

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive
Date of Meeting:	22 November 2017
Subject:	Support for Neighbourhood Planning
Report of:	Paul Hardiman, Planning Policy Officer
Head of Service:	Annette Roberts, Head of Development Services
Lead Member:	Councillor E J MacTiernan, Lead Member for Built Environment
Number of Appendices:	One

Executive Summary

Following a reduction in funding for Neighbourhood Development Plans (NDPs), from the Department of Communities and Local Government (DCLG), it is necessary to review the decision of Executive Committee (4 September 2013) providing grant funding to Parishes developing NDPs.

Recommendation:

It is RESOLVED that:-

- 1. Grants (£2,000), from Tewkesbury Borough Council, are no longer offered to Parishes who start preparing a Neighbourhood Development Plan. However, Officers will continue to support Parishes in seeking funding opportunities to aid the delivery of their Neighbourhood Development Plans.**
- 2. The offer of grant funding to Parishes that have already started to develop a Neighbourhood Development Plan, having had a Neighbourhood Area designated prior the date of this decision, is honoured.**

Reasons for Recommendations

Reduced Funding from DCLG - Changes to central government funding to Local Planning Authorities (LPAs) for Neighbourhood Planning, in the financial year 2017/18, with an overall reduction of £10,000 per plan for new plans, from £30,000 to £20,000.

Resource Implications

Financial Resources - This action is required to reduce the projected deficit in funding received by Tewkesbury Borough Council (TBC) for Neighbourhood Planning from the DCLG.

Human Resources - The reduction in grant aid is likely to have an increased demand for direct support and assistance, in particular during the early stages of the preparation of a NDP. The human resource implications of our statutory obligations remain and require corporate contributions including: Development Services; Community Development; Financial Services; Democratic Services; and One Legal.

Legal Implications

Statutory Duty - TBC has a duty to undertake this work under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 as amended (2015).

Meeting Expectations – Our legal duty is to provide support rather than specifically grant funding. However, Parishes that have already had 'Neighbourhood Areas' designated have undertaken their financial planning on the basis that they will be eligible to claim a total of £2,000 of grants from TBC.

Risk Management Implications

Legal Requirements - Providing financial assistance is discretionary with the legal obligation being to 'advise and assist' Parishes who chose to prepare a NDP.

Mitigating Factors - Withdrawal of grant aid will be partially compensated by a parallel increase in funding available to Parishes, directly from central government through 'Locality' in the financial year 2017/18.

Residual Implications - The remaining reduction in grant aid is likely to have human resource implications with an increased demand for direct support and assistance.

Medium Term Implications – The current DCLG funding period runs from 2015 to 2018 after which further changes could occur. On 19 September 2017, the government announced that funding of £5.5m per year would be made available for Neighbourhood Planning in England up to 2022. Whilst further information on how much neighbourhood planning groups and LPAs will be eligible to claim have not yet been announced, further reductions are likely as this represents a reduction from £7.5m per year in the 2015 to 2018 period.

Long Term Implications – Though a statutory duty, funding has only been committed until 2022 and the trend from 2012 to 2022 has been to reduce funding to LPAs in relation to NDP funding.

Performance Management Follow-up

External Influences - The early stages in the development of a NDP is dependent on the timescales of the relevant Parish, as the 'Qualifying/Responsible Body' and it is during this period that the LPA is required to advise and assist, which includes carrying out certain statutory tasks within given timescales.

Internal Influences - Once a draft NDP has been properly submitted to the LPA as a 'Plan Proposal' the responsibility for meeting the given timescales and funding each of the subsequent stages of 'Public Consultation', 'Independent Examination', 'Community Referendum' and 'Making the Plan' by bringing it into legal force, lies with the Borough Council.

Environmental Implications

Legal Framework - No additional environmental implications are predicted as they will continue to be considered by the Qualifying Body and Tewkesbury Borough Council which, as LPA, has a statutory duty under the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2010.

1.0 INTRODUCTION/BACKGROUND

1.1 Neighbourhood planning was introduced in the Localism Act 2011 with specific legislation (the Neighbourhood Planning (General) Regulations 2012) coming into effect in April 2012, whilst amendments have been made in subsequent legislation this is still the Primary Act and main Statutory Instrument.

2.0 FUNDING FOR NEIGHBOURHOOD PLANS

2.1 DCLG funding to LPAs from DCLG was on a three stage payment set out as follows:-

1st payment - £5,000 on designation of a Neighbourhood Area.

2nd payment - £5,000 following submission of a plan to the LPA for consultation and independent examination.

3rd payment - £20,000 following a referendum.

This amounts to a total of £30,000 per plan.

2.2 However, in a letter from the Chief Planning Officer on 22 February 2017, the government announced changes to this funding, for the financial year 2017 to 2018, as follows:-

1st payment – £5,000 up to a limit of five NDPs (however, as we have already received 11 payments, whilst we will not be required to pay back any funding claimed prior to the change, we will not be eligible for any future funding at this stage).

2nd payment – Nil. The second £5,000 has been completely withdrawn.

3rd payment - £20,000 once a plan has completed a successful Independent Examination and a date is set for the Community Referendum.

This means that the maximum per NDP is now £20,000.

2.3 At the same time funding available to Parish Councils direct from DCLG, through locality, has increased from £7,000 in 2015/16 to £8,000 in 2016/17 and now £9,000 in 2017/18.

2.4 As the LPA, Tewkesbury Borough Council has a statutory duty to:

- Advise and assist communities in the preparation of NDPs.
- Assist in screening their potential environmental impact.
- Carry out legal checks and, if successful, public consultation on plan proposals.
- Take them through a process of independent examination.
- Submit them to public referendum.
- Make a decision on bringing them into legal force, making and publishing decisions at each stage throughout the process.

2.5 The Localism Act 2011 sets out the LPA's responsibilities:

- On application from a Parish Council, designate a Neighbourhood Area for which a plan will be prepared, which may involve a period of statutory consultation.
- Advise and assist communities in the preparation of their Plan.
- Assist in the screening of the draft Plan for environmental impact.
- Respond to statutory consultation undertaken by the Parish Council.
- Check submitted plans meet the legal requirements.

- Carry out statutory consultation on the plan as a proposal.
- Arrange for, and take the plan through, Independent Examination.
- Determine whether the final Plan, taking on board any of the Examiner's recommendations, meets the basic conditions and other legal requirements.
- Arrange a referendum of all those in the local community that have the right to vote in local elections.
- Subject to the results of the referendum, bring the plan into legal force.

3.0 NEIGHBOURHOOD PLAN COSTS

3.1 Three NDPs in the Borough have progressed to adoption: Winchcombe & Sudeley; Highnam; and Gotherington. The average costs at key stages of the Plan are as follows:

Costs to date:

Examination - £9,198.10.

Referendum - £4,087.53.

Legal - £5,083.80.

3.2 This demonstrates the new grant of £20,000, which the LPA receives to produce NDPs, will only just cover the cost that the local authority has to meet. The Council also supports Parishes through the Gloucestershire Rural Community Council funded from the community development budget and through dedicated Officer time in the preparation of Plans. The progress being made on Plan production is set out below:

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7.0 CONCLUSION

7.1 Given the reduction in grant from the DCLG to LPAs and the corresponding increase in funding to Parishes of £2,000, it is considered that the Council can no longer support the preparation of the NDPs through the grant aid of £2,000. The LPA will continue to meet its legal requirements in the preparation of Plans, support Parishes with professional support and help Parishes in seeking funding opportunities.

8.0 RELEVANT COUNCIL POLICIES/STRATEGIES

8.1 Tewkesbury Borough Council Plan 2012/16 seeks to support the delivery of homes and jobs to deliver community aspirations which is a key function of the NDP process.

9.0 RELEVANT GOVERNMENT POLICIES

9.1 The National Planning Policy Framework (2012) - Paragraphs 183 – 185.

10.0 RESOURCE IMPLICATIONS (Human/Property)

10.1 See above.

11.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

11.1 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to set planning policies to ensure that communities get the right types of development for their area within the overarching framework set by the local plan.

12.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

12.1 Neighbourhood plan process requires evidence of involvement by hard to reach groups. This is a matter for the relevant, qualifying body preparing the plan to address.

13.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

13.1 At Executive Committee on 4 September 2013 it was resolved that:

“The Borough Council will allocate funding for neighbourhood area designations in three stages as follows:-

- 1) £500 on approval of a neighbourhood area designation;
- 2) £500 on publication of the neighbourhood plan for examination; and,
- 3) £1,000 on successful completion of the neighbourhood plan examination”.

Background Papers: Executive Committee Report ‘Support for Neighbourhood Planning and Community Planning’ 4 September 2013.

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Appendices: 1 – Executive Committee Report – 4 September 2013.