

Bolton Council

Report to:	Executive Cabinet Member for Strategic Housing and Planning and Council		
Date of meeting:	15 th June 2021		
Report of:	Director of Place	Report Number:	4735
Reporting Officer:	Paul Whittingham Assistant Director (Economic Development and Regeneration)	Telephone Number:	01204-336042
Contact Officer:	Andrew Chalmers Principal Development Officer	Telephone Number:	01204-336109
Report title:	Making the Blackrod Neighbourhood Plan		
Not confidential			
This report does not contain information which warrants its consideration in the absence of the press or members of the public.			
Purpose:	To make the Blackrod Neighbourhood Plan part of the development plan for Bolton following the referendum of 6 th May 2021.		
Recommendations:	The Executive Cabinet Member is recommended to: Recommend to a meeting of the Council that the Blackrod Neighbourhood Plan should be made as part of the statutory Development Plan, following the referendum held on 6 th May 2021.		
Decision:			
Background documents:	Blackrod Neighbourhood Plan		
Signed:	Leader/Executive Cabinet Member	Monitoring Officer	
Date:			

Consultation with other officers															
Finance	No	Insert date	Insert name												
Legal	Yes	14/4/21	Nicola Raby												
HR	No	Insert date	Insert name												
Procurement	No	Insert date	Insert name												
Climate Change	No	Insert date	Insert name												
Equality Impact Assessment	Yes	14/4/21	Tammy Tatman												
(a) Pre-consultation reports Is there a need to consult on the proposals?			No												
(b) Post consultation reports Please confirm that the consultation response has been taken into consideration in making the recommendations.			N/A												
Vision outcomes Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box.			<table border="1"> <tbody> <tr> <td>1. Start Well</td> <td>x</td> </tr> <tr> <td>2. Live Well</td> <td>x</td> </tr> <tr> <td>3. Age Well</td> <td>x</td> </tr> <tr> <td>4. Prosperous</td> <td>x</td> </tr> <tr> <td>5. Clean and Green</td> <td>x</td> </tr> <tr> <td>6. Strong and Distinctive</td> <td>x</td> </tr> </tbody> </table>	1. Start Well	x	2. Live Well	x	3. Age Well	x	4. Prosperous	x	5. Clean and Green	x	6. Strong and Distinctive	x
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5. Clean and Green	x														
6. Strong and Distinctive	x														

1. **INTRODUCTION & BACKGROUND**

- 1.1. The 2011 Localism Act introduced a right for communities to produce neighbourhood plans. These plans were introduced to provide local communities with the means to develop a shared vision for their neighbourhood and shape the development and growth of their local area, where they chose to do so. Neighbourhood Plans, if supported by success at referendum at the end of the process, become part of the Development Plan and the policies contained within them are then used in the determination of planning applications. They must be in general conformity with national planning policies and the strategic policies of the Local Plan; they should not promote less development than set out in the Local Plan, nor undermine its strategic policies. The Local Plan in Bolton currently consists of the Core Strategy, the Allocations Plan, and the Greater Manchester Mineral and Waste Plans.
- 1.2. Parish councils have the power to formulate a Neighbourhood Plan. Bolton Council, as Local Planning Authority, also has statutory responsibilities to fulfil at different stages in the preparation.
- 1.3. Bolton Council designated the Blackrod Neighbourhood Plan area in July 2016 and since that time, Blackrod Council and Bolton Council have followed the statutory processes for neighbourhood plan preparation. The Town Council prepared a draft Neighbourhood Plan and consulted on that in December 2018 and January 2019. In the light of the consultation responses, they prepared a further Plan and submitted it to Bolton Council in June 2019. Bolton Council then carried out consultation on the submitted plan and received representations.
- 1.4. In July 2019, Bolton Council appointed an independent examiner whose role was to prepare a report to consider whether the Plan:
 - Meets the basic conditions, i.e. conforms with national planning policy and local strategic policies; would result in sustainable development; and meets the requirements of European regulations for protecting the environment and for Human Rights; and.
 - Satisfies the legal requirements for neighbourhood plans.
- 1.5. The examiner considered the submitted plan and the representations made on it. He sent his report to Bolton Council in October 2019. The examiner found that the Plan met the basic conditions and the legal requirements, subject to some modifications. In January 2020, Bolton Council resolved that the Neighbourhood Plan should proceed to a referendum, subject to the modifications recommended by the examiner. However due to Covid-19 restrictions and associated regulations the referendum could not take place during 2020.
- 1.6. The referendum took place on 6th May 2021. The referendum voted in favour of Bolton Council using the neighbourhood plan for Blackrod to help it decide planning applications in the neighbourhood area.

2. **ISSUES**

- 2.1. The Blackrod Neighbourhood Plan became part of the development plan for the Blackrod Neighbourhood Area as soon as the referendum voted in favour of it. As a result of the referendum, Bolton Council is required, in accordance with legislation, to come to a decision to 'make' the Neighbourhood Plan within 8 weeks of 6th May i.e. by 1st July 2021.

3. **OPTIONS**

- 3.1. Bolton Council can only decline to make the Neighbourhood Plan if it considers that it breaches, or otherwise is incompatible with, any European Union or human rights obligations. It is not considered that there is any such breach and therefore the Council must make the Plan.
- 3.2. Bolton Council's standing orders mean that any resolution to make the Neighbourhood Plan must be made by a meeting of the Council.

4. **IMPACTS AND IMPLICATIONS:**

4.1. **Financial**

- 4.1.1. None.

4.2. **Legal**

- 4.2.1. Bolton Council has followed the statutory procedures in carrying out its responsibilities on the Neighbourhood Plan. The Neighbourhood Plan is now part of the statutory development plan and must be considered in the determination of planning applications in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004.

4.3. **HR**

- 4.3.1. None.

4.4. **Climate Change**

- 4.4.1. The Blackrod Neighbourhood Plan includes policies that mitigate against climate change.

4.5. **Other**

- 4.5.1. None.

5. **EQUALITY IMPACT ASSESSMENT (EIA)**

5.1. Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

5.2. At this stage it is not anticipated that the proposals will have a disproportionate impact on any of Bolton's diversity groups.

6. **CONSULTATION**

6.1. There is no specific public consultation on this report, but consultation has taken place at various stages in the preparation of the Neighbourhood Plan, as detailed in paragraphs 1.1 to 1.6. At the conclusion of the process the decision whether to bring this plan into force for the purpose of making planning decisions in Blackrod lies with the electorate of Blackrod. They expressed their support to do so through a majority voting for it in the referendum on 6th May. The neighbourhood plan was worked up by the residents and the people of Blackrod were therefore specifically and publicly consulted on this. This council report supports the decision of the residents of Blackrod and the decision made at the referendum to make the plan.

7. **VISION 2030**

7.1. Within the Vision 2030 Strategy, the Council will strive to deliver services more efficiently, through service improvement, redesign, recommissioning and decommissioning, based on evidence of impact. The proposals within this report contribute to this strategic council aim.

8. **RECOMMENDATIONS**

8.1. The Executive Cabinet Member is recommended to:

- Recommend to a meeting of the Council that the Blackrod Neighbourhood Plan should be made as part of the statutory Development Plan, following the referendum held on 6th May 2021.

Equality Impact Assessment (Part 2 – Full EIA)

Title of report or proposal:
Making the Blackrod Neighbourhood Plan

Directorate:	Place
Section:	Strategy Team
Date:	14/4/21

Public sector bodies need to be able to evidence that they have given due regard to the impact and potential impact on all people with 'protected characteristics' in shaping policy, in delivering services, and in relation to their own employees.

Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

By completing the following questions the three parts of the equality duty will be consciously considered as part of the decision-making process.

Details of the outcome of the Equality Impact Assessment must also be included in the main body of the report.

1. Describe in summary the aims, objectives and purpose of the proposal, including desired outcomes.

To make the Blackrod Neighbourhood Plan part of the development plan for Bolton following the referendum of 6th May 2021.

2. Is this a new policy / function / service or review of existing one?

The Blackrod Neighbourhood Plan is a new policy that came into force when the referendum result was in favour of it.

3. Who are the main stakeholders in relation to the proposal?

Bolton Council as local planning authority, Blackrod Town Council as the Qualifying Body for the Neighbourhood Plan, all residents in the designated Blackrod Neighbourhood Plan area, and businesses, landowners and developers within Blackrod.

4. In summary, what are the anticipated (positive or negative) impacts of the proposal?

The Neighbourhood Plan should enable everybody in Blackrod to benefit from planning policies that are specifically tailored to the Blackrod context.

5. What, if any, cumulative impact could the proposal have?

There are no cumulative effects in making the Neighbourhood Plan

6. With regard to the stakeholders identified above and the diversity groups set out below:

	Is there any potential for (positive or negative) differential impact? Could this lead to adverse impact and if so what?	Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group, or for any other reason? Please state why	Please detail what actions you will take to remedy any identified adverse impact i.e. actions to eliminate discrimination, advance equality of opportunity and foster good relations
Race (this includes ethnic or national origins, colour or nationality, and caste, and includes refugees and migrants; and gypsies and travellers)	There are no differential impacts to this diversity group.	N/A	N/A
Religion or belief (this includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief)	There are no differential impacts to this diversity group.	N/A	N/A
Disability (a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities)	There are design policies that could improve the design of buildings for people with disabilities	N/A	N/A
Sex / Gender	There are no differential impacts to this diversity group.	N/A	N/A

Gender reassignment / Gender identity (a person who's deeply felt and individual experience of gender may not correspond to the sex assigned to them at birth, they may or may not propose to, start or complete a process to change their gender. A person does not need to be under medical supervision to be protected)	There are no differential impacts to this diversity group.	N/A	N/A
Age (people of all ages)	There are design policies that could improve the design of buildings for older people. The Plan encourages the provision of housing suitable for older people	N/A	N/A
Sexual orientation - people who are lesbian, gay and bisexual.	There are no differential impacts to this diversity group.	N/A	N/A
Marriage and civil partnership (Only in relation to due regard to the need to eliminate discrimination)	There are no differential impacts to this diversity group.	N/A	N/A
Caring status (including pregnancy & maternity)	There are no differential impacts to this diversity group.	N/A	N/A
Socio-economic	There are no differential impacts to this diversity group.	N/A	N/A
Other comments or issues.			

<p>Please provide a list of the evidence used to inform this EIA, such as the results of consultation or other engagement, service take-up, service monitoring, surveys, stakeholder comments and complaints where appropriate.</p>	<p>The Plan has already been subject to consultation and different groups have been given the opportunity to comment.</p>
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This EIA form and report has been checked and countersigned by the Directorate Equalities Officer before proceeding to Executive Cabinet Member(s)

Please confirm the outcome of this EIA:

No major impact identified, therefore no major changes required – proceed	<input checked="checked" type="checkbox"/>
Adjustments to remove barriers / promote equality (mitigate impact) have been identified – proceed	<input type="checkbox"/>
Positive impact for one or more groups justified on the grounds of promoting equality - proceed	<input type="checkbox"/>
Continue despite having identified potential for adverse impact/missed opportunities for promoting equality – this requires a strong justification	<input type="checkbox"/>
The EIA identifies actual or potential unlawful discrimination - stop and rethink	<input type="checkbox"/>

Contact Officer

Name: Andrew Chalmers

Date: 14/4/21

Directorate Equalities Lead Officer

Name: Tammy Tatman

Date: 16/04/21
