



FULL COUNCIL

Wednesday, 22 September 2021

Subject	Beccles Neighbourhood Plan
Report of	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
Supporting Officers	Dickon Povey Principal Planner (Policy and Delivery) dickon.povey@eastsoffolk.gov.uk (01502) 523043 Ben Wright Planning Officer (Policy and Delivery) Ben.wright@eastsoffolk.gov.uk (01502) 523082

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	Beccles & Worlingham

Purpose and high-level overview

Purpose of Report:

The purpose of this Report is to “make” the Beccles Neighbourhood Plan (“the Neighbourhood Plan”) part of the Development Plan for East Suffolk following a positive result of the Referendum on 16th September 2021. Part of the Beccles neighbourhood area falls within the Broads Authority area.

The Referendum question asks: “Do you want the Broads Authority and East Suffolk Council to use the Beccles Neighbourhood Plan to help it decide planning applications in the Neighbourhood Area?” On the basis that more than 50% of those voting in the Referendum vote “YES” to the question, the Council must “make” the Neighbourhood Plan, unless it considers the Neighbourhood Plan would breach or be incompatible with any EU obligation or any of the Convention Rights.

Once “made” by East Suffolk Council the Neighbourhood Plan will become part of the Development Plan for the part of the Neighbourhood Area within East Suffolk and sit alongside the adopted East Suffolk Council Waveney Local Plan. The Development Plan is used to determine planning applications. The Broads Authority will make their own decision to make the Neighbourhood Plan and it will then become part of the Development Plan for the part of the Neighbourhood Area within the Broads Authority.

Options:

1. The Council ‘makes’ the Beccles Neighbourhood Plan part of the Statutory Development Plan for the part of the Neighbourhood Plan Area within East Suffolk.
2. Should the extremely rare outcome of the Neighbourhood Plan failing at Referendum occur then the Council should not ‘make’ the Neighbourhood Plan.

Recommendation:

That the Council “make” the Beccles Neighbourhood Plan (Referendum version) part of the statutory Development Plan for the part of the Beccles Neighbourhood Area within East Suffolk following a positive Referendum result.

Corporate Impact Assessment

Governance:

Once made, the Neighbourhood Plan will form part of the development plan and will be a statutory consideration in determining planning applications in the East Suffolk part of the Neighbourhood Area.

ESC policies and strategies that directly apply to the proposal:

The Neighbourhood Plan is in general conformity with the relevant strategies of the East Suffolk Council - Waveney Local Plan. This is something a Neighbourhood Plan is tested against at Examination.

Environmental:

Individual policies in the Neighbourhood Plans contribute to achieving objectives in relation to the environment which will support the delivery of the Environment priorities in the Strategic Plan. For example the Neighbourhood Plan contains a policy to conserve or enhance heritage assets which safeguards the historic environment. Other policies promote improved walking and cycling routes; high quality design of buildings, streets and public spaces; biodiversity improvements; and low energy housing design which will all support enhancement of the built and natural environment.

Equalities and Diversity:

Equality Impact Assessment ref: EQIA361716695 has been carried out. No impacts on those with protected characteristics have been identified and therefore no mitigating actions are identified/required.

Financial:

In accordance with the Community Infrastructure Levy (CIL) Regulations, Parish/Town Councils with a made Neighbourhood Plan in place will receive 25% of CIL receipts from liable development schemes permitted after the Neighbourhood Plan is made. For towns and parishes with no made Neighbourhood Plan, they will receive 15% of CIL receipts. (Further details on CIL can be found via the following link:

<http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>)

The Council has claimed Neighbourhood Planning Grant of £20,000 from the Government to cover costs for supporting the Neighbourhood Plan through the process. This can be claimed once a date has been set for the Referendum.

Human Resources:

No impacts.

ICT:

No impacts.

Legal:

No impacts.

Risk:

There are no risks anticipated in relation to the implementation of the recommendation.

External Consultees:

The Neighbourhood Plan has been subject to extensive consultation throughout the course of its preparation. This has included consultation with the community as a whole; statutory consultees; and a broad range of other interested parties. Details of the consultation process can be found in the Consultation Statement referenced in Background Reference Papers.

Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input checked="" type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XXX	Governance		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<p>The Neighbourhood Plan includes the community's vision and sets out how this will be delivered. This supports P09 'Community Pride' by promoting involvement, participation and positive action in the community and delivering the collective vision and objectives.</p> <p>P01 'Build the Right Environment for Suffolk' is directly supported by enabling an inclusive approach to shaping communities. The Neighbourhood Plan includes policies which will influence the design of housing and also support economic growth by addressing town centre issues and supporting tourism. In turn, this will positively promote the delivery of the Council's strategies for growth and place making.</p>			

The Neighbourhood Plan is an excellent example of community-led planning which directly supports P07 'Taking Positive Action on What Matters Most'. Neighbourhood Plans enable communities to plan and respond to meet their own needs.

The Neighbourhood Plan supports expansion and improvement of the Beccles Health Campus and social care services which helps underpin P08 'Maximising health, well-being and safety in our District'.

The Neighbourhood Plan includes policies to support tourism in Beccles and conserve or enhance heritage assets. This contributes to P09 'Maximise and Grow the Unique Selling Points of East Suffolk'.

Supporting and delivering Neighbourhood Plans means the Council is eligible for £20,000 of Neighbourhood Planning Grant from the Government. This supports priority P13 'Optimising our Financial Investments and Grant Opportunities'.

The Neighbourhood Plan contains a range of policies which promote protection and enhancement of the environment in terms of supporting walking and cycling; supporting sustainable design and construction; and promotion of Sustainable Drainage Systems incorporating biodiversity and wildlife improvements. This supports priority P23 'Protection, Education and Influence' by using the Council's policy-making function to enable communities to achieve a cleaner and healthier environment.

Background and Justification for Recommendation

1 Background facts	
1.1	Neighbourhood Plans were introduced by the Localism Act in 2011. They allow communities to write their own plan containing planning policies which, once 'made', form part of the development plan and are used alongside the East Suffolk Local Plans and national planning policy. Consideration of the development plan is a statutory element of determining planning applications. Neighbourhood Plans also commonly include non-policy actions which reflect the community's aspirations but are not suitable as planning policies. More information on the plan is included below and the full version is in appendix A.
1.2	<p>Beccles Town Council has taken up the opportunity to produce a Neighbourhood Plan for their community. The plans have been developed by the community with the Town Council being the 'Qualifying Body'. The plan has been through several stages of consultation, including statutory consultations, and an Examination carried out by an independent examiner. The Examiner recommended that the Neighbourhood Plan proceeds to Referendum. The Referendum takes place on 16th September 2021.</p> <p>The question asked at the Referendum is: <i>Do you want the Broads Authority and East Suffolk Council to use the Neighbourhood Plan for Beccles to help them decide planning applications in the Neighbourhood Area?</i></p> <p>For a positive Referendum outcome more people must vote 'Yes' than 'No'. This Report was written and published shortly before the Referendum taking place. It is extremely rare for a Neighbourhood Plan to fail at Referendum. The Beccles</p>

	Neighbourhood Plan has not been controversial and there is no reason to suggest that it will not have a positive outcome at the Referendum. Therefore this Report has been written on the basis that the plan will be made following a successful Referendum.
1.3	Neighbourhood Planning Regulations state that the Neighbourhood Plan will carry full weight once the plan has passed the Referendum. The Neighbourhood Plan will become formally part of the Development Plan once it is made. The Council is required to make the Neighbourhood Plan within 8 weeks of the day following the Referendum, unless it considers that this would breach, or be incompatible with any EU obligation or any of the Convention of Rights. This is not considered to be the case with the Neighbourhood Plan.
1.4	Areas with a made Neighbourhood Plan benefit from a greater proportion of the 'Community Infrastructure Levy' (CIL) where this is payable. The CIL is a tariff paid by liable forms of development and it is calculated using the development's floor area. CIL is paid to the Council by the developer. A proportion of this money is then paid directly to the Parish or Town Council on a bi-annual basis. Parish or Town Councils receive 25% CIL receipts where there is a made Neighbourhood Plan in place, or 15% without. The CIL regulations apply a cap to the annual amount of CIL transferred to Parish or Town Councils where there is no Neighbourhood Plan in place. It is capped at £100 per dwelling (indexed for inflation). There is no cap on the 25% transferred when a made Neighbourhood Plan is in place.
1.5	The Neighbourhood Plan Area covers the entire parish of Beccles, part of which falls within the Broads Authority area. A link to the 'Neighbourhood Area Decision Notice' is provided in the Background Reference Papers. The Neighbourhood Plan includes policies relating to supporting new community facilities; supporting tourism development and new hotels; conserving or enhancing heritage assets; supporting key identified movement routes; Beccles town centre; medical provision in Beccles; design principles including streets and public spaces; Sustainable Drainage Systems; and low energy housing design.
1.6	Beccles Town Council consulted with the local community to produce their plan. This is documented in their Consultation Statement (see Background Reference Papers). Following this, the Neighbourhood Plan was submitted to the Council and the Council publicised the plan, inviting comments over the period of 14 th December 2020 and 8 th February 2021. In order to mitigate the effects of the Covid restrictions at the beginning of 2021, the publicity included hard copies of the documents available for inspection at Beccles Town Hall; an extended publicity period; and the offer of posting hard copies of the plan documents to those requesting them.
1.7	Following this period of publicity, East Suffolk Council and the Broads Authority, with the agreement of Beccles Town Council, appointed independent Examiner Nigel McGurk BSc (Hons) MCD MBA MRTPI to examine the Beccles Neighbourhood Plan. The role of the Examiner is to ensure the Neighbourhood Plan meets the relevant legislative and procedural requirements. Testing against the 'Basic Conditions' set out in the Town and Country Planning Act 1990 is the main

	<p>element of this. The Examiner issued his Report in May 2021 and it concluded that subject to modifications the Beccles Neighbourhood Plan meets the Basic Conditions and should proceed to Referendum (see Background Reference Papers). It also concluded that the Neighbourhood Plan was compatible with European Obligations and the European Convention on Human Rights.</p>
1.8	<p>Following discussion with the Town Council, the Broads Authority and East Suffolk Council (using powers delegated to the Head of Planning and Coastal Management), considered each of the recommended modifications which were all then agreed. The Decision Statement for the Beccles Neighbourhood Plan was published in July this year (see Background Reference Papers). The Referendum was then arranged for 16th September. The outcome of the referendum will be known by the time of the Council meeting and Members will be advised of this outcome at the meeting.</p>

2 Current position

2.1	<p>At the time of writing this Report, the Beccles Neighbourhood Plan had successfully completed examination and was fully expected to pass the Referendum on 16th September. Legislation states that the Council must make a Neighbourhood Plan within 8 weeks of the day after a successful Referendum, unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights.</p>
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3 How to address current situation

3.1	<p>On the basis of a positive outcome at the Referendum, the Council should make the Beccles Neighbourhood Plan.</p>
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4 Reason/s for recommendation

4.1	<p>Following a successful Referendum, the Council must make the Neighbourhood Plan within 8 weeks of the day following the Referendum unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights. There are no indications of breaches or compatibility issues therefore the Council must make the Neighbourhood Plan.</p>
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Appendices

Appendices:

Appendix A	Beccles Neighbourhood Plan (Referendum Version)
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Background reference papers:

Date	Type	Available From
May 2017	Beccles Neighbourhood Area Decision	https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Beccles/Beccles-Neighbourhood-Area-Decision-Notice.pdf
June 2020	Beccles Neighbourhood Plan Consultation Statement	https://eastsuffolk.inconsult.uk/gf2.ti/f/1228738/87507013.1/PDF/-/Consultation_Statement.pdf
July 2021	Beccles Neighbourhood Plan Decision Statement	https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Beccles/Beccles-Neighbourhood-Plan-Decision-Statement.pdf
May 2021	Beccles Neighbourhood Plan Examiner's Report	https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Beccles/Beccles-Neighbourhood-Plan-Examiners-Report.pdf