

To: The Deputy Chief Executive

9th August 2017

North Kingston Neighbourhood Forum Designation

Report by the Strategic Planning Team

Purpose

To note the representations made in the recent consultation and to decide whether to designate North Kingston Forum as a neighbourhood forum for the North Kingston Neighbourhood Area.

Recommendation of the Head of Planning and Regeneration

To -

1. Designate North Kingston Forum as a neighbourhood forum for the purposes of undertaking neighbourhood planning in the North Kingston Neighbourhood Area.

Key Points

- A. This report sets out the consultation process undertaken for this neighbourhood forum application. This is the first such application of its type in the borough.
- B. The application was submitted by a local community group called North Kingston Forum. The group also applied to designate North Kingston as a neighbourhood area.
- C. The initial consultation ran for a period of seven weeks from 12th April and 25th May 2017. However, unfortunately this consultation did not fully comply with the relevant legal requirements and therefore a subsequent consultation was run for a period of six weeks from 21st June 2017 to 3rd August 2017.
- D. The consultation was publicised on the Council's website, through site notices in North Kingston, at local libraries and the contact centre, and through emails to contacts on the Strategic Planning consultation database.
- E. A total of 9 responses were received during both consultation periods with 6 responses received during the initial consultation period and a further 3 responses received during the subsequent consultation period.
- F. This report has been reviewed by both Legal and Finance officers, who are satisfied that the application meets the required conditions and that the North Kingston Forum is appropriately constituted.
- G. The Director of Place was given delegated authority to determine an application for the designation of a Neighbourhood Area or Neighbourhood by the Growth Committee on 23rd November 2016. It is recommended that the Director of Place designates the North Kingston Forum as the neighbourhood forum for the North Kingston Neighbourhood Area.
- H. If approved, the Council will publish the designation in accordance with legislation.

Context

1. The Localism Act 2011 introduced three 'neighbourhood level' planning powers, which came into force in April 2012. These are:
 - Neighbourhood Development Plans (commonly known as Neighbourhood Plans);
 - Neighbourhood Development Orders; and
 - Community Right to Build Orders.
2. The Neighbourhood Planning Regulations 2012 (as amended) set out the minimum level of requirements in relation to designating neighbourhood areas and neighbourhood forums (where Parish Councils do not already exist).

3. The Director of Place was given delegated authority to determine an application for the designation of a neighbourhood area or neighbourhood forum by the Growth Committee on 23rd November 2016.

North Kingston Neighbourhood Area

4. The first step required to secure neighbourhood planning powers is for the local planning authority to designate a neighbourhood area. North Kingston Neighbourhood Area, an area covering Canbury and Tudor wards, was designated on 30th March 2017.
5. North Kingston Forum applied to be the neighbourhood forum for the North Kingston Neighbourhood Area. If designated a neighbourhood forum, the North Kingston Forum will be allowed to undertake neighbourhood planning in this area for a period of five years from the date of designation (see Annex 1).

Consultation

6. As required by the relevant regulations, the application was initially published for consultation from 12th April 2017 to 25th May 2017. However, unfortunately this consultation did not fully comply with the relevant legal requirements and therefore it was decided to run a subsequent consultation for a period of six weeks from 21st June 2017 to 3rd August 2017. The application and related materials were published on the Council's neighbourhood planning webpage, <https://www.kingston.gov.uk/neighbourhoodplanning>. Copies of these documents were also available to view at Tudor Drive and Kingston libraries, and at the customer contact centre in Guildhall 2.
7. The Council notified over 1,100 contacts registered on the Strategic Planning consultation database by email and letters (to those who requested them) about the application. Site notices were put up at 11 locations throughout the North Kingston Neighbourhood Area.
8. A total of 9 responses were received during both consultation periods with 6 responses received during the initial consultation period and a further 3 responses received during the subsequent consultation period. Full details of the responses and the consultation are provided in the Consultation Statement (Annex 2).

Consideration of Neighbourhood Forum Application

9. Section 61F(5) of the Town and Country Planning Act 1990 explains that the Council may designate a Neighbourhood Forum where no Parish Council exists in order for neighbourhood planning to be undertaken in a designated neighbourhood area if the prospective neighbourhood forum meets prescribed conditions. The prescribed conditions relate to whether the neighbourhood forum:
 - 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;
 - allows membership of any person who lives, works or represents the area politically;
 - has a minimum of 21 members; and
 - has a written constitution.
10. Consideration has been given to the above conditions and the representations received on the application. Officers are satisfied that the conditions have been met by the North Kingston Forum and therefore recommend that it be designated a Neighbourhood Forum for the North Kingston Neighbourhood Area.

Next Steps

11. If designated, the Council will publish a designation notice, a draft of which has been produced (Annex 1). The Council has a duty to support those undertaking neighbourhood planning and will work with the North Kingston Forum, in accordance with the Council's Neighbourhood Planning Protocol, to meet this duty.

Resource Implications

12. There are statutory obligations for the Council to publicise the Neighbourhood Forum application, support a neighbourhood plan examination and conduct the referendum. It should be noted that the Council is eligible to funding support from DCLG following the completion of each key stage of the neighbourhood planning process.

Legal Implications

13. A Neighbourhood Plan will affect how the Council determines planning applications and how it carries out other planning functions, including consulting the neighbourhood forum. There will also be implications on how Community Infrastructure Levy for development in the Neighbourhood Area is spent.

Risk Assessment

14. No specific risks have been identified.

Equalities Impact Assessment

15. This has been covered by the Neighbourhood Planning Regulations.

Road Network Implications

16. No specific road network implications have been identified.

Environmental Implications

17. No specific environmental implications have been identified.

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List of reports and supporting information

- Annex 1 - Neighbourhood Forum Designation Notice
- Annex 2 - Consultation Statement

List of Background reports/document

- Amended Neighbourhood Planning Protocol (adopted November 2016)
- Statement on the application for designation of the North Kingston Forum and Neighbourhood Area.