

## Agenda Item No 9

### Planning and Development Board

3 September 2018

#### Report of the Corporate Director - Submission of Fillongley Neighbourhood Plan for public consultation

#### 1 Summary

- 1.1 This report informs Members of the progress of the submitted Fillongley Neighbourhood Plan and seeks approval to go out for a formal consultation in accordance with section 16 of the Neighbourhood Planning (General) Regulations 2012.

#### Recommendation to the Board

**That the Fillongley Neighbourhood Plan be circulated for a 6 week public consultation.**

#### 2 Consultation

- 2.1 Councillors Smith and D Wright have been sent an advanced copy of this report for comment. Any comments received will be reported verbally at the meeting.

#### 3 Background

- 3.1 The Localism Act 2011 introduced a mechanism for local communities to produce neighbourhood plans. Once a neighbourhood plan is 'made' it becomes part of the statutory development plan for that area and will be used, alongside local and national planning policy and guidance, to determine planning applications.

#### 4 Fillongley

- 4.1 Fillongley is the sixth Neighbourhood Plan to be formally submitted to North Warwickshire Borough Council. A copy of the Plan and its associated consultation documents are attached as Appendix A, B and C. At this stage it is only the responsibility of the Council to make sure that the submitted Neighbourhood Plan meets the legal requirements which are:

- whether the Parish Council or Neighbourhood Forum is authorised to act

- whether the proposal and accompanying documents
    - a. comply with the rules for submission to the Council
    - b. meet the 'definition of a Neighbourhood Plan' and
    - c. meet the 'scope of Neighbourhood Plan provisions'
  - whether the Parish Council or Neighbourhood Forum has undertaken the correct procedures in relation to consultation and publicity (see 'pre submission consultation by the Parish Council or Neighbourhood Forum')
- 4.2 It is considered that the submitted plan accords with the legal requirements and so the Council should now publicise the plan in accordance with Regulation 16 of The Neighbourhood Planning (General) Regulations 2012
- 4.3 Fillongley Parish Council applied to North Warwickshire Borough Council for designation of a Neighbourhood Plan Area and the designation was approved at Full Council on 25 September 2013.
- 4.4 Since that time, the Neighbourhood Plan Steering Group under the direction of the Parish Council (as the Qualifying Body as set out in section 38A (12) of the 2004 Act) has been working toward the production of a draft Neighbourhood Plan. A number of meetings with officers have taken place to assist with the progression of the Plan.
- 4.5 Prior to formal submission of the Neighbourhood Plan to the Borough Council with a view to its Independent Examination, the Qualifying Body (Fillongley Parish Council) must first publicise it, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area; consult any consultation body referred to in paragraph 1 of Schedule of The Neighbourhood Planning (General) Regulations 2012 (as amended) whose interests may be affected by the proposals for a neighbourhood plan; and send a copy to the Local Planning Authority. Details of the proposals for the Neighbourhood Plan together with details of how and when to make representations on the Neighbourhood Plan must also be published.
- 4.6 The Parish Council undertook the statutory minimum 6 week consultation/publicity period associated with their draft Neighbourhood Plan from 28 April - 18 June 2017. They have now formally submitted the Plan to the Borough Council for its consideration and progression to Examination.

## **5 Finance and Value for Money Implications**

- 5.1 The Borough Council can claim for up to £25,000 for each Neighbourhood Plan – the first payment of £5,000 was made following designation of the neighbourhood area. This recognises the amount of officer time supporting and advising the community in taking forward a Neighbourhood Plan. The second payment of £20,000 is made on successful completion of an independent examination.

## 5.2 Legal and Human Rights Implications

5.2.1 The process conforms to the legal requirements for Neighbourhood Plans.

## 5.3 Human Resources Implications

5.3.1 Staff time is expected to be provided by the Borough Council to support and advise the Parish Council and community in taking forward a Neighbourhood Development Plan. However the amount of staff time will be limited, essentially to an advisory role, due to the other work priorities of the Forward Planning Team and that this role must be provided to the other Parishes who are also considering undertaking Neighbourhood Plans.

## 5.4 Environmental and Sustainability Implications

5.4.1 Each Neighbour Plan will need to consider the effects of the Plans contents in terms of environmental and sustainability issues in accordance with the relevant regulations.

## 5.5 Links to Council's Priorities

5.5.1 The designation of the Neighbourhood Plan Designation Area will have links to the following priorities;

1. Enhancing community involvement and access to services
2. Protecting and improving our environment
3. Defending and improving our countryside and rural heritage

The Contact Officer for this report is Sue Wilson (719499).

## Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
1	Fillongley Neighbourhood Plan Steering Group	Fillongley Neighbourhood Plan	August 2018
2	Fillongley Neighbourhood Plan Steering Group	Basic Conditions Statement	August 2018
3	Fillongley Neighbourhood Plan Steering Group	Consultation Statement	August 2018