

# NON EXEMPT

## HAVANT BOROUGH COUNCIL

---

**CABINET**

**25 June 2014**

### **NEIGHBOURHOOD PLANNING IN EMSWORTH**

**Report of: Senior Planning Policy Officer**

**For Decision: Yes**

**Portfolio: Planning & Built Environment**

---

#### **1.0 Purpose of Report**

- 1.1 To present the twin applications for Emsworth to be designated as a 'neighbourhood area' and for the Emsworth Forum to be designated as the 'neighbourhood forum' for the purposes of neighbourhood planning in Emsworth.

#### **2.0 Recommendation**

- 2.1 To recommend to Council the designation by Havant Borough Council of Emsworth as a neighbourhood area and the Emsworth Forum as the neighbourhood forum for the purposes of neighbourhood planning in Emsworth.

#### **3.0 Summary**

- 3.1 Neighbourhood planning is a new way for communities to decide the future of the places where they live and work. The government introduced neighbourhood planning through the Localism Act 2011. When finalised a neighbourhood plan will be used by the council alongside its own planning documents to make decisions on planning applications in a particular area. Whilst a neighbourhood plan cannot reduce the amount of development already identified for the neighbourhood, it can increase development levels and influence where the development will go and what it will look like.
- 3.2 Under the Town and Country Planning Act (1990) as amended the council has a statutory duty to assist communities in the preparation of neighbourhood plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 identifies the designation of forums and areas as responsibilities of the local planning authority.
- 3.3 The National Planning Policy Framework (NPPF) states that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. It goes on to say that it provides a powerful set of tools for local people to ensure that they get the right type of development for their community.
- 3.4 The Neighbourhood Planning (General) Regulations 2012 set out the rules for all stages of neighbourhood planning. The current stages under consideration are Part 2 on the designation of a neighbourhood area and Part 3 on the designation of a neighbourhood forum.

## **NON EXEMPT**

### **4.0 Subject of Report**

- 4.1 The Town and Country Planning Act 1990 (as amended) sets out the criteria for determining the application for the designation of a neighbourhood area. These include ensuring that there is no overlap between adjoining neighbourhood planning areas and whether the area should be designated as a business area. The proposed area includes the whole electoral ward of Emsworth and does not overlap with any other neighbourhood planning areas.
- 4.2 The 1990 Act also sets out the criteria for determining the application for the designation of a neighbourhood forum. These include ensuring that the forum has taken reasonable steps to secure membership from people living in the area, people working in the area and county council and borough councillors. The purpose of the forum should also reflect the character of the area. Only one organisation can be designated as the forum for a neighbourhood area.
- 4.3 The council held a public consultation between 24<sup>th</sup> February and 7<sup>th</sup> April 2014 on the twin applications for designation. A total of 83 individuals and organisations supported the designation of the forum and 22 supported the designation of the area. The reason for the difference in response rates is that most people simply sent in emails saying that they supported the Emsworth Forum. There were no representations objecting to the designations. There was one neutral comment from the Langstone Residents' Association that it was not directly involved or affected by the designations.
- 4.4 The applications by the Emsworth Forum meet all the criteria set in the 1990 Act and all the representations submitted as part of the consultation support the designations. It is therefore recommended that the council designates Emsworth as a neighbourhood area and the Emsworth Forum as the neighbourhood forum for Emsworth.
- 4.5 These designations will mark the start of neighbourhood planning in Havant Borough, which forms an important part of Localism. It is a form of community empowerment and will lead to a greater engagement in the planning process in Emsworth. There are already approximately 270 members of the Emsworth Forum and their Annual General Meeting (AGM) which took place on 31<sup>st</sup> May 2014.
- 4.6 The Emsworth Forum will decide on the content of the Emsworth Neighbourhood Plan. The plan will, however, need to be consistent with the strategic policies in the adopted Havant Borough Local Plan. Following the examination in public it is hoped that the Allocations Plan, which forms the second half of the local plan, will be found sound and adopted later this year. However, an early review of the whole local plan is likely following the future publication of the Partnership for Urban South Hampshire (PUSH) Spatial Strategy in 2015-16. The preparation of the Emsworth Neighbourhood Plan and a possible Havant Borough Local Plan Review may take place at approximately the same time.
- 4.7 On adoption of the Emsworth Neighbourhood Plan 25% of Community Infrastructure Levy (CIL) collected in the area will be set aside as the Neighbourhood Portion for spending on local infrastructure.
- 4.8 After designation the forum will start work on preparing the Emsworth Neighbourhood Plan. The forum will in due course consult on a draft version of the plan, which will then be assessed by the council. If the plan meets the requirements of the 1990 Act it will be submitted for examination and then depending on the recommendations of the Inspector it will be submitted to referendum. The forum is aiming for a referendum to be held in May 2016. Adoption of the plan would follow on from a vote in favour (50% plus 1).

### **5.0 Implications**

## NON EXEMPT

- 5.1 Resources: There are no financial or staffing implications arising from these designations. However, there will be financial and staffing implications for the Planning Policy Team as the neighbourhood plan process proceeds through its various stages of preparation, examination and referendum. The role of the council in neighbourhood planning is essentially as a facilitator. Government funding is available to support local planning authorities in their neighbourhood planning role. A total of £30,000 is payable towards a neighbourhood plan with £5,000 paid on designation, £5,000 on publication of the plan and £20,000 on completion/adoption. Separate government support of up to £7,000 will be available for the forum on designation. On adoption of the Emsworth Neighbourhood Plan 25% of Community Infrastructure Levy (CIL) collected in the area will be set aside as the Neighbourhood Portion for spending on local infrastructure.
- 5.2 Legal: The designations comply with the requirements set in the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012.
- 5.3 Strategy: The introduction of neighbourhood planning through the designation of the area and the forum is in line with the corporate priorities of providing public service excellence and economic growth.
- 5.4 Risks: There is the risk that if the area and forum are not designated that the council will not be complying with the Town and Country Planning Act 1990 (as amended) and the Localism Act 2011. There is a risk element to the timeframe over which the neighbourhood plan is prepared. Neighbourhood plans need to be consistent with the adopted strategic policies of the local plan, and it is likely that a review will be needed of the Havant Borough Local Plan in order to address objectively assessed needs in line with government policy. There is also a risk in terms of managing expectations with regard to neighbourhood planning. Although the 1990 Act requires local planning authorities to assist communities in the preparation of neighbourhood plans the level of this assistance is a matter for the council to consider in the light of competing priorities and limited resources.
- 5.5 Communications: The designations have been subject to a six week public consultation.
- 5.6 For the Community: The community of Emsworth will benefit from the designations by being able to engage more actively in the local planning process.
- 5.7 An Integrated Impact Assessment (IIA) has been completed and concluded the following: There are no negative impacts of the designations.
- 6.0 Consultation: The designations have been subject to a six week public consultation.

### **Appendices:**

Appendix 1: Map of Emsworth Neighbourhood Area

**Background Papers:** none

**Agreed and signed off by:**

Legal Services: 30-05-14

Executive Head of Governance & Logistics: 30-05-14

Relevant Executive Head: 30-05-14

Portfolio Holder: 04-06-14

# NON EXEMPT

**Contact Officer:** Lucy Howard  
**Job Title:** Senior Policy Planner  
**Telephone:** 023 9244 6470  
**E-Mail:** [lucy.howard@havant.gov.uk](mailto:lucy.howard@havant.gov.uk)

Schedule A

## Emsworth Ward Map

