



Coventry City Council

COMMITTEE REPORT

Report to

Planning Committee

03/08/2017

Report of

Head of Planning and Regulation

Title

Neighbourhood Plan Submission Draft – Willenhall

Applicant

Willenhall Neighbourhood Forum

Ward

Binley & Willenhall

1.0 Purpose of the Report

- 1.1 To note the submission of the Willenhall Neighbourhood Plan and agree the statutory requirement to publicise and invite comment.

2.0 Recommendations

- 2.1 To note the formal submission draft of the Willenhall Neighbourhood Plan made by the Willenhall Neighbourhood Forum (see appendix 1);
- 2.2 To agree publicity and invite comments for a period of six weeks in line with Regulation 16 of the Neighbourhood Planning Regulations;
- 2.3 To delegate authority to the Head of Planning and Regulation to submit all representations and documentation to the examiner following the completion of the period of publicity.

3.0 Information/Background

- 3.1 The 2011 Localism Act introduced a right for communities to draw up a Neighbourhood Plan which is supported through national regulatory control. This provides an opportunity for local communities to get more actively involved in planning in their areas. Local Planning Authorities are expected to play a positive role in facilitating and supporting this process.
- 3.2 The Town and Country Planning Act 1990 (sections 61F – 61I) and the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the legislative background. The web based Planning Practice Guidance on Neighbourhood Planning gives Central Government Guidance.

- 3.3 On 3 July 2017, Willenhall Neighbourhood Forum submitted their Neighbourhood Plan to Coventry City Council. Alongside the draft Neighbourhood Plan itself, they also submitted a suite of other documents. These included the Basic Conditions Statement, Consultation Statement, and Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening. There is now a regulatory requirement for the Council to formally publicise and invite comments for a period of time in line with Regulation 16. In this case, a period of 6 weeks is proposed and is due to commence on 4 August 2017 and end on 15 September 2017.
- 3.4 Neighbourhood Development Plans must also be examined by a suitably qualified independent person, appointed by the Council and agreed by the qualifying body (Neighbourhood Forum). Neighbourhood plans must also pass a referendum of local voters by a simple majority. If a plan passes referendum, the Council must make (adopt) it, unless it breaches EU obligations or human rights legislation. Work is currently being developed to organise the referendum with the Council's election team although the timetable for this would be largely dictated by the outcome of the Examination.

4.0 Legal Considerations

- 4.1 The report and recommendations outline the current legal position with regard to the next stage in the process. The Council's discretion with regard to proceeding to publicity or otherwise is strictly limited by Government regulation and in this case the requirements for proceeding to post submission publicity appear to have been met.
- 4.2 It is a statutory requirement to support the preparation of neighbourhood plans and for this council to adopt, or 'make' them, if supported by the referendum and deemed to be in conformity with the strategic development needs set out in the Local Plan.

5.0 Publicity

- 5.1 The requirement to publicise the Willenhall Neighbourhood Plan and invite comments would be carried out through publication on the Council's website and will include:
- details of the plan proposal;
 - details of where and when the plan proposal may be inspected;
 - details of how to make representations;
 - a statement that any representations may include a request to be notified of the local planning authority's decision under regulation 19 in relation to the neighbourhood development plan; and
 - the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised.

6.0 Financial Considerations

- 6.1 The Council can seek grant funding from the DCLG to cover the costs of neighbourhood planning. The current arrangements for claiming financial support stay in place for 2016/17, with one minor change. In April 2015, the cap on the number of claims that can be made for designated neighbourhood forums was removed.

- 6.2 The first payment of grant to the City Council of £5,000 will be made following designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan. The second grant payment of £20,000 will be made on successful completion of the neighbourhood plan. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum. There is no cap on the number of claims that can be made in 2016/17.
- 6.3 The costs associated with supporting their Neighbourhood Plan will be funded from existing Local Plan revenue budgets where they exceed the grant funding secured from government. However, it is not expected this would be required.

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ALL BACKGROUND PAPERS OPEN TO PUBLIC INSPECTION at Place

Directorate, Civic Centre 4, Much Park Street and

www.coventry.gov.uk/neighbourhoodplanning

- Localism Act 2011.
- Neighbourhood Planning (General) (Amendment) Regulations 2016.
- Planning Advisory Service – Guide for Councils Meeting the requirements of the legal process for Neighbourhood Development Plans.

Appendix 1: Willenhall Neighbourhood Plan – Submission Draft