

TITLE	Making Procedural Decisions Relating to Neighbourhood Planning
FOR CONSIDERATION BY	The Executive on 26 March 2015
WARD	None specific
DIRECTOR	Heather Thwaites, Director of Environment
LEAD MEMBER	John Kaiser, Executive Member for Planning and Highways

OUTCOME / BENEFITS TO THE COMMUNITY

To improve the efficiency of the planning system and continue to support town and parish councils in their neighbourhood planning efforts.

RECOMMENDATION

The Executive to agree that in future decisions to designate a neighbourhood area be dealt with by an Individual Executive Member Decision (IEMD), and that the Constitution Review Working Group be asked to support this as a recommendation to Council as an amendment to the Council's Constitution.

SUMMARY OF REPORT

The Department for Communities and Local Government is amending the Neighbourhood Planning (General) Regulations 2012 to introduce an eight week time limit to determining neighbourhood area applications. Under the current governance process, it would be impossible for the Council to meet the new deadlines.

Background

DCLG is amending the Neighbourhood Planning (General) Regulations 2012 to create a time limit for Local Planning Authorities to issue a decision on an application to designate a neighbourhood area. The decision will need to be made within:

- eight weeks if the area follows the boundaries of a single parish
- twenty weeks if the area crosses local planning authority boundaries
- thirteen weeks in all other cases

Within the statutory time period, a public consultation on the area designation must take place for four weeks if the area follows the boundaries of a single parish and for six weeks in all other cases. These changes come into force 9 February 2015.

Analysis of Issues

Overall the Council welcomes the opportunity to improve the efficiency of the planning system and in turn continue to support town and parish councils in their efforts to involve local people who care about their communities and want to get involved in improving them by producing a neighbourhood development plan. In order to enable neighbourhood area applications for areas that follow parish boundaries to be determined within the statutory eight weeks, the process by which the Council makes these decisions must be streamlined.

According to the National Planning Policy Guidance (NPPG) (Paragraph 022; Reference ID 41-022-20140306), in carrying out its neighbourhood planning functions, a local planning authority should:

- *be proactive in providing information to communities about neighbourhood planning*
- ***fulfil its duties and take decisions as soon as possible*** [emphasis added], *particularly regarding applications for area and forum designation*
- *set out a clear and transparent decision making timetable and share this with those wishing to prepare a neighbourhood plan or Order*
- *constructively engage with the community throughout the process.*

In addition, the NPPG advises that it is the Council's Executive that takes decisions on neighbourhood planning in a local planning authority and that the Executive may be able to delegate this duty (NPPG Paragraph 023; Reference ID 41-023-20140306).

Currently, the Executive make neighbourhood area designation decisions. The lead-in time for an item to go to the Executive is approximately eight weeks. Because of this lead-in time, it is necessary to streamline the decision making process. It is recommended that this be done by delegation of the decision to the relevant Executive Member (currently Executive Member for Highways and Planning) through an Individual Executive Member decision. As this proposal would require a change to the Council's Constitution this delegation will need to be brought through the Constitution Review Working Group as a recommendation to a full meeting of the Council.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	Nil	Nil
Next Financial Year (Year 2)	Nil	Nil	Nil
Following Financial Year (Year 3)	Nil	Nil	Nil

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

None

List of Background Papers

The Neighbourhood Planning (General) (Amendment) Regulations 2015

Contact Rebecca Bird	Service Land Use & Transport
Telephone No 0118 974 6456	Email rebecca.bird@wokingham.gov.uk
Date 16 March 2015	Version No. 2

This page is intentionally left blank