

**Decision by Director of Neighbourhoods  
under Delegated Authority**



**Epping Forest  
District Council**

**Report reference: DDA-001-2016/17**

**Date of report: 02 June 2017**

**Portfolio:** Planning and Governance

**Author:** A. Blom-Cooper (Ext 4066)

**Democratic Services:** J. Leither

**Subject:** Ongar Neighbourhood Plan

**Decision:** To approve the designation of the Ongar Town Council area as a Neighbourhood Area for the preparation of a neighbourhood development plan.

**Authority for Delegated Decision (Minute Ref):** Cabinet Minute 166 – 13 April 2015

I have read and approve/~~do not approve~~ (delete as appropriate) the above decision:

Comments/further action required:

Signed:

Date: 2 June 2017

*After completion, one copy of this pro forma should be returned to  
Democratic Services **IMMEDIATELY***

**Reason for decision:**

To consider the application for the designation of the Ongar neighbourhood area

**Options considered and rejected:**

To not approve the designation of the parish as a Neighbourhood area for the preparation of a neighbourhood development plan. As a result of changes to the regulations/legal framework the Council no longer has discretion where the application is for the entire Parish. This is therefore not an option.

**Background Report:**

1. The Government introduced Neighbourhood Planning as part of the Localism Act 2011 in order to enable town/parish councils and Neighbourhood Forums to actively participate in plan making. A Neighbourhood Development Plan (NDP), once it has passed a referendum, forms part of the statutory development plan and is therefore taken into account in the determination of planning applications. They can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in conformity with national planning policy as well as the District Local Plan.

Initialed as original copy by  
Director of Neighbourhoods

2. Under the 1990 Town and Country Planning Act and the Localism Act 2011, local planning authorities have a statutory duty “to give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of, or in connection with facilitating the preparation of Neighbourhood Development Plans” (Schedule 4B, 1990 Town and Country Planning Act). The Neighbourhood Planning (General) and Development Management Procedure Order Regulations included a 2016 amendment of the 2012 Regulations which came into force on 1 October 2016. This removes the requirement to publicise an application for a Neighbourhood Area that covers the whole Parish. The Housing and Planning Act 2016 introduced new provisions to Section 61G of the Town and Country Planning Act so that if the application meets the criteria the Local Planning Authority must designate the specified area as a neighbourhood area.

### **Ongar Town Council Neighbourhood Area Application**

3. On 18 May 2017 Ongar Town Council wrote to the Council to request the designation of the whole Parish of Ongar as a neighbourhood area for the purposes of preparing a neighbourhood plan. The letter included a map showing the proposed area. In accordance with The Neighbourhood Planning (General and Development Management Procedure (Amendment) Regulations 2016 the Council has no discretion and must designate the specified area as a neighbourhood area and publicise this decision on the Councils website as required by the Neighbourhood Planning General Regulations 2012 as amended.
4. Following designation of the neighbourhood area, the Town Council will progress with the preparation of the NDP. A draft Plan must be submitted to the District Council. Representations will then be invited on the plan for a period of at least 6 weeks, after which an independent examination will be held. Finally, the Plan will be subject to a referendum before Full Council is asked to bring it into force. At this point the NDP will become part of the statutory development plan for Epping Forest District.
5. Neighbourhood areas have also been designated for Moreton Bobbingworth and the Lavers, Epping Upland, Epping Town, Theydon Bois, Loughton, Chigwell, Buckhurst Hill and North Weald Bassett.

### **Resource Implications:**

Currently neighbourhood planning is being delivered within existing resources. The Government has dedicated funding for the development of NDP's which is applied for at the appropriate point. Since 2013 the Council has received £30,000 from this fund.

### **Legal and Governance Implications:**

The legal and governance arrangements were agreed by Cabinet on 29 July 2013. More recently, in accordance with national practice it was agreed by Cabinet on 6 October 2014 to delegate future decisions to designate neighbourhoods following consultation with the Portfolio Holder, where the area covers the whole parish and there are no objections.

### **Safer, Cleaner and Greener Implications:**

None

### **Consultation Undertaken:**

Publication of the proposed designation is no longer required.

**Background Papers:**

Letter from Ongar Town Council dated 18 May 2017

**Impact Assessments:**

***Risk Management***

It should be ensured that the use of Council resources do not extend beyond the level of assistance agreed with the governance arrangement as approved at Cabinet in July 2013. However this will be kept under review

**Key Decision Reference (Y/N): No**





## Equality analysis report

Use this report template to record your equality analysis. This report is a written record that demonstrates that you have shown *due regard* to the need to **eliminate unlawful discrimination, advance equality of opportunity and foster good relations** with respect to the personal characteristics protected by equality law. Due regard must be paid at formative stages of policy or service development, changes, or withdrawal.

To assist you in completing this report, please ensure you read the guidance notes in the Equality Analysis Toolkit and refer to the following Factsheets:

- o Factsheet 1: Equality Profile of the Epping Forest District
- o Factsheet 2: Sources of information about equality protected characteristics
- o Factsheet 3: Glossary of equality related terms
- o Factsheet 4: Common misunderstandings about the Equality Duty
- o Factsheet 5: Frequently asked questions
- o Factsheet 6: Reporting equality analysis to a committee or other decision making body

If you require further help, please contact the Performance Improvement Unit.

### Step 1. About the policy, service change or withdrawal

Name of the policy, service or project: <i>be specific</i>	Designation of the Ongar Town council area as a Neighbourhood area for the preparation of a neighbourhood plan
Revised / new / withdrawal:	New
Intended aims / outcomes/ changes:	Statutory requirement to designate an area for the purposes of making a NP
Relationship with other policies / projects:	Epping Forest District Local Plan
Name of senior manager for the policy / project:	Alison Blom-Cooper
Name of policy / project manager:	David Coleman

### Step 2. Decide if the policy, service change or withdrawal is equality relevant

Does the policy / project / service process involve, or have consequences for employees or other people? If yes, please state who will be affected. If yes, then the policy / project is equality relevant.	If yes, state which protected groups:
If no, state your reasons for this decision. Go to step 7.	If no, state reasons for your decision:
<i>The majority of Council policies and projects are equality relevant because they affect employees or our communities in some way.</i>	There is a statutory requirement to designate the area for the preparation of a NP

### Step 3. Gather evidence to inform the equality analysis

What evidence have you gathered to help you understand the impact of your policy or service change or withdrawal on people? What does your evidence say about the people with the protected characteristics? If there is no evidence available for any of the characteristics, please explain why this is the case, and your plans to obtain relevant evidence. Please refer to Factsheet 2 'Sources of evidence for the protected characteristics'

<i>Characteristic</i>	<i>Evidence (name of research, report, guidance, data source etc)</i>	<i>What does this evidence tell you about people with the protected characteristics?</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Marriage and civil partnership		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

**Steps 4 & 5 Analyse the activity, policy or change (*The duty to eliminate unlawful discrimination*)**

Based on the evidence you have analysed, describe any actual or likely adverse impacts that may arise as a result of the policy decision. Where actual or likely adverse impacts have been identified, you should also state what actions will be taken to mitigate that negative impact, ie what can the Council do to minimise the negative consequences of its decision or action.

<i>Characteristic</i>	<i>Actual or likely adverse impacts identified</i>	<i>Actions that are already or will be taken to reduce the negative effects identified</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Marriage and civil partnership		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		

Sex		
Sexual orientation		

**Step 6.**

**The duty to advance equality of opportunity**

Can the policy, service or project help to advance equality of opportunity in any way? If yes, provide details. If no, provide reasons. *(Note: not relevant to marriage and civil partnership)*

<i>Characteristic</i>	<i>Ways that this policy, service or project can advance equality of opportunity</i>	<i>Why this policy, service or project cannot help to advance equality of opportunity:</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

**The duty to foster good relations**

Can the policy, service or project help to foster good relations in any way? If yes, provide details. If no, provide reasons. *(Note: not relevant to marriage and civil partnership)*

<i>Characteristic</i>	<i>How this policy, service or project can foster good relations:</i>	<i>Why this policy, service or project cannot help to foster good relations:</i>
Age		
Dependents / caring responsibilities		
Disability		
Gender reassignment		
Pregnancy and maternity		
Race / ethnicity		
Religion or belief		
Sex		
Sexual orientation		

## Step 7. Documentation and Authorisation

Summary of actions to be taken as a result of this analysis (add additional rows as required):	Name and job title of responsible officer	How and when progress against this action will be reported
No action required as it does not adversely affect any particular group of persons	Alison Blom-Cooper	This is a one off action – no monitoring of progress will be required. Progress on the NP will be monitored and advice and assistance provided as required by legislation

Name and job title of officer completing this analysis:	Alison Blom-Cooper
Date of completion:	31/5/17
Name & job title of responsible officer: (If you have any doubts about the completeness or sufficiency of this equality analysis, advice and support are available from the Performance Improvement Unit)	Alison Blom-Cooper Interim Assistant Director
Date of authorisation:	
Date signed copy and electronic copy forwarded to PIU <a href="mailto:equality@eppingforestdc.gov.uk">equality@eppingforestdc.gov.uk</a>	

## Step 8. Report your equality analysis to decision makers:

Your findings from this analysis (and any previous analysis) must be made available to a decision making body when it is considering the relevant service or policy.

Therefore you must:

- reflect the findings from this analysis in a 'Due Regard Record' (template available), and attach it as an appendix to your report. The Record can be updated as your policy or service changes develop, and it exists as a log of evidence of due regard;
- Include this equality information in your verbal report to agenda planning groups or directly to portfolio holders and other decision making groups.

**Your summary of equality analysis must include the following information:**

- if this policy, service change or withdrawal is relevant to equality, and if not, why not;



- the evidence base (information / data / research / feedback / consultation) you used to help you understand the impact of what you are doing or are proposing to do on people with protected characteristics;
- what the evidence base (information / data / research / feedback / consultation) told you about people with protected characteristics;
- what you found when you used that evidence base to assess the impact on people with the protected characteristics;
- whether or not your policy or service changes could help to advance quality of opportunity for people with any of the protected characteristics;
- whether or not your policy or service changes could help to foster good relations between communities.

