

WIRRAL COUNCIL

CABINET

14TH MARCH 2013

SUBJECT:	NEIGHBOURHOOD PLANNING – AREA AND FORUM DESIGNATIONS - DEVONSHIRE PARK AND HOYLAKE
WARD/S AFFECTED:	PRENTON AND HOYLAKE AND MEOLS
REPORT OF:	DIRECTOR OF REGENERATION, HOUSING AND PLANNING
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR PAT HACKETT REGENERATION AND PLANNING STRATEGY
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 Two of Wirral's Neighbourhood Planning Frontrunner communities: Devonshire Park Neighbourhood Forum and Hoylake Community Planning Forum; have applied to the Council for formal designation of their constitutions and area boundaries as the Neighbourhood Planning Forum for their respective areas.
- 1.2 Following six week public consultation periods from which no substantive representations have been made, Cabinet is asked to recommend to Council the designations of the two Neighbourhood Planning Forums as the qualifying bodies for their respective areas, enabling them to progress the preparation of their Neighbourhood Plans in accordance with the Government's Neighbourhood Planning Regulations. Their status as the sole Neighbourhood Planning body for their respective areas is time-limited to five years from designation.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 Two of Wirral's Neighbourhood Planning Frontrunner communities: Devonshire Park Residents Association and Hoylake Village Life; have reviewed their constitutions and applied to the Council for designation as the Neighbourhood Planning Forum for their respective areas. The designations have been advertised by the Council for six week public consultation periods, in accordance with the requirements of the Neighbourhood Planning Regulations 2012. Public consultation was carried out on the proposed Forum constitutions and area boundaries. The proposed constitutions and area boundaries comply with the requirements of the Neighbourhood Planning Regulations.

Devonshire Park Neighbourhood Planning Forum

- 2.2 Devonshire Park Residents Association has reviewed its constitution and proposed the formation of the Devonshire Park Neighbourhood Forum, to prepare a Neighbourhood Plan for Devonshire Park.
- 2.3 At its meeting on 21st June 2012, Cabinet agreed to advertise the Devonshire Park proposals for public consultation. Devonshire Park submitted its formal application for designation on 30th November 2012 and the constitution, area

boundary and supporting documentation were advertised for public consultation from 12th December 2012 to 8th February 2013.

- 2.4 Only one representation was received by the Council in that time, from United Utilities, who had no comment on the constitution or area boundary but wished to be consulted on further stages of the Devonshire Park Neighbourhood Plan preparation.

Hoylake Community Planning Forum

- 2.5 Hoylake Village Life carried out a series of public meetings in 2012, in order to broaden its base and fully comply with the Neighbourhood Planning Regulations. This resulted in the formation of the Hoylake Community Planning Forum, to prepare a Neighbourhood Plan for Hoylake.
- 2.6 Authorisation for the advertisement of the designation of the proposed Hoylake Community Planning Forum was given by a Strong Leader Delegated Decision on 27th September 2012. Hoylake Community Planning Forum submitted its formal application for designation on 28th August 2012 and the constitution, area boundary and supporting documentation was advertised for public consultation from 19th December 2012 to 1st February 2013.
- 2.7 Only two representations were received by the Council in that time, from United Utilities and from DTZ on behalf of Royal Mail Group. Neither representation made any comment on the constitution or area boundary but wished to be consulted on further stages of the Hoylake Neighbourhood Plan preparation.

Period of Designation

- 2.8 Once designated, the Devonshire Park Neighbourhood Forum and the Hoylake Community Planning Forum will become the sole Neighbourhood Planning Forum for their respective areas, for five years from designation or until the designation is withdrawn. No other organisation or body may be designated as the Neighbourhood Forum for either area until the designation period expires or is withdrawn.

3.0 RELEVANT RISKS

- 3.1 If Cabinet does not agree to recommend to Council the area and constitution designations, the communities in Devonshire Park and Hoylake will not be able to bring forward a Neighbourhood Plan for their area. Both organisations have carried out extensive public consultation and have built up a level of expectation in the community at the degree of control they will have over new development in their areas. If Cabinet does not agree to recommend the designations to Council, then the Council must advertise its reasons for not agreeing.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 No other options have been considered. The proposals for designation have been submitted by the local community groups and the Council has a duty to advertise them for public consultation.

5.0 CONSULTATION

- 5.1 Both area and constitution designations have been advertised for public consultation. The Devonshire Park proposals were available on the Council's website from 12th December 2012 to 8th February 2013. They were also available for public inspection at Birkenhead Library, St Josephs Parish Centre and Seacombe One Stop Shop (Wallasey Town Hall). The Hoylake proposals were available on the Council's website from 19th December 2012 to 1st February 2013. They were also available for public inspection at Hoylake Library, HELP shop Hoylake and Seacombe One Stop Shop (Wallasey Town Hall).

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 Both organisations' constitutions show the open nature of the organisations, which are open to all sections of the community and the proposals have been developed by voluntary effort in both areas.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 Current funding of £20,000 for each organisation is provided from Communities and Local Government grant under the Neighbourhood Planning Frontrunner project. If the area and constitution designations are agreed by Cabinet, an additional £5,000 can be drawn down from Communities and Local Government Neighbourhood Planning funding during the year 2013/14. If the two Neighbourhood Plans advance to Independent Examination and Referendum, an additional £25,000 per Neighbourhood Plan area will be made available by Government to the Council in 2013/14. This will consist of £5,000 being made available at the publication stage pre-Examination and £20,000 on successful completion of the Examination.
- 7.2 The money currently allocated to these Neighbourhood Forums is held by the Council, solely to support each of the two Forums. Government expects local authorities to support emerging Neighbourhood Plans, with technical advice, consultation, document preparation and the costs of the Independent Examination and Referendum. If any of these costs are likely to exceed the maximum £50,000 budget available to each qualifying Neighbourhood Forum, officers will report to a future Cabinet meeting.
- 7.3 Current support is provided by officers within the Regeneration, Housing and Planning Department.
- 7.4 There are no additional IT or asset management implications arising from this report. Any future asset management implications (e.g. through the Community Right to Bid and Community Asset transfer) will be reported to Members as appropriate.

8.0 LEGAL IMPLICATIONS

- 8.1 If Cabinet agrees to recommend to Council the designation of the Devonshire Park Neighbourhood Forum and the Hoylake Community Planning Forum, the two organisations will have the sole right to prepare Neighbourhood Plans for their respective communities for a period of five years from designation. If these Neighbourhood Plans pass Independent Examination and are agreed by a majority of voters in a Referendum, then the Neighbourhood Plans will be

made by the Local Planning Authority and become part of the Council's statutory development plan, alongside the Unitary Development Plan and emerging Core Strategy Local Plan.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal been reviewed with regard to equality?

(a) Yes and impact review is attached –

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010-0>

10.0 CARBON REDUCTION IMPLICATIONS

10.1 .There are no implications arising directly from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 Once designated, the two organisations are expected to advance preparation of their respective Neighbourhood Plans. If made, these Neighbourhood Plans will become part of the Council's development plan and be used in the allocation of land for development and in the determination of planning applications. There are no direct community safety implications arising from this report.

12.0 RECOMMENDATION

12.1 That Cabinet recommends that Council designates Devonshire Park Neighbourhood Planning Forum and Hoylake Community Planning Forum as the Neighbourhood Planning Forums for their respective areas for five years from the date of designation or until the respective designation is withdrawn, with boundaries as agreed in the recently completed public consultation.

13.0 REASON FOR RECOMMENDATION

13.1 Formal designation by the Council of the two Neighbourhood Forums is required to comply with the Neighbourhood Planning Regulations 2012 and to enable the two Forums to advance preparation of their respective Neighbourhood Plans.

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REFERENCE MATERIAL

- (i) Localism Act, November 2011, TSO
<http://www.legislation.gov.uk/ukpga/2011/20/contents>
- (ii) Town and Country Planning, England, The Neighbourhood Planning (General) Regulations 2012 (SI 2012, No 637), TSO, 1st March 2012
<http://www.legislation.gov.uk/uksi/2012/637/contents/made>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet – Neighbourhood Planning Vanguard – Wirral Proposal (minute 320)	3rd February 2011
Cabinet – Neighbourhood Planning – Area and Forum Designations (minute 25)	21st June 2012
Delegated Decision – Hoylake Community Planning Forum – Application for Designation of a Neighbourhood Forum	27th September 2012