



DESIGNATION DECISIONS

**London's neighbourhood planning
experience**

**A report from
Neighbourhood Planners.London
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OVERVIEW AND RECOMMENDATIONS

This is the fourth in a series of reports from Neighbourhood Planners.London each of which reviews how London's planning authorities have approached specific aspects of the neighbouring planning regime. There are now over 1,000 post examination neighbourhood plans across England but the number in London (currently 19) remains far below the anticipated level (per thousand population) relative to England as a whole.

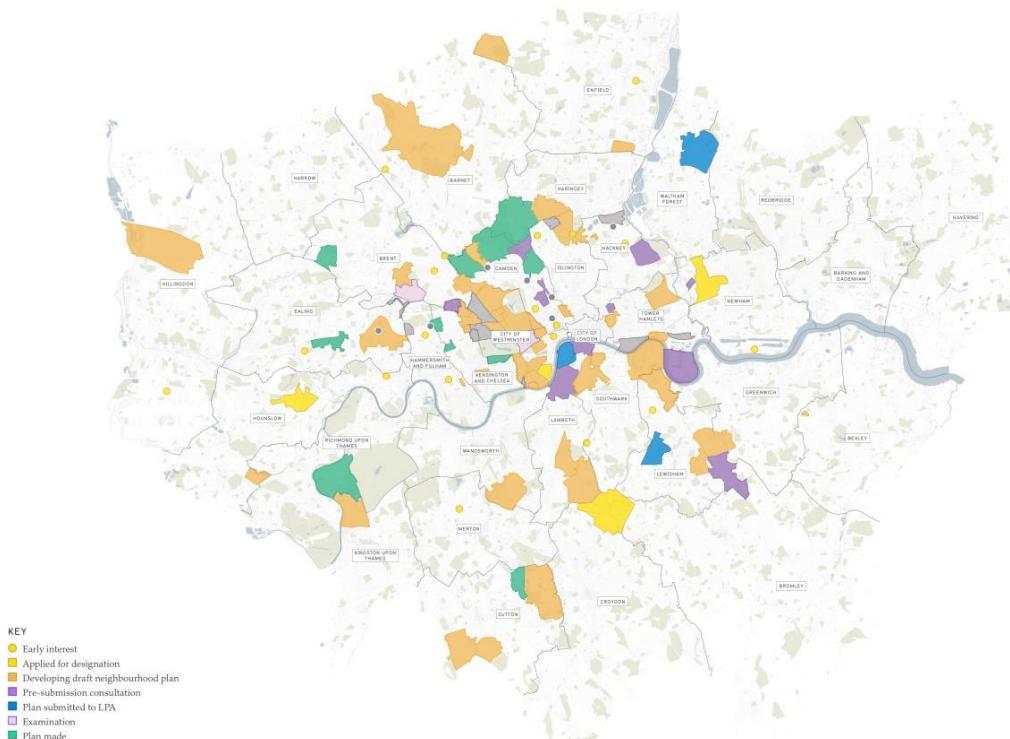
This report looks at the first step for local residents and community groups - that of achieving 'designation' of their chosen neighbourhood area and of the body granted powers to prepare a neighbourhood plan (a neighbourhood forum). The harder these first hurdles are to overcome, the more local community groups will be deterred from embarking on what was introduced as a 'community right'.

A survey of designation applications and decisions across London's planning authorities suggests that since 2012 it has become harder to achieve designation, rather than easier. London Boroughs and Mayoral Development Corporations have made the application process more demanding rather than less, in terms of the criteria and conditions applied. More hoops to jump through have been added to those set down in the 2011 Localism Act and 2012 Neighbourhood Planning Regulations.

The initial process of 'designation' involves applying to the local authority (or more than one authority where a proposed neighbourhood area crosses Borough or Mayoral Development Corporation boundaries) for formal approval of the boundary of a neighbourhood area and the establishment of a neighbourhood forum. In parished areas (in London's case only in Queens Park) the designation of the parish or town council is normally straightforward and is automatic in the case of applications relating to a whole parish.

This survey demonstrates that different London authorities have applied very different interpretations to the statutory requirements and Regulations which govern the designation process. This comes as no great surprise. The previous three survey reports published by Neighbourhood Planners.London have shown major variations between boroughs in their level of enthusiasm and support for neighbourhood planning. This is evident from even a brief glance at the uneven map of neighbourhood planning activity across London:

NEIGHBOURHOOD PLAN AREAS IN LONDON, APRIL 2019



Note: this map is available online at <https://www.neighbourhoodplanners.london/map>

Over eight years after the neighbourhood planning regime came into force (with the publication of the 2012 Regulations) this fourth report adds further evidence that London’s planning authorities have very varying attitudes to a ‘community-led’ layer of the planning system. Nearly all Borough Councils (plus the two Mayoral Development Corporations) express support in their public statements and documents (such as Statements of Community Involvement). But when judged on their actions rather than their words a different picture emerges.

The findings of this survey of London’s planning authorities and their approach to designation include:

- Local planning authorities in London can be classified according to four categories according to their attitudes to neighbourhood planning designations:
 - Conforming (20)
 - Interventionist/resistant (4)
 - Positive supporters (2)
 - Desert (8) – areas with no forums/area designated
- Some local planning authorities still persist in requiring separate applications to designate a neighbourhood area and a neighbourhood forum
- Numerous examples of local planning authorities requiring significant additional information to be provided in application forms over and above that necessary to meet the regulations, including:
 - Requiring names and addresses (and interests and background) of members of prospective neighbourhood forums

- Setting a test of “representativeness” which is not required by the legislation
- Acting as if neighbourhood forums are subject to the Public Sector Equality Duty, which Parliament explicitly rejected, including the inappropriate use of Equalities Impact Assessments and requirements for information relating to “protected characteristics”
- Requiring the use of application forms placing significant additional requirements on prospective neighbourhood forums that go well beyond what is required by the legislation
- Requiring applications to demonstrate how they will fit in with a range of local authority plans, strategies and frameworks
- Local planning authorities requiring applications to include information on the likely content of a future neighbourhood plan despite this being contrary to national Planning Practice Guidance
- Explicit use of website information and ‘guidance’ to steer people away from considering a neighbourhood plan in their area
- Misinformation on the extent to which a neighbourhood plan has to be in conformity with a Plan
- Examples of local communities being directed to use neighbourhood area boundaries previously identified by the local planning authority
- An example of where a local planning authority has not met its legal obligation to designate some part of the locality as a neighbourhood area even when not accepting the submitted boundary for a neighbourhood area
- Decisions by local planning authorities resulting in eleven “orphan” neighbourhood areas for which no neighbourhood forum exists
- Almost a decade after the right for local communities to neighbourhood plan was introduced eight London boroughs are still “deserts” where no area or forum has been designated
- At least 11 forums that have been designated are now lapsed and have not been renewed after their initial five year term, including for reasons down to disillusionment with the way they have been treated by the local planning authority
- A significant number of local planning authorities clearly failing in their “duty to support” neighbourhood planning and having Statements of Community Involvement that do not meet the legal requirement to address neighbourhood planning
- Local planning authorities failing to publish ‘decision notices’ or ‘refusal notices’ following applications to designate a neighbourhood area or forum

This picture is a dynamic one and the approach of local planning authorities is not firm or fixed. The findings can also be treated by organisations and residents groups more like a consumer guide. If you are thinking about a neighbourhood plan for your area, check out how your own local authority might respond to a designation application. Neighbourhood Planners.London is always glad to receive feedback at info@neighbourhoodplanners.london and your experiences might lead to a change of category for any of the 35 planning authorities in this survey.

Recommendations

1. London planning authorities should have a main website page on neighbourhood planning which explains the process clearly and accurately. In particular the key ‘basic condition’ of ‘*general conformity with the strategic policies of the Local Plan*’ should adhere to the wording in the 2011 Act and should not be re-interpreted with different language such as ‘*consistent with the Local Plan*’ or other terminology which implies that neighbourhood plans can do little to change or influence the authority’s own planning policies.
2. The process for applying for designation, for neighbourhood areas and for forums, should be explained in terms which adhere to the conditions and criteria in the 2011 Act and should not add significant additional information requirements.
3. Where pro forma applications forms are available to be used by applicants, the questions asked should adhere to the conditions and criteria in the legislation and should not extend beyond these. Use of such application forms should not be obligatory and any applications which provide the information required by the legislation should be accepted for consideration.
4. Where ‘assessment forms’ and checklists are used by officers in preparing reports and recommendations on designation, these same principles of not going beyond the legislative requirements should apply.
5. Local authorities should not require information on the content of proposed neighbourhood plans at the application stage. This should be developed by the neighbourhood forum post-designation and to do otherwise would be contrary to National Planning Practice Guidance. Bodies applying for designation may choose to explain their initial thinking, as part of demonstrating the appropriateness of the proposed area, but this is their choice.
6. Local authorities should only exceptionally consider it necessary to undertake an Equalities Impact Assessment of a designation application for an area or forum. Unless there are special circumstances, the information demands placed on a ‘qualifying body’ at application stage should not extend beyond those set out in the 2011 Localism Act.
7. Prospective neighbourhood forums should have a right of redress other than through judicial review where the actions of local planning authorities in determining applications for a neighbourhood area or neighbourhood forum are unreasonable and/or in breach of national policy.

HOW LONDON'S PLANNING AUTHORITIES RESPOND TO DESIGNATION APPLICATIONS

At Neighbourhood Planners.London's seminars and events, there is frequent discussion on which London authorities have proved supportive or obstructive in their dealings with neighbourhood forums, at every stage of neighbourhood plan preparation. The survey that forms Annex 1 to this report seeks to move beyond anecdote and to provide a more solid evidence base for such perceptions.

This report focuses on the first stage of designation, and these categorisations will not necessarily apply to local authority attitudes and behaviours in the later stages of plan preparation and examination. The path to adoption of a neighbourhood plan can become easier, or even harder, during these stages.

Where designation has been resisted it is difficult to establish whether the reasons are 'political' and result from an administration disinclined to devolve any form of decision-making, due to concern about the motives of a particular group of residents, or come as a result of professional planning officers who still find it hard to accept that ordinary citizens are capable of putting together a planning document which carries statutory weight in decision-making on planning applications.

This report identifies four categories of London planning authorities, in terms of their approach to designation applications.

- The '**conforming**' authorities which have by and large 'played it straight' in responding to designation applications when applying the legislative criteria and conditions as per the 2011 Localism Act. These authorities provide an adequate level of information on their websites, with content that conveys reasonably accurately the statutory conditions and criteria for designation of forums and neighbourhood areas. Very few authorities use their website to communicate positive enthusiasm for neighbourhood planning, and the complexities of the process are sometimes over-emphasised. But the 'conforming' authorities at least recognise that neighbourhood plan preparation is a 'right' for local communities, and that local authorities have a 'duty of support' under the 2011 Act. This category includes **Barnet, Bexley, Brent, Ealing, Enfield, Haringey, Hillingdon, Greenwich, Hounslow, Islington, Kensington & Chelsea, Lambeth, Lewisham, Redbridge, Richmond upon Thames, Southwark, Sutton, Waltham Forest, Wandsworth, London Legacy Development Corporation, Old Oak and Park Royal Development Corporation**.
- The second category is the '**interventionist/resistant**' authorities. These interpret the statutory criteria and conditions for designation in ways that go beyond the legislation. As a result they create for residents associations and community group some extra hurdles and hoops to jump through. Two of these authorities use pro forma application forms, which enable extra questions to be added to those derived directly from the legislation. The other two also require information well beyond the statutory criteria for designation. A track record of varying the boundary chosen by the applying body, and/or of 'refusing' either the forum or area application (or both) is a further characteristic of the Boroughs in this category. Details are in The Annex and they are **Hackney, Hammersmith & Fulham, Tower Hamlets and Kingston**.

- The ‘**positive supporters**’ are those authorities which have designated many areas and forums and accepted that neighbourhood planning, as a ‘localist’ layer of the planning system, is on balance bringing benefits to their borough. They foresee a day when all of their borough may be designated as areas for neighbourhood planning. There are only two out of a total of 35 London planning authorities – **Camden and Westminster**.
- The remaining eight boroughs are the ‘**desert**’ areas where no neighbourhood area or forums have been designated, and where there is little sign of activity. These are **Barking & Dagenham, Bromley, City of London, Croydon, Harrow, Havering, Merton and Newham**. As found in previous Neighbourhood Planners.London surveys, in a majority of these ‘desert’ areas the local council publishes little or no information and advice about neighbourhood planning. Where information is provided, much is made of the complexities and challenges of neighbourhood planning preparation. City of London makes clear its ‘minimal compliance’ policy towards neighbourhood planning. Many of these authorities share characteristics with the interventionist/resistant category but have never been required to decide a designation application. So no evidence is available on how these councils would decide a valid application.
- It is notable that in the case of all these ‘desert’ authorities, their Statements of Community Involvement are non-compliant with the 2017 Neighbourhood Act. These Statements of Community Involvement have either not been updated within 5 years or fail to explain the ‘advice and assistance’ that will be provided by the authority to neighbourhood forums (as Section 6 of the 2017 Act requires). This same failing remains true of an alarming number of authorities in the other three categories.



Map created using classification identified by Neighbourhood Planners.London of local authorities that support or hinder neighbourhood planning

These categorisations may well be viewed as unfair by some of London’s local authorities involved. Some of the ‘desert’ boroughs may argue that they have received no designation applications since 2012 and that they detect little local interest from their residents and so limit their website content. This seems an insufficient excuse for making available only limited or no information on neighbourhood planning.

Central Government has listened over the years to suggestions on how best to strengthen and underpin the neighbourhood planning regime. A significant step was the introduction in the 2015 Neighbourhood Planning Regulations of fixed timescales within which local authorities must make decisions at each stage in the process, from designation to the ‘making’/ adoption of a neighbourhood plan. In the early years, some London Boroughs were notoriously slow in deciding designation applications and this was seen by frustrated community groups as deliberate obstruction. Lambeth was a case in point, and at that time might have been categorised as an ‘interventionist/resistant’ authority in declining to process applications submitted in a reasonable timescale.

As commented in the London Assembly Planning Committee report in early 2020¹, successive Mayors of London and the GLA have not initiated any London-wide support or promotion for neighbourhood planning. The planning officers authoring the new London Plan had to be reminded that London has had a ‘three tier’ planning system since 2012, and not a ‘two tier’ one. GLA and Transport for London continue to take little interest in neighbourhood plans, despite the fact that these can be a source for innovative ideas and relatively fast and adaptive policy solutions

Amongst the recommendations from the Assembly’s Planning Committee were:

- *‘The Mayor should explicitly support neighbourhood planning and convene volunteer neighbour planners with local boroughs to develop a programme for accelerating the delivery of neighbourhood plans.’*
- *‘The Mayor should support action in the nine boroughs [now eight] where neighbourhood planning is non-existent.’*

The legislative context

The statutory process for designation of neighbourhood areas and forums is set out in Schedule 9 of the Localism Act and in the 2012 Regulations. Subsequent Regulations added new requirements on local authorities, particularly in terms of deadlines within which certain decisions must be made².

National Planning Practice Guidance (NPPG) on neighbourhood planning (reviewed and updated several times since 2012) gives advice on the interpretation of the legislation. This is in a form that ordinary citizens as well as planning professionals can understand and is essential reading for neighbourhood forums. Local authority planning officers may turn out to be unfamiliar with this whole section of the NPPG and to be making assumptions about the ‘rules’ involved which

¹ *Neighbourhood Planning – Progress and Insights* London Assembly Planning Committee March 2020

² the [Neighbourhood Planning \(General\) \(Amendment\) Regulations 2015](#), the [Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2016](#), and the [Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2017](#) which amend the [Neighbourhood Planning \(General\) Regulations 2012](#).

turn out to be wrong. As noted in The Annex, there are many examples of advice and information published on local authority websites which is contrary to the NPPG.

The 2017 Neighbourhood Planning Act did not change the basic process for designation but clarified what is required from local authorities in terms of the ‘duty of support’ to neighbourhood forums and parish councils. Statements of Community Involvement (required to be published by every local planning authority and updated every 5 years) must set out and explain the ‘*advice and assistance*’ which will be provided to parish councils and neighbourhood forums.

National Planning Practice Guidance is clear that local authorities should

- *‘be proactive in providing information to communities about neighbourhood planning.’*
- *‘fulfil its duties and take decisions as soon as possible, and within statutory time periods where these apply.’*
- *‘set out a clear and transparent decision making timetable and share this with those wishing to prepare a neighbourhood plan or an Order.’*
- *‘constructively engage with the community throughout the process including when considering the recommendations of the independent examiner of a neighbourhood development plan or Order proposal.’*

As the content of The Annex to this report shows, far from all London planning authorities are perceived by their public as acting in this way.

It is often at the designation stage where tensions and conflicts begin between emerging forum and the local authority. Groups of residents (and businesses) which have come together to prepare a neighbourhood plan may well have a long-established member base and a track record of involvement in local planning issues.

Guidance from Locality and other sources emphasises the need for neighbourhood forums to start off on the right foot in making initial approaches to the local authority. The same advice should be heeded by local authority staff, if positive relationships are to be maintained.

The rest of this report looks at the detail of dozens of designation applications, for neighbourhood areas and for forums, submitted to London planning authorities since 2012. A mixed picture emerges of successes (as plans are finally ‘made’ or adopted as part the development plan for the area) and of failures as initial enthusiasm fades and plan preparation comes to a halt.

The failures tell a sad story of enormous amounts of community effort largely wasted. London planning departments may argue that this is none of their fault, and that the resident groups involved were only ever acting as NIMBYs or had unrealistic expectation of what a neighbourhood plan can achieve. But officers and their elected councillors need to reflect on why negative decisions on designation were made, or approaches discouraged, when the result has been to dampen or extinguish local enthusiasm and initiative. What were the risks of letting local people give neighbourhood planning a try? Have the authority’s own planning decisions in the last decade led to any better outcomes?

On the positive side are the 17 neighbourhood plans now ‘made’ in London, along with other forums close to this goal. There are hundreds of Londoners who now know much more about the planning system and of London’s development industry. If ‘building back better’ in a post Covid city is to become a reality, this is an important human resource.

The categorisation of individual authorities should not be seen as hard and fast. Changes of senior planning staff, and of lead councillors, can alter overnight an authority’s attitude towards neighbourhood planning. Some London councils which were hostile in 2012 have warmed towards neighbourhood plans, while others may have become less positive than in the early days.

Neighbourhood Planners.London welcomes comments and feedback that will help with updates on the surveys carried out to date.

The next section of the report looks in more detail at issues that have arisen on designation of neighbourhood areas. This is followed by a section on designation of forums.

NEIGHBOURHOOD AREA DESIGNATION

The 2011 Act and 2012 Regulations are clear that it is up to local communities to decide what will make for a successful size and boundary of a neighbourhood area. ‘Administrative’ boundaries can be a factor but are by no means a determinant. There are no maximum or minimum limits to the size of a neighbourhood area, although individual planning authorities may prove to have views on the subject and can legitimately use these in deciding the ‘appropriateness’ of a proposed area.

In the early days after the 2011 Act, there was a working assumption that area designation should precede forum designation. The legislation and 2012 Regulations were read as implying a sequential process, with separate designation decisions. The Locality Roadmap says *‘It is common to apply for the neighbourhood area first, then the neighbourhood forum. There is no legal reason why they should not apply for both at the same time. However, if the neighbourhood area is revised through the approval process, it may be necessary to review the membership and reach of the neighbourhood forum members and resubmit it for designation.’*

There are examples in The Annex where this scenario has arisen and a second forum application has been needed. A few Boroughs make clear they prefer the sequential approach (Hackney, Lambeth, Tower Hamlets). Wandsworth says that area designation ‘must’ be sought first, albeit that this is not a legal requirement. Most London authorities are now willing to deal with joint area and forum applications, not least because these need only one round of public consultation to be arranged.

Several Boroughs use their website information and ‘guidance’ to steer their public away from even a first step of neighbourhood area designation. Waltham Forest encourages the preparation of ‘community plans’ to be adopted as Supplementary Planning Documents (of lesser weight than a neighbourhood plan). Richmond promotes its Village Plan Guidance documents (SPDs) and *‘encourages community groups to carefully consider what else a neighbourhood development plan could beneficially achieve’*. Croydon’s Local Plan includes 16 defined ‘places’ and the Council says *‘Ideally, prospective neighbourhood forums will adopt one of the ‘places’ as their neighbourhood area’*.

These statements are early warnings of an authority not fully committed to the ‘community led’ nature of neighbourhood planning. Emerging forums need to have the confidence to say at designation stage ‘the Localism Act is about us defining our chosen area, and you will need some sound planning grounds to vary or refuse what we as residents see as our local neighbourhood’.

Debates in Parliament at the time of the 2011 Localism Act show that the then Coalition Government was genuinely keen to create a framework that ‘empowers’ local people and is not run by local authorities. But the reality of London experience is that decisions on boundaries of a neighbourhood area are ones on which the local planning authority hold most of the power. In one of the first neighbourhood planning cases to come before the courts (*Daws Hill Neighbourhood Forum v. Wycombe DC, Secretary of State for CLG March 2014*) the Court of Appeal held that local authorities have broad discretion in determining the ‘appropriateness’ of a neighbourhood area boundary – taking into account their own view of planning considerations.

This can be the first hurdle for an emerging neighbourhood forum. There are no statutory criteria for the ‘appropriateness’ of a neighbourhood area boundary. There is a set of ‘considerations’ set

out in the NPPG for what might make an area appropriate³. These can be interpreted (and stretched to their limits) by a local authority opposed to a proposed boundary.

Apart from the NPPG ‘considerations’ other justifications for ‘inappropriateness’ can be devised. The Daws Hill judgment will often be cited in support of a decision to refuse or vary a neighbourhood. There is then little that a forum can do to challenge this outcome, short of a judicial review application to the Courts.

An unusual feature of the 2011 Act is that the local authority cannot simply say ‘no’ to an area designation application. Section 61G(5) of the Act states *‘If (c) the authority refuse the application because they consider that the specified area is not an appropriate area to be designated as a neighbourhood area, the authority must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas.’*

No London planning authority has yet pushed this part of the legislation to the extreme of designating, say, an alternative neighbourhood area of only a few hundred square metres. But there have been cases where the alternative area designated bears little relation to that applied for (e.g. the Old Oak neighbourhood area designated by Old Oak and Park Royal Development Corporation). The Stamford Hill case in Hackney involved designating a third area in the face of competing applications for two alternatives, in the context of significant conflict between religious groups.

In other instances (e.g. on several occasions in Westminster) boundaries of proposed areas have been varied by the local authority in order to avoid overlaps with neighbouring areas and to try and achieve extensive coverage of the borough by adjoining neighbourhood forums.

The history of area designations in London, as set out in The Annex, includes several examples of local authority ‘refusals’ and variations of proposed neighbourhood areas. These Borough Councils (or Mayoral Development Corporations) seem nervous of any erosion of their own control, despite the basic safeguards that Parliament built into the neighbourhood planning framework (the ‘general conformity’ principle, the independent examination process, and the need for any finalised neighbourhood plan to have majority public support at a referendum).

Such ‘refusals’ of proposed neighbourhood areas, or unilateral variations to their boundaries, can be the end of the story. The aspirations of an emerging forum are crushed at this first hurdle, and work on neighbourhood plan preparation never gets underway. Where an alternative area is designated, for which no one has made an application, this can become ‘orphan’ area with no forum.

There are currently eleven such ‘orphan’ neighbourhood areas across London. These are areas for which no forum or community group applied for designation and hence ‘orphaned’ from birth. They remain designated potentially for ever, unless a forum emerges to take them on or a new area proposal allows the local authority to set new boundaries. These ‘orphan’ areas are distinguished in this report from the areas for which the forum designation has lapsed after its initial 5 years. These ‘lapsed’ forums are covered in the next section of this report.

³ Paragraph: 033 Reference ID: 41-033-20140306. These ‘considerations’ start with ‘village and settlement’ boundaries and are more relevant to rural areas than a London context.

Orphan neighbourhood areas

The eleven 'orphan' neighbourhood areas in London are

1. Central Stamford Hill (Hackney)
2. Queen Elizabeth/Lordship (Hackney)
3. Unnamed area including Eynham Road (Hammersmith & Fulham)
4. Old Oak Estate (Hammersmith & Fulham)
5. Osterley (Hounslow)
6. Crouch Hill and Hornsey Rise (Islington)
7. Herne Hill (Lambeth/Southwark)
8. Bayswater (Westminster)
9. South East Bayswater (Westminster)
10. Little Venice & Maida Vale (Westminster)
11. Ebury Bridge (Westminster)

Designations of orphan area have usually resulted from disputes between forums and the designating authority, or between local groups (as at Central Stamford Hill). Much time and effort has been wasted all round. In most of the cases above it seems clear that the desired outcome of the local authority was that designation should be refused and that no neighbourhood plan should get underway. These area designations were made by the local authority only as a legal necessity resulting from the requirement in Section 61G(5) of the 2011 Act.

Those Boroughs that remain 'desert areas' eight years after the start of the neighbourhood planning will claim lack of interest from their residents. The list of neighbourhood planning activity maintained by Neighbourhood Planners.London records 'early interest' expressed by local groups in several 'desert' boroughs (Crystal Palace and Upper Norwood with an ambitious proposal for a five borough area including part of Croydon, ideas for a plan in Wimbledon in Merton, and others for the Royal Docks and Stratford/West Ham in Newham). It would be helpful to know of other instances where initial neighbourhood area proposals have been or are being deflected by unresponsive local authorities, and have never reached the stage of a designation application.

NEIGHBOURHOOD FORUM DESIGNATION

Section 61F of the 2011 Localism Act sets out the arrangements for '*authorisation to act in relation to neighbourhood areas*'. The Act broke new ground in granting statutory powers to '*an organisation or body (which) is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area*'. Forums are not required to be incorporated in any way and can operate as unincorporated associations (as many do).

A recent legal judgment has concluded that a neighbourhood forum which remains as an 'unincorporated association' has the legal capacity to apply for judicial review⁴.

To qualify to apply for designation, the requirement is to be '*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)*'. To be '*capable of being*' would seem a clear steer to local authorities to avoid being over-prescriptive in how they apply the conditions and criteria in the legislation. This part of the 2011 Act is purposefully designed to be 'enabling' and not to place too many barriers in the way of forum designation.

For Parliament to grant statutory plan-making powers to residents associations, community organisations and similar bodies was a radical step. Some local authorities still seem to find it hard to accept that such a body should be allowed to wield serious influence on the planning system. Even more remarkably, in the original Bill the minimum number of forum members required was to have been three, rather than the minimum of twenty one in the legislation as enacted.

The conditions and criteria for becoming a designated neighbourhood forum are defined in the Act at Schedule 9 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—

⁴ Aireborough Neighbourhood Development Forum v Leeds City Council; Date: 14 January 2020; Ref: [2020] EWHC 45 (Admin)

- (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.'

No subsequent conditions have been prescribed by Government, so this remains the statutory basis on which local authorities decide designation applications. Sub-section 7 of this part of Schedule 9 of the 2011 Act sets out what the local authority must do on receipt of a designation application:

- '(7) A local planning authority—
- (a) must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—
 - (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),
 - (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
 - (iii) whose purpose reflects (in general terms) the character of that area,
 - (b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,
 - (c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and
 - (d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.'

'Taken reasonable steps to attempt to secure'

A critical element of this section of the 2011 Act is the wording '*which has secured (or taken reasonable steps to attempt to secure.)*' The Act is designed to encourage local people to come together and to apply for designation. They are required to have done their reasonable best to achieve a membership which meets the criteria in S61F(7) against which the local authority will assess their designation application.

A Forum is not required to demonstrate a membership of more than 21 members, although most do so when applying for designation. A list of named members is not specified as a legal requirement, and in the early days many local authorities accepted on trust a simple statement from a forum that their membership exceeded this minimum figure. Most applications now include a list of named

members, and an increasing level of detail on membership has become a requirement across London local authorities.

Membership of a local councillor is not a requirement, provide that invitations have been extended. If this were the case, an emerging forum that was viewed by a local authority as having nuisance value or a different view on local planning policies could be blocked from designation simply as a result of councillors declining to join.

Minister Greg Clark dealt with this issue during the passage of the 2011 Bill by saying '*However, some local authorities may want to preserve the status quo of the local planning authority's being the sole arbiter of any neighbourhood decision making and planning matters, and they may want to thwart our intentions. I have had many discussions with colleagues of all parties in the Local Government Association, and I am satisfied that such authorities will be in the minority*⁵'.

An Opposition amendment to the Bill to make it a legal necessity for neighbourhood forums to include at least one councillor was not progressed in the Commons. This has not prevented some Boroughs from commenting adversely on forum applications which do not include one or more councillors amongst their membership.

'Different places in the neighbourhood area concerned and from different sections of the community'

This is a second piece of wording in the Act which has proved critical in designation decisions. Some London authorities interpret these two criteria in a relaxed manner and this was very much the case in the early years of the neighbourhood planning regime. But for a growing number of authorities this part of assessing a designation application has become a detailed exercise, seemingly in excess of what the Act intended.

It has become more common for applications to include postcode details of members and/or a scatter diagram showing approximate address locations of residents or business members. This is a simple way of demonstrating that the criterion of '*different places*' in the neighbourhood

At the more 'interventionist/resistant' end of the spectrum, some authorities demand names, postcodes, and written evidence of 'membership' and may subsequently check addresses against the electoral roll or other datasets. Some authorities spend time constructing their own scatter diagrams as part of their assessment of designation applications, for inclusion in reports to elected members and committees. Some contact people listed as members to confirm their support.

Is it justifiable for an authority to refuse designation on the basis that the 'different places' where forum members live or work are not 'different enough' or leave perceived 'gaps' in terms of coverage of the area? This question has yet to be tested in the Courts.

Neighbourhood Planners.London believes that the wording of the Act should be interpreted as drafted. The legislation does not say '*all and every part of the area*' or '*an even spread across the area with no gaps*'. The relatively non-prescriptive language of sub-sections 5 and 7 of Section 6(5)

⁵ Hansard Localism Public Bill Committee 1st March 2011

suggest an enabling and common sense approach to this aspect of designation, as reflected elsewhere in the Act.

The requirement for forum membership to reflect '*different sections of the community*' has also been interpreted very differently by individual London planning authorities.

In many of the cases set out in Annex 1 to this report, neighbourhood forums have developed from longstanding residents associations and amenity societies with memberships running into several hundreds. In such instances, details of extensive memberships have generally not been included in designation applications and authorities have accepted that these numbers will adequately reflect '*different sections of society*'.

As authorities have started to scrutinise applications with greater intensity, it has become more common for applications to include a list of 21 or more named individuals. Most authorities do not then publish such lists as part of public consultation on a designation (for GDPR reasons). So it is not clear that this level of detail achieves 'transparency' or does anything more in practice than give the local authority an idea of whether any local 'usual suspects' or activists are involved.

Representativeness

It has become more common for London local authorities to query or to 'refuse' designation of neighbourhood forums on the grounds that membership is too limited and is not 'representative' in terms of age, gender, tenure, socio-economic group, religion or ethnicity or other characteristics.

This has become something of a battleground on which designation decisions are fought. Several issues arise:

- The term 'representative' does not feature anywhere in the statutory criteria and conditions for designation. Unlike parish and town councils, members of neighbourhood forums are not democratically elected to act as 'representatives' of a set of constituents. The requirement for a local referendum at the final stage of neighbourhood plan preparation is where the democratic safeguard kicks in.
- Authorities now often use the term to question whether the forum is fully 'representative' of the demography of the neighbourhood area in question. This is seen by some councils as a requirement resulting from the Equalities Act 2010 (see below). This approach can be taken to extremes that seem unjustified by the Localism Act statutory criteria, especially when used as a ground for refusal of an application.
- The question of the 'legitimacy' of neighbourhood forums to prepare plans and influence planning decisions was debated during the passage of the Localism Bill. The original requirement for only three forum members led to Opposition concerns that major planning issues would be decided by '*three regulars meeting at the Dog and Duck pub*'. After debate the Government agreed that this number should be raised, with the figure of 21 subsequently included in the Act. This was seen by Parliamentarians as sufficient safeguard against forums being taken over by narrow cliques with self-interests not shared in the wider community. Parish Councils with neighbourhood planning powers are not always viewed by local residents as carrying much democratic legitimacy.

- In terms of breadth of membership National Planning Practice Guidance is clear that ‘*A neighbourhood forum must have an open membership policy, but it cannot force people to be a part of something they may not wish to be a part of. The local planning authority must consider whether the prospective neighbourhood forum has secured or taken reasonable steps to attempt to secure membership from each category and from different places and sections of the community in that area.*- How far is it reasonable for local authorities to expect an organisation of unpaid volunteers to spend time and resources on widening its membership to achieve a match between their membership and the demography of the area? Is this what S61f(5) intended? Can 21 people ever be fully ‘representative’ of all strands of the diversity of London’s population, taking account of the nine ‘protected characteristics’ of the 2010 Equalities Act⁶?
- Organisations sometimes acknowledge in their designation applications that older people are ‘over-represented’ in the age profile of their membership and that they find it hard to recruit young people. This reflects the obvious reality that young people are more likely to be transient, to rent rather than own their property, to have less time to volunteer, and to take less direct interest in local planning issues.
- One of the criticisms often levelled against the neighbourhood planning regime is that its demands and complexities restrict involvement to middle class professionals. The research reports *Act Local*⁷ and *Neighbourhood Planning in London: Investigating its Potential in Areas Experiencing High Levels of Deprivation*⁸ gives a more nuanced picture. Can and should a neighbourhood forum be refused designation because it is too middle class or too professional?
- Local authorities, especially those of an *interventionist/resistant* tendency often ask detailed questions about the aims and objectives of an organisation seeking designation. This is not appropriate. National Planning Practice Guidance states clearly ‘*When a neighbourhood area is designated a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan or Order. It should not make assumptions about the neighbourhood plan or Order that will emerge from developing, testing and consulting on the draft neighbourhood plan or Order when designating a neighbourhood area.*- The NPPG is equally clear that ‘*Within this broad context (the NPPF) the specific planning topics that a neighbourhood plan covers are for the local community to determine.*’ It would be possible for a neighbourhood plan to focus on (say) issues of interest only to cyclists, provided that its policies related to the use and development of land. The ‘made’ Norland Neighbourhood Plan addresses only matters of conservation and heritage. Such forums are unlikely to attract the ‘fully representative’ memberships that some London authorities now

⁶ The nine ‘protected characteristics’ in the 2010 Equalities Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

⁷ *Act Local: Empowering London’s Neighbourhoods*, Centre for London 2019

⁸ *Neighbourhood Planning in London: Investigating its Potential in Areas Experiencing High Levels of Deprivation* Neighbourhood Planners.London/Publica May 2019

demand. A cyclist’s forum will probably have a preponderance of younger people and a conservation-based forum a preponderance of older owner-occupiers.

A local authority considering a designation application therefor needs to ensure that its demands for information on membership from ‘*different sections of the community*’ are reasonable and stay within the statutory criteria. The implications of the 2010 Equalities Act are discussed in more detail below.

Equality and diversity

During the passage of the Localism Bill, Opposition amendments proposed that the Public Sector Equality Duty in the 2010 Equalities Act should be applied to neighbourhood forums. This was not accepted as an amendment to the Bill. The duty does of course apply to local authorities. As a result, a number of London planning authorities carry out a full Equalities Impact Assessment (EqIA) of applications for neighbourhood forums.

In these cases, the detailed information needed to prepare an EqIA is required from the body applying for designation. The resultant EqIA is then reported to committee (or other decision-makers) at the time of a designation decision. In other cases, an EqIA is undertaken at the stage of a completed neighbourhood plan, alongside a Strategic Environmental Assessment screening exercise (or in some cases a full SEA).

This raises a question which as yet has not been the subject of any legal ruling. If the local authority decides under the Equalities Act to use an EqIA as part of the designation process, is it reasonable to make this a precondition of designation and to require a level of detailed demographic data and analysis from the applicant that far exceeds the statutory criteria in the 2011 Localism Act?

Government guidance on the 2010 Equalities Act states⁹:

‘The Public sector equality duty came in to force in April 2011 (s.149 of the Equality Act 2010) and public authorities are now required, in carrying out their functions, to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

- (a) *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;*
- (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

To ensure transparency, and to assist in the performance of this duty, the Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities, named on, to publish:

- *equality objectives, at least every four years (from 6th April 2012)*

⁹ See at <https://www.gov.uk/government/publications/public-sector-equality-duty>

- *information to demonstrate their compliance with the public sector equality duty (from 31st January 2012)’*

While local authorities need to meet the 2010 Equalities Act duties in their own decision-making, how far should these requirements apply to decisions to designate a neighbourhood area and forum? The Public Sector Equality Duty applies to the authority, but not (by a conscious decision of Parliament) to the neighbourhood forum. A neighbourhood forum has limited powers, relating to preparation of a neighbourhood plan. Planning policies can have a discriminatory effect, but at the stage of designation there will be no proposed policies to assess in this regard.

The case for local authorities to carry out an EqIA on a completed neighbourhood plan is stronger. Examiners of neighbourhood plans are charged with ensuring that draft plans '*have regard to national policies and (for now) do not breach, and are otherwise compatible with, EU obligations*'. But Neighbourhood Planners.London is not aware of examinations which have found draft Plans prepared by neighbourhood forums to be non-compliant with the 2010 Equalities Act.

A further factor is that application of the Public Sector Equality Duty has led certain London local authorities (including several of those categorised as ‘interventionist/resistant’ in this report) to require information from forums or groups applying for designation, on the anticipated content of their neighbourhood plan.

Such requirements are contrary to national planning guidance which states '*When a neighbourhood area is designated a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan or Order. It should not make assumptions about the neighbourhood plan or Order that will emerge from developing, testing and consulting on the draft neighbourhood plan or Order when designating a neighbourhood area¹⁰.*

Aspiring neighbourhood forums therefore need to have the confidence to point out, politely and with minimal conflict, where they feel that the information demands placed on them as part of the designation process are exceeding what the 2011 Act requires. This can be difficult, as there is no recourse against a local authority ‘refusing’ a designation application on spurious grounds, other than via judicial review.

One of the aims of this report is to equip forums with information on how each London authority has been approaching designation, and on where practices appear to have diverted from what is laid down in the 2011 Act.

¹⁰ National Planning Practice Guidance Paragraph: 035 Reference ID: 41-035-20161116

USE OF PROTOCOLS, PRO FORMA APPLICATION FORMS AND CHECKLISTS

There is no nationally recognised application form, either for forum or area designation. In many cases the designation applications covered in The Annex took the form of letters and statements ranging greatly in length and detail.

A number of London planning authorities have developed their own forms, on which they request (or require) emerging forums and ‘qualifying bodies’ to submit applications. While this can be a helpful and sensible way of helping organisations to structure information, such forms can also become a route through which local authorities add their own conditions and criteria for designation – outside of the terms of the 2011 Localism Act.

Forums not well versed in the legislation can be confused into thinking that they *must* provide certain information which goes well beyond what the legislation requires. Local authorities asking such questions should explain which of these relate to statutory criteria and which are additions, for which a ‘nil response’ would not be a bar to designation

For example **Brent** (generally supportive of neighbourhood planning) publishes a list of ‘Application Requirements’ which accurately sets out the membership requirements of sub-section 61f(5) of the Act, while then supplementing these. Brent’s question on *‘different sections of the community’* is expanded to read *‘which are from different sections of the community in that area, **and inclusive in terms of age, disability, gender, race, religion, sex and sexual orientation.**’*

Organisations applying for designation may well then wish to explain that they do not hold data on the *‘age, disability, gender, race, religion, sex and sexual orientation’* of their members. The 2011 Localism Act criteria does not require this level of information to be provided. How many residents associations and community groups request or obtain such information from their membership?

The **Tower Hamlets** application form goes further, with an application form that asks *‘Do members come from different places within the neighbourhood and do they reflect the diversity of the people within the neighbourhood? Please provide the name, postcode and interests & relevant background of each member’* (their underlining). What is meant in this instance by *‘interests and relevant background’* and why should such information on each forum member be relevant to the authority’s designation decision? Several applicants for designation seem to have answered this question by limiting the information provided to a classification of ‘business’ or ‘resident’ member, which seems a sensible response to an over-intrusive question.

Tower Hamlets also ask on their application form *‘How will the Forum embed the Council’s guidance and aspirations within the Community Plan, Single Equality Framework, Core Strategy, and Managing Development Document into their activities?’* A completed neighbourhood plan is required to *‘generally conform with the strategic policies’* of the Local Plan. There is no requirement on a neighbourhood forum to ‘embed’ a set of other local authority aim or policies.

Several local authorities ask questions on a forum’s specific plans for meeting economic, social and environmental objectives. As explained above, NPPG guidance is clear that this is for the forum to decide as and when it chooses, and that authorities should not pre-judge at designation stage the

content of a neighbourhood plan. All that is required is a commitment to work to meet the economic, social and environmental needs of the proposed neighbourhood area.

Hackney uses an Equalities Assessment Form of 6 pages to be completed by applicants for Forum designation. The Council's approach to designation, and the introduction of this assessment process was approved by the Council's Cabinet in April 2013, at a time when the Council had to decide on competing applications. The legal advice in this officer report is silent on the question of whether the local authority was entitled to 'adopt its own procedures' for deciding designation applications (see under East Shoreditch in the survey section of this report).

Amongst many detailed questions within this 'Equalities Assessment Form is one on '*Monitoring Forum Membership*'. This reads '*What systems do you have in place to find out who attends the Forum meetings, what they think and any monitoring you have in place with regards to equality and cohesion issues. How will you ensure that your Forum does not discriminate against protected groups, as outlined below?*' Asking '*what they think*' may just be clumsy wording but suggests a level of Forum oversight of its members well outside the 2011 Localism Act criteria for neighbourhood forum designation. This question cannot relate to what forum members think about the content of their neighbourhood plan, as work on this will not have started.

When questioning the level of information demanded from a 'refused' forum in **Hammersmith and Fulham**, Council officers replied '*In essence, subsection 7a(ii) requires an analysis of the area's demographic profile, with respect to age, gender, ethnicity, disability, educational attainment, income, living standard etc as well as to the business profile of the area in terms of size of businesses, sectors etc, and then to have regard to the distribution of the membership across the area.'*

Data on disability, educational attainment, income, and living standard (whatever this means) for the population of a neighbourhood area is not readily available to organisations preparing neighbourhood forum applications. There are now some low cost open source tools available for drawing down area based demographic information, and these might well be used when assembling the evidence base for a neighbourhood plan. But to demand this level of information at the stage of forum designation is unreasonable and way beyond what sub-section 7a(ii) requires. Why would such information be relevant at this stage of forum designation? The Act does not stipulate a membership list with proportions of members that match in all respects the demographic of the neighbourhood.

When such data demands are coupled with a track record of 'refusals' or amendments to area designations, and refusals to forum designations, the characteristics of the 'interventionist/resistant' category of London planning authority emerges. It becomes hard on occasions to accept that these demands are being made for reasons other than as excuses to turn down designation applications.

Lewisham uses an application form, but this sticks closely to the statutory criteria for designation and does not add to these. While **Brent** has added its own criteria to the application process, it has also approved all designation applications to date. Hence these Boroughs are not included in the 'interventionist/resistant' category.

LAPSED FORUMS

Aside from the eleven orphan neighbourhoods, this survey has identified a further 11 forums which have lost their designations at the end of their initial five year term. Local authorities have generally proved willing to redesignate forums for a further period, with exceptions where membership has dropped below the required 21 members.

The 'lapsed' forums are:

1. Mill Hill (Barnet) - redesignation refused
2. Hill View (Bexley)
3. Unity, Church End and Roundwood (Brent)
4. Somers Town (Camden)
5. Church Row and Perrins Walk (Camden)
6. Chatsworth Road (Hackney)
7. Butts Farm (Hounslow)
8. Corbett Estate (Lewisham)
9. Bankside (Southwark)
10. East Shoreditch (Hackney/Tower Hamlets)
11. West Ealing Centre (this Forum chose to wind itself up rather than apply for redesignation)

In several cases, these lapsed forums tell a sad story of much community time and effort that has gone to waste, and of local residents disillusioned by the way their neighbourhood plan was obstructed by the local authority or watered down by the removal of key policies at examination stage. Part of the purpose of this review and survey is to try to minimise such scenarios in the future. This requires realism on the part of emerging neighbourhood forums that preparation of a neighbourhood plan is a serious and demanding task, which will take years rather than months.

It also requires more honesty from local authorities. If a London Borough or Mayoral Development Corporation does not like the concept of neighbourhood planning and sees this as unwelcome interference, it would help if this were made clear to aspiring forums from the start. Despite the introduction of statutory timescales for decision-making on stages of the process, a 'resistant' local authority can still find ways of slowing the designation process to a crawl, let alone making plan preparation a very challenging process.

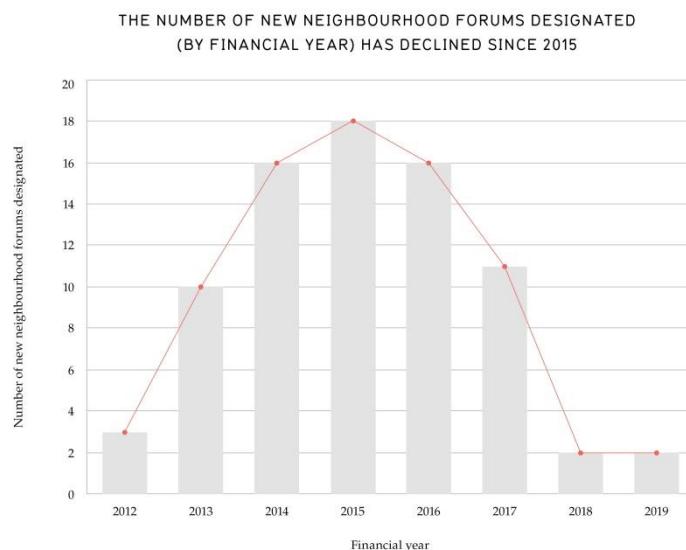
DECISION AND REFUSAL NOTICES

The final stage of the designation process requires the local authority to publish on its website a ‘decision notice’ or ‘refusal notice’ when it has decided to reject a designation application. This applies to decisions to vary a proposed boundary, as well as to the refusal of forum designation.

There are several examples noted in The Annex where decision/refusal notices have not been published or the public referred to the content of a lengthy committee report in order to understand the basis of a refusal decision. This is poor practice, given that as and when a refusal decision is the subject of a legal challenge it will be the precise wording of this statutory statement which will be examined by the Courts.

LOOKING AHEAD

The rate of designation of new areas and forums has slowed in London in recent years, unlike the graph at national level (where there has been a 19% increase since July 2019)¹¹.



The London Assembly’s report into neighbourhood planning explores possible reasons for a declining number of organisations coming forward with designation applications. The planning context is London is undoubtedly a challenge. This is not helped when many London authorities give out an over-simplified and inaccurate message, that neighbourhood plans must be ‘consistent with’ or ‘conform with’ Local Plans. The terms ‘*general*’ conformity and ‘*strategic*’ policies are not in the legislation by accident and neighbourhood plans have real scope to vary and improve on Local Plan (and London Plan) policies.

As yet there are few examples of London authorities admitting that their own policies have been influenced, or successfully varied within individual neighbourhoods, as a result of a neighbourhood plan. Sometimes this will be acknowledged by planning officers and councillors in private.

There remains a low level of awareness amongst Londoners that neighbourhood plans can allocate sites and designate Local Green Spaces. This public impression that neighbourhood plans ‘cannot do much’ contrasts with many more rural areas where district planning authorities have actively co-operated on helping to put neighbourhood plans into place as a means of ensuring housing supply and to block unwanted speculative development.

Current uncertainties over a Government White Paper and suggestions of radical reform of the English planning system create a climate of uncertainty. This ultra localist layer of the planning system has now survived nearly a decade and despite assurances from Ministers of a continuing role for neighbourhood planning there is a growing anxiety that it will be weakened or constrained.

¹¹ MHCLG Neighbourhood Planning Newsletter June 2020

What seems clear is that the current arrangements for Local Plan preparation and review, with timescales of several years and substantial costs, are overdue for reform. Many minds in many public bodies and London organisations are giving thought to how London should emerge in a post-2020 pandemic period (assuming that this materialises). There is scope for the existing neighbourhood planning framework, with its comparative speed and responsiveness and its scope for innovation, to play a bigger part.

This survey of current approaches to designation in London should help prompt reflection amongst London’s politicians and professional planners. What exactly is being achieved through negative and unsupportive attitudes to neighbourhood planning? Public confidence in the existing planning system is low and the current Government seems intent on radical reform to address it.

The designation process need not be complex or time-consuming for planning departments already under pressure on other fronts and often struggling to recruit staff. Devoting extensive staff time to finding ways of resisting and refusing designation applications is not likely to be a good use of scarce resources and jars with the common sense and hands off approach set out in the 2011 Localism Act. The wasted time and effort of hundreds of volunteers, as recorded in The Annex to this report, should not be allowed to continue.

The duties placed on a local authority in responding to designation applications do not have to be handled by planning officers. Staff in teams dealing with governance or ‘democratic services’ or ‘community engagement’ activities could equally well handle the steps of publicising and consulting on applications, assessing responses, and making relevant recommendations to decision-makers.

Public trust in London’s planning system and its development industry is low. London’s local authorities need to relax and let their local communities try out plan-making for themselves. The competing needs and priorities, and the trade-offs involved in allocating land as a scarce and expensive resource will soon become apparent and a wider understanding of ‘real world’ complexities will soon become apparent to those involved.

The safeguards of independent examination and support at referendum are in place within the neighbourhood planning framework. The occasions where proposed areas and forums are ‘refused’ should be rare exceptions. Many a neighbourhood forum will never complete their plan but will have learned much and achieved much for their area in the process. Where do London’s local authorities see the potential harm and risk?

A note on the report’s methodology

As with previous similar publications, this Neighbourhood Planners.London report carries the health warning that its source material comes very largely from documents and material published via individual Borough and Mayoral Development Corporation websites. It is possible that some relevant material has been missed. The information in The Annex is up to date as of June 2020. A draft report was circulated to London local planning authorities and through the Neighbourhood Planners.London network and feedback has been incorporated.

Neighbourhood Planners.London

Neighbourhood Planners.London exists to support neighbourhood planners in London and raise the profile of neighbourhood planning in the capital.

We're a voluntary initiative in response to direct experience of the first wave of neighbourhood planning in London. The benefits of neighbourhood planners getting together, sharing experience and know-how and providing a voice for neighbourhood planning are apparent in the growing movement across the capital.



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ANNEX

**BACKGROUND TO LONDON PLANNING AUTHORITY DECISIONS ON DESIGNATION APPLICATIONS
FOR NEIGHBOURHOOD FORUMS AND AREAS**

LOCAL PLANNING AUTHORITY (LONDON BOROUGH OR MAYORAL DEVELOPMENT CORPORATION)	
Barking and Dagenham	<p>LB Barking and Dagenham's website has no information on neighbourhood planning. The Borough remains one of London's 8 'desert' areas with no neighbourhood planning activity and a Council that appears to do nothing to inform or support local communities in using this layer of the planning system. As noted in a previous Neighbourhood Planners.London surveys LB Barking and Dagenham's Statement of Community Involvement (SCI) dates from 2015 and is non-compliant with Section 6 of the Neighbourhood Planning Act 2017. A 2020 'refresh' consultation on the SCI does not seem to have addressed the new SCI requirements for information on 'advice and assistance' on neighbourhood planning.</p>
Barnet	<p>LB Barnet's website includes a page of brief information on neighbourhood planning including a link to the Locality Roadmap,</p> <p>Mill Hill</p> <p>LB Barnet designated the Mill Hill Neighbourhood Forum and area in September 2014. The original designation application is no longer available on the Barnet website. A draft neighbourhood plan reached its fourth version.</p> <p>The Forum applied for re-designation for a further 5 year period in March 2019, with a 4 page application. There were several objections to the re-designation during the consultation period and on 24th July 2019 the Council's Planning Committee refused re-designation of the forum and the neighbourhood area.</p> <p>No 'decision notice' appears to have been published by the local authority, contrary to the 2012 Neighbourhood Planning Regulations. The minutes of the decision refer back to the content of the report, which states that membership of the Forum had fallen to 19 and hence below the required 21 members.</p> <p>The officer report noted that '<i>The Committee is required to be representative of the community with involvement by young, middle and older age groups, both genders, and people from different ethnic backgrounds and faiths, including people of differing economic means.</i>' This 'requirement' extends beyond the statutory criteria for designation in S61F of the 2011 Act.</p>

	<p>West Finchley</p> <p>Designation of the West Finchley Neighbourhood Plan Area and Forum was approved by LB Barnet's Planning Committee on 25th November 2015. The designation application was appended to the report but is no longer published on the council website.</p> <p>The officer report stated '<i>The proposed Forum has secured membership from at least twenty one individuals who live and work in the Area or who are elected members in the Area and membership is from different sections of the community. The application and the constitution submitted shows that the purpose of the Forum reflects the character of the Area. Therefore it is recommended that the applications to designate the West Finchley Neighbourhood Area and Forum be approved</i>'. No further comment is made on the make up of Forum members.</p> <p>The website of the West Finchley Neighbourhood Forum states '<i>The Forum was designated by Barnet Council (LBB) on 26 November 2015 for a period of five years which expires on 25 November 2020. The Forum is currently seeking redesignation in order to complete the work on the Neighbourhood Plan. 28 residents have agreed to continue as members of the Forum along with two of our Ward Councillors. The application for redesignation has been submitted to Barnet Council and will go to the October Planning Committee meeting.</i>' [Redesignation was approved]</p>
Bexley	<p>LB Bexley's website has no page on neighbourhood planning per se, but under '<i>Planning Policy and Guidance</i>' there is a paragraph reading '<i>Neighbourhood planning was introduced to enable local communities to take ownership of the planning and development in their area. If an area feels that it has scope to accommodate additional development over and above that which is planned in the Council's plan or it feels the planned development should be provided in a different way, then it may consider forming a Neighbourhood Forum and producing a Neighbourhood Development Plan. The plans must be consistent with existing planning documents in order to form part of Bexley's Local Plan. Producing a Neighbourhood Plan can be time intensive, costly and complex so it is important that you discuss any proposals with the Council as early as possible.</i>'</p> <p>Most would accept that this wording is hardly encouraging of neighbourhood planning. The phrase '<i>consistent with existing planning documents</i>' is not an accurate description of the '<i>general conformity</i>' requirement for neighbourhood plan policies, and implies a regime more restrictive than is the case.</p> <p>Hill View</p> <p>Hill View Neighbourhood Forum and Area were designated by LB Bexley on 5th March 2015. This followed a second round of consultation following the Council's decision to remove the 'Hill View offices' site from the proposed neighbourhood area. No further information can be found online about progress of the Forum or on the requirements</p>

	<p>set by LB Bexley for the original designation.</p>
Brent	<p>LB Brent's website makes clear that neighbourhood planning is a '<i>community-led process</i>'. Its description of the 'general conformity' process is too brief in saying '<i>Neighbourhood plans must be in line with existing planning policies.</i>' This makes it sound as if plan preparation can make little difference to outcomes.</p> <p>The Council's advice note on requirements for forum designation sticks closely to the statutory wording in nearly all respects but extends one of the two criteria on membership to read '<i>are from different sections of the community in that area, and inclusive in terms of age, disability, gender, race, religion, sex and sexual orientation.</i>'</p> <p>Unity (Church End and Roundwood)</p> <p>LB Brent designated this Forum and neighbourhood area on 10th September 2013. The application was submitted on behalf of Brent Fair Share Trust, and gave a stated membership of 53 residents, workers and councillors.</p> <p>At consultation stage only one comment was received, supporting the Forum but designation proceeded regardless of this low response. Forum designation lapsed in 2018.</p> <p>Sudbury Town</p> <p>Sudbury Town Residents Association was designated as the neighbourhood forum for Sudbury Town in December 2012.</p> <div style="background-color: #e0e0e0; padding: 10px;"> <p>The Sudbury Town Neighbourhood plan was successful at referendum in September 2015 and was then made and became part of the Borough's development plan.</p> </div> <p>Sudbury Town Neighbourhood Forum was redesignated for a further five years from 8 December 2017</p> <p>Harlesden</p> <p>LB Brent designated Harlesden Neighbourhood Forum and neighbourhood area on 28 September 2015 for the areas of land for which Brent Council is the local planning authority. The OPDC subsequently designated the Forum and Area on land within the Mayoral Development Area on 26 November 2015 (see under OPDC below).</p> <p>The 16 page application (including a constitution) listed names of 61 members and gave no further demographic information other than status as a resident or business person. A scatter diagram was included showing geographic location of members across the neighbourhood area.</p> <div style="background-color: #e0e0e0; padding: 10px;"> <p>The Harlesden Neighbourhood Plan was made by LB Brent on 30 May 2019 and became part of the Boroughs' development plan.</p> </div>

	Kilburn LB Brent designated the Kilburn Neighbourhood Forum and neighbourhood area on 2 nd June 2016. LB Camden also approved these designations for their part of the area. The application form gave details of many organisations and community groups, extensive local consultation on establishing the forum and choosing the area. A separate membership list was attached but not published, so it is not clear what (if any) detailed information was provided on individual members or how Brent's extra 'inclusivity' requirements were met.
Bromley	LB Bromley's website has a brief half page of information on neighbourhood planning. This includes a link to the Locality site for further information. No indication is given of the local authority's duty to support neighbourhood planning and the content is negative in tone and inaccurate in its summary of the 'basic conditions' and the 'general conformity' requirement (e.g. the wording ignores the term ' <i>general conformity</i> ' and states ' <i>However, a Neighbourhood Plan must support the delivery of strategic policies set out in the Development Plan for the area, which includes the Local Plan and the London Plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area.</i> '') Bromley has not yet designated any neighbourhood areas or forums and remains one of the 8 'desert' boroughs in London LB Bromley's SCI dates from 2016 and remains non-compliant with Section 6 of the Neighbourhood Planning Act 2017 in providing no explanation of the level of 'advice and assistance' provided on neighbourhood planning.
Camden	LB Camden is widely seen as London's most supportive planning authority on neighbourhood planning. The Council has designated 15 neighbourhood forums and areas. Five of the 17 neighbourhood plans that have been made across London are in Camden. The requirements for designation of a forum and neighbourhood area are explained in a one page factsheet on the website. This sets out the legislative criteria, with no attempt to extend these criteria beyond what is stated in the 2011 Act and is a model of straightforward explanation of what is required to set up a neighbourhood forum. Kentish Town The application for designation of the Kentish Town Neighbourhood Forum and area was made in October 2012. The Forum grew out of Kentish Town Road Action and other community organisations. At the time of the designation application the Forum stated that it had 216 members and listed a series of local groups and organisations which it had consulted.

The Forum was redesignated in 2018. Camden Council made the Kentish Town Neighbourhood Plan in April 2016.

Highgate

Highgate Neighbourhood Area and Forum were approved on 17 December 2012 by Camden Council and 18 December 2012 by Haringey Council.

The designation application (5 pages) stated '*we currently (August 2012) have more than 150 individual members (see attached HNF Individual and Business Members) and expect to recruit many more once our leaflets/questionnaires have gone to every household.*'

On 'different parts of the area' the application stated '*We don't, as yet, have a way of measuring the exact geographical location of our individual members, though our questionnaire (see below) will soon provide us with exact data on the responses to that. However, I have annotated the list of Affiliates attached to indicate the breadth of our coverage and to demonstrate that our support does cover the whole of our area. I have also included the addresses of our Committee members (HNF Committee Addresses) to show how they are spread across the Highgate Neighbourhood Area and highlighted our Business members in red for Highgate Village and purple for Archway Road (HNF Individual and Business Members).*

Camden Council made the Highgate Neighbourhood Plan on 11 September 2017. The Forum was redesignated in 2017 for a further 5 year period.

Fortune Green and West Hampstead

The Fortune Green and West Hampstead Neighbourhood Area and Neighbourhood Forum were designated by LB Camden on 9th May 2013. The application letter (4 pages plus attachments) provided a list of 28 members including '*residents living across the area covered by the Forum; representatives of the main residents associations and community groups in the area; representatives of local businesses; and all six ward councillors representing the area.*'

Camden Council made the Fortune Green and West Hampstead Neighbourhood Plan on 16 September 2015. The Forum was re-designed for another 5 years by the Council on 12th April 2019.

Somers Town

LB Camden approved the designation of the Somers Town Neighbourhood Forum and area on 13th June 2013.

The 5 page application for the Forum stated '*The forum has a core committee of 28 people, 50% of whom are representative tenants and residents from across the area. The other 50% are local stakeholders including local councillors, the voluntary and community sector, businesses and institutions. Some local business owners and voluntary sector participants are also local residents.*' Names of these members were given in an appendix.

Somers Town Community Association is a Charity which delivers a range of projects in the area but has not concentrated on neighbourhood plan preparation. STCA does not appear to have applied for redesignation of the neighbourhood forum.

Dartmouth Park

Dartmouth Park Neighbourhood Forum and area were approved by LB Camden on 7 October 2013. The designation application was a 4 page letter stating that the Forum had 192 registered members and listing 23 names '*for the purposes of the application*'. A constitution was also submitted.

The constitution commits that '*Every effort shall be made, including full use of positive action provisions in current legislation to ensure that the membership of the Committee, elected or co-opted under 5.1 above, will always include*' (followed by a list of categories related to age, gender, ethnicity, tenure group and others)

The completed Dartmouth Park Neighbourhood Plan was made by Camden Council on 27 September 2019.

Camley Street

First designated in February 2014 and redesignated in 2019. The Elm Village Tenants and Residents Association (EVTRA) acted as the qualifying body in submitting an application (8 pages) for designation of the Forum and neighbourhood area. No details of membership, in terms of numbers or demographic breakdown were included in the application, beyond the fact that it had the support of local councillors.

The completed Camley Street Neighbourhood Plan has been examined (Examiners report February 2020) and a referendum is awaited.

Fitzrovia East

LB Camden designated the area on 3 April 2014 following the earlier rejection of an area including part of Westminster.

Church Row and Perrins Walk

Designated by LB Camden as a Forum on 5th September 2014 on the basis of a 5 page letter for the Forum and a 3 page letter for the area boundary. Support cited from 57 '*founder members comprising 51 residents and 5 workers and a Camden Councillor.*'

No recent information is available online on progress made by the Forum and the designation will have lapsed in 2019.

Redington and Frogna

LB Camden approved the designation of the Redington and Frogna Neighbourhood Forum and area on 5th September 2014. An 8 page application stated '*As at 26.5.14, the membership includes 178 individuals drawn from each of the following categories: living in the area; working in the area; elected members and community groups.*'

Further information was given in the application on the make up of this membership, by age, tenure and links with other community groups. The applications form notes '*Our members range in age from 22 to over 90 years. Membership is overrepresented among the elderly. Our members are drawn from all faith groups and from none, although we have not sought personal and intrusive ethnic and religious information as part of our database.*'

The completed Redington and Frogna Neighbourhood Plan was submitted to LB Camden in March 2020, for second round consultation and examination [which was passed].

Hampstead

LB Camden designated the Hampstead Neighbourhood Forum and neighbourhood area on 7 October 2014. The 4 page application form stated a membership of 388 registered members '*including the following 21 people (named) for the purposes of this application.*'

Further information was provided on outreach activities and efforts made to engage with different sections of the local community.

Camden Council made the Hampstead Neighbourhood Plan on 8th October 2018.
The Forum was redesignated on 25th October 2019.

Mount Pleasant

The Mount Pleasant Neighbourhood Forum and area was designated by LB Camden and LB Islington on 4th February 2016.

The Forum grew out of the Mount Pleasant Association, established in 2012 as '*a cooperative group of individuals, communities and businesses concerned with the Royal Mail Group's proposals for the redevelopment of the Mount Pleasant site.*'

The designation application for the forum (20 pages) stated that the Forum '*has been established with more than 21 people and is a well-established and publicly recognised community group of diverse local residents and stakeholders living in and working around Mount Pleasant.*' No further details of membership appear in the application.

	<p>The Forum worked up detailed proposals for a Community Right to Build Order to permit the development of five linked buildings at Phoenix Place (South), EC1. This draft Order was examined in 2017 and subsequently refused by LB Camden on the recommendation of the independent Examiner in May 2017.</p> <p>Kilburn</p> <p>LB Camden considered and approved the same 12 page application for this cross-borough area as did LB Brent (see above). Approval to the designation was granted by LB Camden on 3rd June 2016. Neighbourhood plan preparation is in progress.</p> <p>Drummond Street</p> <p>LB Camden approved the designation of the Drummond Street Neighbourhood Forum and area on 10th May 2019.</p> <p>The Drummond Street Tenants and Residents Association (DSTRA) and the Drummond Street Traders formed the basis of the Forum. A full list of members was provided as a confidential annex to the designation application.</p>
City of London	<p>The City of London makes clear its position on neighbourhood planning within its Statement of Community Involvement. This document includes two brief paragraphs on neighbourhood planning stating:</p> <p><i>'The City Corporation will meet the minimum requirements as set out in regulations in regard to consultations on establishing a Neighbourhood Forum and preparation of a Neighbourhood Plan.'</i></p> <p><i>'The City Corporation will meet with any prospective neighbourhood forums to offer guidance and support where possible.'</i></p> <p>City of London's SCI is non-compliant with Section 6 of the Neighbourhood Planning Act 2017 (unless the above statement on meeting minimum requirements is accepted as a lawful explanation of '<i>the local planning authority's policies for giving advice or assistance</i>' in the preparation of neighbourhood plans).</p> <p>City of London has not yet designated any neighbourhood areas or forums and no applications for designation are reported on the Council's website. City of London remains one of the 8 'desert' areas across London in terms of neighbourhood planning.</p>
Croydon	<p>LB Croydon publishes on its website a one page guide on the support that it will offer. This is framed in terms which imply greater control over the process than the 2011 Act stipulates (e.g. one of the stages prior to independent examination is defined as '<i>The council will check conformity of the NDP (or NDO) against the Core Strategy, London Plan, regulations and legislation. Assuming it considers conformity has been achieved, the council will arrange and pay for an independent Examination</i>''. The local authority's view on 'general conformity' should not be set as a pre-condition for arranging an examination. It is the examiner that should assess whether this basic condition has</p>

	<p>been met, albeit that the local authority may take a different view when considering the making of a neighbourhood plan.</p> <p>The website also states '<i>Neighbourhood areas should be aligned with the '16 places' approach in the Croydon Local Plan which is based on a series of identified neighbourhoods. Ideally, prospective neighbourhood forums will adopt one of the 'places' as their neighbourhood area</i>'. This approach is not consistent with neighbourhood planning as a 'community-led' process under which local people identify proposed neighbourhood boundaries which are meaningful to them, and are not required to align with 'places' in a Local Plan or with administrative or borough boundaries.</p> <p>LB Croydon has not yet designated any neighbourhood areas and remains one of London's 8 'desert' areas.</p> <p>LB Croydon's Statement of Community Involvement was updated in 2018 but does not explain the level of 'advice and assistance' provided on neighbourhood planning so remains non-compliant with the 2017 Neighbourhood Planning Act,</p>
	<p>LB Ealing's pages on neighbourhood planning could do with some updating (e.g. neighbourhood planning is described as a 'new right' nine years after the 2011 Localism Act).</p> <p>The further information states '<i>Please note that before a community or business groups can be formally designated as a Neighbourhood Forum it must first apply to the Local planning Authority for the proposed boundary of the Neighbourhood Plan area to be formally consulted upon and then designated first.</i>'</p> <p>There is no obstacle to area and forum designations being sought simultaneously and many local authorities encourage this as requiring only a single round of public consultation. Hence sequential applications are not a 'must' as stated by LB Ealing.</p> <p>West Ealing Centre</p> <p>LB Ealing designated the West Ealing Centre neighbourhood area on 29 October 2012. A 9 page application for the area and forum included a constitution and notes of a meeting of the interim forum, with a list of attendees, but no further details of forum membership.</p> <p>After further discussions with the interim forum on the details of proposals for the Forum, this was designated by LB Ealing on 27th March 2013.</p> <div style="background-color: #f2f2f2; padding: 10px;"> <p>Following a 'residential referendum' and a 'business referendum' The West Ealing Centre neighbourhood plan was made by LB Ealing on 3rd May 2018. The Forum chose not to apply for redesignation.</p> </div>
Ealing	

	<p>Central Ealing</p> <p>LB Ealing designated the Central Ealing Neighbourhood Forum on 27th March 2013 having previously designated the neighbourhood area on 29th October 2012. This also a 'business' forum and area.</p> <p>The 10 page letter of application included a list of 29 'founder members' including 3 councillors. The Council had made a number of requests of the Forum, following the area designation, to ensure that its constitution and composition met the requirements of the 2011 Act</p>
	<p>Greater Central Acton</p> <p>In September 2015, LB Ealing received a revised application for Greater Central Acton to be designated as a neighbourhood area/forum. At the same time an earlier application that was submitted on 18 September 2014 was withdrawn.</p> <p>Public consultation took place between September and October 2015 and the application for a forum and area was passed.</p>
Enfield	<p>Acton Mainline</p> <p>A designation application for an Acton Mainline neighbourhood area and Forum was submitted to LB Ealing in August 2015. A list of supporters was also supplied to the council but this was not published on the LB Ealing website '<i>as the documentation contained personal information</i>'. Public consultation took place between September and October 2015 and the application was refused with Greater Central Acton being agreed.</p> <p>Acton Hill</p> <p>A designation application for an Acton Hill Neighbourhood Forum and neighbourhood area. The 22 page application stated '<i>The following 85 people living in all the streets of our area have indicated their support for the creation of the Acton Hill Neighbourhood Forum. They fulfil our criteria for membership of the forum, and will become members once the forum has been designated.</i>' Street level address details were provided.</p> <p>LB Ealing consulted on the designation application between May and June 2019 and the application was passed.</p> <p>LB Enfield's introductory web page on neighbourhood planning is brief, while accurately conveying the main elements of the framework and criteria for designation. The criterion of membership drawn from different parts of the community is [incorrectly] interpreted as '<i>It (the forum) should also, in general, be demographically representative of the area it covers.</i>'</p> <p>Hadley Wood</p> <p>LB Enfield on 7 July 2015 approved the designation of the Hadley Wood Neighbourhood</p>

	<p>Forum, refused the area applied for, and designated a revised neighbourhood area boundary. Part of the proposed area was refused on the basis that the boundary '<i>would encroach into farm land and open green belt and do not contain boundaries that have a clear relationship with the main settlement at Hadley Wood.</i>'</p> <p>The Hadley Wood Neighbourhood Forum grew out of the Hadley Wood Association. The 4 page application for the Forum stated that the Association had formalised a process for Forum membership and as '<i>a result we have received 45 valid applications. These include 5 people who work in the area (1 of which also lives in the area).</i>' The application also noted that '<i>We asked people about their age, length of association with the area, whether they lived and/or worked in the area etc. The results are attached. Hadley Wood is not a particularly diverse area, but we do have members from across the age range, the youngest in their twenties and the oldest in their nineties. Many members did not want to give information about ethnicity, religion etc. but the results from those who did show representation from a range of backgrounds.</i>'</p> <p>Hadley Wood Neighbourhood Plan has been completed and examined, but a referendum delayed until May 2021 as a result of the Covid 19 pandemic. Policies in the Plan will carry weight in the meantime</p> <p>Angel Edmonton</p> <p>An application to for a neighbourhood forum at Angel Edmonton was approved by Enfield Council on 22 November 2016. The application for the neighbourhood area was withdrawn. The organisation Residents in Edmonton Angel Community Together (REACT) decided that they wished to work as a forum without a boundary and hence a neighbourhood plan was not progressed.</p>
Greenwich	<p>RB Greenwich's introductory web page refers the public to the gov.uk site on neighbourhood planning and the My Community website. A council statement reads '<i>Please note – Your plans must conform with the Royal Greenwich Local Plan.</i>' This is an over prescriptive summary of the basic condition on '<i>general conformity with the strategic policies</i>' in a local plan and could lead many readers to question the value of undertaking neighbourhood plan preparation.</p> <p>Deptford</p> <p>This designation application for a forum and neighbourhood area was made jointly to RB Greenwich and LB Lewisham. The application (11 pages) listed 39 names of individuals living or working in the neighbourhood area, including 3 councillors.</p> <p>The application for the forum was refused by RB Greenwich on 19th February 2016, with the Decision Statement/Refusal Statement reading as below:</p> <p><i>'It is considered that Deptford Neighbourhood Action, with its roots primarily in Lewisham and among Lewisham residents, workers and councillors, would not properly reflect or represent the views, interests and aspirations of the residents, workers and</i></p>

	<p><i>councillors of that part of the proposed Neighbourhood Area within the Royal Borough of Greenwich. This is reflected in the lack of support for the Neighbourhood Forum designation by elected members of the Council, and the level of opposition by local residents in the Royal Borough of Greenwich. It is apparent from the consultation responses that many of those responding felt that they were already part of a community with strong associations in Greenwich, that was quite separate and distinct from the community represented by Deptford Neighbourhood Action.'</i></p> <p>A Forum and Area solely within Lewisham was approved.</p> <p>Lee Forum</p> <p>RB Greenwich designated the Lee Forum on 29 Jan 2016. The Council's website publishes only the constitution for this body and not the full designation application. Approval of the designation appears to have been granted under delegated powers, so no committee report is available from the website,</p> <p>Moorings</p> <p>RB Greenwich designated the Moorings Neighbourhood Forum on 25th June 2019.</p> <p>The 20 page designation application for the Forum included a list of resident members and those representing local bodies (names redacted on the Council's website). Also included was a scatter diagram showing where members lived or worked. 162 local people had responded to a survey on the proposed neighbourhood boundary.</p>
Hackney	<p>LB Hackney encourages the sequential approach of considering area applications before forum applications, while also noting '<i>We have the discretion to accept applications for neighbourhood areas and forums at the same time. This may happen in some circumstances and a combined publication period of eight weeks would be allowed to make sure the community has enough time to consider the proposal and for any other groups to come forward.</i>'</p> <p>In 2012 and 2013 LB Hackney experienced major disputes and religious tensions between different groups of residents over competing proposals for forums and neighbourhood boundaries. The Council's Cabinet considered a 'governance' report on neighbourhood planning in April 2013 and approved a set of 'Assessment Forms' for designation of a neighbourhood area and forum.</p> <p>The criteria used for the 'area assessment' are set out in the Area Assessment Form and depart from the set of 'considerations' for the 'appropriateness' of a neighbourhood area as set out in NPPG 033 Reference ID: 41-033-20140306. They include the question <i>whether the proposed Neighbourhood Area is considered coherent, consistent and appropriate in planning terms</i>. While the terms <i>coherent</i> and <i>consistent</i> are used in separate NPPG 'considerations' this is in the context of <i>buildings of consistent scale or style, and whether the area forms all or part of a coherent estate either for businesses or residents</i>. It is all too easy for a local authority to deem a proposed neighbourhood</p>

area as inappropriate through being *incoherent* or *inconsistent* if the context of such terms is not defined.

Applicants are also steered away by the Assessment Forum from areas with '*Overlap/potential conflict with other policy areas such as Area Action Plan Areas, areas subject to area or' masterplanning' (by local or regional government) or the subject matter of a planning application/approval.*' These are added limitations, whereas NPPG Reference ID: 41-036-20190509 states '*A neighbourhood area can include land allocated in strategic policies as a strategic site. Where a proposed neighbourhood area includes such a site, those wishing to produce a neighbourhood plan or Order should discuss with the local planning authority the particular planning context and circumstances that may inform the local planning authority's decision on the area it will designate.*'

The criteria used for the 'forum assessment' are very detailed and require applicants to undertake an Equalities Impact Assessment. On 'inclusivity' aspiring forums are asked '*What systems do you have in place to find out who attends the Forum meetings, what they think and any monitoring you have in place with regards to equality and cohesion issues. How will you ensure that your Forum does not discriminate against protected groups, as outlined below?*'

Where LB Hackney has subsequently considered cross-borough applications (as in the list below) it appears that not all these information demands have been made and that the Council has accepted cross-borough applications that are less detailed.

North Hackney

LB Hackney refused this application for a North Hackney Neighbourhood Forum on 22nd July 2013, and designated a smaller area in the centre of Stamford Hill.

The Decision Statement/Refusal Statement read '*Hackney Council, through a decision made on 22nd of July 2013 by its Cabinet has refused the North Hackney Neighbourhood Forum for the following reasons:*

- 1) The submitted forum application has been made for an area which is substantially different from the neighbourhood area approved for designation and does not concur with the area boundary designated.*
- 2) The Council considers that approving the submitted forum application will not enhance community relations in this part of the Borough, as the submitted forum application has not been universally supported by the wider community in North Hackney.*

Central Stamford Hill

LB Hackney later considered two further applications for neighbourhood forums for the Central Stamford Hill neighbourhood area. At the cabinet meeting held on the 14

November 2014, the Council turned down the two neighbourhood forum proposals.

The application from the Stamford Hill (Community) Neighbourhood Forum and that for the Central Stamford Hill Neighbourhood Forum used the same 10 page LBH template application form. LB Hackney also undertook an Equalities Assessment for these applications.

The reason for refusal in both cases was that '*The Council considers that approving the submitted forum application will not enhance community relations in this part of the borough, as the forum has not been supported by the wider community in Stamford Hill.*'

Chatsworth Road

LB Hackney designated on 22nd July 2013 a neighbourhood forum for the Chatsworth Road area and also designated the proposed neighbourhood boundary. The application documents included a demographic analysis of the area under headings of Age, Ethnicity, Religion and Economic Activity. A scatter diagram of the location of members was also provided. The committee report noted that '*The Forum has more than 30 members that are spread across the proposed Area.*' This designation lapsed in 2018.

East Shoreditch

This application for a neighbourhood forum and area was for a cross-borough forum and area, involving parts of Tower Hamlets. A 7 page submission on the forum was accompanied by a constitution and list of members.

LB Hackney on 23rd February 2015 decided to refuse the proposed neighbourhood area as inappropriate, citing various planning grounds. The committee report recommended that the '*accompanying application for a neighbourhood forum be refused, as the Council is under an obligation to refuse a forum application where it has altered the submitted boundary.*' We are unaware of any such obligation. The case raises the question as to whether if the Forum part of an application meets the criteria why should it not be approved at the same time as a varied neighbourhood area – as with Haringey's approval for Finsbury Park and Stroud Green below?

Queen Elizabeth/Lordship

This application was for a neighbourhood area only, with an emerging forum wishing this decision to be made in advance of applying for forum designation.

The application was approved by LB Hackney on 16th January 2016. It appears that no subsequent application followed for designation of a neighbourhood forum.

Finsbury Park and Stroud Green

A designation application for a Finsbury Park and Stroud Green Neighbourhood Forum and area was submitted in the summer of 2018.

	<p>The proposed neighbourhood area included parts of Hackney, Islington and Haringey and was approved by all three boroughs in September 2018 (see under Haringey for a variation of the proposed area as part of designation approval).</p>
Hammersmith and Fulham	<p>LB Hammersmith & Fulham's web page on neighbourhood planning includes a link to a Guidance Note. This note does not explain the criteria for area and forum designation and refers the public to the 2012 and 2015 Neighbourhood Planning Regulations. These are not the easiest documents for a lay audience to interpret and Schedule 9 of the 2011 Act provides a more succinct version of these criteria.</p> <p>The Guidance Note includes a set of '<i>considerations which may be included in determining any area designations</i>'. These depart from the set of 'considerations' at NPPG 0033 include:</p> <ul style="list-style-type: none"> • The relationship with social and community facilities and services • Assessment against the LBHF Statement of Community Involvement <p>It is not understood why these are relevant criteria for area assessment or what the second one means.</p> <p>St Quintin and Woodlands</p> <p>A designation application for a cross-borough neighbourhood forum was submitted in April 2012 to LB Hammersmith & Fulham and to RB Kensington and Chelsea. The larger part of the proposed area was in North Kensington.</p> <p>LB Hammersmith & Fulham on 16th September 2013 refused the Forum designation and designated a separate (and unnamed) neighbourhood area for that part of the original application which lay within the borough. This remains an 'orphan' neighbourhood with no forum.</p> <p>The main ground for refusal in the decision statement/refusal statement read '<i>Council officers do not consider that the proposed St Quintin and Woodlands Neighbourhood Forum should be designated within LBHF as it does not reflect the views of local residents and because the proposed Forum has not secured the support and membership of Brickfields Area Residents Association or from elected ward Members.</i>'</p> <p>(see also under RB Kensington and Chelsea)</p> <p>West Kensington and Gibbs Green</p> <p>LB Hammersmith & Fulham on 9th July 2018 designated the West Kensington and Gibbs Green Neighbourhood Forum and area.</p> <p>The designation application was submitted on a template checklist similar to those in some other boroughs but not imposed by the Council (to be checked). The application stated '<i>We have 585 members who live within the proposed Neighbourhood Area and four members who do not. 65% of households on the West Kensington and Gibbs Green</i></p>

estates contain at least one resident who is a member of WKGGCH.'

The application also noted that '*Although we do not collect information about the religious and ethnic backgrounds of our members, we have a Board Diversity Policy which is designed to encourage as representative Board as possible'*

Old Oak

LB Hammersmith & Fulham and the Old Oak and Park Royal Development Corporation received in March 2017 a cross-boundary application (36 pages) for an Old Oak Neighbourhood Forum and area.

LB Hammersmith & Fulham on 4th September 2017 refused its part of the area application and designated instead a much smaller Old Oak Estate neighbourhood area. The Council also refused the forum part of the application.

The decision statement/refusal statement read:

'A neighbourhood forum is required to have a membership of at least 21 members (set out in Section 61F(5)(c) of the Town and Country Planning Act 1990). On the 4th September 2017, LBHF made a decision to designate part of the neighbourhood plan area submitted by the Interim Old Oak Neighbourhood Forum. Due to the changes made to the neighbourhood area boundary, the proposed neighbourhood forum does not meet the minimum membership requirement for the designated Old Oak Neighbourhood Area and has been refused.'

The Old Oak Estate Neighbourhood Area remains one of London's eleven 'orphan' neighbourhood areas with no neighbourhood forum.

(See also under Old Oak and Park Royal Development Corporation)

Avonmore, Brook Green and Addison

In 2019 LB Hammersmith & Fulham refused an application for an Avonmore Brook Green and Addison Neighbourhood Forum and area. The designation application took the form of a 5 page letter. No constitution was included.

The committee report stated that '*Having assessed the application, officers are content that the proposed area is appropriate to be designated a Neighbourhood Area' and that 'However, in assessing the application the Council must also be satisfied that the group is capable of being designated as the Neighbourhood Forum for the area. Officers understand that the Steering Group intends to make a Neighbourhood Forum application, however the Steering Group is not in a position to provide the necessary information to support a Forum application.'*

When preparing its second application, the interim forum was advised by council officers that '*In essence, subsection 7a(ii) requires an analysis of the area's demographic profile, with respect to age, gender, ethnicity, disability, educational attainment, income, living standard etc as well as to the business profile of the area in*

	<p><i>terms of size of businesses, sectors etc, and then to have regard to the distribution of the membership across the area.'</i></p> <p>The interim Forum submitted its second area/forum designation application using a template previously used by the West Kensington and Gibbs Green Forum (whose application had been successful). This application stated '<i>Whilst interest in the forum continues to grow and we have in excess of 50 registered supporters, for the purposes of this application we submit 35 individual members and one business member to meet this criteria.</i>'</p> <p>This second application for the neighbourhood area and forum was refused by LB Hammersmith & Fulham on May 11th 2020.</p> <p>The LBHF decision/refusal statement reads:</p> <p><i>'The council has assessed the applications in accordance with national regulation, the relevant law and guidance. The forum membership is not considered to be drawn from different places in the neighbourhood area concerned and from different sectors of the community in that area. The application to designate a neighbourhood forum therefore fails the statutory requirements for designation.</i></p> <p><i>'Without a neighbourhood forum being designated to lead the neighbourhood planning of the area, the area designation alone would serve no purpose. The requirement for a valid application to be made by a relevant body and the important role played by the neighbourhood forum is noted. As a consequence of the decision to refuse the application for the forum, the council also refused the application for the neighbourhood area.'</i></p> <p>The reasoning that designation of the neighbourhood area would '<i>serve no purpose</i>' and can be refused '<i>as a consequence of</i>' refusal of the Forum appears to be in direct contravention of the requirement in S61G(5) that if refusing an area designation the authority '<i>must exercise their power of designation so as to secure that some or all of the specified area forms part of one or more areas designated (or to be designated) as neighbourhood areas.</i>'</p> <p>These area and forum refusals are both being questioned with the local authority.</p>
Haringey	<p>LB Haringey's web page on neighbourhood planning includes a link to a set of FAQs. This sets out the requirements for area and forum designation in a fair and accurate way, without adding criteria or considerations. But its statement that '<i>A NDP should be in line with national and local planning policies and should support and guide development rather than discourage it</i>' is not an accurate description of the general conformity test.</p>

	<p>Highgate</p> <p>The Highgate Neighbourhood Plan (see under LB Camden above) covers part of Haringey. The Plan was made by Haringey Council on 20 July 2017. The Forum was re-designated on 9 March 2017 by Haringey Council.</p>
	<p>Crouch End</p> <p>LB Haringey approved the designation of the Crouch End Neighbourhood Area and the Neighbourhood Forum on 15 December 2015. The 88 page application for the Forum stated:</p> <p><i>'At submission date:</i></p> <ul style="list-style-type: none"> • <i>75 residents of Crouch End are signatories to the application.</i> • <i>21 businesses are signatories</i> • <i>7 Councillors representing the wards that the Crouch End Area covers, plus the local MP are signatories. This gives a total of 102 signatories to the Crouch End Forum application.</i> • <i>In addition, a further 28 local organisations have signed as affiliates to the CENF, demonstrating their support for the application.'</i> <p>The application included a list of names of members and a map showing geographic spread. Information was provided on outreach and community engagement activity. No additional demographic breakdown of the membership was given.</p> <p>Finsbury Park and Stroud Green</p> <p>This cross-boundary neighbourhood area also includes parts of Hackney and of Islington. See under these Boroughs for how they addressed the designation application.</p> <p>LB Haringey designated the Forum and its part of the area on 11th September 2015</p> <p>The Council's website states '<i>As a result of the consultation and the councils' scrutiny of the application, Haringey Council determined to remove Finsbury Park (the full extent of Finsbury Park open space) from the Forum's designated area.</i>'</p> <p>While the Cabinet report explains the reasoning behind the decision, no decision statement/refusal statement appears to have been published on the variation of the proposed neighbourhood area boundary.</p>
Harrow	LB Harrow's website has a page on 'neighbourhood planning' and a page on 'preparing a neighbourhood plan'. The content and tone is generally neutral but some statements do not reflect the legislation accurately,

	<p><i>'Any neighbourhood development plan must support the strategic development needs set out in the Harrow Local Plan, including policies for housing and economic development.'</i></p> <p>This statement is not correct. The content of a neighbourhood plan is up to the forum to decide and can exclude any mention of housing or economic development needs if the forum chooses to concentrate on a narrow range of issues (e.g. conservation policies).</p> <p>Harrow remains one of the 8 'desert' boroughs for neighbourhood planning, with no forums or areas designated to date. No designation applications feature on the Council website.</p> <p>LB Harrow's Statement of Community Involvement dates back to 2013 and is non-compliant with the 2017 Neighbourhood Planning Act, on five yearly updating and failing to explain the 'advice and assistance' provided on neighbourhood planning.</p>
Havering	<p>LB Havering remains one of 8 'desert' areas for neighbourhood planning, with no forums or areas designated to date. There is no page on neighbourhood planning on the Council's website, and no information on the 'Planning Policy' or 'Local Plan' pages.</p> <p>A document on the Local Development Scheme 2017-2019 states briefly '<i>The Localism Act introduced Neighbourhood Plans that can be produced by designated community forums. The Council has not received any applications to create a community forum and is unaware of any local communities seeking to produce a neighbourhood plan.</i>'</p> <p>The Council's Statement of Community Involvement dates from 2015 and hence is non-compliant with the Neighbourhood Planning Act 2017 in its content on neighbourhood planning.</p>
Hillingdon	<p>LB Hillingdon's web page on neighbourhood planning includes links to pages of information on the designation of areas and forums. These reproduce accurately the statutory conditions and criteria involved.</p> <p>LB Hillingdon's Statement of Community Involvement dates from 2006 and is non-compliant with Section 6 of the Neighbourhood Planning Act in respect of the requirement for five yearly updates as well as in having no content on neighbourhood planning.</p> <p>Ickenham</p> <p>LB Hillingdon designated the Ickenham Neighbourhood Forum and area on 15th December 2016.</p> <p>The designation application (12 pages) included a list of 149 people who had signed up to join the Forum. This was broken down into the categories of resident, business and councillor with no further demographic analysis provided.</p>

	A map was included with the application showing the geographic spread of members across the proposed Forum area.
	<p>LB Hounslow's web page on neighbourhood planning gives very brief (but neutral and accurate information) information on the framework and a link to the My Community website. It then gives details of designation applications to date.</p> <p>Butts Farm</p> <p>LB Hounslow designated the Butts Farm neighbourhood area on 12th September 2013. The Butts Farm Working Together Group subsequently applied to be designated as the Neighbourhood Forum for this area.</p> <p>The Forum's designation was approved on 11th December 2013 but appears to have lapsed after the initial five year designation period.</p> <p>Osterley</p> <p>A designation application for a neighbourhood area from the Osterley and Wyke Green Residents Association was submitted in early 2016. After public consultation LB Hounslow decided to refuse the proposed area and to designate an amended boundary. This covered a significantly reduced part of the Borough.</p> <p>The Cabinet report gives reasons for this decision. These include the officer comment that '<i>it could be misleading and frustrating to community expectations if areas that are clearly likely to be subject to wider strategic proposals, which could not be influenced by the content of any future neighbourhood plan, were included.</i>'</p> <p>There is no sign of a decision statement/refusal statement on the Council's website, following this decision. There is no bar on neighbourhood areas including 'strategic' sites (see NPPG Paragraph: 036 Reference ID: 41-036-20190509).</p> <p>It appears that there was a dispute within the Osterley and Wyke Green Residents Association over a designation application for a neighbourhood forum. There is no evidence on the Council's website of such an application being submitted.</p> <p>Hounslow Town Centre</p> <p>LB Hounslow designated on 16th October 2018 the Hounslow Town Centre Neighbourhood Forum and area. The Forum was approved on the basis that an AGM be held within 12 weeks at which matters relating to the Constitution and any other concerns can be discussed.</p> <p>LB Hounslow's SCI dates from 2013 and as a result is non-compliant with the Neighbourhood Planning Act 2017 in respect of the 5 yearly update requirement as well as in having no content on neighbourhood planning.</p>
Hounslow	LB Islington's website gives a link to a Council guide on neighbourhood planning. This 2013 document sets out an explanation of the designation process for area and forum.
Islington	

For the initial stage it suggests '*Establish a community group of at least 21 unrelated people who live in or run businesses in your community, and who sufficiently represent the local area. It is a good idea to contact your local ward councillors and get them involved. This core group will assume responsibility for neighbourhood planning in your area.*' The term 'sufficiently represent' is not explained further. Does it mean 'represent views from the neighbourhood' or 'be proportionately representative of the demography of the area?'

Crouch Hill and Hornsey Rise

An application for designation of the neighbourhood area (not including the Forum) was made to LB Islington in February 2014. This was the first application that the Council had handled and was consulted from August to October 2015 (i.e. after over a year's delay).

Despite some reservations set out in the officer report, the Council designated the boundary as applied for on 11th November 2015.

The Crouch Hill and Hornsey Rise 'neighbourhood blog' records that '*There was a neighbourhood forum application made in Spring 2014, which was revised and resubmitted by the Acting Forum Chair), dated December 2015. The response from the local planning authority (LPA), Islington Council was a request to resubmit this application, after making amendments to the application.*'

No resubmission of a Forum application appears to have taken place. Hence this remains one of London's eleven 'orphan' neighbourhood areas.

Finsbury Park and Stroud Green

A designation application was made to LB Camden and LB Hackney as well as LB Islington. Approved by LB Islington on 6th September 2018,

The report to the Council's Executive notes that '*The forum application also provides an overview of the membership of the forum, with the Register of Members being redacted from the public consultation for data protection reasons. However, the Register of Members has been reviewed by officers and the forum membership complies with the requirements. There are 82 members which includes people who live and/or work within the area, with 34 of these members living or working within Islington's part of the proposed boundary. There is one councillor from each borough that would also sit on the forum'*

Mount Pleasant

See under LB Camden for this designation. On 4th February 2016 Camden and Islington Councils designated the Mount Pleasant Neighbourhood Area and Forum.

Tileyard Road and Vale Royal Creative Quarter

LB Islington has recently consulted on a designation application for a Tileyard Road and

	Vale Royal Creative Quarter Neighbourhood Forum and area (consultation closed 1 st May 2020). No decisions to date.
	<p>RB Kensington and Chelsea's web pages on neighbourhood planning include an online guide which sets out the steps involved in designation. This uses the wording in the legislation without additional interpretation.</p> <p>Norland</p> <p>The Norland Conservation Society approached Kensington and Chelsea Council in 2008 seeking to update the Conservation Area Proposals Statement for Norland. This process developed into a neighbourhood plan proposal (with the Council's encouragement) and RB Kensington and Chelsea designated the society as a forum, along with the neighbourhood area, on 15 June 2012. This was the first designation in London.</p> <div style="background-color: #f2f2f2; padding: 10px;"> <p>Following a successful referendum in December 2013, the Norland Neighbourhood Plan was made by the Council (along with a number of related Article 4 Directions) on 27th February 2014. The Plan is an unusual one in focusing on a single policy area (conservation and heritage). The Forum has been redesignated.</p> </div> <p>St Quintin and Woodlands</p> <p>A cross boundary designation application was submitted to RB Kensington and Chelsea and LB Hammersmith and Fulham in April 2012. Following a delay of over 12 months, RBKC designated the Forum and that part of the area lying within their borough.</p> <div style="background-color: #f2f2f2; padding: 10px;"> <p>Following a successful referendum in February 2016, the Council's decision to progress the Draft Plan to referendum was challenged via a Judicial Review application (Legard v RB Kensington and Chelsea). RBKC won this case (with the Forum as an interested party) in January 2018 and the StQW Neighbourhood Plan was made by the Council in July 2018. The Forum was redesignated in 2018</p> </div> <p>Courtfield</p> <p>In September 2017 RB Kensington and Chelsea designated the Courtfield Neighbourhood Area and the Courtfield Neighbourhood Forum. This neighbourhood plan has not subsequently progressed.</p>
Kensington and Chelsea	<p>RB Kingston's web page on neighbourhood planning gives links to a Guidance document and a Protocol, adopted by the Council in 2016</p> <p>The Guidance is a 72 page document, informal in tone while accurately including the legal criteria for forum and area designation in green boxes. There is information on potential alternatives to neighbourhood planning and a section quoting costs on costs</p>

<p>Kingston upon Thames</p>	<p>of plan preparation which would deter many a community group (a list of items with some shown as 'required by law' adds up to a minimum of around £40,000).</p> <p>The RB Kingston 'Protocol' claims to '<i>deal with areas and matters where the Localism Act and Neighbourhood Planning Regulations allow and provide for local discretion and flexibility</i>'. It includes an application form for designation and is prescriptive in several respects that go beyond the legislation stating '<i>a) the aims, objectives, funding sources and working methods for the Neighbourhood Forum should be provided b) the forum should have open public membership arrangements and is not dominated by any one organisation making up more than a third of its membership, and c) the Neighbourhood Forum should not be dependent on any one interest group for funding. Kingston Council will also require a Neighbourhood Forum to be demographically representative of the area, diverse and represent the variety of interests across the Neighbourhood Area, including residents, community organisations, businesses, landowners, developers, voluntary organisations etc.</i>'</p> <p>On area designation the Protocol requires '<i>d) a statement outlining the aims, objectives and what a Neighbourhood Plan could achieve for this area and reasons</i>' (despite the NPPG requirement at Paragraph: 035 Reference ID: 41-035-20161116 that '<i>a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan or Order</i>).' </p> <p>The protocol also states '<i>Small-scale or street level Neighbourhood Areas will not be supported by Kingston Council due to very limited staff and financial resources, and the impact this would have on the determination of planning applications.</i>'</p> <p>It is not clear why RB Kingston sees itself as having the 'discretion' to impose these variations and extensions of national legislation and guidance on the neighbourhood planning designation process.</p> <p>RB Kingston has published in 2020 a new version of its Statement of Community Involvement. This explains the neighbourhood planning process, but continues to refer to the 2016 'Protocol' which includes specified Borough requirements beyond those set in legislation and guidance.</p> <p>North Kingston</p> <p>An application for a North Kingston Neighbourhood Forum and area was consulted on by RB Kingston between December 2016 and January 2017. The North Kingston Neighbourhood Area was designated on 30th March 2017.</p> <p>The Council consulted on the neighbourhood forum in April and May 2017. The Council website states '<i>However unfortunately this consultation did not fully comply with the relevant legal requirements.</i>' This consultation was therefore re-run to ensure the designation is legally made. This was run for a period of 6 weeks in June and August 2017 and the Forum was designated in August 2017.</p>
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	<p>The application stated '<i>Our current membership totals 72, and 40 of those members have agreed to support the application and these are listed. This includes name, street address and local interest, and confirms widespread support from across the Neighbourhood Area.</i>'</p> <p>The Forum is active and consulted on potential development sites in 2019.</p>
	<p>LB Lambeth's web page on neighbourhood planning gives brief contextual information including the statement '<i>A Neighbourhood Plan must be in line with the National Planning Policy Framework, the London Plan, Lambeth's Local Plan and Planning Policy Evidence Base</i>'. This is not an accurate description of the 'general conformity' basic condition.</p> <p>The Guidance goes on to say '<i>The first step in the process is to make an application for the designation of a neighbourhood area</i>'. It is not clear how the Council would respond to a joint area and forum application. The section on Forum designation gives an accurate explanation of the conditions and criteria involved.</p> <p>South Bank and Waterloo</p> <p>LB Lambeth designated the South Bank and Waterloo Neighbourhood Forum and area on 10th February 2014. These cross-boundary applications related to areas within Lambeth and within Southwark.</p> <p>The committee report noted that the Forum had 144 members and commented '<i>The Forum is well represented by businesses, organisations, employees and residents in the South Bank and Waterloo Area. The Forum has made a conscious attempt to include representatives from different parts of the Area and from different organisations and community groups located in the Area.</i>'</p> <p>On 19 February 2019 Lambeth re-designated the South Bank and Waterloo Neighbourhood Forum</p> <div style="background-color: #e0e0e0; padding: 10px;"> <p>Following a 'business referendum' and a 'residents referendum' the Neighbourhood Plan was formally made by Lambeth Council's Cabinet on 16 December 2019.</p> </div>
Lambeth	<p>Kennington, Oval and Vauxhall</p> <p>LB Lambeth approved the designation of the Kennington, Oval and Vauxhall Neighbourhood Forum and area on 13 July 2015.</p> <p>The application form stated that the Forum had 695 members and that '<i>the tests are met with members in all categories, including ward councillors and representatives of the Vauxhall BID and Oval Business Partnership as KOVF Board members. A postcode analysis of members providing full postcodes shows a wide distribution of membership across the proposed area.</i>'</p> <p>First stage consultation (regulation 14) on the Daft KOV Neighbourhood Plan took place</p>

in 2018.

Tulse Hill

In September 2015 LB Lambeth received applications for the designation of the Tulse Hill Neighbourhood Area and the Tulse Hill Neighbourhood Forum.

Formal consultation on the applications took place between 22 October 2015 and 4 December 2015.

The council refused the Tulse Hill Neighbourhood Area application as submitted and designated the Tulse Hill Neighbourhood Area (central) on 11 January 2016.

This decision followed a series of meetings which the Council had convened involving the Tulse Hill Forum and other local groups which had raised objections during the consultation on the area boundary.

The Council established that the Tulse Hill Forum retained more than the minimum number of 21 members within the reduced neighbourhood area. Both Tulse Hill ‘central’ area and the Forum were designated by LB Lambeth on 11th January 2016.

From the material on the Tulse Hill Forum website, it appears that other projects have been undertaken but preparation of a neighbourhood plan has not subsequently progressed.

Norwood Planning Assembly

LB Lambeth approved the designation of the Norwood Planning Assembly Neighbourhood Forum and Neighbourhood Area on 3 July 2017.

The committee report included an assessment of the Forum part of the application, against the statutory criteria and notes '*The NPA has provided a list of 22 named members who live or work in or who are an elected member for the neighbourhood area. Of the 22, 16 members are residents, one member is an elected member and five are both residents and work in the neighbourhood area.*

'The application sets out that there are 1,409 individuals on the consolidated membership list, some of whom are also members of the Norwood Action Group and the Norwood Forum. 368 members are solely a member of the NPA. A postcode map of the NPA's membership indicates that it is drawn from different places in the neighbourhood area.'

Herne Hill

LB Lambeth on 11 December 2017 refused the designation of the Herne Hill neighbourhood area as applied for and consulted on and designated a reduced area. The area applied for included part of LB Southwark as well as Lambeth.

The reasons for refusal of the Forum were set out in a decision statement/refusal

	<p>statement:</p> <p><i>'A neighbourhood forum is required to have a membership of at least 21 members (as set out in Section 61F(5)(c) of the Town and Country Planning Act 1990). On 11 December 2017, the Cabinet of the London Borough of Lambeth made a decision to refuse the proposed neighbourhood area as applied for and instead to designate a smaller neighbourhood area. Due to the changes made to the neighbourhood area boundary, the proposed neighbourhood forum no longer meets the requirement to have a minimum of 21 members and has been refused.'</i></p> <p>From the material on the Herne Hill website, while many other activities are underway work on a neighbourhood plan does not appear to have progressed.</p>
	<p>LB Lewisham's web page on neighbourhood planning could do with some updating, in referring (nine years on) to '<i>a new method of planning led by the local community rather than by us or the Government.</i>' It also states '<i>The Government has not specified the content of neighbourhood plans. This is for the local community to decide. However, the Government's aim is that they will promote development. They are not about attempts to stop development.</i>'</p> <p>Lewisham uses applications forms for designation of areas and of forums. These are brief and do not ask questions which go beyond the statutory criteria for designation. In having designated six neighbourhood areas and forums. LB Lewisham can lay claim to be amongst the London authorities most supportive of neighbourhood planning in terms of dealing with designation. But the fact that none of these areas have yet had a plan made suggests a lack of a positive approach at later stages in the process.</p> <p>LB Lewisham's Statement of Community Involvement is undated, makes no mention of neighbourhood planning and as a result is non-compliant with Section 6 of the 2017 Neighbourhood Planning Act and also fails to comply with the requirement for 5 yearly review.</p>
Lewisham	<p>Grove Park</p> <p>The Mayor of Lewisham designated Grove Park neighbourhood area and Grove Park Neighbourhood Forum on 22 October 2014. The Committee report noted Forum membership as being 51 members, comprising of:</p> <ul style="list-style-type: none"> • 35 residents of the area, • 11 workers in the area, • 3 elected members for the area, and 2 former elected members for the area <p>A scatter diagram of the distribution of Forum members was included in the committee report.</p> <p>The completed Grove Park Neighbourhood Plan was consulted on by LB Lewisham in December 2019/January 2020. It is at Examination and the Forum has been</p>

	<p>redesignated.</p> <p>Crofton and Honor Oak Park</p> <p>The Mayor of Lewisham designated Crofton Park and Honor Oak Park as a neighbourhood area and also designated a neighbourhood forum on 16 July 2014.</p> <p>The decision report notes '<i>there were eighteen objections to the constitution in conjunction with the proposed neighbourhood area, due to the fear that those who live outside the proposed area will be excluded from influencing nearby issues. The forum application could not be refused on these grounds, as the minimum legal requirements are met, however officers have taken the concerns of objectors on board, and have worked with the proposed forum to address these concerns through changes to the consultation.</i></p> <p><i>'The proposed forum has agreed to insert a new category of membership, called 'associate membership', which is open to those who have an interest in the neighbourhood area who are not residents of the area.'</i></p> <p>The decision report included a scatter diagram showing the distribution of Forum members.</p> <p>The completed Crofton and Honor Oak Park Neighbourhood Plan was submitted to LB Lewisham in November 2018. The Forum has been redesignated.</p> <p>Corbett Estate</p> <p>LB Lewisham designated the Corbett Estate as a neighbourhood area and also designated a neighbourhood forum for this area on 22nd April 2015.</p> <p>The decision report noted '<i>The information submitted with the forum application included the details of 52 members, comprising of:</i></p> <ul style="list-style-type: none"> • <i>41 residents of the area,</i> • <i>10 business owners / workers in the area, and</i> • <i>1 elected member for the area.'</i> <p>The designation decision report included a scatter diagram showing the geographic distribution of Forum members.</p> <p>There is no sign of a redesignation application on the Lewisham website and the initial five year term for forum designation has expired.</p> <p>Lee</p> <p>The Mayor of Lewisham approved the application to designate the Lee Neighbourhood Area and create the Lee Neighbourhood Forum on 13 January 2016.</p>
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This was a cross borough area application, covering parts of the London Borough of Lewisham and a smaller part of Royal Greenwich to the eastern portion of the proposed neighbourhood area (see above).

The decision report noted '*The information submitted with the forum application included the details of 91 members, comprising of:*

- *78 residents of the area,*
- *11 business owners / workers in the area, and*
- *2 Church'*

The designation decision report included a scatter diagram showing the geographic distribution of Forum members.

Deptford

The Mayor of Lewisham designated the Deptford Neighbourhood Action community group (DNA) as a neighbourhood forum and area in February 2016. The application (11 pages) listed 39 names of individuals living or working in the neighbourhood area, including 3 councillors

See also under RB Greenwich which refused that part of the proposed area lying within their borough on 19th February 2016.

The decision report noted '*The information submitted with the forum application included the names of 39 members, comprising of:*

- *18 residents of the area,*
- *12 business owners / workers (paid or voluntary) in the area*
- *Six people that live and work in the area, and*
- *Three elected members for the area.*

'It is noted that six of the forum proposers have failed to supply their full postcode and one forum proposer that is stated to live and work in the area falls just outside of the proposed Neighbourhood Area. Nevertheless, the proposed forum surpasses the legislative requirements of 21 eligible members.'

Sydenham Hill Ridge

LB Lewisham designated the Sydenham Hill Ridge Neighbourhood Area and Forum on 14th February 2020. Part of the designated areas lies within LB Southwark (see below). A list of 43 Forum members, with their ward location, was provided as part of the application.

Merton	<p>LB Merton's website has no information page on neighbourhood planning and makes no mention of neighbourhood plans in material on the Local Plan and the Local Development Framework.</p> <p>The Council's Statement of Community Involvement was updated in 2017 but also makes no mention of neighbourhood plans. Hence it is non-compliant with S6 of the 2017 Neighbourhood Planning Act in failing to publish information on how the Council will meet the 'duty to support'.</p> <p>LB Merton remains one of the 8 'desert' boroughs has not yet designated any neighbourhood areas and there is no information on its website of any applications being submitted or decided.</p>
Newham	<p>LB Newham's website has no information page on neighbourhood planning and makes no mention of neighbourhood planning in its material on the Local Plan.</p> <p>LB Newham's Statement of Community Involvement dates from 2015, includes a single paragraph on neighbourhood planning. The document is non-compliant with Section 6 of the NPA 2017 in giving no explanation of the level of 'advice and assistance' provided on neighbourhood planning.</p> <p>LB Newham has not yet designated any neighbourhood areas remains one of the 8 'desert' boroughs. There is no information on its website of any applications being submitted or decided.</p>
Redbridge	<p>LB Redbridge's web page on neighbourhood planning gives the background and includes a link to a set of FAQs. The content is both accurate and neutral in not giving any steer to community groups which may be considering designation.</p> <p>South Woodford</p> <p>LB Redbridge designated the South Woodford Neighbourhood Forum and a modified neighbourhood area on February 22nd 2020. The South Woodford Society acted as the qualifying body and the application (11 pages) described this body as '<i>a non-profit members' organisation with over 520 members made up of local businesses and residents mainly within the E18 area.</i>'</p> <p>The Council modified the proposed area boundary and based this decision on consultation responses.</p>
Richmond upon Thames	<p>RB Richmond upon Thames web page on neighbourhood planning includes basic information. It also states '<i>We have also produced extensive supplementary planning documents, including Village Planning Guidance for each of the 14 village areas within the borough. In view of this, we encourage community groups to carefully consider what else a neighbourhood development plan could beneficially achieve for their area before starting a formal neighbourhood planning process.</i>'</p> <p>The Council published a revised and updated 'protocol' in 2019 (20 pages) which sets</p>

	<p>out the legal requirements accurately in nearly all respects (other than stating that a NP may be rejected at Examination as being ‘unsound’ when this is not a ‘basic condition’ and the principle of ‘soundness’ does not apply to neighbourhood plans). The Council also requires Forums to sign a Memorandum of Understanding relating to a strategic approach in respect of the Thames Policy Area adjacent to the river.</p> <p>Ham and Petersham</p> <p>LB Richmond approved the designation of the Ham and Petersham Neighbourhood Forum and area on 16 January 2014. The Council’s Cabinet had previously considered designation in October 2013 and had agreed this ‘in principle’ subject to discussion with the Forum on the Thames Policy Area (see below).</p> <p>The application (2 pages plus appendices) included a list of 34 members who had expressed support for the Forum’.</p> <p style="background-color: #e0e0e0; padding: 10px;">Following a successful referendum, Richmond Council formally made the Ham and Petersham Neighbourhood Plan on 22 January 2019. The redesignation of the Ham and Petersham Neighbourhood Forum was approved for an additional five years on 9th March 2020.</p>
Southwark	<p>LB Southwark’s web page on neighbourhood planning gives basic information and provides links to application forms for both forum designation and area designation.</p> <p>The applications form for forum designations asks a lengthy list of questions which go beyond the criteria and conditions in legislation and guidance. These include</p> <ul style="list-style-type: none"> • How have you considered different routes to achieving your ambitions for your neighbourhood? • How does your proposal relate and effect other existing Neighbourhood Forums in the surrounding area? Does it support or conflict with their policies? If so how? • What are the resource implications (time and money) of producing a Neighbourhood Plan? How will you provide them? • How is this group (21 members) representative of the demographics of the proposed area? <p>These questions ignore the NPPF Paragraph 035 requirement that <i>‘a local planning authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft neighbourhood plan or Order.’</i> They also introduce a requirement for a forum to be <i>‘representative of the demographics of the proposed area’</i> which goes further than the ‘different sections of the community’ criterion in the Act and Regulations.</p>

Although LB Southwark’s Statement of Community Involvement was updated in 2019, it remains non-compliant with Section 6 of the NPA 2017 in giving no information on how the council will ‘provide advice and assistance’ on neighbourhood planning.

Bankside

LB Southwark designated the Neighbourhood Area and Business Area for Bankside in May 2013. The final area boundary was amended from that originally applied for.

The Bankside Neighbourhood Forum was designated as a joint business and resident-led forum in June 2013. The committee report states ‘*The BNF currently consists of a minimum of 21 members made up of at least 7 residents, 7 businesses, and 7 community interest groups including 1 ward member. Membership must be open to everyone who lives, works or represents the electorate within the neighbourhood area. The contact details have been provided for the council and the 21 members have either been present at the forum meetings or have been contacted and verified that they are on the forum.*’

This designation lapsed in 2018 and no application for redesignation was submitted.

Bermondsey

In 2012, LB Southwark received two applications for the designation of neighbourhood areas and forums in Bermondsey from two different groups, the Bermondsey Neighbourhood Forum and Bermondsey Village Action Group (BVAG). The Council’s website states that these proposed boundaries were ‘not designated’. It appears that decisions were delayed while proposals from the Bankside NF were consulted on and determined (see above). It is not clear why the Council felt able to defer its decisions on these 2012 applications.

The council proposed an amended area which was designated in August 2014. The previous neighbourhood area proposals from the Bermondsey Neighbourhood Forum and the Bermondsey Village Action Group were refused at this stage, on the basis of geographic overlap with the Bankside neighbourhood area and also as being ‘inappropriate’ on various grounds.

LB Southwark designated an alternative neighbourhood area (Bermondsey Area A) as part of these August 2014 decisions. Designation of both the original two Forum applications was refused. The committee report stated that fresh forum applications could be submitted for the newly designated Bermondsey Area A.

The Old Bermondsey Village Neighbourhood Forum (OBVNF) was designated in June 2015 to prepare a neighbourhood plan for the designated Bermondsey Area A neighbourhood.

As part of this forum designation, the OBVNF and the council signed a mediation agreement to agree a way forward in progressing with neighbourhood planning in the area. This followed on from a series of meetings between officers and the Forum, to

address concerns of the Council about the membership, constitution and mode of operation of the Old Bermondsey Village Neighbourhood Forum

An application for a revised neighbourhood area boundary for Bermondsey was submitted by the Old Bermondsey Village Neighbourhood Forum in late 2017. On 26 February 2018, the council considered this application and a decision to refuse it was taken.

On the basis of material on the BVAG website, it appears that a second draft of the OBVNF Neighbourhood Plan was submitted to the council for comment in October 2016. The Forum has been redesignated.

South Bank and Waterloo

This is a neighbourhood area covering parts of LB Lambeth and LB Southwark. Lambeth were the lead authority (see above under LB Lambeth).

The South Bank and Waterloo Neighbourhood Plan was made by LB Southwark on 25th March 2020.

Walworth

LB Southwark designated the Elephant and Walworth Neighbourhood Forum and the Walworth neighbourhood area in September 2016.

This followed two original designation applications (for a neighbourhood area and for a forum) submitted by the Elephant and Walworth Neighbourhood Forum “EWNF” in January 2014. The Council and Forum subsequently agreed on a reduced neighbourhood area which ‘*excludes major permitted sites in the Opportunity and Action Areas and provides a focus for the future neighbourhood plan.*’ A revised application was submitted to the Council in December 2015.

The Forum part of the application was approved on 13th September 2016 with the committee report noting that ‘*The EWNF core membership consists of 21 members made up of people who live and/or work in the area and 2 local councillors. The contact details have been provided to the Council and the 21 members are confirmed to reside, work or represent the area.*’

The website of the neighbourhood forum gives details of activities up until 2016 but nothing more recent.

Herne Hill

Designation applications for a Herne Hill Neighbourhood Forum and neighbourhood area were made to both LB Lambeth and LB Southwark.

As noted above LB Lambeth refused the designation of the Herne Hill neighbourhood

	<p>area as applied for and designated a reduced area. This reduced area had an insufficient number of members for Forum designation and hence this part of the application was also refused by Lambeth.</p> <p>Southwark Council made the decision to designate the applied-for neighbourhood area (as it applies to the London Borough of Southwark) on 5 December 2017. The Council subsequently chose not to make a decision on the Forum application, in light of the refusal by LB Lambeth. Herne Hill Forum remains active as a community group but has not progressed a neighbourhood plan.</p> <p>Sydenham Hill Ridge</p> <p>Lewisham Council made the decision to designate the Sydenham Hill Ridge Neighbourhood Area and Forum in early February 2020. You can view further information regarding the designation on their website. Southwark Council made the decision to designate the Sydenham Hill Ridge Neighbourhood Area and Forum (as it applies to the London Borough of Southwark) on 28 February 2020.</p>
	<p>LB Sutton’s web page on neighbourhood planning includes only 4 lines of text explaining the framework, before going on to give details of the Borough’s three neighbourhood forums and areas.</p> <p>Hackbridge and Beddington Corner</p> <p>LB Sutton designated the Hackbridge and Beddington Corner Neighbourhood Forum and area in September 2012. The area was re-designated in September 2017. Designation documents cannot be traced on the Sutton website.</p> <div style="background-color: #e0e0e0; padding: 10px; margin-top: 10px;"> <p>Following a successful referendum the completed Hackbridge and Beddington Corner Neighbourhood Plan was made in January 2019.</p> </div>
Sutton	<p>Belmont and South Cheam</p> <p>LB Sutton received designation applications for a Belmont and South Cheam neighbourhood area and forum in August 2013. Consultation on both applications took place in late 2015 (over 2 years later).</p> <p>The neighbourhood forum and a modified neighbourhood area were designated on 26th January 2016. The land covered by the London Cancer Hub Development Framework was removed from the proposed area on the grounds that the site was ‘strategic’.</p> <p>Beddington North Neighbourhood Area</p> <p>LB Sutton designated the Beddington North Neighbourhood Forum in November 2013. The application from the Forum (9 pages) listed a membership of over 21 individuals and groups but did not explore the issue of membership from ‘different parts’ of the</p>

	<p>proposed neighbourhood.</p> <p>A redesignation application was consulted on in late 2018 and designation approved for a further five year period from 4th December 2018.</p>
Tower Hamlets	<p>The LB Tower Hamlets web page on neighbourhood planning '<i>strongly suggests</i>' that neighbourhood area applications should be submitted in advance of those for a forum. Links are included to a Stage 1 and Stage 2 guidance note, and a set of applications forms.</p> <p>The application forms used by Tower Hamlets ask a series of questions of the applicant(s). The wording of many of these questions sticks closely to the 2011 Act criteria for designation, but a number go well beyond this. Examples include:</p> <p><i>'How will the Forum embed the Council's guidance and aspirations within the Community Plan, Core Strategy, Managing Development Document and Diversity and Equalities Statement in their activities?'</i></p> <p>There is no requirement that a neighbourhood forum must 'embed' in their activities a series of policies and aspirations pursued by their local authority. The basic conditions for a neighbourhood plan include general conformity with the strategic policies of the Local Plan, but not with other local authority plans or ambitions.</p> <p><i>'Do members come from different places within the neighbourhood and do they reflect the diversity of the people within the neighbourhood? Please provide the name, postcode and interests & relevant background of each member.'</i></p> <p>While the 'different places' part of the question reflects S61F of the Act, a requirement to provide information on the '<i>interests and relevant background of each member</i>' is a potentially very intrusive addition. Nor is it clear what is meant by these terms.</p> <p>Wapping</p> <p>An application submitted to LB Tower Hamlets by 'Network Wapping' to establish a Neighbourhood Planning Forum and Area was withdrawn on 30 July 2013. A revised application (on a Council proforma) included the names of 36 residents.</p> <p>Designation was refused by LB Tower Hamlets on 5th February 2014. The main part of the Decision Statement/Refusal Statement read:</p> <p><i>'The Council considers that the significant levels of consultation responses objecting to the submitted forum, demonstrates a diversity of community opinion within Wapping about the leadership of Neighbourhood Planning in this area. This has raised concerns about the representativeness of the forum and its ability to respond to the diversity of community views. This is a matter of concern for the Council having regard to the function of a forum to deliver a Neighbourhood Plan, which the Council would want to see delivered effectively and as efficiently as may reasonably be expected.'</i></p> <p>A varied neighbourhood area was designated, with the Decision/Refusal Statement</p>

reading '*This decision to refuse to designate the submitted area is due to the significant number of consultation respondents strongly objecting to the inclusion of the St Katharine Docks area and the area north of the Highway'*

East Shoreditch

LB Tower Hamlets designated East Shoreditch Neighbourhood Forum and area on 5th February 2014. The proforma application form listed the names and postcodes of 21 members, identifying which were residents and which related to businesses or other organisations. The form noted that those listed made up approximately one third of the Forum's membership.

The designated neighbourhood area was a cross-boundary area which included a part of LB Hackney, but an area modified and smaller than that originally applied for. LB Hackney had refused the Forum part of the 2013 application (See under LB Hackney above).

Hence the East Shoreditch Neighbourhood Forum applied in 2019 to modify the East Shoreditch Neighbourhood Area and to remove the Hackney part of the area. This modification was approved by LB Tower Hamlets on 22 May 2019.

The designation of the East Shoreditch Neighbourhood Forum lapsed on 5 February 2019 and there is no sign online of a redesignation application.

Isle of Dogs

The proforma application form stated '*We have over 340 contact details of people and organisations from across the area. They represent local people, local businesses, residents associations and other local organisations. On the membership form we have gathered peoples address, membership intentions, gender, age, disability status and ethnic composition to ensure the group is representative. 147 people or groups have filled in a membership form and live in the area 16 people filled in a membership form but live outside of the area and will be associate members.'*'

And that '*The Forum currently includes 6 of the 7 elected Councillors for the three wards, representing Labour and Conservative Party members.'*

LB Tower Hamlets on 1st December 2015 designated in principle the Neighbourhood Planning Forum and Area for the Isle of Dogs application, but subject to clarification of the boundaries of the Neighbourhood Area. On 5th March 2016 the Council decided to remove one third of the area applied for - everything north of South Dock. The Forum was then formally recognised as the Neighbourhood Planning Forum for the reduced area.

There is no sign of a Decision Statement/Refusal Statement on the Council's website, explain the reasoning for modifying the area applied for.

LB Tower Hamlets on 12th May 2020 decided that the completed post examination

plan should proceed to referendum. The referendum is delayed as a result of the Covid 19 pandemic but in the meantime policies in the Plan will have full force.

Spitalfields

LB Tower Hamlets designated the Spitalfields Neighbourhood Forum (known as Spitalfields Forum) on 5th April 2016 as the Neighbourhood Planning Forum for the Spitalfields neighbourhood area.

The proposed boundary of the neighbourhood area had received several hundred objections during the consultation period. However the Council decided to designate the area applied for, with only minor alterations, as a Neighbourhood Planning Business Area on 1st December 2015.

The proforma application for the Forum included a list of 21 members, with their name, postcode address, and '*interests and relevant background*' as required by the local authority (over and above the statutory information requirements). The information on 'interests and relevant background' was confined mainly to positions on voluntary organisations and business interests.

As of summer 2020 the Draft Spitalfields Neighbourhood Plan is at final policy formulation stage.

Limehouse

The Limehouse Community Forum first applied for designation as a neighbourhood forum in 2013. The fate of this application is not clear from the Council's website. A resubmitted application was consulted on by LB Tower Hamlets in June and July 2015. LB Tower Hamlets designated the Limehouse Neighbourhood Forum on 1st December 2015.

The proforma application for the Forum included a list of 21 members, with their name, postcode address, and '*interests and relevant background*' as required by the local authority (over and above the statutory information requirements).

The neighbourhood area was designated on the same date, with modifications designed to allow the area to more closely align with Limehouse Ward Boundaries; reflect the hard physical boundary posed by the C2C railway line; and include the entirety of the Limehouse Station as a key piece of community infrastructure.

Material on the Limehouse Community Forum website suggests that neighbourhood plan preparation has made little progress since designation.

Roman Road Bow

LB Tower Hamlets designated the Roman Road Bow neighbourhood area in February 2017. The Neighbourhood Forum was designated on the 16 August 2017.

The application form stated '*We currently have 250 members of the Forum*' and

	<p>included a list of 41 members with their name, postcode address, and '<i>interests and relevant background</i>' as required by the local authority (over and above the statutory information requirements).</p> <p>A web search suggests that the Neighbourhood Forum was active up until 2018 but that the preparation of a neighbourhood plan has not advanced since then.</p> <p>Poplar</p> <p>LB Tower Hamlets designated the Poplar neighbourhood area on 30 January 2018. The Poplar Neighbourhood Forum was designated on 31 October 2018,</p> <p>The application form included a list of 43 members with their name, postcode address, and '<i>interests and relevant background</i>' as required by the local authority (over and above the statutory information requirements).</p> <p>Material on the Poplar Neighbourhood Planning Forum website suggests that the Forum is active of a range of planning issues in the area but is not currently progressing a draft neighbourhood plan.</p>
Waltham Forest	<p>Waltham Forest's web page on neighbourhood plans has a brief summary of the neighbourhood planning framework and then states "<i>The Council is encouraging the preparation of neighbourhood plans as 'Community Plans'. When prepared these will be adopted as a Supplementary Planning Document without necessarily proceeding through the formal stages of independent examination and a referendum.</i>"</p> <p>This does not explain that a SPD cannot create new policy or designate Local Green Space, and hence has a more limited scope than a neighbourhood plan.</p> <p>Highams Park</p> <p>LB Waltham Forest designated the Highams Park Neighbourhood Forum and area on 15 July 2014.</p> <p>The Council redesignated the Highams Park Neighbourhood Area and Forum on Monday 8 July 2019, following a period of public consultation.</p> <p style="background-color: #e0e0e0; padding: 10px;">Following a successful referendum, the Council made the completed Higham Park Neighbourhood Plan on 21st May, 2020.</p>
	<p>LB Wandsworth's web page on neighbourhood planning lists the neighbourhood planning tools introduced by the 2011 Act and then states '<i>Before these tools can be formally used first a neighbourhood area must be proposed and designated and then a neighbourhood forum proposed and designated.</i>' The option of a joint area and forum application is not offered.</p> <p>The more detailed information provided on designation of areas and of forums is both</p>

Wandsworth	<p>accurate and neutral in tone.</p> <p>Tooting Bec and Broadway</p> <p>LB Wandsworth designated the Tooting Bec and Broadway Neighbourhood Area and the Tooting Bec and Broadway Neighbourhood Forum on 4 April 2017.</p> <p>The designation application was accompanied by a list of 25 persons living or working in the proposed neighbourhood area. The Forum has published a characterisation study of the neighbourhood and has assembled evidence for a neighbourhood plan.</p> <p>LB Wandsworth's Statement of Community Involvement was updated in 2019 and now includes information on how the Council supports neighbourhood planning.</p>
City of Westminster	<p>Westminster City Council stands out amongst London boroughs as having designated more neighbourhood areas and forums than any other planning authority in the city.</p> <p>It is also a Council which has said that it wishes to achieve entire borough coverage by neighbourhood areas, and has overviewed its approach to neighbourhood planning. This is rare, with nearly all Boroughs reacting and responding to applications as and when submitted.</p> <p>The Council's Environment and Scrutiny Committee reviewed the position in April 2016. The officer report attributed the high level of interest in the Borough to three factors:</p> <ul style="list-style-type: none"> • <i>'The existing structure of groups in Westminster – long standing groups such as our amenity societies, Business Improvement Districts, landed estates, resident associations, and local area partnerships have always displayed a high level of interest in Westminster's built environment and, therefore, were always likely to want to take up the opportunity to influence policy more fully for their local areas.'</i> • <i>'Political will – the opportunities provided by neighbourhood planning has received strong political support and encouragement from the relevant Cabinet Member.'</i> • <i>'The Westminster Community Governance Review (2011-12) – whilst this was undertaken due to the receipt of a petition to establish the Queen's Park Community Council, the council widened the review to ascertain and generate interest in other forms of governance, such as neighbourhood forums.'</i> <p>By April 2015, the City Council had designated 21 neighbourhood areas, and eight neighbourhood forums alongside the Queen's Park Community Council. A 2016 review reported 21 areas and 14 forums designated with an aspiration for 100% city-wide coverage of the borough within the next 18-24 months.</p> <p>Westminster actively encouraged the designation of neighbourhood areas, in advance of forum designation, from 2012 onwards. There were a number of instances of area proposals that overlapped or competed for territory, which were largely resolved through negotiation and mediation between local groups involved.</p>

The information below shows that most neighbourhood areas ended up being designated with the boundaries as applied for, while the Council made amendments on others as part of designation decisions. Following a spate of area designations in 2014, designation applications for forums followed subsequently – in some cases two or three years later during which period forums organised themselves.

City of Westminster has made/adopted neighbourhood plans for Knightsbridge and for Mayfair. The Soho Neighbourhood Plan and Fitzrovia West Neighbourhood Plan have been submitted to the Council for examination. Pimlico's Draft Neighbourhood Plan is at an advanced stage.

Marylebone Neighbourhood Forum, St Johns Wood Neighbourhood Forum, and Maida Hill Forum have paused work on their neighbourhood plans until the Westminster City plan is adopted (some time in 2020).

Queens Park Community Council

City of Westminster established the Queen's Park Community Council on 25 June 2012. This decision was the culmination of the year-long Westminster Community Governance Review and followed on from the receipt of a valid petition to establish a Community (Urban Parish) Council in Queen's Park.

The Queen's Park Community Council was the first parish council in London for nearly eighty years. As a parish council, this body has powers to prepare a neighbourhood plan without going through the process of designation as a neighbourhood forum.

The Community Council is engaged on a wide range of projects and activities and has not made a neighbourhood plan a top priority. Its website states '*QPCC engaged with residents on several occasions to hear views which were then inputted into the plan. The plan includes improvements to Canal Terrace and the Harrow Road open space, the installation of bike hangars, safe pedestrian crossings and the naming of designated buildings as assets of community value which places restrictions on how they can be developed*'. No draft plan has yet been submitted to the City Council for examination.

Bayswater

City of Westminster designated the Bayswater Neighbourhood Area in 2013 following an application by the Bayswater Residents Association. This has no Forum and is one of the 'orphan' areas

Belgravia

City of Westminster designated the Belgravia Neighbourhood Area and Forum on 8th October 2014.

The designation application (4 pages plus a constitution) stated '*The proposed Forum currently has over 50 members (current list attached)*' and that '*All members of the proposed Forum - community groups, individual residents, small businesses, resident*

groups, ward councillors, business associations, landowners and larger corporates - self-define themselves as being heavily associated with Belgravia.'

The Forum was redesignated for a further five years period on 13th January 2020.

Preparation of a draft neighbourhood plan is shown on the Forum's website as being 'in progress'.

Church Street Ward

City of Westminster designated the Church Street Ward neighbourhood area as applied for on 4 September 2013.

The neighbourhood forum was subsequently designated on 24th July 2014. The designation report noted '*a total of membership of 65 individuals of the forum, each of whom either live, work or are elected Council members within the neighbourhood area.*'

The neighbourhood forum was redesignated for a further five years on 7th October 2018. The report noted that preparation of a neighbourhood plan '*remained at an early stage.*'

Churchill Gardens

City of Westminster designated the Churchill Gardens neighbourhood area on 4th September 2013, with the amendment that the southern boundary was taken to the borough boundary in the middle of the River Thames. This enabled coverage of both sides of Grosvenor Road within the neighbourhood and ensured consistency with adjacent neighbourhood area applications in Pimlico and Chelsea Barracks/Belgravia.

The neighbourhood forum was subsequently designated on 9th October 2015. There is no sign of material online suggesting that the Forum is active in preparing a neighbourhood plan and its initial five year term is close to expiry.

Fitzrovia West

City of Westminster designated the Fitzrovia (West) Neighbourhood Area on 28th March 2014 with revisions to the western and southern boundaries. Designation was as a Business Neighbourhood Area.

A cross borough application for Fitzrovia area was refused by the City Council on the basis of overlap with 'Fitzrovia West'. That part of this proposed area lying in Camden was approved by Camden Council.

The Fitzrovia West Neighbourhood Forum was subsequently designated on 26th January 2015. The designation report noted '*A particular strength of the proposed Fitzrovia West Neighbourhood Forum is that in many instances, there is no clear differentiation between those individuals who live or work in the area. The applicants have highlighted that they have a total of 132 members who identify themselves as residents, but also a total of 92 members who work, are business rate payers or who belong to organisation*

within the neighbourhood area.'

The Forum was redesignated for a further five years on 20th February 2020. A draft neighbourhood plan, revised following a first round of consultation was submitted to the Council in 2020 for independent examination. The City Council's consultation on this version ended on August 4th 2020.

Knightsbridge

City of Westminster designated a revised Knightsbridge neighbourhood area on 27th March 2014. The area applied for was varied by the removal of Hyde Park and Kensington gardens on the basis that '*were not considered to be part of 'Knightsbridge' but separate geographic entities in their own right.*'

The neighbourhood forum was subsequently designated on 15th July 2015. The committee report noted '*At the time of the application, the proposed Knightsbridge Neighbourhood Forum had a total membership of 56 individuals, each of whom lives or works or is a ward councillor within the area.*'

The Forum was redesignated on 2nd June 2020

Following a successful referendum the Knightsbridge Neighbourhood Plan was made by the City Council on 11th December 2018.

Hyde Park and Paddington

City of Westminster designated the Hyde Park and Paddington neighbourhood area on 28th March 2014 in response to an application involving the Hyde Park Estate Association, the Paddington Business Improvement District, and Paddington Waterside Partnership. The area is a Business Neighbourhood Area

The Neighbourhood Forum was designated on 24th May 2017, three years later.

The designation report states '*The proposed Hyde Park and Paddington Neighbourhood Forum has a total membership of 76 individuals, each of whom lives or works within the area or is an elected Member of the council. A full list of Members was submitted as part of the application.*'

The Forum has been active in developing an evidence base on transport and other issues, and in submitting applications for NCIL funding. There is no sign yet of a draft neighbourhood plan.

Little Venice and Maida Vale

City of Westminster designated the Little Venice and Maida Vale Neighbourhood Area in following an application by Paddington waterways and Maida Vale Society. The proposed area was reduced following the receipt of 'no support' within Paddington

Basin for its inclusion and the separation by the A4 Westway. There is no Forum and so is an ‘orphan’ area.

Maida Hill

City of Westminster designated the Maida Hill neighbourhood area on 20th January 2014.

The neighbourhood forum was designated on 26th August 2015. The designation report noted that '*The proposed Maida Hill Neighbourhood Forum has a total membership of 40 individuals, each of whom lives or works or is a Ward Councillor within the area.*'

The Maida Hill Forum website includes information on planning issues with which the Forum has been involved and states '*Now that the City Plan is likely to be adopted, we will proceed with our Neighbourhood Plan. We hope to publish a draft Plan for consultation in Spring 2020.*'

Marylebone

City of Westminster designated the Marylebone neighbourhood area on 28th March 2014, as a business neighbourhood. In making the designation the Council varies the proposed boundary to take account of the proposed adjacent Fitzrovia neighbourhood area and to remove Regents Park.

The designated Marylebone Neighbourhood Area includes the key areas and features that represent ‘Marylebone’ that was largely supported during its period for representations. However it is considered that the subsequent application and support for a separate neighbourhood area (Fitzrovia) should therefore require a revised eastern boundary to the west of Great Portland Street.

The neighbourhood forum was designated on 26th August 2015. The designation report noted that '*The proposed Marylebone Neighbourhood Forum submitted a list of 211 members alongside their neighbourhood forum application. Of these, 150 individuals were listed as ‘residents’ and 23 individuals were listed as ‘workers’.*'

The Marylebone Forum website has an entry stating '*Marylebone Forum members have drafted emerging policies, but further policy development is currently on hold, pending the imminent launch of Westminster City Council’s new City Plan (due November 2018).*'

Mayfair

City of Westminster designated the Mayfair neighbourhood area on 5th April 2013, following an application from the Residents’ Society of Mayfair and St James’s, Mayfair Residents’ Group and others. The area is designated as a business neighbourhood.

The neighbourhood forum was designated on 10th January 2014. The designation report cannot be found on the Council’s website.

The Forum was redesignated on 15th January 2019 for a further five year period.

Following a successful referendum the Mayfair Neighbourhood Plan was made by the Council on 24th December 2019.

Notting Hill East

City of Westminster designated the Notting Hill East neighbourhood area on 10th January 2014, following an application from the Westbourne Neighbourhood Association. This decision included a minor alteration to the boundary at the junction between Westbourne Grove and Chepstow Road.

The neighbourhood Forum was designated on 6th October 2014. The designation report notes that '*The applicants additionally submitted an initial membership list containing 32 individual members of the forum'*

The Forum is actively involved in planning issues in the area, and redesignation of the Forum was approved in 2019.

Pimlico

City of Westminster on 4 September 2013 refused the neighbourhood area (as applied for) but designated the (revised) Pimlico neighbourhood area for the area excluding the Churchill Gardens Estate. The justification for this decision was that a separate proposal for a Churchill Estate neighbourhood area had been well supported (see above).

The neighbourhood forum was designated on 7th October 2015. The designation report noted that while the information in the original application was insufficient '*The membership was revised and widened to include workers, and was resubmitted to the City Council in January 2015. The Pimlico Neighbourhood Forum has a total of 30 individual members, each of whom either live, work or are elected Council members within the neighbourhood area.'*

Pimlico Neighbourhood Forum published its draft neighbourhood plan for a first round of public consultation ending on 2nd October 2019. Over 100 responses were received. Revisions are being made prior to submission of the Plan to the Council for independent examination.

Soho

City of Westminster on April 5th 2013 refused the neighbourhood area as applied for by the Soho Society but designated the area east of Kingly Street/Warwick Street as the Soho neighbourhood area and also designated it as a business area.

The decisions statement/refusal statement justifies this decision on the basis that '*This decision enables the designation of a more tightly delineated Soho neighbourhood area that does not include the larger-scale street blocks fronting onto Regent Street. This boundary is also commensurate with the western boundary of the Soho Conservation Area. The eastern side of Regent Street is not considered to be characteristic of the Soho neighbourhood.'*

The Soho Neighbourhood Forum was designated on 21st July 2014. The designation report notes '*The statement of compliance states that members of the Soho Society are taken to be the founding members of the Forum, and that at the time of the application, there were a total of 336 members.*'

The Soho Draft Neighbourhood Plan was submitted to the Council in February 2020, for independent examination.

St James

City of Westminster on 5th April 2013 designated the (revised) St James's neighbourhood area as applied for and has also designated it as a business area.

The St James Neighbourhood Forum was designated on 26th January 2015. The designation report notes '*The applicants submitted a list of members (alongside the neighbourhood forum application) which specified the membership of a total of 28 individuals, each of whom lives or works or is a ward councillor within the area.*'

The Forum was redesignated on 16th April 2020 for a further five year period.

While there is a website and a Facebook page for the Forum, these show little sign of recent activity on neighbourhood plan preparation.

St Johns Wood

City of Westminster on 5th April 2013 designated the St John's Wood neighbourhood area as applied for.

The neighbourhood forum was designated on 7 June 2016. The designation report notes '*The proposed St Johns Wood Neighbourhood Forum has a total membership of 60 individuals, each of whom lives or works or is a Ward Councillor within the area. A full list of Members was submitted as part of the application.*'

The website of the St Johns Wood Society notes '*Until the new Westminster City Plan is adopted in early 2020, we are unable to develop our neighbourhood plan. The neighbourhood forum will reconvene at that time.*'

South East Bayswater

City of Westminster on 10 January 2014 designated the South East Bayswater Neighbourhood Area with a minor alteration at Bishops Bridge Road.

The South East Bayswater Residents Association is a long established body which monitors and makes representations on planning applications, but which does not appear to have applied for neighbourhood forum status. The neighbourhood area therefore is one of eleven ‘orphan’ areas in London, designated but with no forum working on a neighbourhood plan.

Victoria

	<p>City of Westminster on 4 September 2013 refused the neighbourhood area as applied for but designated the revised wider Victoria neighbourhood area and has also designated it as a business area.</p> <p>The Victoria Neighbourhood Forum was designated on 20th July 2015. The designation report notes '<i>As of December 2014, the proposed Victoria Neighbourhood Forum has a total of 54 members each of whom live and/or work in the area. This included a total of six ward councillors (representing St James's and Vincent Square Wards).</i>'</p> <p>Victoria Neighbourhood Forum carried out in 2019 a consultation on ideas and objectives to be included in its neighbourhood plan.</p>
	<p>Westbourne</p> <p>City of Westminster City Council on 10 January 2014 designated the revised Westbourne Neighbourhood Area with revised boundary at Westbourne Terrace Road, Westbourne Park Road, and Lords Hill Bridge. This followed discussions with neighbouring forums and associations.</p> <p>The neighbourhood forum was designated on 21st July 2014. The designation report notes '<i>As part of their submitted application, the Westbourne Neighbourhood Forum has specified the membership of a total of 27 individuals, each of whom lives or works or is a ward councillor within the area.</i>'</p> <p>An application for redesignation of the Forum has been submitted but not yet decided. Material on the Forum's website suggests that work on a neighbourhood plan remains at an early stage.</p>
	<p>Vincent Square</p> <p>An application to the City Council for designation of a neighbourhood area in July 2014 appears not to have progressed to decision stage.</p>
	<p>Chelsea Barracks</p> <p>City of Westminster on 13th January 2020 refused an application to designate a Chelsea Barracks neighbourhood area. The decision/refusal statement gives a series of reasons including overlap with the Belgravia neighbourhood area and the fact the Council's consultation had generated only one letter of support.</p>
	<p>Statement of Community Involvement</p> <p>City of Westminster's SCI dates from 2014 and remains non-compliant with Section 6 of the Neighbourhood Planning Act 2017 in terms of the requirement for 5 year updating and for inclusion of information on 'advice and assistance' on neighbourhood planning.</p>
	<p>The LLDC web page on neighbourhood planning includes some contextual information,</p>

London Legacy Development Corporation	<p>in addition to content on the area's one neighbourhood forum and area.</p> <p>The general information is largely accurate but misses out the important qualification 'strategic' from the following statement '<i>Neighbourhood Plans must be in general conformity with the London Plan and local planning policies contained within the adopted development Plan (in this case borough Core Strategies and Area Action Plans until the adoption of the Legacy Corporation's Local Plan).</i>'</p> <p>Greater Carpenters</p> <p>The LLDC received a joint application for a neighbourhood area and forum in May 2015. The Greater Carpenters Neighbourhood Forum and the Greater Carpenters Neighbourhood Area were designated by the Board of the Legacy Corporation on the 21st July 2015.</p> <p>The completed Draft Neighbourhood Plan, following a first round of public consultation was submitted to the LLDC in June 2019. The consultation period run between 3rd July 2019 and 31st August 2019. The Plan has since been examined with the Examiners report issued on 18th March 2020. The Plan may proceed to referendum but the Forum is considering whether it supports the modified plan. It has not applied for redesignation.</p>
Old Oak and Park Royal Development Corporation	<p>The OPDC's web page on neighbourhood planning provides basic information on the framework. The more detailed information on forum designation sticks closely to the statutory criteria and conditions.</p> <p>Information on area designation includes the statement '<i>The factors considered in determining an area application will be set out in OPDC officers' reports. Legislation and case law provide OPDC with discretion in determining an area application and defining the area's boundaries.</i></p> <p><i>'Case law recommends the development of a 'factual and policy matrix' to inform assessments that is specific to each proposed area. Example of the factors that have been used in the factual and policy matrix used by OPDC officers to assess previous neighbourhood area applications has been relevant National Planning Practice Guidance, public consultation responses, the strategic significance of sites and the character of an area.'</i></p> <p>Harlesden</p> <p>On 26 November 2015, OPDC designated the southern strip of the Harlesden Neighbourhood Area, which lies within the OPDC boundary (see also under LB Brent).</p> <div style="background-color: #e0e0e0; padding: 10px;"> <p>Following a successful referendum, the Harlesden Neighbourhood Plan was made by OPDC on 25 July 2019</p> </div>

Old Oak

The Old Oak and Park Royal Development Corporation (OPDC) and LB Hammersmith in March 2017 received joint applications from the Interim Old Oak Neighbourhood Forum to designate the Old Oak Neighbourhood Area and the Old Oak Neighbourhood Forum.

The proposed neighbourhood area was a large one (280 hectares) covering the Old Oak half of the OPDC area (including parts of LB Hammersmith & Fulham and of LB Ealing for which the Development Corporation had been acting as planning authority since April 2015).

On 12 September 2017, the OPDC Board refused to designate the proposed neighbourhood area and instead designated a reduced Old Oak Neighbourhood Area of 22 hectares in East Acton.

The forum part of the application was refused due to numbers of members within the reduced area falling below 21 members. A second forum application was submitted including updated membership details (for which OPDC required documentary evidence of joining the Forum). The Old Oak Neighbourhood Forum was subsequently designated in February 2018.

The Decision Statement/Refusal Statement on the neighbourhood area application September 2017 decision ran to two pages, stating '*OPDC considers that the full extent of the proposed neighbourhood area applied for does not fully accord with the guidance set out in NPPG paragraph 033 due to the diversity of the built environment within the proposed area.*'

The 'Character Assessment' which underpinned the decision to refuse the area ran to 21 pages with a conclusion '*A6.3 The proposed Old Oak Neighbourhood Area includes a range of broad character types and smaller scale character areas reflecting different neighbourhoods within the area. As such, the area is not considered to demonstrate that it sufficiently meets the guidance set out in the National Planning Practice Guidance Paragraph: 033 Reference ID: 41-033-20140306 when considering physical characteristics of an area to define its boundary.*'

The concept that a neighbourhood area should be made up of sub areas that are similar in 'character' or 'consistent' has cropped up in several refusal decisions (see also under LB Hackney). The link with the NPPG 'considerations' is a tenuous one, in that the term 'consistent' appears only in the consideration reading '*the physical appearance or characteristics of the neighbourhood, for example buildings that may be of a consistent scale or style*'. There is nothing to suggest that the diversity of the built environment within the proposed area should be a bar to designation.

The OPDC was required to correct the initial schedule of responses published on its website when it emerged that 30 identically worded objections had been published as individual comments on the basis of a single letter and list of names of those who had

attended an unrelated meeting two years prior to the designation application.

The Old Oak Neighbourhood Forum continues to be active in the OPDC area, and a first draft of the Old Oak Neighbourhood Plan was published in November 2019.