

To: The Executive Director of Place

9th August 2022

North Kingston Neighbourhood Forum Designation

Report by the Strategic Planning Team

Purpose

To note the representations made in the recent consultation and to decide whether to redesignate North Kingston Forum as a neighbourhood forum for the North Kingston Neighbourhood Area.

Recommendation of the Assistant Director for Strategic Planning & Infrastructure

To -

1. Designate North Kingston Forum as a neighbourhood forum for the purposes of undertaking neighbourhood planning in the North Kingston Neighbourhood Area.

Key Points

- A. This report sets out the consultation process undertaken for this neighbourhood forum application.
- B. The application was submitted by a local community group called the North Kingston Forum. The North Kingston Forum was originally designated as the Neighbourhood Forum for the North Kingston Neighbourhood Area on 9th August 2017. This designation expired on 8th August 2022
- C. The consultation ran for a period of six weeks from 9th June 2022 to 22nd July 2022.
- D. The consultation was publicised on the Council's website, through site notices in North Kingston, and through emails to contacts on the Strategic Planning consultation database.
- E. A total of 18 responses were received during the consultation period.
- F. The North Kingston Forum is considered to meet all relevant requirements of the neighbourhood planning legislation.
- G. The Director of Place was given delegated authority to determine an application for the designation of a Neighbourhood Area or Neighbourhood by the Growth Committee on 23rd November 2016. It is recommended that the Director of Place designates the North Kingston Forum as the neighbourhood forum for the North Kingston Neighbourhood Area.
- H. If approved, the Council will publish the designation in accordance with legislation.

Context

1. The Localism Act 2011 introduced three 'neighbourhood level' planning powers, which came into force in April 2012. These are:
 - Neighbourhood Development Plans (commonly known as Neighbourhood Plans);
 - Neighbourhood Development Orders; and
 - Community Right to Build Orders.
2. The Neighbourhood Planning Regulations 2012 (as amended) set out the minimum level of requirements in relation to designating neighbourhood forums.
3. The Director of Place was given delegated authority to determine an application for the designation of a neighbourhood area or neighbourhood forum by the Growth Committee on 23rd November 2016.

North Kingston Neighbourhood Area

4. The first step required to secure neighbourhood planning powers is for the local planning authority to designate a neighbourhood area. The North Kingston Neighbourhood Area, an area covering Canbury and Tudor wards (as defined in 2017), was designated on 30th March 2017.
5. The North Kingston Forum was subsequently designated as the neighbourhood forum for the North Kingston Neighbourhood Area on 9th August 2017. This designation lasted for 5 years and expired on 8th August 2022.
6. The North Kingston Forum applied to be redesignated as the neighbourhood forum for the North Kingston Neighbourhood Area on 16th May 2022. If redesignated a neighbourhood forum, the North Kingston Forum will be allowed to undertake neighbourhood planning in this area for a period of five years from the date of redesignation (see Annex 1).

Consultation

7. As required by the relevant regulations, the application was published for consultation from 9th June 2022 to 22nd July 2022. The application and related materials were published on the Council's neighbourhood planning webpage, <https://www.kingston.gov.uk/neighbourhoodplanning>.
8. The Council notified contacts registered on the Strategic Planning consultation database by email and letters (to those who requested them) about the application. Site notices were put up at 11 locations throughout the North Kingston Neighbourhood Area.
9. A total of 18 responses were received during the consultation period. 11 responses were in support of redesignation. 2 were against redesignation. Full details of the responses and the consultation are provided in the Consultation Statement (Annex 2).

Consideration of Neighbourhood Forum Application

10. Section 61F(5) of the Town and Country Planning Act 1990 explains that the Council may designate a Neighbourhood Forum where no Parish Council exists in order for neighbourhood planning to be undertaken in a designated neighbourhood area if the prospective neighbourhood forum meets prescribed conditions. The prescribed conditions relate to whether the neighbourhood forum:
 - is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned;
 - allows membership of any person who lives, works or represents the area politically;
 - has a minimum of 21 members; and
 - has a written constitution.
11. Consideration has been given to the above conditions, the application submitted by the North Kingston Forum and the consultation representations received on the application. Officers are satisfied that the above conditions have been met by the North Kingston Forum and therefore recommend that it be redesignated a Neighbourhood Forum for the North Kingston Neighbourhood Area.

Next Steps

12. If designated, the Council will publish a designation notice, a draft of which has been produced (Annex 1). The Council has a duty to support those undertaking neighbourhood planning and will continue working with the North Kingston Forum, in accordance with the Council's Neighbourhood Planning Protocol, to meet this duty.
13. If designated, the redesignation should be made on 9th August 2022 upon the expiration of the existing designation.

Resource Implications

14. The application to redesignate the North Kingston Forum does not raise any financial or resource implications for the Council at this stage. However, the Council has a duty to support and advise the neighbourhood forum in the preparation of the neighbourhood plan, including paying for the independent examination and the referendum.
15. The Council can claim £20,000 from the Government once they have set a date for a referendum following a successful examination.

Legal Implications

16. An adopted Neighbourhood Plan would affect how the Council determines planning applications and how it carries out other planning functions, including sending consultations to the Neighbourhood Forum. There will also be implications on how Community Infrastructure Levy for development in the Neighbourhood Area is spent.

Risk Assessment

17. No specific risks have been identified.

Equalities Impact Assessment

18. This has been covered by the Neighbourhood Planning Regulations.

Road Network Implications

19. No specific road network implications have been identified.

Environmental Implications

20. No specific environmental implications have been identified.

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List of reports and supporting information

- Annex 1 - Neighbourhood Forum Redesignation Notice
- Annex 2 - Consultation Statement

List of Background reports/document

- Amended Neighbourhood Planning Protocol (adopted November 2016)
- Application for Re-Designation of the North Kingston Neighbourhood Forum May 2022.