on the website. The consultation ended on 2 May.
- 1.3 Further details on the public consultation are discussed at section 4 of this report. Copies of the consultation documents are included in the consultation statement which is attached to this report at Appendix 2. This report sets out the results of the public consultation presenting to Members the conditions required to be satisfied that the proposed area and forum can be designated.
- 1.4 If approved by the Council, the community group submitting the application (the Burwood Park Forum) will become the authorised body to prepare the plan for the proposed neighbourhood area. Elmbridge Borough Council has a legal duty to provide support and advice to designated Neighbourhood Forums preparing a plan. If the Forum is designated, no other organisation or body can be designated to prepare a Plan for any part of the area until the designation has expired (5 years from the date of designation) or the designation has been withdrawn.

## **2 What is neighbourhood planning?**

- 2.1 Neighbourhood planning is a right for communities introduced through the Localism Act 2011. Communities can shape development in their areas through the production of a NDP, which following examination, and referendum and if found sound becomes part of the Local Plan. The policies contained within the NDP are then used in the determination of planning applications for that area. The policies produced cannot block development that is already part of the Local Plan. What they can do is shape where that development will go and what it will look like.
- 2.2 The Local Planning Authority is responsible for offering support and advice and will make decisions at key stages of the process. It will also organise the independent examination of the plan and the community referendum that is held at the end of the process. As stated above, the Council is responsible for approving the neighbourhood area within which the NDP will have effect as well as approving the community group preparing the plan. It is this decision that Members are being asked to consider at Cabinet.

### **3. The Requirements of a Neighbourhood Area and Neighbourhood Forum Designation Application.**

3.1 The Government's process for preparing a NDP is set out in the Localism Act 2011 and the Neighbourhood Planning (General) Regulation 2012. The first stage in the NDP process is the identification and designation of the neighbourhood area i.e. the area to be covered by the plan. The neighbourhood area is established by the community, proposed to the Council and then consulted on for a minimum six week period. The Council must then decide whether to designate the proposed neighbourhood area i.e. whether it is appropriate having taken into account the information submitted by those seeking to establish the neighbourhood area and the responses received during the public consultation.

3.2 When applying for the designation of a neighbourhood area, the following information must be submitted:

- A map which identifies the area to which the application relates (a copy of the submitted map is located at Appendix 1).
- A statement explaining why this area is considered appropriate to be designated as a neighbourhood area\*
- A statement that the organisation making the area application is a Parish Council or capable of being a neighbourhood forum\*

\*The group's application contains the above statements and a copy of the application is located at Appendix 3 of the consultation statement attached at Appendix 2 of this report.

3.3 In non-parished areas a neighbourhood forum, which will lead the preparation of the NDP, must also be established by the community. It must follow the same process as a proposed neighbourhood area application in terms of public consultation and designation.

3.4 When applying for the designation, the proposed neighbourhood forum must demonstrate that it has met the following conditions / requirements set out in the Localism Act and Regulations:

- it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned.
- its membership is open to
  - (i) individuals who live in the neighbourhood area
  - (ii) individuals who work there
  - (iii) individuals who are elected members of a county council, district council of whose area falls within the neighbourhood concerned.
- That its membership includes a minimum of 21 individuals each of whom:

- (i) Lives in the neighbourhood area concerned or
  - (ii) Works there (whether for business carried on there or otherwise), or
  - (iii) That at least one member is an elected member of the county council or district council whose area falls within the neighbourhood area concerned.
- That it has a written constitution
  - Such other conditions as may be prescribed.

## **4 The Public Consultation**

4.1 In accordance with Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012, the Council must publicise the area and forum applications. The consultation methods adopted and comments received are all detailed in the Consultation Statement at Appendix 2.

4.2 A consultation webpage was set up which provided more information about neighbourhood planning. It also included the application documents and provided details of how to make representations and the date on which these representations need to be submitted. Supporting documents included the written constitution and proposed area map. Copies of these can be viewed in the appendices of the Consultation Statement at Appendix 2 of this report.

4.3 The regulations also state that the local planning authority should publicise the application in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry out business in the area to which the area application relates. Therefore, individual letters were sent to all owners and occupiers of the properties in the proposed Burwood Park application area and all neighbouring properties on Burwood Road and neighbouring roads in Burwood East<sup>1</sup>. A list of these addresses is included in the consultation statement at Appendix 2.

4.4 As well as the above, residents groups such as Hersham Residents Association and Hersham Village Society were also invited to respond to the consultation. On 11 March 2016, every Member of the Council received an email informing them of the consultation and providing them with the web address. In addition to this and to help with communication across the Council, Planning Services and Customer Services staff all received e-mails alerting them of the public consultation.

4.5 The consultation document explained what people should consider when submitting comments. The consultation questionnaire consisted of the following two questions:

1. Do you think the proposed boundary is appropriate for designation as a neighbourhood area?

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<sup>1</sup> Burwood East covers the non-gated area east of Burwood Park and contains the roads: The Heronry, Kenwood Drive, Westcar Lane and Eastwick Road.

2. Is the proposed Forum (Burwood Park Forum) appropriate and representative of the local community?

4.6 In total 81 people responded to the consultation which included a 46 signature petition. The results were as follows,

21 people (26% of respondents) answered yes to question 1 and believe the proposed boundary is appropriate for designation as a neighbourhood area. 59 people (73% of respondents) believe the proposed boundary is not appropriate for designation as a neighbourhood area. 1 person did not answer this question and only answered question 2.

21 people (26% of respondents) answered yes to question 2 and stated that the proposed Forum is appropriate and representative of the local community. 60 people (74% of respondents) stated that they did not think the proposed Forum is appropriate and representative of the local community.

The following section and the consultation statement at Appendix 2 discuss the responses in more detail.

## **5. Deciding whether to designate the area and forum**

### Designating the Neighbourhood Area- Conditions Required

5.1 Members of the Cabinet need to decide whether the proposed neighbourhood area boundary is appropriate for the designation as a neighbourhood area.

5.2 National Planning Policy Guidance (NPPG) states that the local planning authority must designate a neighbourhood area if it receives a valid application and some or all of the area has not yet been designated. It also states that the Local Planning Authority should take into account the relevant body's statement explaining why the area applied is considered appropriate to be designated as such.

5.3 The submitted application contains a statement which sets out why the proposed area is appropriate as a neighbourhood area;

"The proposed boundary defines the area of Burwood Park with a coherent physical and functional identity in the terms set out in the Government's Planning Practice Guidance. In the terms of the PPG it is notable for being a "coherent estate" – Burwood Park – and for being the area of a "formal.....community based group" – Burwood Park Residents Limited. It also has a consistent physical appearance and clear boundaries.

The area is bounded by a major road (Burwood Road) to the south, west and north. It includes the green buffer along Seven Hills Road and Queens Road. Its eastern boundary separates the dwellings along Eastwick Road and The

Heronry which do not form part of the Burwood Park estate. Those dwellings along Burwood Road which do not have direct access to Burwood Park roads are included in the neighbourhood area and can participate as full members of the Burwood Park Forum.”

- 5.4 The PPG states that a local planning authority should aim to designate the area applied for. However, a local planning authority can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the local planning authority must give reasons.

#### Designating the Neighbourhood Area- Public's Response

- 5.5 As highlighted above, 21 individuals (26% of the respondents) thought that the proposed boundary is appropriate for the designation of a neighbourhood area. 19 of the 21 respondents are residents of Burwood Park and 2 are residents of Burwood East.
- 5.6 Some 59 individuals (73% of respondents) felt that the proposed boundary is not appropriate for designation as a neighbourhood area. These respondents included 43 residents who live in Burwood Park, 4 residents who live in Burwood East, 3 Estate agents, 5 people with an interest in the area and 4 developers that are freeholders of properties in Burwood Park. The objections are available to view in full in the consultation statement at Appendix 2.

To summarise, these were the key points raised:

- Two respondents felt Burwood East should be included because both areas were developed at the same time, share services and are all within the Burhill Estates area.
  - One respondent felt the area should be expanded to include Hersham Train Station and not just an exclusive private estate.
  - One respondent felt that it should only include the park and not the houses on Burwood Road.
  - 56 people stated that existing guidelines from Burhill Estates, the covenants, planning policy and the Design and Character SPD provides enough guidance to ensure high quality development and believe an area designation is unnecessary.
  - Lack of early engagement means people were not informed or able to discuss the area designation or intentions of a NDP. One person noted that they did not receive any of the invitations mentioned on the website.
  - There is no appetite for a NDP for Burwood Park.
- 5.7 There are also comments relating to the potential content of the NDP with discussions about design issues across the Park; however these points cannot be taken account of when considering the designation applications.
- 5.8 In response to the objections relating to the proposed boundary line, it is considered that the proposed area designation is appropriate. In line with the Planning Practice Guidance, the proposed neighbourhood area has a

consistent scale and style. It also forms part of a coherent estate for residents. In contrast, Burwood East has a slightly higher density and is not gated or part of a coherent estate with a formal community based group. The boundary line also follows the special low density area designation in the Elmbridge Local Plan which is featured on the policies map 2011. For these reasons, the proposed area designation appears to be logical and appropriate.

5.9 Whilst there are clearly concerns regarding the level of engagement adopted by the group and the future content of the NDP, these issues are not relevant to the designation of the proposed area. The regulations and planning guidance does not state that the area must be agreed by the community before submitting to the Council. It is a valid application as it meets Regulations 5 (1) and includes:

- a) A map which identifies the area to where the area application relates
- b) A statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
- c) A statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

Section 61G states that a relevant body is an organisation that “is capable of being designated as a neighbourhood forum”. As the group is capable of being a neighbourhood forum, it is considered that the above conditions have been met.

5.10 Therefore, whilst the objections received indicate a clear objection to the idea of a NDP for Burwood Park, the regulations, legislation and guidance gives no indication that this is a reason for refusing a proposed neighbourhood area. It is therefore considered that the proposed neighbourhood area is in line with regulations and planning guidance and hence appropriate to designate.

#### Designating the Neighbourhood Forum- Conditions Required

5.11 Members of the Cabinet also need to decide whether the proposed Forum (Burwood Park Forum) is appropriate and representative of the local community. The application submitted includes a statement which sets out how the Forum complies with the conditions for neighbourhood forum designation. It also includes a written constitution setting out the purposes of the Forum, membership and governance arrangements.

5.12 In compliance with the Localism Act 2011 (Schedule 9 Neighbourhood Planning 61F (5) the Council may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions-

- (5)
  - a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of

- or includes the neighbourhood area concerned.
- b) its membership **is open to-**
    - (i) individuals who live in the neighbourhood area concerned,
    - (ii) individuals who work there, and
    - (iii) individuals who are elected members of a county council, district council of whose area falls within the neighbourhood concerned.
  
  - c) its membership **includes** a minimum of 21 individuals each of whom-
    - (i) lives in the neighbourhood area concerned,
    - (ii) works there (whether for a business carried out there or otherwise),  
or
    - (iii) is an elected member of a county council, district council or London Borough council any of whose area falls within the neighbourhood area concerned,
  
  - d) it has a written constitution
  
  - e) such other conditions as may be prescribed.

The Legislation also states that,

(7) A local planning authority –must in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the **desirability** of designating an organisation or body-

- i. which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the sub-paragraphs (i) to (iii) of subsection 5 (b)
- ii. whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- iii. whose purpose reflects (in general terms) the character of that area.

5.13 The application submitted states that:

“Burwood Park Forum meets the requirements of the Localism Act 2011 to be recognised as a qualifying body. It has been established with more than 21 people to promote the social, economic and environmental well-being of the neighbourhood area in a manner which reflects the diversity, character and inclusivity of the area and includes people who live and work in the area and local councillors”.

5.14 Included in the submission is a list of 30 supporters alongside with a map plotting their addresses across Burwood Park. This demonstrates these individuals are geographical representative of the area and are all residents. Although described as supporters, the community group have confirmed these are members of the prospective forum. The group had support from a ward Councillor however the recent boundary review and elections has required the Forum to liaise with new members for their potential

representation in the forum. As detailed in the written constitution, membership is open to all the groups required by legislation.

- 5.15 The application also includes supporting information on how it was advertised in terms of the three open BPRL meetings held in 2015 and 2016 (the AGM, EGM and Neighbourhood Planning Meeting) which discussed the proposal and how people could get involved. Individual letters and e-mails were sent to homeowners in the estate, inviting them to join the proposed forum. Copies of these invitations were submitted with the application and uploaded onto the Council's website as evidence for the public consultation. These invitations were sent on the 29 February 2016, the date the application was submitted to the Council.
- 5.16 In terms of meeting Regulation 8 (Application for designation of a neighbourhood forum), the group have submitted all the criteria required. They have also provided a statement which explains how the proposed neighbourhood forum meets the conditions in section 61F (5) of the Act.

#### Designating the Neighbourhood Forum- Public Response

- 5.17 Overall, 21 people (26% of respondents) agree with question 2 and 60 people (74% of respondents) disagree. Those who disagreed provided comments to explain their objection and these are set out in full in the consultation statement at Appendix 2. It must also be noted that the majority of the response (56) were either part of a signed petition linked to a shared statement or submitted a copy of the same detailed response.
- 5.18 To summarise the objections, people felt the Forum was neither appropriate nor representative and there was a strong feeling that a small group of residents were imposing their views on the whole park. There were comments with regard to the future content of the plan, which cannot be taken into account when considering the proposed forum application. One respondent questioned the cost to the Council for the Neighbourhood Plan. However, BPRL is funding the NDP and the Council will apply for the government grants which will cover the costs to the Council involved in organising the public consultation for the designation applications.
- 5.19 The main concerns raised in these responses were:
- That the forum is not a qualified body as it had not adequately demonstrated that individuals who work in the area or have a material and on-going interest in the area were invited to join.
  - That the constitution was inadequate stating generic aims that does not set out what the forum intends to achieve
  - There has been inadequate consultation prior to submission that has excluded key stakeholders. In particular concerns are raised with regard to the use of the BPRL and its meetings to discuss the development of the Neighbourhood Forum.

5.20 These are wide ranging concerns and must be taken seriously. As such since the public consultation, a revised written constitution (Appendix 3) has been submitted that clarifies that the forum shall be independent of the BPRL with that organisation providing administrative support to the Forum. This has been written to address concerns about using the BPRL meetings to discuss and make decisions regarding the NDP. The objections regarding payment and funding of the NDP process is a matter for the forum and the community to manage. Funding is available for communities from the Government.

5.21 However, it must be remembered that in making a decision on whether to designate the proposed forum, the Council must base its decision on the relevant legislation. Set out below is the consideration of the application and the comments raised alongside the legislative requirements.

**Has the Forum been established for the express purpose of promoting or improving the social, economic and environmental well-being of an area?**

5.22 The constitution clearly sets out the purpose of the Forum to promote or improve the social, economic and environmental well-being of the Burwood Park neighbourhood area.

5.23 Whilst there are concerns expressed in the consultation responses that there are other agendas, there is no evidence to suggest that the express purpose of the forum is not the social, economic or environmental well-being of the area. The fact that there may be different views as to how this well-being is achieved will be a key part of the development of any neighbourhood plan.

**Is the membership open to (i) individuals who live in the neighbourhood area concerned, (ii) individuals who work there (whether for business carried on there or otherwise), and (iii) individuals who are elected members whose area falls within the neighbourhood area concerned.**

5.24 The constitution clearly sets out that it is open to all the groups stated above and also includes all those who have an interest in the area. This reflects the need to engage with those who own a property but are not occupants or who may have other interests within the area. This goes beyond what is required in the legislation and addresses the key concerns raised in the consultation regarding the breadth of membership. In addition to this, officers requested that the constitution be amended to take account of concern relating to the close links between the BPRL and the proposed Forum. Some residents clearly felt that this could restrict involvement. By clearly separating the Forum from the BPRL, membership of the Forum will not be restricted solely to those residing in the area.

5.25 As set out above, at the time of submission there was one councillor who had been involved in the development of the proposed Forum. However, since then that Councillor has lost their seat and Burwood Park is now within a different ward. Officers have been made aware that efforts are being made to engage Councillors and secure membership on the Forum.

**Have they secured, or taken reasonable steps to secure, that its membership includes at least one of the following i) individuals who live in the neighbourhood (ii) individuals who work there and (iii) individuals who are elected members**

- 5.26 In establishing the forum invitations were sent to all residents of the area to attend meetings in order to discuss the development of a NDP and the application to set up a neighbourhood forum. These invitations went out to over 90% of the residents of the proposed neighbourhood area. As part of this the local ward councillors for the area were also invited with one Councillor, who was also a resident, outlining their support for the Forum. In determining the extent of the consultation it must also be remembered that the area is a residential area with no other uses such as offices or shops, in the proposed neighbourhood area. This limits the extent to which consultation beyond residents could be directed.
- 5.27 In addition the constitution has established the membership parameters to be very broad. Membership in the constitution has been extended to all those who not only live and work in the area but also to those with a material and on-going social, cultural, economic or financial interest.
- 5.28 Concerns were raised in the consultation about the lack of information on the BPRL website. The community group submitting the applications have said that they have had an issue with the website and have not been able to upload information on neighbourhood planning on the BPRL homepage. Whilst this would have been beneficial to help accessibility of documents and information, the fact that contact was made directly to over 90% of residents' means that the group can be considered to have taken reasonable steps to secure membership. Officers have strongly recommended that in future the website includes detailed information on the forum and any neighbourhood planning information to help communication with residents.

**Is the membership drawn from different places in the neighbourhood area concerned and different sections of the community?**

- 5.29 A map has been submitted that shows that Members are distributed across the Park. Geographically, the forum has been drawn from different roads across the park. However, whilst it is possible to see that there is a mix of genders within the Forum (9 females members, 21 male members) no other details have been provided regarding age structure, home ownership or employment.
- 5.30 However, the group has stated that the membership is open to key stakeholders and added in the written constitution the additional criteria of individuals who have a material interest in or involvement in the area. It also states that the forum shall operate without distinction or discrimination on grounds of gender, disability, sexual orientation or race, or of political, religious or other beliefs. As there are no offices or work places within the Park, there are no workers to invite. Developers and estate agents would fall under people with an interest and the forum has an open membership to these groups of people.

### **Does the purpose of the proposed Forum reflect, in general terms, the character of the area?**

- 5.31 The purpose of the Forum is set out in section two of the written constitution. The statement is very broad and it seeks to improve the social, economic and environmental well-being of the area. This, in very general terms, reflects the residential character of the area.

### **Is there a written constitution?**

- 5.32 The written constitution should contain the key agreements made by members as to how the organisation will work. It should be clearly written so members can understand their rights and responsibilities; leaders can understand their mandate and accountability; and members of the public understand why the organisation exists and how it operates<sup>2</sup>. It is considered that the submitted constitution sufficiently covers these requirements.
- 5.33 Whilst the above assessment indicates that there is sufficient evidence to support the designation of proposed forum to take forward any neighbourhood planning in this area, the Council will continue to monitor the governance arrangements for the forum given the concerns raised in the consultation. If the Council is not satisfied that the proposed forum is meeting its purpose and the conditions of the legislation then it has the power to withdraw any designation under section 61 F (9) of the Localism Act, 2011.

## **6. Conclusion**

- 6.1 Having reviewed the submitted applications, supporting information and the responses received to the public consultation, it is considered that the proposed Burwood Park Neighbourhood area is appropriate and meets the Government's requirements.
- 6.2 Despite the high levels of objection to the forum application, it is considered with the change to the written constitution that the proposed forum is in compliance with legislation and regulation and should be designated. Should members consider it inappropriate to designate either the area or the forum, it is possible for these to be considered and designated separately.
- 6.3 If members are minded to refuse the application, legislation states that the local planning authority must give reasons to the organisation or body applying to be designated.

### **Financial implications:**

The Government are supporting local authorities in the neighbourhood process and recently announced updated arrangements for funding. Local planning authorities can claim £5,000 for the first five neighbourhood areas designated. They can also

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<sup>2</sup> Planning Aid, How to set up a neighbourhood forum 'putting the pieces together'.

claim £5,000 for the first five neighbourhood forums designated. In the event of the Cabinet agreeing to designate the Burwood Park Area and Forum, a claim for £10,000 will be made to the Government. This grant pays for the officer time spent advising the group, the consultation process and assistance with the plan preparation where required. It will also cover the consultation of the publication of the Neighbourhood plan before submission to an Inspector. A further payment of £20,000 will be made on successful completion of the neighbourhood planning examination. This payment is to cover the examination process and referendum costs.

At this stage it is difficult to estimate the cost to the Council arising from the Burwood Park neighbourhood plan as this will depend on the scope and complexity of any future plan. It is anticipated that support will come from existing staff resources with the only additional cost being the examination in public and referendum. The extent to which the additional costs are covered by government grants will depend on the scope of any proposed plan. Officers will monitor the level of support provided to the group and the nature of the plan to assess the potential cost implications. Other costs directly associated with the preparation of the plan will be managed by Burwood Park Residents Limited.

#### **Environmental/Sustainability Implications:**

The forum is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area. Neighbourhood Development Plans are required to be supported by a Sustainability Appraisal / Strategic Environmental Assessment which will assess the economic, environmental and social implications of the proposed policy options.

#### **Legal implications:**

The legal requirements of preparing a Neighbourhood Development Plan are outlined in the Localism Act and Neighbourhood Planning Regulations. The Housing and Planning Act introduces additional legislation with regards to intervention. Any plan will be required to satisfy the terms of the legislation and regulations. The constitution of the proposed neighbourhood forum was discussed with the Council's Law Practice Manager prior to the submission of the applications.

#### **Equality Implications:**

The forum must be inclusive and represent the whole community. If designated, it will be for the neighbourhood forum when preparing their plan to ensure that all groups within their communities are positively engaged in the process. The Council will need to be satisfied however, that this has happened in accordance with the Localism Act and Neighbourhood Planning Regulations when submitting the draft plan for independent examination.

#### **Risk Implications:**

No significant risks to the Council have been identified. Working with local communities to help shape where they live has the potential to foster positive relationships between the Council and local communities.

#### **Community Safety Implications:**

None for the purpose of this report.

**Principal Consultees:**

None

**Background papers:**

None

**Enclosures/Appendices:**

Appendix 1: Proposed Neighbourhood Area (Submitted Map)

Appendix 2: Consultation Statement

Appendix 3: Amended Written Constitution

**Contact details:**

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