



1. **PURPOSE OF REPORT**

- 1.1 To inform members of the outcome of publicising the proposed Market Bosworth Neighbourhood Area, and to seek approval on the appropriateness of the Market Bosworth neighbourhood area for the purposes of producing a Neighbourhood Plan.
- 1.2 The area to which the report relates is attached in appendix A. The proposed neighbourhood area boundary is identical to the current Market Bosworth Parish boundary.

2. **RECOMMENDATION**

- 2.1 That Council approves the proposed Market Bosworth neighbourhood area boundary to enable the preparation of a Neighbourhood Development Plan.

3. **BACKGROUND TO THE REPORT**

- 3.1 The Borough Council in conjunction with Market Bosworth Parish Council applied to the Department of Communities and Local Government (DCLG) for Frontrunner status in the Neighbourhood Planning Vanguard Scheme in March 2011.
- 3.2 The application was successful and was awarded second wave frontrunner status in the Neighbourhood Planning Vanguard Scheme.
- 3.3 Following the successful application, Market Bosworth Parish Council established a Market Bosworth Neighbourhood Forum comprising representatives of the local community.
- 3.4 The formal regulations (The Neighbourhood Planning (General) Regulations), which prescribed both the process and the role of the Local Planning Authority (LPA) in supporting neighbourhood planning, came into force on 6 April 2012. The LPA should support Parish Councils and community groups in the preparation and delivery of neighbourhood plans.
- 3.5 The first statutory stage in bringing forward a neighbourhood planning proposal is defining and designating the neighbourhood area to which a neighbourhood development plan would apply.
- 3.6 The regulations establish a neighbourhood area application must include the following:

- a map which identifies the proposed Neighbourhood area,
- a statement explaining why the area is considered appropriate to be designated as a neighbourhood area, and
- a statement identifying that the body making the area application is a relevant body for the purposes of section 61G(2) of the 1990 Act.

These documents are appended to this report and are also available to view on the borough council's website.

- 3.7 Market Bosworth Parish Council as the 'relevant body' (for the purposes of section 61G(2) of the Town and Country Planning Act 1990) submitted an application for designation of the Market Bosworth Neighbourhood Area on behalf of the Market Bosworth Neighbourhood Forum. For the avoidance of doubt the specified area includes the whole of the area of Market Bosworth Parish Council. The submission of the application complied with the Regulations.

### The Designation

- 3.8 The issue to consider is whether or not the specified area is 'an appropriate area to be designated as a neighbourhood area'.
- 3.9 The specified area falls completely within the administrative boundaries of Hinckley & Bosworth Borough Council and stands adjacent to the parishes of Cadeby, Osbaston, Carlton, Sheepy, Nailstone and Sutton Cheney.
- 3.10 This is the first application for a neighbourhood area designation made to the Council and so, in determining this application, the desirability of maintaining the existing boundaries of areas already designated as neighbourhood areas does not need to be considered under Section 61G(4)(b) of the Act.
- 3.11 In designating a Neighbourhood Area, Section 61H of the Act requires the local planning authority to consider whether they should designate the area as a business area. In areas that are dominated by business interests, such as a trading estate, a business Neighbourhood Plan can be developed. It follows the usual process of a standard Neighbourhood Plan, with the exception that two referendums would be held. One referendum would enable businesses operating in the area to vote and the other would apply to residents. It is considered that the designation of the proposed Market Bosworth Neighbourhood Area as a business area would not be appropriate as it is not wholly or predominantly business in nature.
- 3.12 The definition of a Neighbourhood Development Plan, the weight it holds, the establishment and progress of Market Bosworth Neighbourhood Forum and the progress of other Leicestershire authorities is available to view in appendix C.

## **4. NEXT STAGE**

- 4.1 If the application is approved, then Regulation 7(1) of The Neighbourhood Planning (General) Regulations 2012 requires the designation to be published. If the application is refused, reasons must be given under section 61G(9) of the 1990 Act and Regulation 7(2) of the Regulations requires the decision to be publicised.

4.2 If the application is approved Market Bosworth Parish will become a designated Neighbourhood Area. This boundary will then form the specified area in which a Neighbourhood Development Plan or Neighbourhood Development Order would apply.

4.3 The full process to be followed in preparing a Neighbourhood Development Plan is illustrated in a flow chart in appendix D.

## 5 **FINANCIAL IMPLICATIONS (PE)**

5.1 The Department for Communities and Local Government (DCLG) announced some additional funding for Local Authorities to support the designations of neighbourhood areas, examination and referendums in August 2012. This available funding is released under three phases. The first is a total of £5k to be provided following the designation of a neighbourhood area. In the case of Market Bosworth, the local authority can apply for this first payment after Market Bosworth is designated (21st Feb 2013) during March with monies likely to be received in April 2013. The second payment is also £5k to be provided when the local authority publicises the Neighbourhood Development Plan prior to examination. The third and final payment is £20k to be provided upon successful completion of the NDP examination.

5.2 It should be highlighted that it is not currently clear that the identified DCLG monies are sufficient to cover the costs to the council of supporting plan preparation, conducting an examination and holding a referendum. In addition should these funds not be received, the borough council upon successful completion of the examination would be liable for all costs associated with conducting a referendum. It is the borough council's statutory duty to conduct a referendum should the examination be successful.

## 6. **LEGAL IMPLICATIONS (AB)**

The Neighbourhood Planning (General) Regulations 2012 require that prior to a designated area being approved, the application must be published on the Council's website for 6 weeks along with guidance on how any representations can be made and the closing date for representations. The Council must have regard to any representations received during this period when deciding whether to approve the application. In addition the regulations require the Councils decision on the boundary to be publicised for a 6 week period.

## 7. **CORPORATE PLAN IMPLICATIONS**

- Strong & Distinctive communities

## 8. **CONSULTATION**

8.1 The application for designation as a Neighbourhood Area was publicised for a nine week public consultation period from 19 November 2012 to 21 January 2013 for any representations to be received by 5pm on 21 January 2013.

8.2 One representation has been received regarding the Neighbourhood Development Plan Area boundary designation. The representation was received from the Borough Council's Electoral Services Team with no objection to the proposed boundary. They advised that that the current boundary is appropriate but even if the examiner extends the referendum area the updated software will enable the necessary flexibility to include additional properties.

9. **RISK IMPLICATIONS**

9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
That members do not endorse the proposed Neighbourhood Area Boundary as an appropriate area for producing a Neighbourhood Development Plan or Neighbourhood Development Order. This would prevent the current Market Bosworth Neighbourhood Development Plan from proceeding any further.	Members endorse the proposed Neighbourhood Area Boundary as an appropriate area for producing a Neighbourhood Development Plan or Neighbourhood Development Order.	David Kiernan

10. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

10.1 The endorsement and recognition of Market Bosworth Neighbourhood Area as an appropriate area for producing a Neighbourhood Development Plan or Neighbourhood Development Order enables the local community of Market Bosworth Parish to have a direct say on the shape and form of development in their area.

11. **CORPORATE IMPLICATIONS**

11.1 By submitting this report, the report author has taken the following into account:

- Planning Implications

Background papers:       Appendix A- Market Bosworth NDP Boundary  
                                  Appendix B- Designation Application Letter  
                                  Appendix C- Background to NDP's  
                                  Appendix D- Neighbourhood Planning Process Flow

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Executive Member: Cllr SL Bray



## Appendix B- Designation Application Letter

### **MARKET BOSWORTH PARISH COUNCIL**

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CV13 0LE

Parish Clerk  
Mrs Cathy Monkman  
Tel: 01455 291867  
marketbosworthpc@btconnect.com  
www.leicestershireparishcouncils.org



The Parish Office is open Thursdays 10.00 a.m. – 1.00 p.m.

8/11/12

Mr Simon Wood  
Head of Planning  
Hinckley & Bosworth Borough Council  
Council Offices  
Argents Mead  
Hinckley  
Leicestershire  
LE10 1BZ

Neighbourhood Development Plan for Market Bosworth

Dear Mr Wood,

Further to the designation of Market Bosworth Parish Council as a Neighbourhood Planning Frontrunner (second wave) in March 2011 and in agreement with Market Bosworth Parish Council and the Market Bosworth Neighbourhood Forum, I am submitting this letter requesting the designation of Market Bosworth Parish as an area for the purposes of preparing a Neighbourhood Development Plan (NDP).

Hinckley & Bosworth Borough Council in collaboration with Market Bosworth Parish Council applied to the Department of Communities and Local Government (DCLG) for Frontrunner status for the preparation of a Neighbourhood Development Plan.

The application contained key themes the document will encapsulate:

- Quality of Design
- Economic Allocation (including matters of retail and industry)
- Residential Allocation (to meet the requirements of the Core Strategy)
- Recreational Allocation - to protect, increase and preserve recreational assets such as Green Infrastructure networks, paths, equipped play spaces, public rights of way, areas of diversity etc.
- Development Management Policies specific to Market Bosworth and the NDP boundary.
- Sustainable Design demonstrating regard to climate change
- Tourism
- Parking and traffic management considerations
- Affordable housing provision in accordance with the Core Strategy and the local area

The application notes that this list is not exhaustive and contains an element of flexibility to enable the development and evolution of the Neighbourhood Development Plan, reflect the needs and views of the community and policy compliance.

It must also be noted that the application presents a timescale of works which stands roughly in-line with the production of the Borough Council's Site Allocations and Development Management

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Policies DPD. This timescale is no longer accurate and a revised timescale specific to the Market Bosworth Neighbourhood Development Plan Area will be developed.

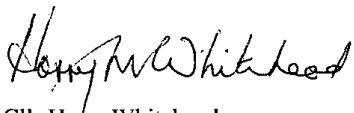
We understand that having been successfully accepted as a second wave frontrunner by DCLG the Parish Council are now required, under Part 2 of the Neighbourhood Planning (General) Regulations 2012 which came into force in April 2012, to submit to Hinckley & Bosworth Borough Council an area application for designation as a neighbourhood area for the purposes of creating a Neighbourhood Development Plan.

I am therefore applying on behalf of Market Bosworth Parish Council to confirm that the Parish Council is a relevant body for the purposes of preparing a Neighbourhood Development Plan according to Section 61G of the 1990 Act and that for the reasons given above, the area defined in the attached map is appropriate to be designated as a neighbourhood area.

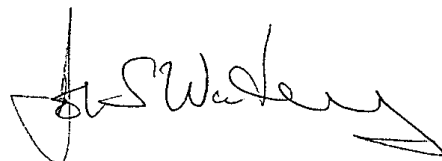
The map identifies the area to which the application relates, indicated by the red line, and is submitted along with a copy of our original application; I trust this provides sufficient information to enable your department to advertise our Parish as a neighbourhood area with immediate effect.

I look forward to receiving confirmation of designation of the area as a neighbourhood area for the purposes of producing a Neighbourhood Development Plan.

Yours Sincerely



Clr Harry Whitehead  
Chairman of Market Bosworth Parish Council



Clr John Wastenev  
Chairman of the Market Bosworth Neighbourhood Forum

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## Appendix C- Background to NDPs

### What is a Neighbourhood Development Plan?

A Neighbourhood Development Plan (NDP) is a community-led framework for guiding the future development, regeneration and conservation of an area. It may contain aims, planning policies for guiding development, proposals for improving the area or providing facilities or allocation of sites for various forms of development.

The NDP, once finalised and adopted by the borough council, will become the starting point for determining planning applications in that area.

It can be used to:

- Develop a shared vision for the future of a neighbourhood
- Choose where new homes, shops, offices and other development are located
- Identify and protect important local green spaces
- Influence the design of new buildings
- Promote renewable energy projects
- Protect the historical environment

### What weight does the NDP have once adopted?

Once adopted, a NDP will form part of the statutory Local Plan for the area which gives NDP's significantly more weight than some other documents such as parish plans or village design statements.

The NDP will be the starting point for decision making in the area and only where the NDP is silent on a particular matter will other policies such as the Core Strategy and Development Management Policies DPD be considered relevant.

A Neighbourhood Plan must:

- Comply with European and National legislation such as environmental regulations and human rights legislation.
- Have appropriate regard to national policy such as the National Planning Policy Framework
- Be in general conformity with existing strategic local planning policy such as the Core Strategy.
- **Not promote less development than that prescribed in the Core Strategy**

### Establishment of Market Bosworth Neighbourhood Forum

The borough council in collaboration with Market Bosworth Parish Council applied to the Department of Communities and Local Government (DCLG) for Frontrunners Status in the Neighbourhood Planning Vanguard Scheme in March 2011.

The Borough Council were successful in this application and were awarded second wave frontrunners status in the Neighbourhood Planning Vanguard Scheme. As a second wave frontrunner the borough council received an unring-fenced £20,000 grant. "The purpose of this grant was to provide support to authorities in England towards expenditure lawfully incurred or to be incurred by them."(Neighbourhood Planning Front Runners Grant Determination (2010/11: 31/1886))

Following the successful application, Market Bosworth Parish Council established a Market Bosworth Neighbourhood Forum comprising representatives of the local community. This group met for the first time in March 2012 and established individual roles and working groups.

### Progress to date

Since the inception of Market Bosworth Neighbourhood Forum the group has met monthly and has taken the opportunity to undertake several tasks towards the production of a Neighbourhood Development Plan. These include commissioning a Market Bosworth based Web designer to create an interactive web site which provides a focus for community engagement and information dissemination relating to the NDP and wider community activities. This project is still on-going and is expected to be completed in February.

The Forum has also engaged with the Planning Advisory Service, Planning Aid, the Rural Community Council and Leicestershire County Council for advice and support in plan preparation.

The professional arm of the Rural Community Council has also been commissioned to assist the forum with consultation and stakeholder events and information dissemination. This assistance comes at cost to be borne by Market Bosworth Parish Council but will greatly assist in the understanding of the local community's wishes and aspirations for a neighbourhood development plan.

The forum has established smaller working groups to research and investigate specific topic areas including;

- Open Space
- Transport Travel & Parking
- Building & Development Group
- Planning & Development Parameters Group
- Stakeholders
- Draft NDP

A drop-in event was also held on Friday 25 January 2013 in conjunction with the Leicestershire Rural Housing Enabler in order to give the local community a chance to have a say in future developments within the parish and have a say on future housing needs. This event was well attended with 96 people registering their attendance. The primary concerns raised related to transport, traffic and parking, housing and facilities and services.

A stakeholder event is currently being organised for March which will provide discussions and workshops for the key stakeholders in Market Bosworth.

### Other Leicestershire Authorities

There are seven district and borough councils in Leicestershire and one unitary authority (Leicester City). There are currently five districts assisting their parished areas with neighbourhood planning.

The largest collection of parishes undertaking neighbourhood planning under one banner is situated in Blaby and consists of eleven parishes working under the title

Fosse Villages. The Fosse Villages include the following parishes Aston Flamville, Croft, Elmesthorpe, Huncote, Leicester Forest West, Sapcote, Potters Marston, Sharnford, Stoney Stanton, Thurlaston and Wigston Parva. Fosse Villages are recently undertook a neighbourhood area designation application consultation which ran from 20 December 2012 to 31 January 2013.

Melton Borough Council currently has one parish, Ashfordby which has a designated Neighbourhood area which was endorsed by the council after a 8 week public consultation.

The District of Harborough currently has five areas designated as neighbourhood areas for the purposes of producing a neighbourhood development plan or order. These include the parishes of Bilesdon, Broughton Astley, Foxton, Scraftoft and Lubenham. These neighbourhood areas, with the exception of Lubenham were all designated as neighbourhood areas on 29 October 2012.

Charnwood currently has two parishes, Rothley and Mountsorrel, which are preparing to submit a joint neighbourhood area designation application, although no date for this submission has been provided.

Oadby & Wigston Borough Council, North West Leicestershire and Leicester City have no designated neighbourhood areas or any pending applications.

#### Role of Leicestershire County Council in Neighbourhood Planning

Leicestershire County Council have taken an advisory and intermediary role between Local Authorities, Forums, Parish Councils and other interested groups to help support the development and delivery of Neighbourhood Planning in Leicestershire.

Currently they have provided funding for the Rural Community Council to provide support and advice to neighbourhood groups and established networking events for neighbourhood groups to share their experiences and draw upon additional support.

In addition Leicestershire County Council in collaboration with other Leicestershire Authorities are currently producing a Neighbourhood Planning Toolkit to provide tailored, locally specific advice and signposts to assist parish councils and neighbourhood forums in preparing and delivering a neighbourhood development plans.

# Appendix D- Neighbourhood Planning Process Flow

## Neighbourhood Planning – The Process

