



<b>Contains Confidential or Exempt Information</b>	No
<b>Title</b>	CEX 336 Adoption of Hounslow Town Centre Neighbourhood Area and Forum
<b>Member Reporting</b>	Cllr Steve Curran,
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<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	16/10/2018
<b>Implementation Date if not Called In</b>	7 working days after decision. Likely to be November 2018
<b>Affected Wards</b>	Hounslow Town Centre,
<b>Keywords/ Index</b>	Planning, regeneration, development, consultation, Neighbourhood Area,

## 1. Details of Recommendations

Cabinet is asked:

1. To note the analysis of representations received in response to the publicising of the Hounslow town Centre Neighbourhood Area and Neighbourhood Forum applications (Appendix 1)
2. To designate the Hounslow Town Centre Neighbourhood Forum and Hounslow Town Centre Neighbourhood Area as published in Appendix 2 and 3 for the purposes of preparing a Neighbourhood Plan under Section 61G of the Town and Country Planning Act 1990 (as amended)
3. That the following conditions be implemented following the designation of the Hounslow Town Centre Neighbourhood Area Forum under Section 61F of the Town and Country Planning Act 1990 for a period of five years for the purposes of producing a Neighbourhood Plan:
  - Maintaining a written constitution
  - Holding an Annual General Meeting (AGM) within 12 weeks of the designation

- Maintaining a minimum of 21 members drawn from each of the subsections set out within the Localism Act section 61F(5)

**If the recommendation is adopted, how will residents benefit?**

The designation of the Hounslow Town Centre Neighbourhood Area creates the potential for the use of the planning powers introduced through the Localism Act by the local community within that area.

**2. Report Summary**

- 2.1 On the 18<sup>th</sup> May 2018, officers received an application to establish a Neighbourhood forum and Neighbourhood area for Hounslow Town Centre, which will form the basis of the production of the neighbourhood plan.
- 2.2 Public consultation has taken place between 16<sup>th</sup> July 2018 and 27<sup>th</sup> August 2018, to comply with national regulations. The application for the designation of the Neighbourhood Area must be determined within 13 weeks of the application being publicised
- 2.3 The proposed Neighbourhood Area has been subject to some criticism through the publicising process of the application (see Appendix 1). Of the 31 representations received, 7 consultees objected to the Hounslow Town Centre Neighbourhood Area and/or Forum. However, upon analysis, the similarity and content of the representations indicate a lack of understanding about the neighbourhood planning process and the benefits that can be brought to a Neighbourhood Area. In summary, the neighbourhood area and forum application is widely supported, and the comments raised can be resolved through the forum's commitment to on-going engagement with its residents, stakeholders and the Council.
- 2.4 The Council cannot refuse to designate a neighbourhood planning forum that meets the minimum statutory requirements (which include a written constitution, with a purpose to promoting or improving the social, economic and environmental wellbeing of an area; and an open membership, with a minimum of 21 individuals who live or work or are elected to represent the area) and the Council must designate some or all of the neighbourhood area applied for, unless they consider that the specified area is not an appropriate area to be designated as a neighbourhood area. The reasons for refusing or amending an application must be published and can be challenged in the courts.
- 2.5 Once designated, no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn. The designation of a neighbourhood forum lasts for five years, from the date of designation.

2.6 On the basis that the proposals in the application meet the requirements set out in the Government's neighbourhood planning regulations, it is recommended that the application should be approved., using powers introduced by the Localism Act 2011.

### **3. Reason for Decision**

3.1 The Localism Act 2011 and accompanying regulations, allow communities to have more control over planning and development within their area. Using these new powers, community groups can apply to the Council to be designated as a neighbourhood forum, to allow them to develop land-use planning proposals for a defined neighbourhood area, which can include the preparation of a statutory Neighbourhood Development Plan and neighbourhood development orders.

3.2 The Council must now complete the legal process for designation of a neighbourhood forum within a defined neighbourhood area considering the comments received on the applications and the Localism Act 2011 and accompanying regulations. The applications for the neighbourhood area and forum must be determined within the 13-week deadline set out in national regulations

#### ***Designation of a Neighbourhood Area***

3.3 As the Local Planning Authority, Hounslow Council has a statutory duty to determine applications to establish neighbourhood areas. In determining the application for designation, the Act requires the Council to:

- (a) consider whether the area is an appropriate area to be designated as a neighbourhood area;
- (b) designate all or part of the proposed area as a neighbourhood area provided at least some of the proposed area has not already been designated as a neighbourhood area.

3.4 The above gives the Council considerable discretion in determining an application for designating a Neighbourhood Area.

3.5 The proposed Neighbourhood Area consists of all residential and non-residential properties in Hounslow Central wards and includes residential properties of Gresham Road, Brackendale, Spring Grove Crescent, Kings Avenue and Jersey Road in Heston East ward. The application area includes part of the Spring Grove Conservation Area, some diverse and distinctive residential areas, Hounslow town centre businesses, educational establishments and diversity in places of worship to cater for various faiths and 8 local open spaces comprising of allotments, parks, a school playing field and 2 small communal amenity spaces,

3.6 In a meeting to discuss the Neighbourhood Area application before publication the Council had queried the inclusion of the Town Centre into the boundary. The proposed Neighbourhood Forum have confirmed that when drawing the boundary, they wanted to focus on a Neighbourhood Area where they could affect

a positive change which benefit both its resident and its businesses. This is a common practice when determining a Neighbourhood Area and forum.

- 3.7 The Regulations place the duty to publicise the Neighbourhood Area application on the Council. This is intended to ensure that all groups are properly informed of the intention to designate a Neighbourhood Area and that the area meets the requirements of the Regulations and Act. In accordance with the Regulations the application was publicised and representations invited from the 16<sup>th</sup> July 2018 to 27<sup>th</sup> August 2018
- 3.8 The proposed Neighbourhood Area has been subject to some criticism through the publicising process of the application (see Appendix 1). Of the 31 representations received openly 7 consultees objected to the Hounslow Town Centre Neighbourhood Area and/or Forum. However, upon analysis, the similarity and content of the representations indicate a lack of understanding about the neighbourhood planning process and the benefits that can be brought to a Neighbourhood Area.
- 3.9 The lack of understanding about the Neighbourhood Planning process and benefits that a Neighbourhood Area can bring is a community engagement issue. It is not a sufficient planning reason for the Council to refuse the application for the Neighbourhood Area. Therefore, while Members will be mindful of the representations received they are reminded that the independent examination provides a safeguard to ensure the Neighbourhood Plan is founded on a robust programme of community engagement and a strong, proportionate evidence base. As a consequence, any weight afforded to the objections is weakened.

### **Designation of a Neighbourhood Forum**

- 3.10 The Council must have regard to the desirability of designating an organisation or body which has secured or taken reasonable steps to attempt to secure that its membership includes at least one person who lives in the area, one person who works there and one person who has been elected to represent the area; whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area; and whose purpose reflects (in general terms) the character of that area. The forum is not, however, required to have a member from each membership category in order to be designated.
- 3.11 The designation of a neighbourhood forum lasts for five years, from the date of designation. Only one body can be designated as a neighbourhood forum for each neighbourhood area and the Council can only withdraw the designation of a neighbourhood forum if the body no longer meets the conditions by reference to which it was designated or no longer meets any other criteria to which the authority was required to have regard in making their decision to designate.
- 3.12 A small number of representations were received during the publication period suggesting that insufficient engagement was carried out with particular reference to the membership and structure. The general tenor of the objections received, appear to also indicate a general concern about involvement of the Hounslow Town Centre Neighbourhood group, in particular, in any future planning proposals for the area. (see Appendix 1).

3.13 The Constitution is considered to be compliant with the Forum's legal obligations, and therefore does not have implications for the determination of the Forum and Area applications. However, the need to resolve any disharmony is acknowledged and it is suggested that these issues be addressed within the community. To reflect this, it is recommended that should a designation be made, an AGM is held within 12 weeks at which matters relating to the Constitution and any other concerns can be discussed.

3.14 Furthermore the proposed Constitution will commit the Forum to ongoing engaging with the Council and with all statutory agencies, businesses, voluntary sector groups and community associations with an interest in the area and ensure that all neighbourhood plan-related consultations will seek to involve everyone who lives or works in the area. (Sections 2(b) and (Sections 10(b), 10(c) and 10(d) refer).

#### **4. Key Implications**

4.1 The designation of a Neighbourhood Area and Neighbourhood Forum will allow residents and local interested bodies to take forward the formal process of Neighbourhood Planning for Hounslow town Centre Area. Once designated no other Neighbourhood Areas may be designated that overlap with the area.

4.2 The Neighbourhood Plan must have appropriate regard to national policy and be in general conformity with the policies in the Local Plan for the area. Once made, the Neighbourhood Plan will become part of the Development Plan for Hounslow and used in the determination of Planning Applications. Neighbourhood Plans carry significant weight as part of the planning process.

4.3 It is expected that the Neighbourhood Plan will provide a local interpretation of Hounslow Local Plan policies for the Neighbourhood Area, with applications for planning permission determined against policies within the Neighbourhood Plan. Delivering this plan is subject to the meeting the statutory requirements of the Regulations, including independent examination and a final referendum.

4.4 From a funding perspective, if the Community Infrastructure Levy continues the Neighbourhood Plan can secure 25% of the funding arising through receipts from development in the Plan area. Some of this could be secured to realise community aspirations for the enrichment of Hounslow Town Centre environ. In addition, Neighbourhood Areas often attract funding streams from alternative external sources in support of enhancements to the area.

#### **5. Financial Details**

##### **a) Financial Impact on the Budget**

5.2 Officer time and resource input into the Neighbourhood Planning process (budgeted for in the relevant Service budget).

##### **b) Comments of the Strategic Director- Finance and Corporate Services**

This report seeks approval to designate a Neighbourhood Area and Neighbourhood Forum for Hounslow Town Centre.

The costs of Council engagement with the Neighbourhood Forum and development and implementation of a neighbourhood plan for Hounslow town centre need to be met with approved budgets.

## **6. Legal**

### **a) Legal Details**

6.1 As the effect of the pertinent legislation has been outlined in the Report, it is considered that there is no need to repeat it here.

### **b) Comments of the Head of Governance**

6.2 The Assistant Director Corporate Governance comments are incorporated into this report.

## **7. Value for Money**

7.1 Officers consider that the information provided is adequate to show that the statutory requirements for the designation of a neighbourhood area are met.

## **8. Sustainability Impact Appraisal**

8.1 No sustainability appraisal is required.

## **9. Risk Management**

N/A

## **10. Links to Council Priorities**

The neighbourhood application will contribute to the following council priorities:

Good quality homes and jobs; Active, healthy communities; A cleaner, greener borough.

## **11. Equalities, Human Rights and Community Cohesion**

11.1 Consideration has been given to the public-sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty the view is taken that the duty is met.

## **12. Staffing/Workforce and Accommodation implications**

N/A

## **13. Property and Assets**

N/A

**14. Any Other Implications**

- 14.1 The purpose of Neighbourhood Planning, and the 'point' of the localism agenda, is to give neighbourhoods more of a say about developments in their area.

**15. Consultation**

- 15.1 In total, the Council received had 31 responses, 7 objected and 14 supported and 10 unspecified. All the responses and our response to these are outlined in Appendix 1.

**16. Timetable for Implementation**

- 16.1 The neighbourhood area and forum will be designated immediately should Cabinet approve the recommendations set out within the report.

**17. Appendices**

- 17.1 Appendix 1: Consultation Responses  
<https://hounslow.box.com/s/j9vr4sql124zebqmwtheas5ffg8awtzt>
- 17.2 Appendix 2: Hounslow Town Centre Neighbourhood Area  
<https://hounslow.box.com/s/gr8pvvhz3zm2qo452kil73usynyvlpvc>
- 17.3 Appendix 3: Hounslow Town Centre Neighbourhood Area Forum  
<https://hounslow.box.com/s/6r2l5r13q6wd742rvfek17x29x1hsker>

**16. Background Information**

N/A

**REPORT ENDS**