

**APPLICATION TO ESTABLISH MELLOR, MARPLE, MILL BROWN AND COMPSTALL
NEIGHBOURHOOD FORUM AND NEIGHBOURHOOD AREA**

Report of the Corporate Director for Place Management & Regeneration

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 Applications were submitted to Stockport Council in October 2018 under the provisions of the Localism Act 2011 (as amended), seeking to establish: Mellor, Marple, Mill Brow and Compstall (MMMC) Neighbourhood Forum; and Mellor, Marple, Mill Brow and Compstall (MMMC) Neighbourhood Area. This report provides information on the process as it relates to Neighbourhood Planning and the determination of these applications, including reporting on any comments received.

2. BACKGROUND AND INFORMATION

- 2.1 Established by the Localism Act 2011, Neighbourhood Planning provides a statutory right for local people and businesses to plan for the future of their area. Neighbourhood Planning is designed to enable local people and communities to influence how development will occur locally, through preparation and adoption of Neighbourhood Plans and/or Neighbourhood Development Orders.
- 2.2 Paragraph 29 of the National Planning Policy Framework 2018 (NPPF) is clear that a Neighbourhood Plan must be in general conformity with the strategic policies of the development plan that covers their area and should reflect and positively support them; Neighbourhood Plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.
- 2.3 To take advantage of Neighbourhood Planning powers in non-parished areas it is necessary to formally establish a Neighbourhood Area within which the powers apply and a Neighbourhood Forum (no more than one per Neighbourhood Area) which is empowered to undertake Neighbourhood Planning activities. It is the responsibility of the Council to determine applications which seek to establish Neighbourhood Areas or Forums.

Determination of a Neighbourhood Forum Application

- 2.4 Those making a Neighbourhood Forum application must show how they have sought to comply with the conditions for neighbourhood forum designation. The proposed Mellor, Marple, Mill Brow and Compstall Neighbourhood Forum have submitted a document which seeks to fulfil the regulatory requirements to become designated as Neighbourhood Forum.
- 2.5 A number of alterations were made to the initial application documents following discussions between the Council and MMMC representatives. This resulted in an amended constitution being proposed which, along with the other amended application documents, is considered to be acceptable to show that the Neighbourhood Forum would meet the various requirements of regulation 8 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

- 2.6 The submitted document is appended to this report.
- 2.7 In accordance with regulation 9 of Neighbourhood Planning (General) Regulations 2012 (as amended) the application is being publicised between 24/10/2018 to 07/12/2018 (being 45 days inclusive), which is just over the statutory 6 weeks minimum required. During this time, representations regarding the proposed Neighbourhood Forum have been invited. The application was publicised through a press notice in the Stockport Express, on Stockport Council website, by making a paper copy of the document available in Fred Perry House, Marple Library, Bredbury Library and Marple Bridge Post Office, and by sending a letter to everyone on the Local Plans database.
- 2.8 A local planning authority must take a decision on an application to designate a Neighbourhood Forum within a statutory period of 13 weeks after the date that the application is first publicised, provided there is no other neighbourhood forum application already under consideration for all or part of the area.
- 2.9 If, on the meeting of 17th January 2018, the Council resolves to determine the application positively (i.e. to establish the proposed forum) the MMMC Neighbourhood Forum would be established for a period of 5 years. There are provisions for the designation to be withdrawn at an earlier point if it is no longer meeting any conditions established at the time of its designation; for example, this might come about if the forum were failing to adhere to its own constitution.

Determination of a Neighbourhood Area Application

- 2.10 Those making a Neighbourhood Area application must show how they have sought to comply with the conditions for neighbourhood area designation. The proposed Mellor, Marple, Mill Brow and Compstall Neighbourhood Forum have submitted a document which seeks to fulfil the regulatory requirements to designate a Neighbourhood Area.
- 2.11 A number of alterations were made to the initial application documents following discussions between the Council and MMMC representatives. This resulted in an refined Map boundary being proposed which, along with the other amended application documents, is considered to be acceptable to show that the Neighbourhood Forum would meet the various requirements of regulation 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.12 The submitted document is appended to this report.
- 2.13 The relevant legislation requires that a LPA must designate a Neighbourhood Area if it receives a valid application and some or all of the area has not yet been designated. The LPA should aim to designate the area applied for, however, an LPA can refuse to designate the area applied for if it considers the area is not appropriate. Where it does so, the LPA must give reasons. The authority must use its powers of designation to ensure that some or all of the area applied for forms part of one or more designated neighbourhood areas.
- 2.14 When a Neighbourhood Area is designated, a LPA should avoid pre-judging the content of a subsequent Neighbourhood Plan or Neighbourhood Development Order.

- 2.15 In accordance with regulation 6 of Neighbourhood Planning (General) Regulations 2012 (as amended) the application is being publicised between 24/10/2018 to 07/12/2018 (being 45 days inclusive), which is just over the statutory 6 weeks minimum required. During this time, representations regarding the proposed Neighbourhood Area have been invited. The application was publicised through a press notice in the Stockport Express, on Stockport Council website, by making a paper copy of the document available in Fred Perry House, Marple Library, Bredbury Library and Marple Bridge Post Office, and by sending a letter to everyone on the Local Plans database.
- 2.16 A local planning authority must take a decision on an application to designate a Neighbourhood Area within a statutory period of 13 weeks, after the date that the application is first publicised; it follows that the application must be determined at the Council meeting on 17th January 2019.

Representations

- 2.17 The LPA should have regard to any representations made during the 6-week period of publicising the Neighbourhood Forum and Neighbourhood Area. At the time of drafting this report, 2 representations have been received: 1 from NATS (formerly National Air Traffic Services) with no comments to make, and one from a local resident asking for more details on how the proposed organisation intends to ensure it is representative of the population of the area.

3. CONCLUSIONS AND RECOMMENDATIONS

- 3.1 The proposals, as submitted, meet the legislative requirements. The Council has undertaken the necessary publicity on the proposed Neighbourhood Forum and on the proposed Neighbourhood Area.
- 3.2 No issues have been raised through the process to date which mean that the Council cannot designate both the Forum and Area.
- 3.3 Members are requested to note the report and are invited to comment on the proposed neighbourhood area and forum.

BACKGROUND PAPERS

Application information is available at <https://www.stockport.gov.uk/mellor-marple-bridge-mill-brow-and-compstall>

Anyone wishing to inspect the above background papers or requiring further information should contact Melanie Craven or Vincent McIntyre on 0161 474 4395, or by email to melanie.craven@stockport.gov.uk or vincent.mcintyre@stockport.gov.uk