



Northumberland County Council

**RECORD OF DECISION TAKEN BY
THE LEAD EXECUTIVE DIRECTOR IN CONSULTATION WITH POLICY
BOARD MEMBER**

Lead Executive Director: Steven Mason

**Policy Board Member: Councillor Allan Hepple, Planning, Housing and
Regeneration**

ALLENDALE NEIGHBOURHOOD PLAN: APPROVAL FOR REFERENDUM

Purpose of Report

The purpose of this report is to formally receive the report of the Independent Examination into the Allendale Neighbourhood Development Plan, to endorse and make the recommended minor modifications to the Plan, and approve the organisation of a local referendum.

Recommendations

It is recommended that:

- 1. The Report of the Independent Examination into the Allendale Neighbourhood Development Plan, published on 8 December 2014, is accepted by the Council**
- 2. The modifications recommended by the Independent Examiner are made to the Allendale Neighbourhood Development Plan prior to a local referendum being held;**
- 3. The referendum version of the Allendale Neighbourhood Development Plan meets the 'basic conditions' and complies with the provisions of section 38A and 38B of the Planning and Compulsory Purchase Act 2004. A statement to that effect will be published on the Council's website; and**
- 4. A local referendum is held in the Allendale Neighbourhood Area to allow all eligible registered persons to vote on whether the Allendale Neighbourhood Development Plan should be used by Northumberland County Council to help it determine planning applications in the Allendale Neighbourhood Area.**

Key Issues

- 1. The Allendale Neighbourhood Development Plan has been prepared by Allendale Parish Council with significant support from the Council. The Plan has now passed Independent Examination and, subject to the Council confirming its agreement on some minor modifications recommended by the**

Examiner, the Plan may now proceed to referendum. In accordance with legislation, the Council must now formally accept the Examiner's Report and confirm whether it agrees with the recommendations and give reasons for that decision.

2. The Council has supported neighbourhood planning activity across Northumberland since the introduction of enabling legislation in 2011. The Council has actively engaged in supporting Allendale Parish Council as one of the first national pilot projects known as 'neighbourhood planning front runners'.
3. The final stages of the plan making process will involve holding a local referendum in the Parish. If the Neighbourhood Plan is supported at the referendum, the Council must resolve to 'make' (adopt) the Neighbourhood Plan as part of the Development Plan, after which it must be used in making decisions on relevant planning applications in Allendale Parish.
4. The Council must prepare supporting documentation prior to a referendum being held. The purpose of this report is to ensure that appropriate authority is secured to publish a determination that the Allendale Neighbourhood Development Plan meets all legal requirements and that the necessary steps may be taken to arrange the local referendum.
5. It is intended that a referendum will take place prior to the commencement of the general election purdah period. The latest date on which a referendum could be held will be Thursday 26 March 2015. To ensure statutory requirements are met it is necessary to publish an Information Statement setting out details of the referendum at least 28 working days prior to polling day. This will require publication of that Statement on or before Tuesday 17 February 2015. Prior to that date the Council should publish its decision to take the Plan to referendum having considered and accepted the recommendations arising from the Independent Examination.

Report Author	David English – Communities and Infrastructure Manager (01670) 623619 david.english@northumberland.gov.uk
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Allendale Neighbourhood Development Plan: Referendum

BACKGROUND

1. The power for local communities to lead the preparation of locally specific planning policy documents was introduced through the Localism Act in November 2011. These powers are given to Parish Councils, where they exist. Prior to enactment of the legislation the government introduced a programme of pilot projects in December 2010 – the Neighbourhood Planning Front Runners – to test the effectiveness of the draft legislation and to establish good practice in plan making at a parish and neighbourhood level.
2. The Allendale area was identified by a local community group as a candidate for entry into the front runners programme. The County Council submitted a bid for entry into the Front Runners programme in February 2011. The project was accepted into that programme in April 2011 and since that time the County Council's Planning Officers have actively supported Allendale Parish Council in preparing the Plan.
3. The Council's Planning Officers have:
 - Planned and managed engagement with the local community to establish their priorities for the creation of locally specific planning policies;
 - Coordinated collection of relevant evidence to support policies in the Plan; and
 - Undertaken a wide range of community engagement and consultation activities, including statutory publicity about the Plan at its various stages of preparation in order to test and validate support from the local community for the draft Plan.
4. Consultation on a pre-submission draft Plan took place in spring 2013. This led to identification of the need for further evidence on housing needs and on support for designation of Local Green Space through the Plan. Additional survey work was undertaken which resulted in revisions to the draft Plan prior to submission to the County Council in February 2014. Further modification to supporting documents took place during summer 2014 and the Submission Draft Plan was passed to an Independent Examiner appointed by the County Council in autumn 2014.
5. All necessary publicity on the Submission Draft Plan was carried out by the County Council. This resulted in the submission of eight written representations. These representations were passed to the Independent Examiner and were considered through the examination process. The Independent Examiner considered that matters raised could be dealt with by way of written representation and confirmed that he did not intend holding a public hearing. His report addresses the representations and, where necessary, recommends modification as a result of the representations.
6. A report was presented to the County Council and Allendale Parish Council on 8 December 2014 recommending that, subject to five minor modifications, the Plan would meet the 'basic conditions' set through legislation for Neighbourhood Plans. Subject to amendments being made to the Plan as recommended, the Examiner confirmed that the Plan could proceed to referendum, and that the referendum area need not extend beyond the

Allendale Neighbourhood Area (as designated by the County Council in January 2013).

7. Modifications proposed by the Independent Examiner cover three general areas:
 - Revisions to the text of the Plan to describe the plan-led system of decision making established through the Town and Country Planning Acts to ensure that it is evident in the Plan that planning permission will be granted for development that accords with Development Plan policies unless material considerations indicate otherwise (section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990); and
 - The need to incorporate minor changes proposed by English Heritage concerning the protection of heritage assets covered in policies ANDP1, ANDP7 and ANDP8 of the Plan; and
 - Typographical errors and changes arising from updates should be made prior to the referendum.
8. These modifications are considered to be reasonable and ensure that the Plan meets the basic conditions. Accordingly they have been included in a revised version of the Plan attached to this report (see Appendix 1). The Independent Examination Report is available separately as a background paper to confirm the precise nature of the changes.
9. The Plan as modified needs to be approved for publicity by the County Council prior to a local referendum being arranged and its decision to proceed with a modified Plan towards referendum must be published in a 'decision statement' required through regulation 18 of The Neighbourhood Planning (General) Regulations 2012. This statement must be publicised on the Council's website and in any way the Council considers will bring it to the attention of people living, working or carrying on a business in the Plan area. A draft 'decision statement' is attached to this report for approval (see Appendix 2). This will be placed on the Council website and publicised through a press release prior to the referendum.
10. It is intended that the referendum should take place before 30 March 2015 to avoid the purdah period associated with the general election planned for May 2015. Work is underway to arrange the referendum including preparation of a project plan and preparation of all necessary documentation associated with arranging and publicising the referendum. To meet the target referendum date of Thursday 26 March 2015 all work to prepare for the referendum must be completed on or before Tuesday 17 February. The draft work programme is set out in a timetable attached to this report (see Appendix 3).

BACKGROUND PAPERS

National Planning Policy Framework (CLG, March 2012)

National Planning Practice Guidance (CLG, March 2013)

Tynedale District Local Plan (April 2000) (saved policies at September 2007)

Tynedale Local Development Framework Core Strategy (October 2007)

Allendale Neighbourhood Development Plan: Referendum Plan (March 2015)

Allendale Neighbourhood Development Plan: A Report to Northumberland County

Council of the Independent Examination of the Allendale Neighbourhood

Development Plan by Independent Examiner Christopher Edward Collison (8

December 2014)

IMPLICATIONS ARISING OUT OF THE REPORT

Policy	Neighbourhood Development Plans comprise part of the Development Plan. Once 'made' the Allendale Neighbourhood Development Plan will be the most up-to-date part of the Development Plan covering Allendale Parish. Decisions on planning applications must be made in accordance with policies in the Plan once it is made, unless material considerations indicate otherwise.
Finance and value for money	Significant human resource from the County Council has been applied in reaching this stage in plan preparation. This has resulted in an in-depth understanding of the process of preparing a Neighbourhood Plan which has helped the County Council provide relevant advice to Parish Councils. Costs will arise in arranging and publicising the referendum.
Human Resources	Plan preparation was undertaken using County Council resources and grant funding from DCLG as part of the Neighbourhood Planning Front Runner programme. Substantial officer time has been committed to making the project a success. This has included project management and plan preparation led by the Communities and Infrastructure Manager; dedicated support from one full time student Planner; and the support of a Senior Planner and Locality Officer over a three year period.
Property	Asset Management should have regard to the policies in the Plan as they affect the Council's land holdings and may impact values.
Equalities	There are no equalities implications arising from this report. This matter was acknowledged in the Independent Examiners report.
Risk Assessment	A risk assessment of the project was undertaken on commencement. All measures have been taken to remove risk to the successful conclusion of the project. The draft Plan has passed Independent Examination and the only remaining risk lies at local referendum. The County Council can take no action from this point to influence the decision of electors on a referendum.
Crime & Disorder	The implications of Section 17 of the Crime and Disorder Act have been considered and there are no direct or indirect impacts with regard to crime and disorder.
Customer Considerations	Preparation of the Plan has involved a significant amount of consultation and engagement with the local community, businesses, and other stakeholders including statutory consultation bodies. Representations made from the community and others have all been considered throughout the Plan making process and have influenced the final policies in the Plan
Sustainability	A sustainability review of draft policies was undertaken by Planning Aid England. The conclusions of that work influenced the drafting of policies in the Plan. The Plan has passed Independent Examination where one of the basic conditions to be met requires that the Plan

	contributes to the achievement of sustainable development.
Wards	The Plan covers only Allendale Civil Parish.

DECISION TAKEN

Lead Executive Director: Steven Mason

Policy Board Member for Planning, Housing and Regeneration: Councillor Allan Hepple

Subject: Allendale Neighbourhood Development Plan - Referendum

Consultation response of Policy Board Member -

Decision Taken:

Agree that:

1. The Report of the Independent Examination into the Allendale Neighbourhood Development Plan, published on 8 December 2014, is accepted by the Council;
2. Modifications recommended by the Independent Examiner are made to the Allendale Neighbourhood Development Plan prior to a local Referendum being held;
3. The Referendum version of the Allendale Neighbourhood Development Plan meets the 'basic conditions' and complies with the provisions of section 38A and 38B of the Planning and Compulsory Purchase Act 2004. A statement to that effect will be published on the Council's website; and
4. A local referendum is held in the Allendale Neighbourhood Area to allow all eligible registered persons to vote on whether the Allendale Neighbourhood Development Plan should be used by Northumberland County Council to help it determine planning applications in the Allendale Neighbourhood Area.

Signature

Lead Executive Director

Steven P Mason

Date

6/2/15

Policy Board Member for Planning,
Housing and Regeneration

Allan Hepple

Date

10/2/15