

**NEIGHBOURHOOD AREA DECISION NOTICE**

LOCALISM ACT 2011

NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS AMENDED)

AREA: Waterfront Neighbourhood Area

NAME OF APPLICANT: Gerry Proctor on behalf of Waterfront Neighbourhood Planning Forum

DECISION: The area shown on the attached plan is REFUSED designationas a Business Neighbourhood Area, for the purposes of Neighbourhood Planning.

Reasons for Decision:

1. Whether the group submitting the application is a qualifying body

The Council is not satisfied that the group is a ‘relevant body’ (capable of being designated a Neighbourhood Forum). An application can be made to the City Council for a Neighbourhood Area but only by a group capable of being designated a Neighbourhood Forum. Forum designation is dealt with following area designation. The documents submitted with the application stated that membership of the group met the requirements for Neighbourhood Forum designation, as they had 21 members from both residential and business sectors. However while the submitted information had the appearance of a valid application with respect to the group’s capability to be designated as a forum, the responses from the business/landowner sector give cause for concern. Section 61F of the Town and Country Planning Act 1990 (amended by the Localism Act 2011) states that membership of any Neighbourhood Forum should be drawn from different places in the Neighbourhood Area and from different sections of the community within the area (61F para 7(a)(ii)). Although some of the reasons given in objection are due to misunderstandings about the role of Neighbourhood Plans, the responses in objection clearly demonstrate that some businesses/landowners do not have any appetite to participate in the process and consider that the boundary proposed is not appropriate. The City Council is therefore extremely concerned that membership of any future Neighbourhood Forum would not be drawn from a significant proportion of the proposed Neighbourhood Area, for reasons stated above, and therefore consider that the body who submitted the application is not capable of being

1. Whether the area proposed overlaps with other Neighbourhood Areas

The proposed Neighbourhood Area does not overlap with any other Neighbourhood Areas.

1. The comments received

There was significant support for the designation of the Neighbourhood Area – the vast majority from residents, and those who did not state their interest. Most of those in support did not set out reasons as to why they considered the area appropriate to be designated, but simply that they supported the area. The objections were mostly focused on the argument that this would be an unnecessary layer of planning policy, that there is adequate policy coverage via the local statutory development plan and together with a number of extant planning permissions, the framework already exists to manage new development along the waterfront. However, Neighbourhood Plans are part of the statutory development plan and communities have the right to come together to prepare one. It is considered there is some misunderstanding of the purpose of Neighbourhood Plan and the legislative framework introduced via the Localism Act in 2011. Notwithstanding this, there is very little support for a Neighbourhood Plan for the Waterfront from the business sector and significant landowners.

1. Whether the area proposed is appropriate

The area is bounded by the River Mersey and The Strand which are key geographical features. However, the area proposed for designation is very large, and although there are no limits on the geographical extent of Neighbourhood Areas, the City Council questions whether this is one neighbourhood or a group of neighbourhoods. Nonetheless, the concerns set out in (1) above would override any other concerns regarding the proposed Neighbourhood Area, as it is in effect, a non-valid application.

DATE OF DECISION: Friday 14 August 2015



