

# RIBBLE VALLEY BOROUGH COUNCIL

## REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 29 MAY 2014  
 title: BOLTON BY BOWLAND / GISBURN FOREST NEIGHBOURHOOD PLAN  
 submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE  
 principal author: DAVID INGHAM – PARTNERSHIP OFFICER

### 1 PURPOSE

1.1 To agree the designation of the area and appropriate body to prepare a Bolton by Bowland and Gisburn Forest Neighbourhood Plan.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – To be a well managed Council providing efficient services based on identified customer need.
- Community Objectives – As above.
- Corporate Priorities – As above.
- Other Considerations – None.

### 2. BACKGROUND

2.1 The Localism Act 2011 introduced new powers for people to make neighbourhood plans and neighbourhood planning orders. These new powers are in addition to existing opportunities for community involvement, which are already part of the planning system.

2.2 The planning system helps decide what gets built, where and when. It is essential for supporting economic growth, improving people's quality of life, and protecting the natural environment. In theory, planning was always supposed to give local communities a say in decisions that affect them. But in practice, communities have often found it hard to have a meaningful say.

2.3 The government wants to put greater power in the hands of local residents, employees and business, councils and civic leaders to reflect their local knowledge and understanding of the needs of their local areas. This is the basis for the neighbourhood planning approach.

2.4 Bolton by Bowland, Gisburn Forest and Sawley Parish Council have taken the lead on the Bolton by Bowland and Gisburn Forest Neighbourhood Plan as the appropriate body and submitted an application for the designation of a plan area to the council. The area of the proposed Neighbourhood plan is shown on the plan attached at Appendix 1

### 3 NEIGHBOURHOOD PLANNING

3.1 There are 5 key stages to neighbourhood planning.

#### **Stage 1: defining the neighbourhood**

First, local people will need to decide how they want to work together and the area to be the subject of the Neighbourhood plan. An application to the local planning authority must be made which it has a duty to consider and must be published by the

LPA for of public consultation. In Ribble Valley it will be for Town or Parish council's in general to take the role of appropriate body to prepare the plan.

## **Stage 2: preparing the plan**

Local people will need to meet, prioritise their early ideas and draw up their plans following some basic conditions:

- they must generally be in line with local and national planning policies
- they must be in line with other legislation
- if the local planning authority says that an area needs to grow, then communities cannot use neighbourhood planning to block the building of new homes and businesses; they can, however, use neighbourhood planning to influence the type, design, location and mix of new development. A key role of the plan is related to "Place Shaping" rather than setting limits on the amount of development which remains a matter for the local planning authority.
- neighbourhood plans must contribute to achieving sustainable development

The draft Plan will then be consulted upon for a minimum of six weeks with people who live, work or carry out business in the area along with statutory bodies.

## **Stage 3: independent check**

Once a neighbourhood plan has been prepared, an independent examiner appointed by the Borough Council will check that it meets the basic conditions. If the plan doesn't meet the right conditions, the examiner will recommend changes. The Parish Council will then need to consider the examiner's views and decide whether to make those changes. If the examiner recommends significant changes, then the Parish Council may decide to consult the local community again before proceeding.

## **Stage 4: community referendum**

The Borough Council will organise and fund a referendum on the plan if it meets the basic conditions and the Examiner recommends its referral. This ensures that the community has the final say on whether a neighbourhood plan comes into force. People living in the neighbourhood who are registered to vote in local elections will be entitled to vote in the referendum.

If more than 50% of people voting in the referendum support the plan or order, then the local planning authority must bring it into force.

The referendum question would be "Do you want Ribble Valley Borough Council to use the Bolton by Bowland and Gisburn Forest Neighbourhood Plan to help it decide planning applications in the neighbourhood area?"

## **Stage 5: legal force**

Once a neighbourhood plan is in force following a successful referendum, it carries statutory weight. Decision makers are obliged to consider proposals for development in the neighbourhood against the neighbourhood plan.

## 4 ISSUES

- 4.1 There are a number of statutory duties that the council is required to undertake as part of the process but in broad terms The Borough Council will provide assistance, hold an examination and arrange a referendum.
- 4.2 The Council's "duty to support" will be limited to technical advice, an overview of procedures and issues, background data/evidence and comment on draft proposals. The council will need to be satisfied that the necessary stages have been followed however it remains the responsibility of the body preparing the plan to undertake the correct steps in particular ensuring transparent and credible community engagement and that the necessary evidence is available to justify the proposals of the plan.
- 4.3 The funding for this from DCLG is currently £5,000 to the Authority on designation of the plan, £5,000 for pre-examination and £20,000 following a successful examination. This funding is intended to help authorities deliver neighbourhood planning initiatives.
- 4.4 At this stage only one Neighbourhood plan has been put forward and so far the councils support has been delivered through existing budgets, however there could clearly be potentially significant resource requirements if a number of plans come forward, which will be at different stages and may need differing levels of support. A separate report on budget and resource implications will be brought to a future meeting as part of the Council's budget process.

## 5. BOLTON BY BOWLAND AND GISBURN FOREST NEIGHBOURHOOD PLAN

- 5.1 Bolton by Bowland, Gisburn Forest and Sawley Parish Council have led on the Bolton by Bowland and Gisburn Forest Neighbourhood Plan as the relevant appropriate body. The Parish Council have long experience of working with and representing the local communities. Bolton by Bowland, Gisburn Forest and Sawley Parish Council at its meeting on 4 November 2013 authorised a steering group to:
- advance a Bolton by Bowland and Gisburn Forest Neighbourhood Plan and they proposed the designation of a Plan to Ribble Valley Council on 3 February 2014 covering the area consisting of the Bolton by Bowland and Gisburn Forest wards. This proposal was published and comments invited back to the Borough Council (the Planning Authority) with a closing date of 11 April 2014.
- 5.2 A total of 18 responses were made to the consultation and there were no objections received by the council to the designated area or to the Bolton by Bowland, Gisburn Forest and Sawley Parish Council as the appropriate body. A number of responses were made querying the need for the plan and the process together with the potential cost. The application process and the decision of the Parish Council to undertake the plan is not a matter for this committee in its consideration of the proposed designation.
- 5.3 There are no issues raised through the consultation that prevent the application being determined by the council as the local planning authority.
- 5.4 There are no significant business interests in the designated area and consequently it would not be necessary to designate it as a business area under the regulations.

## 6 RISK ASSESSMENT

- 6.1 The approval of this report may have the following implications:

- Resources – None at this stage. Funding support will be applied for and requests for additional support to assist with the preparation of the plan will be considered as appropriate.
- Technical, Environmental and Legal – There is a statutory duty on the authority to deliver specified elements of the process.
- Political – Neighbourhood Planning initiatives support community empowerment
- Reputation – None.
- Equality & Diversity – None.

## **7 RECOMMENDED THAT COMMITTEE**

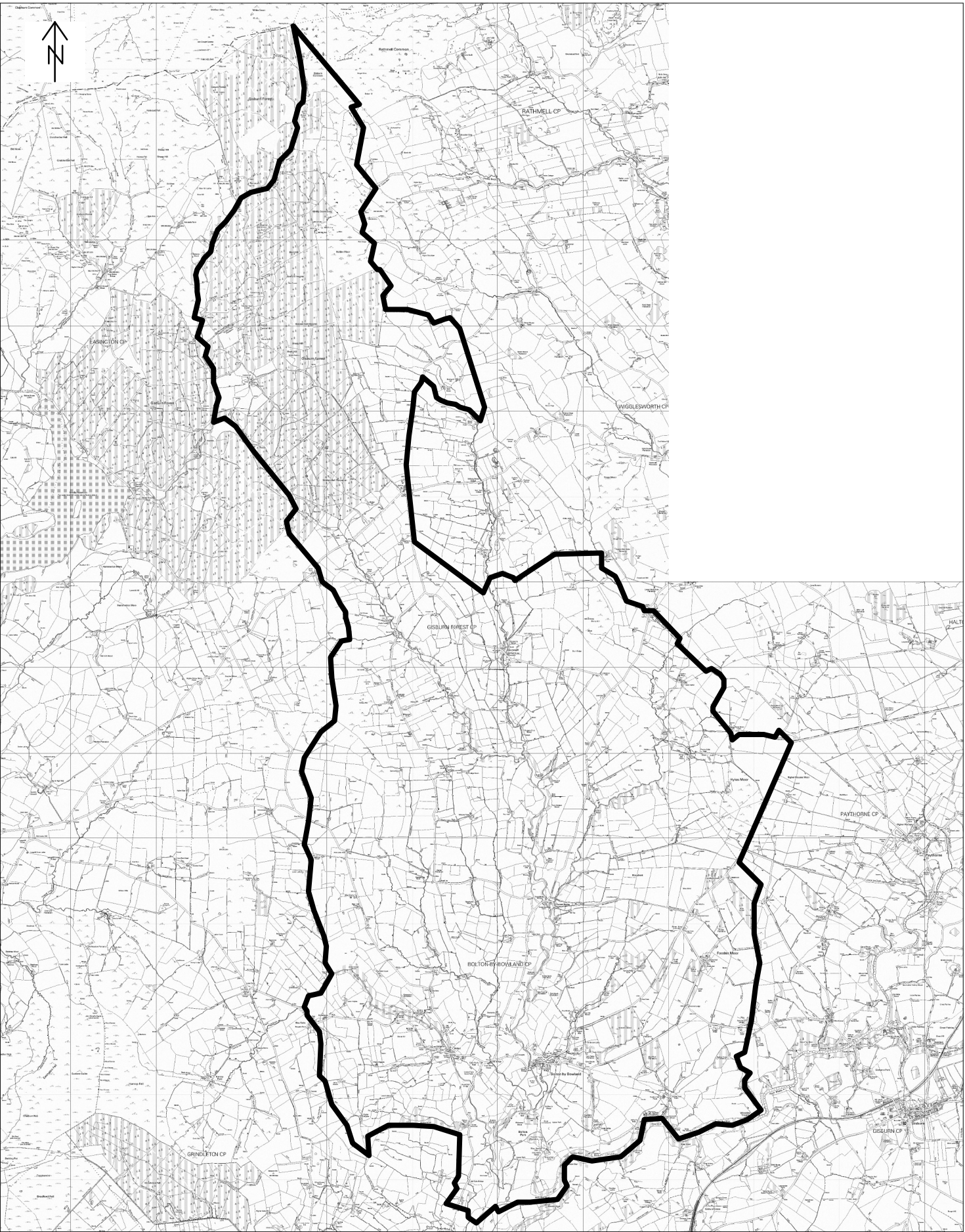
- 7.1 Endorse Bolton by Bowland, Gisburn Forest and Sawley Parish Council as the appropriate body to prepare a Bolton by Bowland and Gisburn Forest Neighbourhood Plan and agree to designate the proposed area set out in the Parish Council's application for the purposes of preparing a Neighbourhood plan.

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PARTNERSHIP OFFICER

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CHIEF EXECUTIVE

For further information please ask for David Ingham, extension 4549 or Colin Hirst extension 4503.

DI/P&D/29 MAY 14



**Bolton By Bowland - Gisburn Forest Neighbourhood Plan February 2014**

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