

Committee: Borough Plan Advisory Committee

Date: 03 March 2021

Wards: All

Subject: Proposed public consultation on PlanWimbledon Neighbourhood Area and Forum

Lead officer: Director of Environment and Regeneration, Chris Lee

Lead member: Cabinet Member for Housing, Regeneration and the Climate
Emergency Councillor Martin Whelton

Contact officer: Future Merton: Tara Butler

Recommendations:

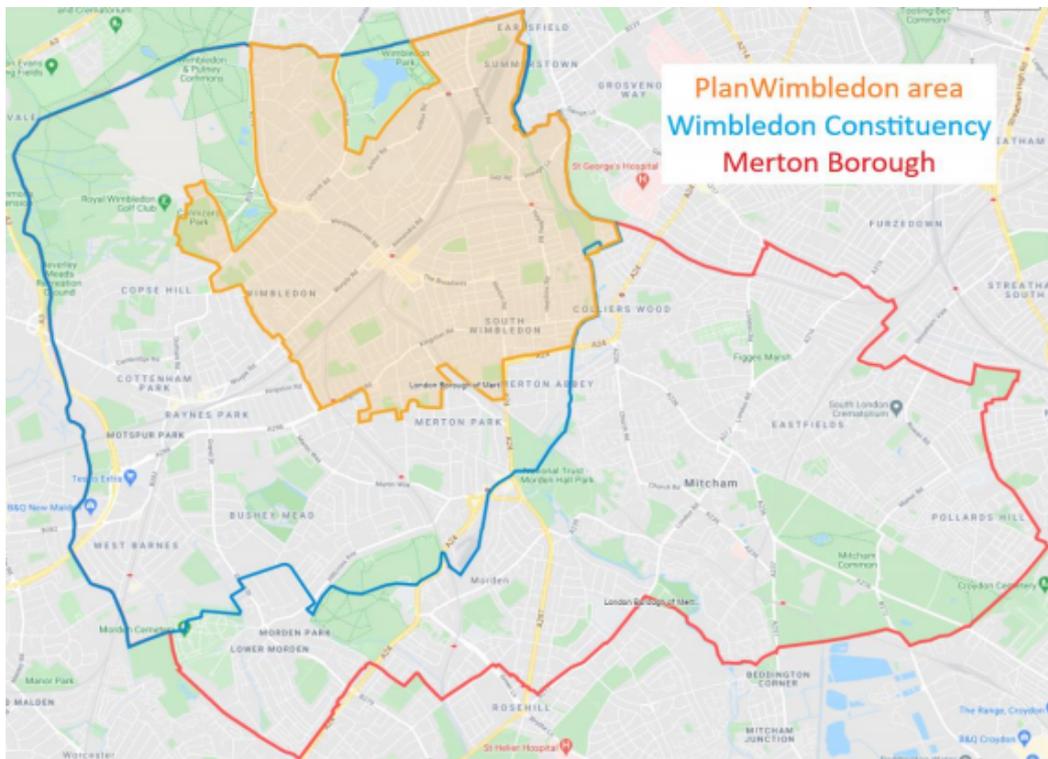
- A. That the Borough Plan Advisory Committee considers the contents of the report and recommends that Cabinet resolve that six weeks of public consultation can take place on PlanWimbledon's proposal to be designated as the Neighbourhood Forum for their proposed Neighbourhood Area of Wimbledon
- B. That approval for any amendments proposed to the consultation documents prior to the start of public consultation are delegated to the Director for Environment and Regeneration in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency

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- 1.1. On 19th February 2021, a community group, PlanWimbledon, applied to the council to become a Neighbourhood Forum for part of the borough around Wimbledon.
 - 1.2. Under the neighbourhood planning legislation, six weeks of public consultation should inform the council's decision as to whether to designate this Neighbourhood Forum for this particular Neighbourhood Area.
 - 1.3. The Borough Plan Advisory Committee are asked to consider the contents of the report and recommend to Cabinet that six weeks of public consultation takes place between April and May 2021 on PlanWimbledon's proposed Neighbourhood Area and Neighbourhood Forum.
 - 1.4. The results of this consultation will help inform the council's decision (likely in June / July 2021) on whether to designate PlanWimbledon as the Neighbourhood forum for the specific Neighbourhood Area they propose. PlanWimbledon may also chose to amend their proposals following consultation feedback.
 - 1.5. This report also seeks delegated authority to the Director in consultation with the Cabinet Member to approve any amendments to the consultation documents that may arise prior to public consultation.

2 DETAILS

- 2.1. Under the Localism Act 2011, local communities can produce Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders. Neighbourhood Plans allow communities to shape development and growth in their local areas and form part of the statutory development plan for the area once they are adopted.
- 2.2. The first stage of this process is that a community group must make an application to the council to be the Neighbourhood Forum for a specific Neighbourhood Area of their choosing. On 19th February 2021 Merton Council received an application from a community group, PlanWimbledon, to become the Neighbourhood Forum for their proposed Neighbourhood Area below. The proposed Neighbourhood area lies entirely within the London borough of Merton but borders the London Borough of Wandsworth.

Figure1 – PlanWimbledon’s proposed Neighbourhood Area



- 2.3. Appendix A contains PlanWimbledon’s full application including their proposed Neighbourhood Area above.

Requirements for a neighbourhood forum application

- 2.4. The Neighbourhood Planning (General) Regulations 2012 require that an application to designate a neighbourhood forum must include:
- a) The name of the proposed neighbourhood forum;
 - b) A copy of the written constitution of the proposed neighbourhood forum;
 - c) The name of the neighbourhood area to which the application relates and map which identifies the area;

- d) The contact details of at least one member of the proposed neighbourhood forum to be made public; and
- e) A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F (5) of the Town and Country Planning Act 1990.
- 2.5. The conditions contained in section 61F(5) of the Town and Country Planning Act 1990 are that:
- a) The neighbourhood forum is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned;
- b) Its membership is open to:
- i) Individuals who live in the neighbourhood area concerned,
 - ii) Individuals who work there, and
 - iii) Individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned;
- c) Its membership includes a minimum of 21 individuals each of whom
- i) Lives in the neighbourhood area concerned,
 - ii) Works there, or
 - iii) Is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned; and
- d) It has a written constitution.
- 2.6. Officers have considered PlanWimbledon's Neighbourhood Forum and Neighbourhood Area application and recommend that it should be published for six weeks of public consultation. In line with government guidance on neighbourhood planning, officers and PlanWimbledon have engaged prior to PlanWimbledon submitting their application.

Next steps

- 2.7. In accordance with neighbourhood planning legislation, councils have 13 weeks from the first day of the public consultation to make a decision as to whether or not to designate the group as the Neighbourhood Forum for their proposed Neighbourhood Area.
- 2.8. Should Cabinet approve public consultation at their meeting on 22nd March 2021, PlanWimbledon and council officers are considering the following timetable:
- 12th April 2021 – start of six week's public consultation on PlanWimbledon's Neighbourhood Area and Neighbourhood Forum proposals.
 - 23rd May – end of public consultation
 - 10th June 2021 – The Borough Plan Advisory Committee considers matters including the public consultation feedback and recommends

to Cabinet and full council whether or not to designate PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.

- 14th June 2021 - Merton's Cabinet considers matters including public consultation feedback and BPAC's recommendations and determines whether or not to recommend the designation to full council of PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.
- 7th July 2021 – unless otherwise advised, full council considers matters including public consultation feedback and BPAC's and Cabinet's recommendations and determines whether or not to designate PlanWimbledon as the Neighbourhood Forum for that specific Neighbourhood Area.

- 2.9. Once designated, that Neighbourhood Forum would be the only permitted Forum for that specific area for the next five years and the only group capable of making a Neighbourhood Plan within that area.
- 2.10. When considering the designation of a neighbourhood forum, the authority must have regard to the desirability of designating an organisation or body:
- a) Which has secured, or taken reasonable steps to attempt to secure, that its membership includes at least one individual falling within the categories set out above;
 - b) Whose membership drawn from different places in the neighbourhood area concerned and from different sections of the community in that area; and
 - c) Which has a purpose which reflects (in general terms) the character of the neighbourhood area.
- 2.11. It is possible for a Neighbourhood Area to be designated as a business area under Section 61H of the Town and Country Planning Act 1990. A business area can be designated where an area is wholly or predominantly business in nature and individuals in businesses take the lead in neighbourhood planning.
- 2.12. PlanWimbledon's proposed Neighbourhood Area is large, about a third of the borough and isn't predominantly business in nature as a whole. However parts of the area are predominantly business in nature: the proposed Neighbourhood Area covers key business locations including Wimbledon town centre, Wimbledon Village, Leopold Road and Wimbledon Park / Arthur Road and Weir Road / Durnsford Road industrial estate. Part of the council's assessment will be to ensure that the proposed Forum has membership drawn from different places in the proposed Area and from different sections of the community in that Area, including the business communities.
- 2.13. Once the public consultation has finished, officers will consider Planwimbledon's proposed Neighbourhood Area and Forum applications in line with the neighbourhood planning legislation and alongside the public consultation feedback and make recommendations to Cabinet.

- 2.14. It will be possible for PlanWimbledon to amend their applications in response to consultation feedback before June's Cabinet meeting considers the final Area / Forum designations, for example to address any concerns arising from consultees' responses.
- 2.15. It will be for the designated Neighbourhood Forum to set out their own timetable, including engagement, for creating a Neighbourhood Plan. The council would have a role in assisting the Neighbourhood Forum and organising the democratic processes.

3 ALTERNATIVE OPTIONS

- 3.1. There aren't considered to be any reasonable alternative options for the purposes of this report requesting that the Borough Plan Advisory Committee recommends that Cabinet approves six weeks of public consultation on PlanWimbledon's proposals to become a Neighbourhood Forum for their proposed Neighbourhood Area.
- 3.2. The report also seeks delegated authority to the Director of Environment and Regeneration in consultation with the Cabinet Member for Housing, Regeneration and the Climate Emergency to approve final consultation documents in case PlanWimbledon want to propose amendments to the Area boundary or Neighbourhood Forum prior to June's Cabinet decision.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. The Neighbourhood Planning (General) Regulations 2012 require that a neighbourhood forum application is published by the local planning authority as soon as possible for comment.
- 4.2. This must include making available on line and in such manner as is likely to bring the application to the attention of people who live, work or carry on business in the area concerned:
- a copy of the application,
 - details of how to make representations and
 - the date by which those representations must be received, which must be within no less than 6 weeks.
- 4.3. It is proposed that six weeks of public consultation takes place, likely between 12th April 2021 and 23rd May 2021. The council will publicise the consultation largely online, on Merton's website by emailing individuals and organisations on Merton's Local Plan consultation database and by using social media. Questions on the process may be answered by the council; questions on the proposed Neighbourhood Forum / Area may be answered by PlanWimbledon.

5 TIMETABLE

- 5.1. As set out in the body of the report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. Funding to support neighbourhood planning groups will come from existing resources.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. The process for designating a neighbourhood forum is set out in the Town and Country Planning Act 1990 (which was amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012.
- 7.2. Under the Town and Country Planning Act 1990 and the Neighbourhood Planning (General) Regulations 2012 (themselves amended in 2016) once a local planning authority receives an application for a neighbourhood forum designation, they are required to publicise it and invite comments for a minimum period of six weeks. The 2012 Regulations were amended in 2016 to introduce prescribed timescales for the determination of neighbourhood forum applications. In the present case, the application must be determined within the period of 13 weeks from when the application was first publicised for consultation.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. None for the purposes of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

- Appendix A – PlanWimbledon’s application to be designated the Neighbourhood Forum for a specific Neighbourhood Area

12 BACKGROUND PAPERS

- The Neighbourhood Planning (General) Regulations 2012 as amended
- National Planning Policy Framework (NPPF) 2019 and national planning policy guidance [Neighbourhood planning - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/neighbourhood-planning)