

North Yorkshire Council

15 January 2025

Executive Member for Open for Business

Harrogate Neighbourhood Plan Forum and Area Designation

Report of the Corporate Director for Community Development

1.0 PURPOSE OF REPORT

- 1.1 To approve the designation of a neighbourhood forum and a neighbourhood area for Harrogate under Part 2(7) and Part 3(10) of the Neighbourhood Planning (General) Regulations 2012 (as amended), to enable the next stages of the development of Harrogate Neighbourhood Development Plan to commence.

2.0 BACKGROUND

- 2.1 On 29 August 2024 applications were submitted to the council for designation of a neighbourhood forum and a neighbourhood area for Harrogate, to enable them to proceed with formal neighbourhood plan preparations.
- 2.2 Neighbourhood planning was introduced through the Localism Act in 2011 and provides communities with direct power to develop a shared vision for their area, shaping development and growth. Neighbourhood planning provides a set of tools for local people to plan for the types of development to meet their community's needs.

3.0 DESIGNATION OF A NEIGHBOURHOOD FORUM AND NEIGHBOURHOOD AREA

- 3.1 For a neighbourhood plan area to be designated there must be a 'relevant body'. As there is currently no town council for Harrogate the regulations require the designation of a neighbourhood plan forum. Regulation 8 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out the requirements for forum applications. They must include:
- i. the name of the proposed neighbourhood forum;
 - ii. a copy of the written constitution of the proposed neighbourhood forum;
 - iii. the name of the neighbourhood area to which the application relates and a map which identifies the area;
 - iv. the contact details of at least one member of the proposed neighbourhood forum to be made public (under regulations 9 and 10); and
 - v. a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act."
- 3.2 To be designated a neighbourhood forum must also have a membership that includes a minimum of 21 individuals who either:
- i. live in the neighbourhood area;
 - ii. work there; and/or
 - iii. are elected members for a local authority that includes all or part of the neighbourhood area

- 3.3 The application received for the designation of the neighbourhood forum is attached as Appendix A: Forum application. The application includes all the required elements and includes details of more than 21 members who meet the requirements. As such the application is valid.
- 3.4 Part 2(5) of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the relevant body (which is usually the parish or town council but in this case is the proposed forum) to submit an area application that must include:
- i. a map which identifies the area to which the area application relates;
 - ii. a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - iii. a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
- 3.5 The application received for the designation of the neighbourhood area is attached as Appendix B: Area application. The application fulfils all these requirements and so is valid.

4.0 CONSULTATION UNDERTAKEN AND RESPONSES

- 4.1 In circumstances where there is an application for a neighbourhood forum there is a requirement for public consultation. A public consultation is also required when the area applied for as a neighbourhood area does not match a single whole parish or town council area. Public consultation has been completed for the proposed forum and the proposed area. The consultations ran at the same time, starting on 16 October and ending on 27 November 2024.
- 4.2 For the forum application, in total 10 comments were received from 10 people/organisations. The majority supported the proposed forum.
- 4.3 For the area application, in total 14 comments were received from 13 people/organisations. The majority were supportive of the area proposed. However, there were some comments that suggested that the area should be extended. Most seemed to suggest extending the area to include areas of surrounding parishes that have had development or where development is planned, that are or would be considered to be part of the town.
- 4.4 There was a submission from Homes England on behalf of the West of Harrogate Promoters Group and themselves that raised concern about the proposed area and potential interaction with the delivery of development allocations in the Harrogate District Local Plan. The submission identified how the boundary for the proposed area cuts through several allocations in the Harrogate District Local Plan. It detailed the current stages that these allocations had reached in terms of delivery. While most are progressing with several outline planning permissions in place, their concern was if there should be any delay or setback that neighbourhood plan policies could add to the already complex process of progressing these sites.
- 4.5 National planning policy states that a neighbourhood plan should support the strategic development needs set out in strategic policies for the area, plan positively to support local development and should not promote less development than set out in the strategic policies. The allocations are set out in the Harrogate District Local Plan, which is the extant Development Plan for the area, as such the policies and proposals in the neighbourhood plan would need to support the delivery of these sites. The Council has a duty to support groups preparing neighbourhood plans and through this duty the Council will guide and advise on any potential issues that may arise during plan preparation with the delivery of allocations in

the current development plan. So, while the concerns raised are understood, the officer recommendation is that the area should be designated.

5.0 CONTRIBUTION TO COUNCIL PRIORITIES

5.1 Once 'made' (adopted), a neighbourhood plan forms part of the Development Plan for the area and becomes a key mechanism to help support the delivery of key themes in the Council's Plan.

6.0 ALTERNATIVE OPTIONS CONSIDERED

6.1 Through the Localism Act, the Council has a duty to support those wishing to prepare a neighbourhood plan. The designation of a neighbourhood area is a critical initial step in the preparation of a neighbourhood plan. At this stage the decision is whether to designate the forum and area as proposed. There are no alternative options available.

7.0 FINANCIAL IMPLICATIONS

7.1 There is no cost associated with neighbourhood forum or area designation, only the amount of officer time involved. However, the Council will incur further costs with the subsequent preparation of the neighbourhood plan. This will mainly be through officer time supporting preparation of the neighbourhood plan, which may be considerable given the scale and significance of Harrogate. Later in the process there will be the cost of examination and referendum, both of which could be significant for a neighbourhood plan of this scale. There is financial support available from government at significant milestones, although it is anticipated that this will not be sufficient to cover the costs that will be incurred.

7.2 Once a neighbourhood plan is made (adopted) there will be a change to the proportion of the Community Infrastructure Levy (CIL) that is transferred to the relevant parish or town council. Before a neighbourhood plan is made the amount transferred is 15%. Once a plan is in place the amount increases to 25%. In the case of Harrogate, all CIL money from development in the town is currently retained as there is no town council.

8.0 LEGAL IMPLICATIONS

8.1 The designation of a neighbourhood area is undertaken in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended). Local planning authorities should only refuse to designate a neighbourhood forum or a neighbourhood area when there are clear reasons to do so. As detailed above, it is the officer view that there are no such reasons.

8.2 It should be noted that, as set out in section 5(2)(8A) of the Neighbourhood Planning Act 2017 (as amended), a neighbourhood area designation will cease to have effect if a new parish council is created. This means that, at the point when the Harrogate Town Council is created in 2025, if designated, this neighbourhood area would cease to have effect. For work on preparation of a neighbourhood plan to continue the new town council would need to apply for a new neighbourhood area to be designated.

9.0 EQUALITIES IMPLICATIONS

9.1 At this stage there are no detailed policies to review. Neighbourhood plans are required to be in general conformity and plan positively to support the strategies set out in the wider Development Plan, which has been subject to Equalities Impact Assessments. All neighbourhood plans will be considered in relation to the Human Rights Act 1998 and can only be adopted where they are compatible with the legislation. See Appendix C.

10.0 CLIMATE CHANGE IMPLICATIONS

10.1 There are no climate change consideration associated with the report. A screening report will need to be undertaken once a draft of the neighbourhood plan is available to determine whether a Strategic Environmental Assessment (SEA) is required in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. That screening report will also identify any requirement for a Habitat Regulations Assessment in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). See Appendix D.

11.0 REASONS FOR RECOMMENDATIONS

11.1 As set out above the comments received are generally supportive. Although there were a small number of comments that identified issues with the area proposed, it is the officer view that there were no reasons raise that indicate that the area should not be designated. Therefore, the recommendation is that both the forum and the area are designated.

12.0 RECOMMENDATION(S)

- i. That the Executive Member for Open for Business approves the designation of the proposed forum as a neighbourhood forum under Part 3(10) of the Neighbourhood Planning (General) Regulations 2012 (as amended); and
- ii. That the Executive Member for Open for Business approves the designation of the proposed area as a neighbourhood area under Part 2(7) of the Neighbourhood Planning (General) Regulations 2012 (as amended), to enable the next stages of the development of a neighbourhood plan to commence.

APPENDICES:

Appendix A – Neighbourhood forum application
Appendix B – Neighbourhood area application
Appendix C – Equalities Impact Assessment
Appendix D – Climate Impact Assessment

Nic Harne
Corporate Director – *Community Development*
County Hall
Northallerton
23 January 2025

Report Author – James Campbell, Principal Planning Policy and Place Officer
Presenter of Report – James Campbell, Principal Planning Policy and Place Officer

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

APPENDIX A

Harrogate Town Plan

Application to designate neighbourhood forum

The Neighbourhood Planning (General) Regulations 2012 requires this application to provide the details of at least one member of the proposed neighbourhood forum to be made public. The details are:

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P O Box 888, Harrogate, HG2 8UH

Phone ><

email: ><

Background

This application for designation of a neighbourhood forum is made by the Harrogate Town Plan Forum (being the relevant body) to North Yorkshire Council (the local planning authority within which the forum is situated).

The forum intend to produce a neighbourhood development plan in the neighbourhood area.

Prior to making this application for designation it was established that North Yorkshire Council has no prescribed form for such an application other than to ensure the application meets the relevant legislative requirements. This application is accompanied by another application for designation of the Harrogate Town Plan neighbourhood area. It is the preference of North Yorkshire Council that applications for designation of an area and forum be submitted at the same time.

Legislative requirements for this application

Regulation 8 of the Neighbourhood Planning (General) Regulations 2012 states:

“where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—

(a) the name of the proposed neighbourhood forum;

(b) a copy of the written constitution of the proposed neighbourhood forum;

(c) the name of the neighbourhood area to which the application relates and a map which identifies the area;

(d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and

(e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.”

This application provides all details as required by the Regulations.

Name of the proposed neighbourhood forum

Harrogate Town Plan Forum

Copy of the written constitution of the proposed neighbourhood forum

A copy of the forum's approved constitution is included in this application.

Name of the neighbourhood area to which the application relates and a map which identifies the area

The name of the neighbourhood area is the Harrogate Town Plan Neighbourhood Area

The area submitted for designation is the unparished area of Harrogate as shown within the boundary of this map:



Copyright OpenStreetMap. Boundary-Line provided by Ordnance Survey

Details of why this area is appropriate is included in the separate application to have the area designated. The area does not include any parished area or part of any other neighbourhood planning area and therefore meets legislative requirements.

Contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10

Contact details are provided with this application

A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.”

This statement addresses the conditions set out in section 61F(5) but begins with some background information to explain how and why the forum came about and the forum’s intentions. We hope this will be useful to provide context to the forum designation application.

The forum idea began following a meeting between two organisations in Harrogate to discuss their respective visions. Harrogate Civic Society is committed to celebrating our spa town’s architectural and social history and ensuring Harrogate retains the best of its historic character and embraces the future. Zero Carbon Harrogate has a vision

for Harrogate to become a leading sustainable, carbon neutral place so that residents experience an improved and more equitable quality of life. These 'visions' appear different but there are many complimentary aspects and both seek to achieve a sustainable future for our beautiful spa town. However, turning these two visions into reality is a difficult task – more so when you consider people outside those organisations hold wide ranging opinions about the future direction of the town. This is something that has to be recognised. A neighbourhood plan was seen by these two organisations as a potential way of bringing those visions together. Representatives from the two organisations met again and decided an important first step was to find out if there was likely to be a sufficient level of support within the town of Harrogate to start a neighbourhood plan process.

The two organisations established a small steering group which had a specific task to gauge public opinion. Five presentations were given to a cross section of people who live and work in the town of Harrogate, and their feedback obtained. A database of invitees and supporters was put together, which included individuals and people who represented larger organisations and business interests so that our message could be spread widely. The first presentation was held on 7 November 2023 and others followed over the next six months. During this period a wide range of organisations and individuals were also contacted directly with an information pack about neighbourhood planning and to seek their feedback, help and support. We started this process with two organisations and soon gained the support and involvement of many more including business interests. The steering group evolved and increased in size and diversity over that period.

The steering group was encouraged by the level of support and enthusiasm for starting a neighbourhood plan process in the town of Harrogate and a decision was made to seek views on moving to the next logical stage of setting up a Neighbourhood Forum. All those who had expressed an interest in the process were invited to a public meeting on 4 June 2024. Some fifty people attended and a decision was made to establish a Forum and start the process using the unparished area of the town of Harrogate as the neighbourhood area.

The next task has been to get ourselves in a position where we are a prospective neighbourhood forum and could be recognised as a qualifying body to produce a neighbourhood plan for the town of Harrogate. This means we needed our area and neighbourhood forum to be designated.

The first meeting of the forum in July 2024 agreed the setting up of an interim management committee and appointed interim officers to get the forum structure ready for designation and approve an interim constitution. We now have the required written constitution which defines the function of our forum is to produce a neighbourhood plan in a defined neighbourhood area (the unparished area of our town) and an objective to promote and improve the social, economic and environmental well-being of the area.

The forum continues to grow. We now have 60 registered members and most of these represent local groups, organisations and businesses so the actual number of people supporting our work now runs into many hundreds. These people come from all walks of life and our aim is to continue to seek more support so our membership represents the character and diversity of our town. People, organisations and businesses involved in our process to date either as registered forum members or supporting our cause are:

Harrogate Civic Society, Zero Carbon Harrogate, Harrogate Residents Association, Harlow and Pannal Ash Residents Association, Knox Community Conservation Group, Bilton Community Group, Knox Valley Residents Association, Stray Defence Association, Friends of Valley Gardens, Directions Planning Consultancy Ltd, Duchy Residents Association, Harrogate Theatre and Creative Harrogate, Harrogate Business Improvement District (BID), Harrogate Hospitality and Tourism Association, Harrogate Youth Council, Harrogate High School, Starbeck Library, Longlands Common, St Peter's Church, Yorkshire Causeway, KCCG, Harrogate Town Association Football Club, Disability Action Yorkshire, Commercial Street Traders, Harrogate District Chamber of Commerce, Ake & Humpries Wines, Yorkshire Soap, The Den and Thug Grub, McDonalds, Allotments Association, S+SA Architects, Linley and Simpson, Independent Harrogate, Blue Willow Heritage, Richard Eaves Architects, Tennants Auctioneers, HG2 Architects, Hornbeam Park Developments, McCurdy Russel Architects, Perlex Associates, Harrogate District over-50's Forum, Harrogate and District Community Action, Harrogate Flower Show, Harrogate in Bloom, Harrogate Homeless Project, RedKite Academy, CPRE North and East Yorkshire, Stray Ferret, Harrogate Advertiser, various local charities, existing and retired local councillors, and a growing number of individuals who either work or live in the town.

We are pleased to have the full support of Harrogate BID and the Chamber of Commerce, residents associations and diverse voluntary groups. The forum has now started an informal process looking at issues facing the town and potential planning themes and topics which could be addressed in the plan. We are anxious to start a formal engagement programme with the town's community to identify issues from a wide range of stakeholders and work with North Yorkshire Council to begin to gather an evidence base. We would like this work to be undertaken with the endorsement of a designated forum and a designated area. We expect our initial 'stage one' work will be completed before the creation of Harrogate Town Council. A document will then be prepared for the incoming town council for their consideration and to help them make a decision to continue our neighbourhood plan work. The document will set out what the neighbourhood forum believe to be the key issues for future planning in the town of Harrogate and the likely scope of a neighbourhood plan.

Once the new town council is created, Harrogate Town Plan Forum must cease to be designated but we will continue to work towards a neighbourhood plan with Harrogate Town Council. This work will mean we become a new body and we hope this will be

as a steering group of the new town council. This 'stage two' process will use the information provided by the forum for the town council to undertake a greater level of publicity and engagement, firm up the evidence base and move to the drafting of a plan.

The overall intention is for the town of Harrogate to have a neighbourhood plan which is ideally produced in tandem with the North Yorkshire Local Plan and compliments that plan by addressing specific planning issues in the town which a county-wide plan may struggle to do.

Section 61F(5)

The conditions to be met for a forum designation are set out in the Town and Country Planning Act 1990 Section 61F(5):

“A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions—

(a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),

(b) its membership is open to—

(i) individuals who live in the neighbourhood area concerned,

(ii) individuals who work there (whether for businesses carried on there or otherwise), and

(iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(c) its membership includes a minimum of 21 individuals each of whom—

(i) lives in the neighbourhood area concerned,

(ii) works there (whether for a business carried on there or otherwise), or

(iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(d) it has a written constitution, and

(e) such other conditions as may be prescribed.”

The following information addresses each of these conditions:

It is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),

Clause 2.1 a) of the Harrogate Town Plan Forum approved constitution states: *“The aims and objectives of the forum are to promote and improve the social, economic and environmental well-being of the area.”*

Its membership is open to—

(i) individuals who live in the neighbourhood area concerned,

(ii) individuals who work there (whether for businesses carried on there or otherwise), and

(iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned

Clause 8.1 of the Harrogate Town Plan Forum approved constitution states: *“Membership of the forum shall be open to all residents living in the area, all those who work or carry out business in the area, and elected members for the area and shall, if reasonably possible, be drawn from different parts of the area and different sections of the community in the area.”*

Its membership includes a minimum of 21 individuals each of whom—

(i) lives in the neighbourhood area concerned,

(ii) works there (whether for a business carried on there or otherwise), or

(iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned.

Membership of the Harrogate Town Plan Forum currently stands at approximately 60 registered people representing individuals who live in the area, individuals who work in the area, residents' associations, representatives of local community groups and organisations, owners of businesses, representatives of other business interests who live and/or work in the area, individuals and representatives of businesses and voluntary organisations and bodies from across the town of Harrogate, and North Yorkshire Councillors whose wards lie wholly or partly within the neighbourhood area.

The prospective forum can therefore demonstrate it has taken reasonable steps to attempt to secure that its membership includes at least one individual falling within each of the categories listed in Section 61F(5) of the Town and Country Planning Act 1990, which are:

- Individuals who live in the neighbourhood area concerned
- Individuals who work there
- Individuals who are elected members of the relevant council

The full list of registered forum members as of the date of this application are:

Godfrey	Alderson	Harlow and Pannal Ash Residents Association
Vivian	Alderson	Harlow and Pannal Ash Residents Association
Susan	Amaku	Harrogate Civic Society
Jan	Arger	Chair, CPRE North and East Yorkshire
Thomas	Atherton	McDonalds
Ailsa	Bailey	Blue Willow Heritage
Bob	Barker	Zero Carbon Harrogate
Caroline	Bayliss	Harrogate Flower Shows
Nick	Brennan	Retired architect
Catherine	Bond	RedKite Academy
Rosemary	Carnaghan	Duchy Residents Association
Graham	Chalmers	Harrogate Advertiser
Matthew	Chapman	Harrogate Business Improvement District
Margaret	Cockerill	Knox Community Conservation Group
Richard	Cooper	Harrogate Homeless Project
Richard	Coulter	Harrogate in Bloom
Brian	Dunsby	Perlex Associates
Beryl	Dunsby	Perlex Associates
George	Eglese	Longlands Common
Marian	Farrar	Harrogate Homeless Project
Jonathan	Foggitt	Linley & Simpson
Andrew	Goss	Harrogate Civic Society
Lulu	Halloum	Harrogate Youth Council
John	Harris	Local Charities, various
Jill	Harrison	Knox Community Conservation Group
Paul	Hatherley	Harrogate Civic Society
Alison	Hayward	Resident
Viv	Hobman	Resident
Phil	Holdsworth	President, Harrogate District Chamber of Commerce
Stuart	Holland	Harrogate Civic Society
Bernadette	Jervis	Tennants Auctioneers
Kathryn	Jukes	Directions Planning
Michael	Laycock	Harrogate Civic Society
James	Lunt	Harrogate Town Football Club
Jane	Malster	Harrogate District over 50's Forum

Martin	Mann	CEO, Harrogate District Chamber of Commerce
Shan	Oakes	Longlands Common
Rebecca	Oliver	Chair, Duchy Residents Association
Henry	Pankhurst	Harrogate Civic Society
Jemima	Parker	Chair, Zero Carbon Harrogate
Noah	Ritchie	Longlands Common
Val	Rodgers	Knox Community Conservation Group
Patrick	Russell	McCurdy Russell Architects
Karin	Shaw	Curate, St Peter's Church
Dan	Siddle	Harrogate Hospitality and Tourism Association
Granville	Simpson	Harrogate Chamber of Commerce- Past President
Tiffany	Snowdon	Blue Willow Heritage
David	Waddington	Hornbeam Park Developments
Peter	Whittingham	Harrogate Civic Society
William	Woods	Independent Harrogate
Sue	Wrightson	Knox Community Conservation Group
Catherine	Wright	Harrogate High School
Michael	Harrison	Councillor, Saltergate
Philip	Broadbank	Councillor, Fairfax & Starbeck
Andrew	Timothy	Councillor, Stray, Woodlands and Hookstone
John	Mann	Councillor, Oatlands
Monika	Slater	Councillor, Bilton Grange and New Park
Paul	Haslam	Councillor, Bilton and Nidd Gorge

Note: the invitation to become a member of the forum remains open in accordance with section 61F(5) of the 1990 Act forum and therefore the list is evolving.

It has a written constitution

A copy of the Harrogate Town Plan Constitution is included with this application.

Agreement to finalise a constitution which is capable of being accepted by North Yorkshire Council was reached at a meeting of the forum on 9 July 2024 together with the creation of a management committee and appointment of interim officers and members. A subsequent meeting of the management committee on 7 August 2024 approved the constitution. A copy of the constitution is included in this application pack. The constitution addresses all the necessary requirements of forum designation legislation as follows:

- The forum is established for the express purpose of promoting or improving the social, economic and environmental well-being of the neighbourhood area.
- It has a purpose that reflects the character of the area in general terms.
- Membership of the forum is open to people living and working in the area, and elected members for the area.

- It has clauses dealing with the management of the forum and conduct of meetings.
- It has clauses dealing with all other matters required for a constitution for such a body.

Such other conditions as may be prescribed.

The Harrogate Town Plan Forum is unaware of any other prescribed conditions and North Yorkshire Council has not communicated to us any specific additional conditions. Legislation does not prescribe any other information requirements. In particular, there is no requirement to identify the scope or content of a proposed neighbourhood plan or its planning policy in order to make a decision on this application to designate this neighbourhood forum.

However, if North Yorkshire Council would find it useful to discuss the application content or would prefer to have additional information to help them determine this application to designate the neighbourhood forum, the forum will be happy to respond.

Application dated 29 August 2024

Attachment: The Harrogate Town Plan Forum Constitution

Harrogate Town Plan Forum – Constitution

Approved by a meeting of the forum management committee on 7 August 2024

1.0 Name and Area

1.1 The name of the forum shall be the Harrogate Town Plan Forum ('the forum').

1.2 The area covered by the forum shall be the area as shown on the attached map, known as the Harrogate town neighbourhood area ('the area').

2.0 Aims and Objectives

2.1 The aims and objectives of the forum are to:

a) Promote and improve the social, economic and environmental well-being of the area.

b) Undertake the preparation of a neighbourhood plan ('the plan') for the area from inception through to adoption of the plan.

c) Identify ways, in consultation with relevant authorities and organisations, of involving the whole community in the preparation of the plan and gathering, analysing and presenting their views and opinions to ensure the plan is as comprehensive and inclusive as possible.

d) Work in partnership with North Yorkshire Council in the preparation of the plan.

e) Work closely with business interests, residents and other professional and voluntary groups, organisations and bodies, to ensure they play a key role in the preparation of the neighbourhood plan.

f) Take responsibility for planning, budgeting and monitoring expenditure on the production of the plan and associated projects, including identifying possible sources of funding.

g) Ensure the plan conforms with local and national planning policies.

h) Ensure the forum shall not be affiliated to any political party or organisation.

i) Continue working for an improved Harrogate town and continue the forum as deemed necessary beyond the adoption of the plan.

k) Any other purpose agreed by the forum pursuant to the above aims and objectives, including the transfer of preparatory neighbourhood plan work to a town council for Harrogate should such a council be formed.

3.0 Powers

3.1 In pursuance of these aims and objectives, the forum will:

a) Produce a neighbourhood plan on behalf of the community within the area shown on the attached map.

b) Maintain a forum website giving details of the forum, including a map of the designated neighbourhood area, the contact details of the Chair and Secretary, this Constitution and policies agreed by the forum, notices, agendas and minutes of meetings.

c) Organise at least four Open (public) Meetings or other equivalent events per year, including an Annual General Meeting (AGM), to which all Forum members will be invited.

d) Raise money or apply for funding as necessary.

e) Appoint individuals or consultants or recruit volunteers as are necessary to conduct activities to meet the objects of the forum.

f) Pay for meeting or display equipment or exhibition rooms or premises and hire or purchase equipment and stationery as required to meet the objects.

g) Conduct research.

h) Work with groups of a similar nature and exchange information, advice and knowledge with them, including co-operation with other voluntary bodies, charities, statutory and non-statutory bodies.

i) Work with sub groups, whether or not consisting of forum members, to gather and exchange information, advice and knowledge.

i) Carry out anything else within the law necessary to reach the forum's aims and objectives.

4.0 Values

4.1 The forum and its management committee aim to follow the 'Nolan Principles' of public life. That is, they aim to act with:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty

and seek to promote these values by leadership and example.

4.2 The forum will comply with all relevant equality and anti-discrimination legislation and shall not discriminate against any persons on grounds of race, nationality, gender, sexuality, religion, or age.

5.0 Annual General Meetings (AGM)

5.1 The first AGM will be held once the forum has been officially designated. Information on elections to the management committee (including how to stand) will be sent out to forum members prior to the AGM, along with an agenda. Future AGM's will be held annually from that date and will be called with at least 14 days notice.

5.2 The agenda for each AGM will include:

- a) Consideration of any business announced in the AGM agenda.
- b) Consideration of the Annual Report of work done by the forum.
- c) Election of a management committee who will work as described in this Constitution to run the business of the forum and to make decisions on its behalf between AGM's (see Section 6.0).
- d) Submission and adoption of independently examined accounts for the forum, consisting of a statement of income and expenditure and a balance sheet for the previous financial year.
- e) A review of the rules and policies of the forum, including of this constitution.

6.0 The management committee

6.1 A management committee will be appointed at the forum's AGM, which will be responsible for the day to day business of the forum and will meet at least 6 times a year. Such meetings may be either in person or by suitable electronic means and which may be entirely virtual meetings or hybrid meetings as the circumstances require.

6.2 The management committee will comprise no fewer than 8 and no more than 12 members, the majority of whom will be members of the forum and be resident or work in the neighbourhood area or are elected members of North Yorkshire Council for the neighbourhood area.

6.3 The management committee will appoint a forum Chair, Secretary and Treasurer at its first meeting and thereafter at its first meeting after every AGM.

6.4 The management committee may co-opt up to 4 additional members who will retire at each AGM.

6.5 The quorum for any management committee meeting shall be at least 50% of the management committee not including co-opted members.

6.6 Notification of management committee meetings and the agenda will be sent out at least 14 days before the date of the meeting to all management committee members.

6.7 The management committee may dismiss any management committee member at a management committee meeting at which this is an agenda item if two thirds of management committee members present vote to do so.

7.0 Rules at Meetings

7.1 The following rules apply to all meetings, including Open Meetings, management committee Meetings and the AGM:

a) Chairing – each meeting has a chair. The chair of the meeting ensures that the business of the meeting is transacted in an orderly and respectful way.

b) Decision Making – the forum endeavours to make decisions by consensus, but in the case of a vote, decisions are made by simple majority of those present and entitled to vote. When the vote is tied, the chair of the meeting has a second, casting, vote.

c) Speaking – all members are entitled to speak at meetings and, at Open Meetings, all members of the public are entitled to speak. The chair of the meeting has the power to impose time limits on speeches.

d) Quora – the number of people who need to be present at management committee meetings in order to carry out a vote is laid out in paragraph 6.5. There is no quorum for Open Meetings or the AGM.

8.0 Membership

8.1 Membership of the forum shall be open to all residents living in the area, all those who work or carry out business in the area, and elected members for the area and shall, if reasonably possible, be drawn from different parts of the area and different sections of the community in the area.

8.2 All applications for membership of the forum shall be made in writing (delivered by hand or post or email) to the Secretary

8.3 Applications for membership of the forum can be made by individuals, corporate bodies or voluntary groups. Corporate bodies or voluntary groups which are accepted into membership must designate an individual empowered to represent them. Applicants under this category must specify the body or group they represent, the nature of its work within the area and the individual's role with that body or group.

8.4 Members of the forum must be over 16 years of age, and can attend forum meetings and are eligible to vote on proposals put forward by the forum.

8.5 There must be a minimum of 21 members of the forum made up of the following:

a) Individuals who live in the Harrogate town neighbourhood area boundary.

b) Individuals who work in the Harrogate town neighbourhood area boundary (whether for businesses carried on there or otherwise).

c) Individuals who are elected members of North Yorkshire Council whose constituency area falls wholly or partly within the Harrogate town neighbourhood area boundary

8.6 The initial list of members will be tabled at a founding Open Meeting of the forum and deemed accepted if a majority of those voting at the meeting approve them.

8.7 Subsequent applications for membership will be tabled at any Open Meeting of the forum and deemed accepted if approved by a majority of those voting at the meeting.

8.8 All members of the forum have a duty to declare at application stage any financial interests or associations through party political or other organisations, employment or land ownership that could have an impact on their, or the forum's work. Once declared, such declaration does not bar the individual from forum membership.

8.9 Membership of any individual, corporate body or voluntary group can be terminated at an Open Meeting where this has been specified as an agenda item and two thirds of members present vote in favour of termination. Before such a vote full reasons for the termination must be stated and the individual, corporate body or voluntary group has a right to provide a defence before the vote.

8.10 Any member who wishes to resign must provide the Secretary with written notice stating it is either with immediate effect or a stated time frame.

8.11 The Chair will have the casting vote on matters relating to elections and resolutions and any other matter voted on at a forum meeting, and all voting will be determined by a show of hands.

8.12 Non membership is open to individuals who do not meet the requirements in 8.1, but have an interest in assisting the forum to achieve its aims and objectives.

8.13 There are no age restrictions on non-membership.

9.0 Finance

9.1 Any monies acquired by the forum shall only be used to help achieve the aims and objectives of the forum as set out in Section 2.0 of this Constitution.

9.2 The treasurer shall keep a proper account of the finances of the forum, where necessary supported by receipts or invoices, and shall ensure that the forum has a bank account in its own name.

9.3 All transactions in any format, without exception, must be authorised by at least two of the following three management committee members – the Treasurer, Chair and Secretary.

10.0 Complaints

10.1 Any complaints about the behaviour of a member of the forum, management committee or sub-groups, in relation to the work undertaken shall be made in confidence, in writing to the Secretary unless the complaint is about the Secretary in which case it shall be made to the Chair.

10.2 The elected officers of the forum will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the forum will be appointed in their place.

10.3 Appeals will be held by three members of the management committee who have not been involved in investigating the complaint or determining action.

11.0 Alteration of Constitution

11.1 This Constitution can only be changed at an AGM or a Special General Meeting of the forum. Any change to the Constitution requires a simple majority of votes of the members present and who are entitled to vote.

12.0 Disbanding of Forum

12.1 The forum can only be disbanded at a duly advertised Special General Meeting called for the purpose of deciding whether to disband, to which all forum members shall be invited. The decision to disband the forum shall be taken if supported by two thirds of members present at the Special General Meeting.

12.2 The designated forum must cease to exist if and when a town council for Harrogate is formed. Before that date, a Special General Meeting shall be called where submissions will be considered to continue the work of the forum in another structure or form, taking into account clause 2.1 k)

12.3 If the forum is disbanded, any assets held in the name of the forum (after payment of all debts and liabilities) will be disposed of to another structure as provided for by 12.2 or any other organisations having similar aims and objectives to those of the forum as agreed by a majority of remaining members.

13.0 Extending life of Forum

13.1 The forum is to be designated for a period of five years. However, the forum can apply to North Yorkshire Council to have the designation renewed.

Signed by the Interim Chair

Stuart Holland

Date 7 August 2024



The Harrogate Town Plan Neighbourhood Area

Appendix B

Harrogate Town Plan

Application to designate neighbourhood area

Contact details for this application

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P O Box 888, Harrogate, HG2 8UH

Phone ><

email: ><

Background

This application for designation of a neighbourhood area is made by the Harrogate Town Plan Forum (being the relevant body) to North Yorkshire Council (the local planning authority within which the area lies).

The forum intend to produce a neighbourhood development plan in the neighbourhood area.

Prior to making this application for designation it was established that North Yorkshire Council has no prescribed form for such an application other than to ensure the application meets the relevant legislative requirements. This application is accompanied by another application for designation of Harrogate Town Plan Forum as a neighbourhood forum. It is the preference of North Yorkshire Council that applications for designation of an area and forum be submitted at the same time.

Regulation 5(1) of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires that an application for designating a neighbourhood area must contain the following information:

“(a) a map which identifies the area to which the area application relates;

(b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and

(c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.”

Regulation 5(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended) states:

“a local planning authority may decline to consider an area application if the relevant body has already made an area application and a decision has not yet been made on that application.”

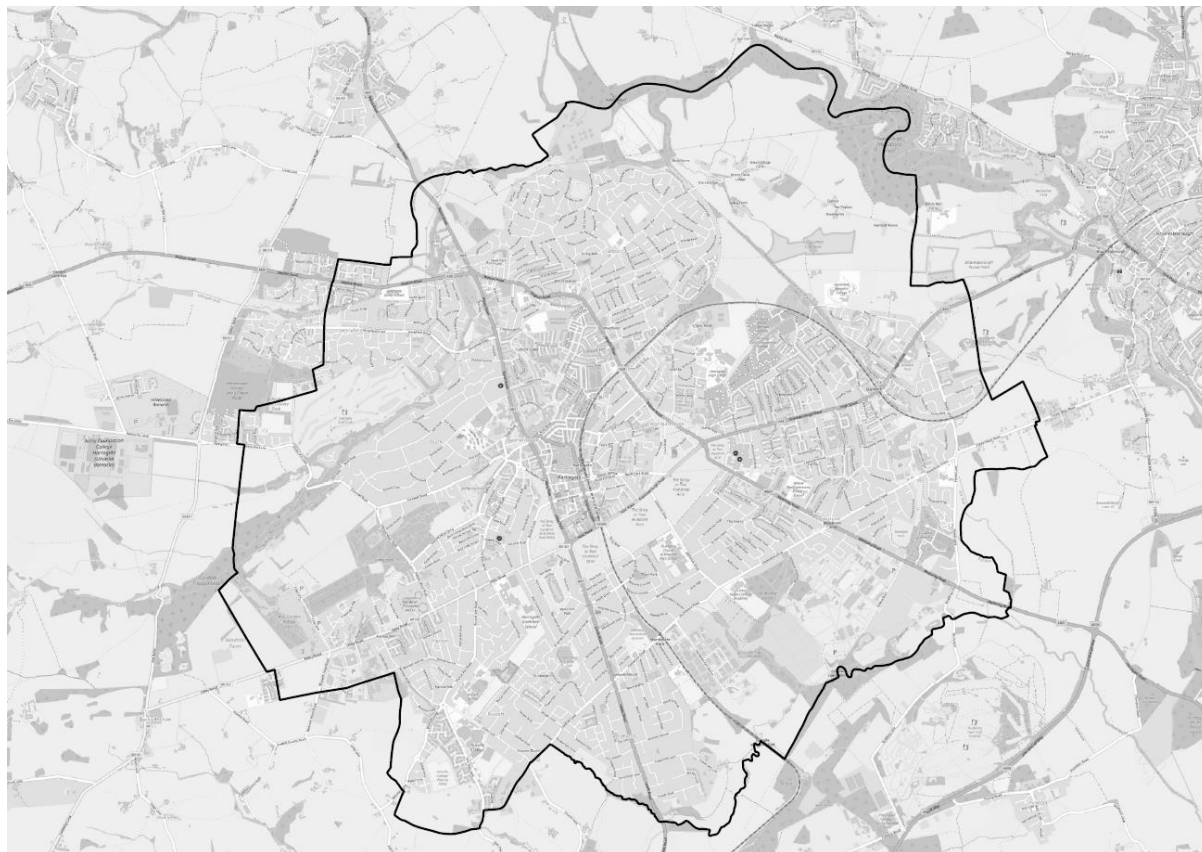
Section 61G(2) of the Town and Country Planning Act 1990 defines a ‘relevant body’ as:

“an organisation or body which is, or is capable of being, designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is designated as a neighbourhood area)”

Harrogate Town Plan Forum is a ‘relevant body’ under section 61G of the Town and Country Planning Act 1990 because it is an organisation or body which is capable of being designated as a neighbourhood forum. The specified area does not consist of or include the whole or any part of the area of a parish council and does not overlap with the existing boundary of any other area already designated as neighbourhood area. Harrogate Town Plan Forum, being the relevant body, has not previously applied to have this neighbourhood area designated.

The proposed Harrogate Town Plan Neighbourhood Area

The area submitted for designation is the unparished area of Harrogate as shown within the boundary of this map:



Copyright OpenStreetMap. Boundary-Line provided by Ordnance Survey

Why the area is appropriate to be designated as a neighbourhood area

The starting point for consideration of a neighbourhood area is whether it makes sense to the community (which in this case is the town of Harrogate) and whether the boundary is logical in spatial terms. The forum has considered these matters and has decided an appropriate neighbourhood area is as presented in this application. There are several clear reasons for choosing the boundary of the selected neighbourhood area:

The proposed neighbourhood area does not include any parished area or part of any other neighbourhood planning area and therefore meets legislative requirements.

The proposed boundary is completely surrounded by parish councils, being Beckwithshaw, Killinghall, Nidd, Brearton, Scotton, Knaresborough, Follifoot and Plompton, Pannal and Burn Bridge. This means the neighbourhood area cannot be larger than proposed.

One consideration is whether the proposed area should be smaller and cover only part of the currently unparished area. This would not assist with the proper planning of the area. It would mean parts of the town of Harrogate would not be included with a neighbourhood planning process. A forum meeting on 9 July 2024 agreed that the proposed area should not be smaller.

A further consideration is whether the area should be smaller and cover the town centre only. Areas within the town centre retail area are of a residential and retail character. Restricting the neighbourhood area boundary to an arbitrary 'town centre' area without proper characterisation and definition of that area would be confusing. It would exclude other residential and retail areas outside the town centre and would not assist with the proper planning of the area. A forum meeting on 9 July 2024 agreed that the proposed area should not be restricted to the town centre.

North Yorkshire Council has approved the creation of a town council for the town of Harrogate to cover the whole of the currently unparished area. For continuity, and if the new town council decides to proceed with a neighbourhood plan, it makes sense for the proposed neighbourhood area to have the same boundary as the new town council boundary.

A statement that the organisation or body making the area application is a relevant body.

Harrogate Town Plan Forum is a relevant body because it meets the requirements of a prospective neighbourhood forum. It is therefore a relevant body. This application is accompanied by another application for designation of the neighbourhood forum. That application contains full information on how the requirements for designation are met and a summary is provided here:

Constitution

The forum has an approved constitution. Agreement to finalise a constitution which is capable of being accepted by North Yorkshire Council was reached at a meeting of the forum on 9 July 2024 together with the creation of a management committee and appointment of interim officers and members. A subsequent meeting of the management committee on 7 August 2024 approved the constitution. A copy of the constitution is included in this application pack. The constitution addresses all the necessary requirements of forum designation legislation as follows:

- The forum is established for the express purpose of promoting or improving the social, economic and environmental well-being of the neighbourhood area.
- It has a purpose that reflects the character of the area in general terms.
- Membership of the forum is open to people living and working in the area, and elected members for the area.
- It has clauses dealing with the management of the forum and conduct of meetings.
- It has clauses dealing with all other matters required for a constitution for such a body.

Forum and membership

The forum membership must have at least 21 members. Harrogate Town Plan Forum currently stands at approximately 60 registered individuals and representatives of businesses and voluntary organisations and bodies from across the town of Harrogate. Further detailed information on the membership of the forum is included in the separate application for designation of the forum.

This application confirms information which demonstrates the prospective forum has taken reasonable steps to attempt to secure that its membership includes at least one individual falling within each of the categories listed in Section 61F(5) of the Town and Country Planning Act 1990, which are:

- Individuals who live in the neighbourhood area concerned,
- Individuals who work there, and
- Individuals who are elected members of the relevant council.

It can be confirmed that the forum members currently include individuals who live in the area, individuals who work in the area, residents' associations, representatives of local community groups and organisations, owners of businesses, representatives of other business interests who live and/or work in the area and North Yorkshire Councillors whose wards lie wholly or partly within the neighbourhood area.

Other

Legislation does not prescribe any other information requirements. In particular, there is no requirement to justify a neighbourhood area by stating the scope of a proposed neighbourhood plan, or its proposed objectives and policies. North Yorkshire Council as the determining authority should only consider the practical and legislative requirements for the boundary and satisfy themselves that Harrogate Town Plan Forum is a relevant body.

However, if North Yorkshire Council would find it useful to discuss the application content or would prefer to have additional information to help them determine this application to designate the neighbourhood area, the forum will be happy to respond.

Application dated 29 August 2024

Initial equality impact assessment screening form This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Community Development		
Service area	Planning Policy and Place		
Proposal being screened	Designation of a neighbourhood plan area and forum for Harrogate		
Officer(s) carrying out screening	James Campbell		
What are you proposing to do?			
Why are you proposing this? What are the desired outcomes?			
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		x	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	Neighbourhood plan forum and area designation are the first steps necessary for the preparation of a neighbourhood plan. These steps are essentially administrative and there is no obligation for a neighbourhood plan to be prepared or completed. The designation of the forum and area will enable the forum group to prepare a neighbourhood plan, which has the potential to be of benefit to all residents and		

Appendix C

	visitors to Harrogate including those with protected characteristics.			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The designation of a neighbourhood area and neighbourhood forum will have no effect.			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	The designation of a neighbourhood area and neighbourhood forum will have no effect.			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	7 January 2025			

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

If you have any additional queries, which are not covered by the guidance please email climatechange@northyorks.gov.uk

Title of proposal	Harrogate Neighbourhood Plan Forum and Area Designation
Brief description of proposal	Neighbourhood plan forum and area designation are the first steps necessary for the preparation of a neighbourhood plan. These steps are essentially administrative and there is no obligation for a neighbourhood plan to be prepared or completed.
Directorate	Community Development
Service area	Planning Policy and Place
Lead officer	James Campbell
Names and roles of other people involved in carrying out the impact assessment	

Appendix D

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

Appendix D

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	<p>As stated above the designation of a neighbourhood plan forum and area are necessary first steps to enable a neighbourhood plan to be prepared. They are essentially administrative step and there is no plan or programme that would have any impact on the any of the environmental factors at this stage.</p> <p>A neighbourhood plan would have potential to positively impact environmental factors. This will be promoted through the support provided to the group preparing the neighbourhood plan.</p>			
Signed (Assistant Director or equivalent)	Trevor Watson			
Date	7 January 2025			