

Background Papers, if any, are specified at the end of the Report

Update on the Chalfont St Peter Neighbourhood Plan

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RECOMMENDATIONS

That Cabinet delegates authority to make representations on the submitted Chalfont St Peter Neighbourhood Plan to the Head of Sustainable Development in consultation with the Cabinet Member for Sustainable Development.

Relationship to Council Objectives

The Chalfont St Peter Neighbourhood Plan if submitted to the Council by Chalfont St Peter Parish Council, if found to be valid, passes an Examination in Public and secures at least 50% of votes in favour at a referendum, will become a statutory document against which planning applications will be determined. As such the Council will want to assist the Parish Council in preparing a Neighbourhood Plan that complements and furthers the Council objectives, particularly:

Objective 2 - Safe, healthy and cohesive communities

Objective 3 - Conserve the environment and promote sustainability

Implications

- (i) This is a Key decision within the Forward Plan.*
- (ii) This matter is within the Policy and Budgetary Framework.*

Financial Implications

Meeting the preparation costs for the draft Neighbourhood Plan is the responsibility of the Parish Council. Chiltern District Council will however need to meet the costs for considering whether the draft Plan is valid, carrying out public consultation, funding an Examination in Public and undertaking the referendum. In addition the Council has a statutory duty to support the preparation of neighbourhood plans which is being met principally through officer support.

Members will recall that this Council in partnership with Chalfont St Peter Parish Council was successful in bidding for a £20k grant from the Government under the Fronrunner programme for the Chalfont St Peter Neighbourhood Plan and the decision to provide £10k to the Parish Council for the draft Plans preparation. The Parish Council has now been provided with the £10k grant. The remaining £10k has been retained to meet in part this Councils financial responsibility.

The Government currently reimburses some of the costs incurred by district councils in supporting neighbourhood plans through stage grants. This Council under current arrangements will in due course receive a grant of £5k once the draft neighbourhood Plan is publicised prior to examination and a further £20k following examination. These grants are not ring fenced in any way.

At this stage it is expected that the remaining £10k of the Frontrunner Grant and £25k Government grants should meet this Council's costs going forward. If additional costs are incurred then these can be met from normal budgets and the Local Development Framework Reserve.

Risk Management Implications

The major risks for the Council associated with the Neighbourhood Plan are:

- *Legal Challenge to the areas of the Plan for which this Council are responsible.*
- *Financial – although the Council is expected to have its costs going forward covered by grants, this is subject to costs associated with the Examination (unknown at this stage) being as estimated and any legal challenge that might ensue (see above).*
- *Resources – supporting the Chalfont Neighbourhood Plan has taken and continues to take significant officer time away from other work areas. Work is being prioritised however there is a risk that some work areas could be delayed.*
- *Plan content being at odds with other parts of the Development Plan or emerging Delivery Development Plan Document or including requirements that the Council will find difficult to deliver through the determination of planning applications.*

Equalities Implications

The Council should take into account equality issues when making representations on the Draft Neighbourhood Plan.

Sustainability Implications

The Draft Neighbourhood Plan is not required to be subject to a formal sustainability appraisal however the Council should take sustainability implications into account when making representations on the Draft Neighbourhood Plan.

Report

- 1 This report is to provide Cabinet with an update on progress for the Draft Chalfont St Peter Neighbourhood Plan and to seek to put in place arrangements so as to:
 - a) Enable the Plan to progress as quickly as possible (allowing sufficient time for due process and consideration) once submitted to the Council by Chalfont St Peter Parish Council;
 - b) Minimise cost to the Council.
- 2 Members will recall that on 3rd August 2012 Cabinet approved delegated authorities to enable the Council to efficiently and effectively support those parish councils in seeking to undertake neighbourhood planning processes and for meeting this Councils statutory responsibility.
- 3 Delegated authority covers comments on pre-submission draft plans and validating and accepting applications for neighbourhood plans (now referred to as the test of meeting basic conditions).
- 4 However, this delegated authority does not extend to making representations on a draft neighbourhood plan as part of the formal public consultation undertaken by this Council. This stage is important as representations can be considered as part of the neighbourhood plan examination in public.
- 5 At the time of writing this report officers expect Chalfont St Peter Parish Council to submit their Draft Neighbourhood Plan to this Council in late January. If the plan is considered valid then it is suggested that officers should carry out public consultation for 6 weeks (the statutory minimum) and appoint an inspector to undertake the Examination as soon as practicable.
- 6 If the Draft Neighbourhood Plan progresses after Examination then it will need to be the subject of a referendum in Chalfont St Peter. Assuming the Examination can be completed in early May 2014 then the earliest the referendum could be held would be July 2014 however any delay would require the referendum to be held from September onwards so as to avoid a referendum in the school holiday period.
- 7 If the Draft Plan is submitted on time by the Parish Council then there will be a timing issue for this Councils consideration of the draft Plan during the 6 week public consultation period. This is because the next Cabinet meeting is on 6th May and the proposed consultation period would end before this date.
- 8 Cabinet is therefore requested to consider the following options for this Council's formal consideration of the Chalfont St Peter Draft Neighbourhood Plan [option c) is recommended]:

- a) That the draft Plan is considered by Cabinet at the 6th May meeting or a subsequent scheduled Cabinet meeting (approach intended by the Cabinet 's decision on 3rd August 2012)
 - *This will mean that the public consultation period would be delayed and the target date for the referendum would need to be put back to possibly October 2014.*

- b) To hold a special meeting of Cabinet in late February/early April to consider the draft plan.
 - *Subject to other key timetable milestones being met this would mean that referendum could be held in July 2014.*

- c) To delegate authority to make representations on the draft Plan to the Head of Sustainable Development in consultation with the Cabinet Member for Sustainable Development
 - *Subject to other key timetable milestones being met this would mean that referendum could be held in July 2014.*

9 In determining the Council's representations on the Chalfont St Peter Neighbourhood Plan, the views of local ward members will be sought and taken into account. In addition local ward members (and any other members such as those in adjacent areas to the Chalfont St Peter Neighbourhood Area) can if they so wished make their own separate representations directly as part of the consultation process.

Background papers:

Local Development Scheme (LDS) 2012 to 2015
Core Strategy for Chiltern District
Neighbourhood area declaring Chalfont St Peter
Chiltern Statement of Community Involvement
