1. **SUMMARY**

1.1 This report considers the application submitted by the Highams Park Planning Group to: (i) re-designate the area in Highams Park shown on the appended plan (Appendix A) as a Neighbourhood Planning Area and (ii) to re-designate it as the Neighbourhood Forum for that area.

2. **RECOMMENDATIONS**

2.1 Cabinet is recommended to:

2.1.1 Agree to re-designate the area in Highams Park shown on the appended plan (Appendix A) as a Neighbourhood Planning Area

2.1.2 Agree to re-designate the Highams Park Planning Group as a Neighbourhood Forum

3. **PROPOSALS**

3.1 The Council designated the area in Highams Park shown on the appended plan (Appendix A) as a Neighbourhood Planning Area and
designated the Highams Park Planning Group (HPPG) as the neighbourhood planning forum in July 2014. Such designation lasts 5 years and as such is due to expire in July 2019. The HPPG has produced the Highams Park Neighbourhood Plan which is currently at examination.

3.2 There is no formal process for re-designation. Accordingly, HPPG has applied for new designations as they did in 2014. In line with Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012 (as amended), the Council has to publish the applications “as soon as possible” after receipt and allow a minimum of six weeks for representations to be submitted to the Council. To this end, the Council commenced consultation on 29th April. The 6 week period ended on 10th June. As shown in paragraph 6.2, responses were overwhelmingly supportive of the redesignation of the Group.

3.3 Following consultation, the Council must make a decision on whether to designate a forum/area within 13 weeks of publication i.e. by 29 July 2019. However, to avoid the situation in which the Forum is potentially dissolved in the midst of its neighbourhood plan examination, decision cannot be delayed as the Group’s designation will lapse during the 3rd week of that period.

3.4 To be designated as a Neighbourhood Forum, a group or organisation must comply with the prescribed conditions set out in section 61F (5) of the Town and Country Planning Act 1990 (as amended). The Council must be satisfied that (a) the organisation or group has been established for the express purpose of promoting or improving the social, economic and environmental well-being of the area, (b) its membership (minimum 21 persons) is open to individuals who live or work in the area or are elected members whose area falls within the neighbourhood area concerned, (c) membership is drawn from different parts/sections of the community and (d) has a written constitution.

3.5 Officers consider that these conditions have been met. Supporting information submitted with the application include a written constitution (Appendix B). This clearly states that the group has been established for the purposes of promoting or improving the social, economic and environmental well-being of the area. From the submitted application, the HPPG has 1000 members. Each of the individual members lives or works in Highams Park or is an elected member. Currently two elected members serve on the Coordinating Committee of the Highams Park Planning Group.

3.6 In determining whether to re-designate the area as a Neighbourhood Area, the Council has to consider the appropriateness of the proposed area boundary (Appendix A). The Council must ensure that the designated area is coherent, consistent and appropriate in planning terms. As well as taking on board comments received from consultation, other planning factors to be considered include any natural or man-made features (such as rivers, roads or railway lines), the catchment areas for the key activities or services in the area, environmental designations etc.
3.7 No substantive changes to the plan area have been recommended resulting from consultation. Accordingly, it remains that case that the area represents an appropriate functional area in planning terms while also providing the opportunity to maximise regeneration opportunities in a wider area. The heart of the area is the Highams Park District Centre and the surrounding area is considered as representing the local catchment area from the statutory consultation undertaken, no objections or issues have been raised relating to the purposes, membership and governance arrangements of the HPPG. Of the 89 responses, only one raised any issue with the boundaries of the proposed area.

3.8 If approved, the designations will last for 5 years and no other community organisation or body can be designated to prepare a neighbourhood plan for any part of the area until the designation has expired or been withdrawn. The Council can withdraw the designation if it considers that the organisation or body is no longer meeting the conditions by reference to which it was designated.

4. OPTIONS & ALTERNATIVES CONSIDERED

4.1 The Council should aim to designate an area/forum applied for but can refuse where it considers the area is not appropriate. In such a case, a statement setting out the decision and the reasons must be provided. According to the Planning Practice Guidance, the Council must use its power of designation to ensure that some or all of the area applied for forms part of one or more designated neighbourhood areas. It is considered that the area should be designated for the reasons given above.

5. SUSTAINABLE COMMUNITY STRATEGY PRIORITIES (AND OTHER NATIONAL OR LOCAL POLICIES OR STRATEGIES)

5.1 The redesignation of the neighbourhood planning forum and the plan area is expected to have a key role in implementing the spatial aspects of the Sustainable Community Strategy as reflected in the Council’s Core Strategy and the supporting Development Management Policies documents and is consistent with the aims of the emerging Local Plan. One of the priority areas where regeneration efforts are to be focused is the borough’s town centres which includes Highams Park District Centre.

6. CONSULTATION

6.1 In accordance with Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012, officers carried out statutory consultation on the proposed designations during a 6-week consultation period (from 29th April to 10th June 2019). The consultation documents included the applications, the proposed boundary of the neighbourhood area and the constitution of the Highams Park Planning Group (HPPG).
6.2 There were 88 responses to the consultation undertaken. There were no objections. Four minor comments were made. Three were not directly relevant to the consultation. One minor comment was made concerning the definition of the boundary.

7. IMPLICATIONS

7.1 Finance, Value for Money and Risk

7.1.1 Whilst the Council has a duty to support the preparation of a neighbourhood plan, there are no direct cost implications arising from the designation of the neighbourhood planning forum. Cost implications arise later in terms officers' time in carrying out the process and supporting the groups preparing the plan. Some additional government funding is available to enable local authorities to meet the new legislative duties on neighbourhood planning. For 2019/2020, the Council can claim £5,000 for each designation made (up to a limit of 5 designations per year) and a further £5,000 for forum designations (up to 5 designations per year). This includes re-designations.

7.1.2 LPAs can claim £20,000 once a date for a referendum has been set following a successful examination where a neighbourhood plan has not previously been made for that area. Officers will monitor expenditure to ensure that the project is delivered within the available funding. However, any additional costs arising from the process and exceeding the grant allocation must be met from within existing Environment & Regeneration resources.

7.2 Legal

7.2.1 Part 6 and Schedule 9 of the Localism Act 2011 inserted new sections into the Town and Country Planning Act 1990 ("the 1990 Act") to introduce the concept of neighbourhood planning. Neighbourhood planning empowers designated neighbourhood forums to set planning policy in designated neighbourhood areas.

7.2.2 The Neighbourhood Planning (General) Regulations 2012 (as amended) ("the Regulations") sets out the procedure for designating neighbourhood areas and forums; it also prescribes the content of applications and the consultation and publicity requirements.

7.2.3 In relation to the neighbourhood forum designation, there are statutory conditions that must be satisfied before designation can take place. These are set out in paragraph 3.4 above and if they are not met the application will be refused.

7.2.4 For the designation of the neighbourhood area, the Council needs to decide whether the proposed area is 'appropriate'.

7.2.5 Regulations 6 and 9 respectively of Regulations require the Council, on receipt of an application, to publish on its website and in such other manner as considered likely to bring the application to the attention of local people: (a) a copy of the application (b) an explanatory note and (c) details of how to make representations (at least 6 weeks must be given for representations to be submitted).
7.2.6 Regulations 7 and 10 respectively require the Council as soon as possible after designating a neighbourhood area and forum, to publish in the manner outlined in paragraph 7.2.5: (a) the name of the neighbourhood area/forum (b) a map which identifies the area (c) a copy of the written constitution of the forum and (d) contact details for at least one member of the forum. If either designation is refused a document must be published in the manner outlined in paragraph 7.2.5 setting out the decision and the reasons for making that decision and details of where and when the refusal statement may be inspected.

7.3 Equalities and Diversity

7.3.1 An initial screening exercise of the equality impact of this decision has been undertaken. It is considered that there is no impact on the Council’s equality duty (Appendix F). The redesignation of the Highams Park Planning Group provides a beneficial mechanism to promote equality and engagement in planning.

7.4 Sustainability (including climate change, health, crime and disorder)

7.4.1 This decision to re-designate a neighbourhood area/forum has no direct sustainability impacts. As a mandatory requirement, neighbourhood plan proposals must be supported and informed with evidence of the sustainability appraisals undertaken. This will incorporate climate change, health, and crime and disorder objectives and will be considered during the neighbourhood plan preparation stage.

7.5 Council Infrastructure

7.5.1 This application, and future applications, will require input and time from officers both in the Planning Policy team and from other services. This proposal will be met within existing resources.

7.6 Brexit

7.6.1 There are no Brexit implications arising.

BACKGROUND INFORMATION (as defined by Local Government (Access to Information) Act 1985)

None.