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**Meeting:** Executive  
**Date:** 18 March 2013  
**Subject:** Designation of Neighbourhood Areas  
**Report of:** Cllr Nigel Young, Executive Member for Sustainable Communities – Strategic Planning and Economic Development

**Summary:** The report seeks designation of Caddington and Slip End as a Neighbourhood Area and clearly sets out the process by which Central Bedfordshire Council designates Neighbourhood Areas to facilitate Neighbourhood planning for Central Bedfordshire. It recommends that the decision to approve neighbourhood plan area boundaries be delegated to the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development.

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**Advising Officer:** Gary Alderson, Director, Sustainable Communities  
**Contact Officer:** Sally Chapman, Development Planning Process Team Leader  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Executive  
**Key Decision** No  
**Reason for urgency/  
exemption from call-in  
(if appropriate)** N/A

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

The adoption of Neighbourhood Plans will support Central Bedfordshire Council's priority of managing growth effectively. The relevant Medium Term Plan Priority is "Enhancing Your local Community - creating jobs, managing growth, protecting our countryside and enabling businesses to grow". Neighbourhood Plans will be able to allocate land for particular land uses and address locally specific planning issues. Designation of Neighbourhood Areas allows neighbourhood planning to take place.

**Financial:**

1. The process by which Neighbourhood Plans will be adopted has financial implications. The costs of support in terms of advice and technical support, examination and referendum must be met by Central Bedfordshire Council. Central Bedfordshire Council has successfully bid twice for the Central Government's "Neighbourhood Plan Front Runners Scheme" resulting in grant income of £40,000. The current uptake of the opportunity to produce a neighbourhood plan is low, with only two or three plans anticipated. The costs involved in the preparation of the Neighbourhood Plan itself are borne by the town or parish council undertaking the plan.
2. The Department of Communities and Local Government have recently announced additional funding available to Local Authorities (i.e. Central Bedfordshire Council) to support communities in producing Neighbourhood Plans in 2012/13. There will be an unringfenced payment of up to £30,000 per scheme. The first payment of £5,000 will be paid following the designation of a Neighbourhood Area and the second payment of £5,000 will be made on publicising the Neighbourhood Plan and the final £20,000 following the examination of the Neighbourhood Plan. This funding is in addition to the "Neighbourhood Plan Front Runners Scheme".

**Legal:**

3. The designation of a Neighbourhood Area has to take place before any form of neighbourhood planning can take place. Once the Neighbourhood Plan is adopted, it will become part of the Development Plan and will constitute a material planning consideration to be taken into account when determining applications made in respect of the town or parish.

**Risk Management:**

4. None identified.

**Staffing (including Trades Unions):**

5. Not applicable.

**Equalities/Human Rights:**

6. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
7. Neighbourhood Plans and Orders will be required to conform to the Development Strategy. The Strategy has been subject to a detailed Equalities Impact Assessment and officers will check that proposals comply with the agreed strategic policies. Depending on the nature of the Neighbourhood Plan or Order, some will also be subject to their own Sustainability Appraisals and thus their impact on the social aspects of the plan in terms of housing mix, employment / skills, healthier lifestyles, infrastructure and transport will be further assessed.

**Public Health:**

8. Central Bedfordshire Council will need to ensure that it complies with its duties to promote access to green space, encourage sustainable transport and ensure that the built environment maximises opportunities for physical activity. This in turn will help the council to improve outcomes for health and wellbeing.

**Community Safety:**

9. Central Bedfordshire Council will need to ensure that it complies with its statutory duties under Section 17 of the Crime and Disorder Act and that all plans fulfil the criteria set down for community safety within the adopted Central Bedfordshire Design Guide.

**Sustainability:**

10. If required, Neighbourhood Plans will be assessed under the Sustainability Appraisal/Strategic Environmental Assessment requirements as set out in the National Planning Policy Framework.
11. Neighbourhood Plans will need to be prepared to comply with strategic policies in the emerging Development Strategy. Emerging policies within this document require new development to meet the Code for Sustainable Homes and BREEAM requirements to ensure increased sustainability.

**Procurement:**

12. Not applicable.

**Overview and Scrutiny:**

13. This matter has not been considered by Overview and Scrutiny.

**RECOMMENDATIONS:****The Executive is asked to:**

1. **delegate the designation of Neighbourhood Area to the Director of Sustainable Communities, in consultation with the Executive Member for Sustainable Communities – Strategic Planning and Economic Development, even if objections or comments have been received;**
2. **to designate Caddington and Slip End as a Neighbourhood Area, incorporating both parish areas.**

*Reason for Recommendation(s): To ensure that Neighbourhood Areas can be designated in accordance with the Localism Act 2012.*

**Executive Summary**

14. The Localism Act 2012 introduced reforms to the planning system and introduced a new tier of planning called neighbourhood planning.

15. In order to allow a town or parish council to undertake neighbourhood planning, a neighbourhood area has to be designated. Neighbourhood plans are led and produced by town or parish councils but Central Bedfordshire Council has a duty under the Localism Act to provide advice and assistance in the process and also to publicise, organise and pay for the examination and referendum of the Neighbourhood Plan.
16. Once adopted, the Neighbourhood Plan will become part of the statutory Development Plan for Central Bedfordshire and constitute a material planning consideration for planning decision within the neighbourhood plan area.

## **Introduction**

17. The Localism Act 2012 introduced major reforms to the planning system giving local communities new rights to shape and plan their neighbourhood. The Act introduced a new initiative, Neighbourhood Planning which includes Neighbourhood Plans and Neighbourhood Development Orders. These plans set out policies on the development and use of land and buildings in the parish or neighbourhood area. A Neighbourhood Plan is a document which will set out local policies and allocations, and a Neighbourhood Development Order deals with a specific planning proposal on a specific site, or grants planning permission for a type of development such as change of use.
18. Once adopted, a Neighbourhood Plan will become part of the Development Plan for Central Bedfordshire, meaning that it will constitute a material planning consideration within the planning system. A Neighbourhood Development Order effectively grants planning permission for the specific development or type of development.
19. Currently, Caddington and Slip End (jointly), Toddington and Barton Le Clay have all begun work on a Neighbourhood Plan. Two Neighbourhood Areas, Toddington and Barton-le-Clay have already been designated. Two further parishes have indicated an interest in producing a Neighbourhood Plan in the future but several other parishes have decided not to produce a Neighbourhood Plan.

## **Designation of a Neighbourhood Area**

20. Neighbourhood Plans or Orders must be initiated by the town or parish councils who decide on the proposed boundary known as the Neighbourhood Area. An application is then submitted to Central Bedfordshire Council who are required by the Regulations to publicise the application formally for a six-week period and invite representations. The Ward Members will be informed of any proposed Neighbourhood Areas for Parishes in their area.

21. The extent of the area will be considered, taking into account any factors that the Council considers relevant, such as geographical features, planned infrastructure and services, development proposals or allocations or environmental designations. In Central Bedfordshire, the area considered to be generally the most appropriate is the Parish or Town Council area. Should the Council see no objection to the area proposed for designation, the Neighbourhood Area can be formally designated.
22. The report seeks to clarify that the decision to approve Neighbourhood Area designations is delegated to the Director of Sustainable Communities, in consultation with the Executive Member of Sustainable Communities – Strategic Planning and Economic Development, taking into account any representations that may be received. This will include consideration of the grounds of any objections received.
23. If an application for designation of a Neighbourhood Area is considered unsuitable, the decision to refuse such an application will be an Executive decision.

### **Caddington and Slip End Neighbourhood Area**

24. Caddington and Slip End are two parishes that agreed, of their own accord, to work together to produce a Neighbourhood Plan. They have a good working relationship and work together on such issues as gritting local roads in cold weather. Geographically they are similar in character, individual settlements with small hamlets set in a rural landscape, albeit bounded by the M1 and A5 in relatively close proximity to Luton and Dunstable.
25. Luton Borough Council has objected to the designation of the Neighbourhood Area on the grounds that 'Given the geographical relationship of Caddington and Slip End to Luton and that your emerging strategy has yet to address our concerns regarding future needs, we consider that it would be totally inappropriate and premature for approval to be given to the designation of this Neighbourhood Area.'
26. The emerging Development Strategy does not allocate land for development specifically within Caddington and Slip End. If it were to do so, the Neighbourhood Plan would have to comply with the strategic policies of the Development Strategy.
27. The government is keen for Neighbourhood Plans to be made and Caddington and Slip End is a front runner in the Neighbourhood Plans Front Runner Scheme. It is considered that Luton Borough Council's reasons for objecting to the designation of the area are not founded on objections about the extent of the area, but about the potential content of any Plan which may emerge. Luton Borough Council will have the opportunity to comment on the content of any emerging plan in the future.
28. A further representation has been received supporting the designation of the Caddington and Slip End Neighbourhood Area from the Member of Parliament for the two parishes, Gavin Shuker MP.

## **Conclusion**

29. It is therefore recommended that the area encompassing the two parishes is designated as a Neighbourhood Area.

## **Appendices:**

None

## **Background Papers:**

None