

Please note Part 2 report is now confidential appendix.

London Borough of Enfield

Portfolio Report

Report of: Executive Director Place

Subject: Redesignation of Hadley Wood Neighbourhood Forum

Cabinet Member: Cllr Caliskan, Leader of the Council

Executive Director: Sarah Cary

Ward: Hadley Wood

Key Decision: Non Key

Purpose of Report

1. This report seeks Cabinet Member approval to redesignate the Hadley Wood Neighbourhood Forum for a further period of five years.

Proposal(s)

2. The Cabinet Member is asked to:
 - (i) NOTE the responses to consultation on the application for the redesignation of the Hadley Wood Neighbourhood Forum and the Council's assessment of the Forum's application set out in Appendices 1 and 3;
 - (ii) AGREE the redesignation of the Hadley Wood Neighbourhood Forum as a neighbourhood forum for a period of five years.

Reason for Proposal(s)

3. The Forum was originally designated on 7 July 2015. Neighbourhood forum designations expire after five years and they need to be redesignated as an appropriate forum for the relevant neighbourhood area. The Forum is currently preparing a draft neighbourhood plan with the aim of submitting the plan to Enfield Council for examination following a pre-submission consultation. Redesignation would allow the Forum to continue using their neighbourhood planning powers and continue to take the necessary statutory steps to adoption. In line with the Neighbourhood Planning (General) Regulations 2012, the Council has consulted the local community on the application.

Relevance to the Council's Plan

4. Neighbourhood planning accords with Enfield Corporate Plan commitments, in particular those relating to sustaining strong and healthy communities. Designation

allows neighbourhood forums to play an active role in planning for their neighbourhood and encourages joint working between the Council and communities. It helps to ensure people have a voice in the development of plans and projects for their local area whilst protecting the local urban and green environment.

Background

5. The Hadley Wood Neighbourhood Forum and Area was designated by the Council on 7 July 2015. Forums have a specific role set out in legislation to prepare or review neighbourhood plans and comment on individual planning proposals. The Forum is currently preparing a final draft of its neighbourhood plan to submit to the Council for independent examination. Subject to the outcome of this examination, the Plan would be able to proceed to a local referendum and, if residents living in the neighbourhood area approve the use of the 'Hadley Wood Neighbourhood Plan' in decision making on planning applications, it would become part of the statutory development plan for the area.
6. Section 61F of the Town and Country Planning Act 1990 provides that neighbourhood forums are designated for a period of five years. The five-year designation of the Hadley Wood Neighbourhood Forum has now expired. The Forum is therefore seeking redesignation as the body responsible for facilitating neighbourhood planning in the Hadley Wood area. Unlike forums, neighbourhood areas are not designated for a time-limited period. The application for redesignation was submitted to the Council on 14 August 2020. If it is redesignated the Neighbourhood Forum will continue to use its planning powers within the designated Hadley Wood neighbourhood area.

Main Considerations for the Council

7. When determining the Forum's application for redesignation, the local planning authority:
 - a) must, in determining whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body
 - i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the above groups
 - ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
 - iii) whose purpose reflects (in general terms) the character of that area,
 - b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,
 - c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and
 - d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.
8. Please see Appendix 3 for an analysis of the above.

Safeguarding Implications

9. No safeguarding implications have been identified.

Public Health Implications

10. No public health implications have been identified.

Equalities Impact of the Proposal

11. No equalities impact has been identified in relation to the redesignation of the Hadley Wood Neighbourhood Forum. The Hadley Wood Neighbourhood Plan once prepared by the Forum will be subject to equalities impact assessment. An equalities impact assessment is therefore not required for the redesignation of the Forum. This is because the redesignation is an administrative process, which does not in itself create policy.

Environmental and Climate Change Considerations

12. The redesignation of the Hadley Wood Neighbourhood Forum in and of itself does not raise any environmental and Climate Change issues. Progressing the Hadley Wood Neighbourhood Plan will help the council to make decisions on planning applications in the Hadley Wood Neighbourhood Area to help achieve sustainable development.

13. The Hadley Wood Neighbourhood Plan will need be in conformity with Enfield's Local Plan and the London Plan, including in respect of achieving reductions in carbon emissions from development and promoting active and sustainable transport. The Hadley Wood Neighbourhood Plan will be subject to separate sustainability appraisal screening.

Risks that may arise if the proposed decision and related work is not taken

14. The Council has a statutory duty to make a formal decision on the redesignation of the Neighbourhood Forum in line with the Neighbourhood Planning (General) Regulations 2012.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

15. The Cabinet Member is asked to redesignate the Hadley Wood Neighbourhood Forum for a further period of five years. The officers cannot foresee any risks associated with that decision.

Financial Implications

16. This report seeks Cabinet Member approval to redesignate the Hadley Wood Neighbourhood Forum for a further period of five years. The estimated cost of the process of redesignation is circa £2k, which will be met from the Neighbourhood Planning Grant.

17. Council's further staff time/cost and administrative costs dedicated to the Neighbourhood Forum throughout the Forum's plan preparation to adoption can be up to £20k. These costs will be covered by another dedicated Neighbourhood Planning Grant once the Council decides that the Neighbourhood Plan can be taken to a referendum after a successful examination in public.

Legal Implications

18. The Localism Act 2011 introduced the concept of 'Neighbourhood Planning' and provided a new statutory regime through amendments to the Town and Country Planning Act 1990 and further provision through the Neighbourhood Planning (General) Regulations 2012 setting out the both application and consultation requirements
19. Section 61F of the Town and Country Planning Act 1990 provides a local planning authority with powers to designate an organisation or body as a neighbourhood forum provided it meets certain conditions set out within the section.
20. The local planning authority are obligated to determined applications made to it pursuant to the Neighbourhood Planning (General) Regulations 2012. The recommendations set out in this report are within the Council's powers and duties.

Workforce Implications

21. The Strategic Planning and Design service currently has the staff resources available to provide the necessary guidance to the Hadley Wood Neighbourhood Forum.

Property Implications

22. The Council is the owner of a number of property interests both within and adjacent to the Hadley Wood Neighbourhood Planning Area including substantial operational farmland which is within the Green Belt Portfolio. Redesignation would allow the Forum to continue using their neighbourhood planning powers and prepare the Hadley Wood Neighbourhood Plan. Once adopted, the Plan would become part of the Council's planning policy for the Hadley Wood Neighbourhood Area and any planning application within that area would be subject to the adopted planning policies.

Options Considered

23. The two options available to the Council are to approve or refuse the application received from the Hadley Wood Neighbourhood Forum. If the Council is minded to refuse the application, then it must give reasons.
24. Officer assessment of the application (see Appendix 3) shows that the Hadley Wood Forum meets the criteria for redesignation. The consultation responses received showed strong support for the Forum to be redesignated.
25. This report therefore recommends that the Hadley Wood Forum is a suitable body to be redesignated for a further period of five years.
26. Legislation allows a local planning authority to withdraw a forum's designation if it considers the forum is no longer meeting the conditions for designation.

Conclusions

27. Redesignation would allow the Forum to continue using their neighbourhood planning powers and take the Hadley Wood Neighbourhood Plan through its statutory stages to adoption. Having regard to the above and the attached, officers are satisfied that the Hadley Wood Neighbourhood Planning Forum is an appropriate body under section 61F(5) of the Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012.

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Date of report: 17 December 2020

Appendices

Appendix 1 – Hadley Wood Neighbourhood Forum Application for redesignation

Appendix 2 – Consultation schedule of responses

Appendix 3 – Council’s assessment of the application

Background Papers

The following documents have been relied on in the preparation of this report:

There are no documents used in the preparation of this report which are required to be listed.