

Report To:	CABINET
Date:	20TH JANUARY 2025
Heading:	REDESIGNATION OF THE TEVERSAL, STANTON HILL AND SKEGBY NEIGHBOURHOOD FORUM
Executive Lead Member:	CLLR MATT RELF – EXECUTIVE LEAD MEMBER FOR GROWTH, REGENERATION AND LOCAL PLANNING
Ward/s:	STANTON HILL & TEVERSAL, SKEGBY, THE DALES AND CARSIC
Key Decision:	YES
Subject to Call-In:	YES

Purpose of Report

To consider the application for the redesignation of the Teversal, Stanton Hill and Skegby Neighbourhood Forum.

Recommendation(s)

Cabinet is recommended, in accordance with the Town & Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012, as amended, to re-designate the Teversal, Stanton Hill and Skegby Neighbourhood Forum in relation to the Teversal, Stanton Hill and Skegby Neighbourhood Area, to take effect from 27 January 2025.

Reasons for Recommendation(s)

National planning policy places an emphasis on neighbourhood planning and local councils facilitating neighbourhood planning. The Forum has brought forward the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016-2031, which forms part of the Council's Local Development Plan. They are an active Forum, which sets out to represent the view of the local community. Based on the information submitted, it is considered that the application meets the legislative requirements, and the Council should re-designate the Neighbourhood Forum.

Alternative Options Considered

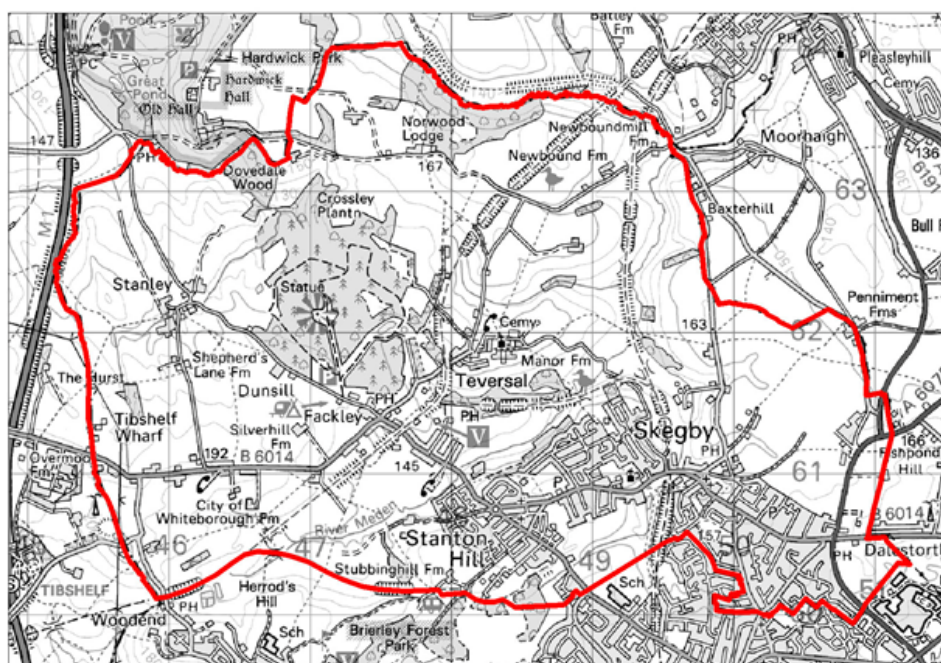
Not to redesignate the Forum. However, in compiling its recommendations, the Council has considered the evidence submitted by the Forum as well as the representations received on the

consultation. Subject to them being a “relevant body” and meeting the legislation requirements, the Council must exercise its power of designation of a Neighbourhood Forum. Not recommended.

Detailed Information

The Localism Act 2011 introduced the right for the community to come together to draw up a Neighbourhood Development Plan (commonly called a neighbourhood plan). The Council designated the Teversal, Stanton Hill and Skegby Neighbourhood Forum in February 2015. It relates to the Neighbourhood Plan Area of the same name and covers the area to the north of Sutton in Ashfield including the settlements of Teversal, Stanton Hill, Skegby, Fackley, and Stanley, see plan set out below. The Forum has brought forward the Teversal Stanton Hill and Skegby Neighbourhood Plan, which was made on 7th November 2017.

The Town and Country Planning Act 1990 Section 61F (8) sets out that the designation of a forum ‘ceases to have effect at the end of the period of 5 years beginning with the day on which it is made’. The forum was last redesignated by Cabinet on 27th January 2020. Consequently, the Forum has applied to the Council to renew its designation for a further 5 years in accordance with the provisions of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and The Neighbourhood Planning (General) Regulations 2012 as amended. Redesignation will enable the Neighbourhood Forum to act under the relevant legislation in relation to the designated Neighbourhood Plan Area, which remains unchanged. The map below shows the Neighbourhood Plan Area outlined in red.



A valid application for the redesignation of the Forum was received on 11th September 2024, comprising:

- a) the name of the Neighbourhood Forum;
- b) a copy of the written constitution of the Neighbourhood Forum;
- c) the name of the neighbourhood area to which the application relates and a map which identifies the area;

- d) the contact details of at least one member of the proposed Neighbourhood Forum to be made public;
- e) a statement which explains how the proposed Neighbourhood Forum meets the conditions contained in section 61F (5) of the 1990 Act; and
- f) A list of the names and addresses of 21 members of the Forum.

The Regulations state that a neighbourhood forum application should be publicised for a period of not less than six weeks (the formal period for representations) before the Council can consider the respective designations. The application for the Forum was open to representations for the period from 11th October 2024 to 22nd November 2024. A total of 3 responses were received; 2 were from members of the Forum in support of redesignation and 1 response was from Bolsover District Council which offered no objections. The low number of responses is not considered unusual based on past consultations as well as those of other councils on the designations of neighbourhood forums.

The Town and Country Planning Act 1990 Section 61F (5) states that local planning authorities may designate an organisation or body as a Neighbourhood Forum if the following conditions are met:

- a) It 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.
- b) Its membership is open to-
 - i. Individuals who live in the neighbourhood area concerned,
 - ii. Individuals who work there, and
 - iii. Individuals who are elected members of a county council, or district council any of whose area falls within the neighbourhood area concerned.
- c) Its membership includes a minimum of 21 individuals, each of whom lives or works or is an elected member any of whose area falls within the neighbourhood area.
- d) it has a written constitution

The Statement submitted with the application identifies that the Forum has been established to promote or improve the social, economic and environmental wellbeing of the area. Clearly, the Forum has brought forward a made Neighbourhood Plan. It has been verified by officers that it has at least 21 members who live, work or who are members of the County or District Council covering the area. A written constitution has been submitted with the application, which is reflective of the Statement. The Council is satisfied from the information provided that the Forum has met the following elements of the Act, (Section 61F (7)) which it must consider when determining the designation, that is:

- The organisation or body has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the sub-paragraphs of living, working or are council members any of whose area falls within the neighbourhood area.
- The membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- The organisation's purpose reflects (in general terms) the character of the neighbourhood area.

Should the Council approve the application for the renewal of the Forum, no other organisation can be designated as a Neighbourhood Forum for the Teversal, Stanton Hill and Skegby Neighbourhood Area until the designation is withdrawn or expires. This will only affect the ability to use neighbourhood planning powers. It will not affect the establishment or existence of any other community, charitable, neighbourhood or voluntary organisations in the area.

Implications

Corporate Plan:

The redesignation of the Forum will contribute towards the Corporate Plan's purposes including working more closely with our communities in delivering the changes the Council aspires to see in Ashfield.

Legal:

An application for the designation of a Neighbourhood Forum can be made by a "relevant body" under the provisions of The Neighbourhood Planning Regulations 2012, as amended. Once a valid application is made, the Council is required to consider whether or not to designate the neighbourhood forum. The Regulations require that the Council determine the application within 13 weeks beginning with the day immediately following that on which the application is first publicised in accordance with regulation 9. Other relevant legislative provisions are set out in the body of the report. [RLD 04/12/2024]

Finance:

There are limited direct costs associated with the consultation of the Neighbourhood Forum under Regulation 9. However, for the financial year 2024/2025, local planning authorities (lpa) can claim £5,000 from central government for the first five neighbourhood forums they designate. The limit of five forums applies to the total number of areas designated in the lpa (i.e. it includes claims made in the past for forums designated) and includes the re-designation of forums. As the Council has only designated one forum to date, if the Forum is re-designated the Council will be able to claim the sum of £5,000. Overall, the financial implications are therefore not material. [PH 10/12/2024]

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
Legal challenge to the designation of the Forum. This is considered to be minimal.	The Council has followed the requirements of relevant legislation for the designation of the Forum.

Human Resources:

There are no direct HR implications contained within this report. [KH 02.12.24]

Environmental/Sustainability:

There are no direct environmental / sustainability implications within this report.

Equalities:

The equalities impact of designating the Neighbourhood Forum have been considered and it is concluded that there are none.

Other Implications:

None

Reason(s) for Urgency

None

Reason(s) for Exemption

None

Background Papers

The following background papers are available on the Council's website:

The application for the Neighbourhood Forum including:

- A copy of the written constitution;
- Map of the identified area;
- A statement explaining how the proposed neighbourhood forum meets the conditions set out in Section 61(F) The Act.

Report Author and Contact Officer

Darius Walker
Graduate Planning Officer
Darius.walker@ashfield.gov.uk
01623 457402

Christine Sarris
Assistant Director - Planning
Christine.Sarris@ashfield.gov.uk
01623 457375
Sponsoring Executive Director

JOHN BENNETT
EXECUTIVE DIRECTOR - PLACE
john.bennett@ashfield.gov.uk
01623 457230