

Hambleton District Council

Report To: Cabinet

Date: 7 September 2021

Subject: **Brafferton and Helperby Neighbourhood Area Designation**

Portfolio Holder: Planning
Councillor D A Webster

Wards Affected: Raskelf and White Horse Ward

1.0 Purpose and Background

- 1.1 The Localism Act 2011 provided a new statutory regime for Neighbourhood Planning. Regulations came into force on 6 April 2012 making legal provisions in relation to that regime and a first step in the process is the designation of a Neighbourhood Area.
- 1.2 On 7th June 2021 an application was submitted to this Council by Brafferton and Helperby Parish Council for designation of their Neighbourhood Plan Boundary as a Neighbourhood Area to enable them to proceed with formal Neighbourhood Plan preparation (See letter and map at Annex A).
- 1.3 We are under a general duty to support Neighbourhood Plans preparation and several meetings have been held with the Parish Council.
- 1.4 The application for Neighbourhood Area designation was publicised on 16th June 2021 and now the Council must consider any representations submitted by 28th July 2021 before making a decision on designation of the area.
- 1.5 The application was publicised on Hambleton's website, social media and site notices were erected around the village. In addition, the Parish Council put a notice with a copy of the application and map on their website.
- 1.6 The Council should support the application as it is validly made, the area provides for a logical Plan making boundary and following a consultation there have been 7 representations to its designation which are summarised below; Therefore, if Council decides not to support the application, it must give reasons.
 - There have been 4 letters supporting the Designated Area and with a view that this would allow villagers to have a say in how the village develops.
 - The other 3 letters are from statutory consultees who have stated that at this stage they have no comments to make about the Designated Area

2.0 Link to Council Priorities

- 2.1 This directly links to the Council's priority on Enhancing the Local Areas.

3.0 Risk Assessment

3.1 There are no significant risk associated with report's recommendation .

4.0 Financial Implications

4.1 There is no cost associated with Neighbourhood Area designation other than a small cost for advertising the decision in a local newspaper, and the amount officer time involved is minimal at this stage. However, the Council will incur further costs with the subsequent preparation of the Neighbourhood Plan (e.g. for the examination and referendum) but this is expected to be covered by financial support from the Ministry of Housing, Communities and Local Government. Last financial year the Government were issuing grants of £20,000 when a Neighbourhood Plan reached referendum stage.

4.2 When the Neighbourhood Plan is 'made' (adopted) there will also be an impact on this Council's Community Infrastructure Levy (CIL) receipts as 25% (rather than 15%) of payments for eligible developments within the area designation of Brafferton and Helperby will go to the parish to spend on their infrastructure projects. However, the CIL income expected to be lost by this Council from Local Plan developments in the Brafferton and Helperby Parish is currently considered to be negligible.

5.0 Legal Implications

5.1 The legal requirements under Part 2 of The Neighbourhood Planning (General) Regulations 2012 have been complied with. The next step requires the Council to publish details (area name, map and applicant) of the Neighbourhood Area designation decision on our website and in such other manner we consider likely to bring it to the attention of local residents, workers and businesses.

6.0 Equality/Diversity Issues

6.1 Equality and Diversity Issues have been considered however there are no issues associated with this report.

7.0 Recommendation

7.1 It is recommended that Cabinet agrees the designation of a Neighbourhood Area for Brafferton and Helperby and publish the necessary information.

Mick Jewitt
Deputy Chief Executive

Background papers: None
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