

## **POLICY AND RESOURCES COMMITTEE**

### **PART I – DELEGATED**

#### **7. DRAFT SARRATT NEIGHBOURHOOD PLAN FOR CONSULTATION (ADEIP)**

##### **1 Summary**

1.1 Sarratt Parish Council have formally submitted their draft Neighbourhood Plan to Three Rivers District Council. It is now a statutory requirement for Three Rivers to consult on the draft Neighbourhood Plan and this report seeks agreement from the Policy and Resources Committee to go out for consultation.

##### **2 Background**

2.1 Neighbourhood planning was introduced through the Localism Act 2011. New powers allowed qualifying bodies (Parish or Town Councils) to produce Neighbourhood Development Plans (NDP). NDPs allow communities to set planning policies for their area.

2.2 Once adopted, NDPs become part of the development plan for the District and they must be considered when planning decisions are made, along with the Local Plan and national planning policy.

2.3 NDPs must be examined by a suitably qualified independent person, appointed by the Council and agreed by the qualifying body (Parish/Town Council). Neighbourhood plans must also pass a referendum of local voters by a simple majority. If a plan passes referendum, the Council must 'make' (adopt) it, unless it breaches EU obligations or human rights legislation.

2.4 The Sarratt NDP (the Plan) has been produced by Sarratt Parish Council (the Parish) in conjunction with the local community. The Plan does not seek to allocate sites for housing but provides policies which are to be considered in the determination of planning applications for development within the Sarratt Neighbourhood Plan Area.

2.5 The Sarratt Neighbourhood Plan Area was designated by resolution of the Policy & Resources Committee on 22 July 2019.

2.6 The Council has a duty to provide technical advice and support to communities producing a Neighbourhood Plan. Officers have assisted the Parish by providing technical advice, feedback on draft versions of the Plan and supporting documents.

##### **3 Details**

3.1 In November 2022 Sarratt Parish Council formally submitted the Draft Sarratt NDP and supporting documents to the District Council. Where a qualifying body submits a plan proposal to the local planning authority, it must include:

- A map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- A consultation statement;
- The proposed neighbourhood development plan;

- A statement explaining how the proposed neighbourhood development plan meets the 'basic conditions' as set out in the legislation; and
  - Information to enable appropriate environmental assessments if required.
- 3.2 Officers have considered the submitted documents and are satisfied that the above legal requirements have been met. The Council is now required to undertake a statutory six-week consultation on the draft Sarratt NDP.
- 3.3 Following this consultation, the Council will appoint an independent examiner who will consider the representations received.
- 3.4 The examiner will check whether the NDP:
- Has been prepared and submitted for examination by a qualifying body
  - Has been prepared for an area that has been properly designated for such plan preparation
  - Meets the requirements to:
    - specify the period to which it has effect
    - not include provision about excluded development
    - not relate to more than one neighbourhood area
  - That its policies relate to the development and use of land for a designated neighbourhood area
- 3.5 The Examiner also has to consider whether a neighbourhood plan meets the "Basic Conditions"<sup>1</sup>. In order to do this, the Plan must:
- Have regard to national policies and advice contained in guidance issued by the Secretary of State
  - Contribute to the achievement of sustainable development
  - Be in general conformity with the strategic policies of the development plan for the area.
- 3.6 Following examination Officers will consider the examiner's proposed modifications and then bring a final draft of the Sarratt NDP to be agreed at Policy and Resources Committee and Full Council.
- 3.7 Following Full Council the Sarratt Neighbourhood Plan will go out to referendum, and if successful will be adopted by the Council as part of its development plan for the area.

#### **4 Options and Reasons for Recommendations**

- 4.1 It is a statutory requirement that the Council consult on the draft Neighbourhood Plan and as such there are no alternative options.

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<sup>1</sup> [Localism Act 2011 \(legislation.gov.uk\)](http://legislation.gov.uk)

**5 Policy/Budget Reference and Implications**

5.1 The recommendations in this report are within the Council’s agreed policy and budgets.

**6 Financial Implications**

6.1 The consultation on the Sarratt NDP will be covered by existing Planning Policy service budgets.

**7 Legal Implications**

7.1 The report and recommendations outline the current legal position with regard to proceeding to the next stage in the process. The Council’s discretion with regards to proceeding to consultation or otherwise is strictly limited by statute and in this case the requirements for proceeding to consultation are considered to have been met.

**8 Equal Opportunities Implications**

8.1 Impact Assessment

The Equality Impact and Outcomes Assessment (EIA) focusses specifically on the consultation. The Neighbourhood Plan itself has been prepared by Sarratt Parish Council as such the Parish Council will have considered their equalities duties during the Plan preparation. The consultation will be designed to include equalities questions and aims to reach as many people with protected characteristics as possible.

**9 Staffing, Environmental, Community Safety and Public Health Implications**

9.1 None specific.

**10 Customer Services Centre Implications**

10.1 The Customer Services Centre will be briefed on whom to contact regarding the consultation.

**11 Communications and Website Implications**

11.1 Consultation documents will be added to the website and the consultation will be publicised through the Council’s social media accounts.

**12 Risk and Health & Safety Implications**

12.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council’s duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

12.2 The subject of this report is covered by the Planning Policy and Conservation service plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan.

Nature of Risk	Consequence	Suggested Control	Response <i>(tolerate, treat</i>	Risk Rating <i>(combination</i>
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		<b>Measures</b>	<i>terminate, transfer)</i>	<i>of likelihood and impact)</i>
Failing to consult would leave the Council vulnerable to legal challenge	Legal costs and reputational costs		Tolerate	6

12.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> ----- <b>Likelihood</b> ----- <b>Remote</b>	<b>Low</b> 4	<b>High</b> 8	<b>Very High</b> 12	<b>Very High</b> 16
	<b>Low</b> 3	<b>Medium</b> 6	<b>High</b> 9	<b>Very High</b> 12
	<b>Low</b> 2	<b>Low</b> 4	<b>Medium</b> 6	<b>High</b> 8
	<b>Low</b> 1	<b>Low</b> 2	<b>Low</b> 3	<b>Low</b> 4
	<b>Impact</b>			
	<b>Low</b> ----- <b>Unacceptable</b>			

**Impact Score**

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

**Likelihood Score**

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

12.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore

operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**13 Recommendation**

**13.1 That:**

The Policy & Resources Committee note the report and agree the Sarratt NDP for consultation.

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**APPENDICES / ATTACHMENTS**

Draft Sarratt Neighbourhood Plan