

# RECORD OF DECISION MADE UNDER DELEGATED POWERS FOR NEIGHBOURHOOD PLANNING

## Delegation approved by Council 27 April 2016 A230 94 (D)

NEIGHBOURHOOD PLANNING APPROVALS AND CHANGES TO THE COUNCIL'S DELEGATIONS -  
(CABINET 11<sup>TH</sup> APRIL 2016 – MINUTE NUMBER 136/B124)

### COUNCIL RESOLVED that

*(b) delegated authority be given to the Acting Director of Economy and Environment in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development to approve applications for Neighbourhood Areas and approve the designation of Neighbourhood Forums, following consultation on the applications for such designations.*

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## DELEGATED REPORT

### PARK WARD NEIGHBOURHOOD FORUM

1. An application from the prospective Neighbourhood Forum for Park Ward was submitted to the Council on 3<sup>th</sup> October 2019 for re-designation as a Neighbourhood Forum under Section 61F of the Town and Country Planning Act 1990 (as amended), for the area designated as Park Ward Neighbourhood Area in accordance with Section 61G of the Town and Country Planning Act 1990 (as amended).
2. This application for re-designation is required because the approval for the Forum to undertake neighbourhood Planning activities dating from had lapsed on 1<sup>st</sup> October 2019 after 5 years.
3. In accordance with the Regulations the application received included a copy of the Constitution of the proposed Form together with evidence that the Forum has at least 21 signed up Members.
4. The Application was advertised for a 6 week long period commencing 17<sup>th</sup> October 2019 and ending 29<sup>th</sup> November 2019.
5. During the Consultation Period 9 Representations have been received :
  - There are 4 representations in support of the proposal;
  - There are 0 Objections;
  - There is 1 representation requesting to be kept informed;
  - There are 4 representations from the Statutory Consultees, who have made comments but not raised objections. Representations are from Statutory Bodies providing advice that will need to be forwarded to the Forum, if it is approved, as a result of this Report.

All the comments are to be found in the Appendix to this Report.

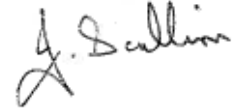
6. Matters to be considered:  
In order to comply with the Regulations, the following Table sets out the relevant questions and responses:

Question	CONSIDERATION
<b><i>Is the application from a “relevant body” and does it provide the required information?</i></b>	<b>YES.</b> The application states how the Prospective Forum is a relevant body. The Prospective Forum has more than 21 Members from within the designated area. The application has evidenced this and provided a copy of the Constitution.

**RECOMMENDATION :**

That under the Powers conferred by the Town and Country Planning Act 1990 (as amended), and as delegated by the Council to the Director and appropriate Cabinet Member, the application for a Neighbourhood Planning Forum is **GRANTED**.

**Cabinet Member for Regeneration and Economic Development:** Cllr Jane Scullion



**Director of Regeneration & Strategy:** Mark Thompson



**Dated:** 16-12-19

**Service Lead for Planning:** Richard Seaman;



**AUTHOR:** Planning Officer: Philip Dawes (Tel) 01422 393366

## **LIST OF APPENDICES:**

- 1. Application (including statement of compliance) as Submitted;**
- 2. Constitution of the Prospective Forum as Submitted;**
- 3. Membership of the Prospective Forum;**
- 4. Area as Approved;**
- 5. Responses to the Consultation received between 17th October and 29th November 2019.**

## **Appendix 1: Application (including statement of compliance) as Submitted**

Dr. Fiaz Farooq

279 Gibbet Street  
Halifax

Calderdale Metropolitan Borough Council

Town Hall

Halifax

Date: 13<sup>th</sup> September 2019

Dear Robin Tuddenham

### **Town and Country Planning Act 1990**

### **The Neighbourhood Planning (General) Regulations 2012**

### **Designation of Park Ward Neighbourhood Forum — Continuation**

The Park Ward Neighbourhood Forum was given approval for the formal establishment of the Park Ward Neighbourhood Forum and for Park Ward to be a Neighbourhood Area on the 1<sup>st</sup> October 2014 (see attached letter dated 9<sup>th</sup> October 2014).

The forum would like to put in an application to request continued designation of our neighbourhood forum under Section 61 of the above Act, our designation is scheduled to end on 1<sup>st</sup> October 2019 and we would like both the designation of the Forum and Designation of the area to be continued

The application is made by the Park Ward neighbourhood forum, which is capable of being a qualifying body within the terms of Section 61.

Please refer to the following documents attached to this letter

- A copy of the constitution of the Forum
- A list of all current members of the Forum
- A map showing the boundaries of Park ward, which is the area currently designated as a Neighbourhood Area

The neighbourhood forum comprises 21 or more people living, working or acting as elected members in the area. Membership is open to people living, working or acting as elected members in the area. The membership is drawn from different places in the area and different sections of the community. We have taken all reasonable steps to make sure that the Membership of the prospective neighbourhood forum reflects the character and diversity of the local population.

The Forum was formed at a public meeting (the "Park Ward Summit") held on 19<sup>th</sup> February 2014 at St. Augustine's Centre on Hanson Lane, following a series of themed meetings over the previous year to

develop ideas and priorities in relation to Housing, Open Space, Education (two sessions), and Employment/Economy, A formal steering group was formed later that year.

The Forum is now, at its final stages of completing the neighbourhood plan with Pre Submission Consultation (Regulation 14) having been completed in March 2019, and final additions being made to the plan in preparation for it to be submitted to the Council in the near future.

I will be the publicly named point of contact for the Forum and should this change in the future we will notify the Council.

For the above reasons we consider that the Park Ward Neighbourhood Forum should be considered to apply for continued designation and I look forward to receiving your confirmation that this is also the view of Calderdale MBC.

Yours sincerely

Dr. Fiaz Farooq

Park Ward Neighbourhood Forum (Chair)

## **Appendix 2: Constitution of the Prospective Forum as Submitted**

### **Park Ward (Halifax) Neighbourhood Forum Constitution**

#### **Name and Area**

- a) The name of the group shall be 'Park Ward Neighbourhood Forum' ("the Forum").
- b) The Area shall be the Park Ward situated within the district of Calderdale, West Yorkshire.

#### **Purposes**

- a) To promote and improve the social, economic, health and environmental wellbeing of the Area.
- b) To draw up, agree and implement a statutory Neighbourhood Development Plan for the Area as defined by the Localism Act 2011.

#### **Powers**

- a) In pursuit of the above purposes and for no other reason the Forum may hold funds and other assets and maintain such banking arrangements as are required to implement its purposes.

#### **Membership**

- a) Full Membership of the Forum shall be on an individual basis only.
- b) Full Membership shall be open to all residents living in the Area, businesses based in the area and the elected Calderdale MBC councillors for the Area.
- c) Businesses with an interest in the Area can become Associate Members of the Forum, can attend meetings, including the AGM, can volunteer for the Forum and receive Forum mailings but cannot vote at the AGM.
- d) Community and voluntary organisations and public services operating in and serving the Area can send representatives to meetings as above and receive mailings and other publicity but cannot vote at any meetings.
- e) Membership of the Forum should at all times be a minimum of 21 individuals
- f) Members may be contacted by the Executive (see below) from time to time to act as a litmus test for ideas and proposals or to be invited to participate in other activities related to the work of the Forum

#### **General Meetings**

The Forum's ultimate authority comes from its Annual and other General Meetings.

- a) The AGM, and any other public meetings held, give legitimacy to the Executive of the Forum (as defined below) and the plans they or Forum task or working groups may develop

- b) If there is more than one public meeting in any one year, one will be designated as the AGM
- c) The AGM will be called with at least 21 days' notice once per year, not more than fifteen months from the date of the preceding AGM, by informing all residential properties in the ward and all members including Associate Members.
- d) The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Executive
- e) At each AGM the Chair will provide a written report, the Treasurer will provide a set of accounts for the previous year and the proceedings will be recorded in writing.
- f) Voting will be restricted to full members present at the meeting on a one member one vote basis.

### **Forum Executive**

- a) The Executive exists to co-ordinate, implement and monitor the work of the Forum including developing a Neighbourhood Plan for the Area. It will prioritise, schedule and publicise the work of the Forum
- b) The Executive is made up from Forum members elected at the AGM. Numbers on the Executive will be determined by the membership at each AGM but shall not be fewer than nine nor more than fifteen. Executive members will be elected for a three year period with one third standing down at each AGM.
- c) The Executive must meet not less than eight times in any twelve month period with no less than two months between meetings.
- d) The Executive will determine its officers subject to the proviso that these must include a Chair, Vice Chair, a Secretary and a Treasurer.
- e) Individuals with specialist skills may be co-opted onto the Executive on a non-voting basis and the Executive may set up Task or Working Groups of Forum members for specific projects or tasks to be undertaken.
- f) The Executive will liaise with the relevant bodies such as the Council, other public services, businesses, schools and colleges, faith groups and community and voluntary organisations relevant to the Area.
- g) Executive decision making can be by consensus or after a vote the Chair will have a second (casting) vote in the event of a tie. The quorum for decisions shall be 5 voting members.
- h) The Executive has the power to draw up a Code of conduct by which all members must abide, including determining the consequences for breaches of the Code of Conduct
- i) Only full members of the Forum may stand for the Executive and should be nominated by a member or Associate Member
- j) The Executive will receive and consider reports from all Task or Working Groups

### **Forum Funding**

The Forum can raise funds for its activities by one or more of the following methods:

- a) Charging membership fees on an individual and/or associate member basis — level of fees to be agreed at an AGM or extraordinary general meeting
- b) Submitting applications to grant awarding bodies for appropriate funds
- c) Working in partnership with organisations which have funds to spend in the Park ward
- d) By other means in keeping with the role of the Forum, including revenue from the website, donations, and proceeds from events

### **Amendments to the Constitution**

Amendments to this Constitution may be made only at a properly convened General Meeting called with a minimum of 21 days' notice to all voting members and by a two thirds majority of those present and voting.

### **7. Dissolution**

- a) The Forum may be dissolved only by a two thirds vote of those present and voting at a properly constituted General Meeting.
- b) In the event of dissolution of the Forum its assets will be distributed to one or more non-profit organisations whose purposes are consistent with the purposes of the Forum as set out above, as determined by a simple majority vote of those present at the meeting called to dissolve the Forum.

**October 2019**

Appendix 3: Membership of the Prospective Forum

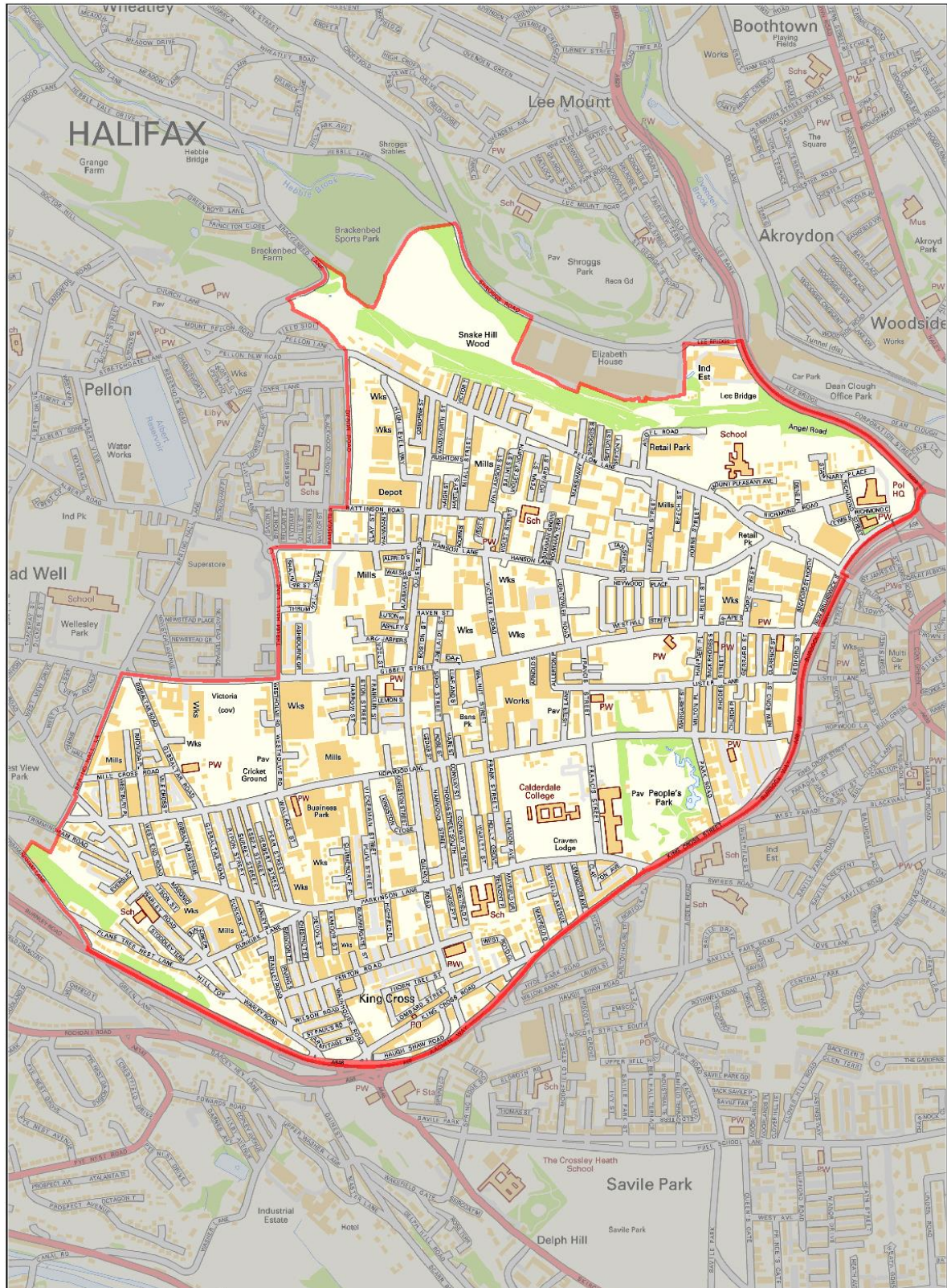
**Park Ward Neighbourhood Forum Members – May 2019**


	Name	Address	Telephone Number	Email	Signature
1	Alison Haskins	C/O Halifax Opportunities Trust, Hanson Lane Enterprise Centre, Halifax, HX1 5PG	01422 347392	alison.haskins@regen.org.uk	
2	Zaheer Khalil	5 Lemington Aveune Off Parkinson Lane	07833445538	Zaheer.khalil@yahoo.co.uk	
3	Jenny Lynn	1 Hill Top, Warley Road, Halifax HX2 7PJ	07801275674	jennylynn@btinternet.com	
4	Mohammed Naeem	Halifax Town Hall (Park Ward Councillor)	07540358963	Councillor.Naeem@calderdale.gov.uk	
5	Abrar Hussain	88 Lister Lane, Halifax HX1 5DN	01422 347392	abrar@regen.org.uk	
6	Shakeela Zaman	84 Hartley Street	07887868223	Shakeela84@hotmail.co.uk	
7	Dr. Fiaz Farooq	279 Gibbet Street, Halifax	07909993867	fiazf@yahoo.com	
8	Shebana Sadiq	17 west View Hopwood Lane Halifax, HX1 3YA	07565338129	Shebana_sadiq@yahoo.com	
9	Sarah L Dyer	54 Savile Park, HX1 3EX	07900931003	Sarahl.dyer.sd@gmail.com	
10	Samina Arshad	9 West Royd Villas King Cross Halifax	07787151217		
11	Waseem	495 Gibbett Street	07711067343	Was4eva@hotmail.co	

**Park Ward Neighbourhood Forum Members – May 2019**

	<b>Hussain</b>	<b>Halifax HX2 0AX</b>		<b>.uk</b>	
<b>12</b>	<b>Mustafa Ahmad</b>	<b>Francis Street Sunniye Centre, Francis Street</b>		<b>mustafa@aicp.org.uk</b>	M.A
<b>13</b>	<b>David Glover</b>	<i>6 Baker Road Halifax HX1 5TX</i>	<b>01422 342054</b>	<b>david375@btinternet.com</b>	David Glover
<b>14</b>	<b>Kevin Barnard</b>	<b>King Cross Vicarage West Royd Avenue, Halifax HX1 3NS</b>	<b>01422 360740</b>	<b>kjfbarnard@gmail.com</b>	
<b>15</b>	<b>Dan Sutherland</b>	<b>Raven Street Centre Lower Ground Floor Raven Street, Halifax HX1 4NB</b>	<b>01422 348045</b>	<b>Dan Sutherland dan@himmat.org</b>	
<b>16.</b>	<b>Mumtaz Hussain</b>	<b>209 Hanson Lane Halifax</b>	<b>07968301150</b>	<b>BPFS2000@yahoo.co.uk</b>	
<b>17</b>	<b>Ilyas Najib</b>	<b>9 Springhall Court Halifax HX1 4TR</b>	<b>07853188995</b>	<b>Talk2illy@hotmail.com</b>	
<b>18</b>	<b>Faisal Shoukat</b>	<b>Halifax Town Hall (Park Ward Councillor)</b>	<b>07974083789</b>	<b>Councillor.FShoukat @calderdale.gov.uk</b>	
<b>19</b>	<b>Nagheena Haroon</b>	<b>22 Thrum Hall Drive. Halifax. HX1 4JL</b>	<b>07746500172</b>	<b>budz36@hotmail.co.uk</b>	Nagheena
<b>20</b>	<b>Yasser Arfat</b>	<b>11 Gladstone Road , Halifax HX1 5LJ</b>	<b>07974244920</b>	<b>Yasser@regen.org.uk</b> <i>Yasser.arfat@regen.org.uk</i>	
<b>21</b>	<b>Stanislav Fako</b>	<b>9 Gerrard street, Halifax HX1 5DG</b>	<b>07568511784</b>	<b>fakostan@gmail.com</b>	
<b>22</b>	<b>Rahila Bi Hussain</b>				

**Appendix 4: Area as Approved**



<b>Park Ward</b>	Spatial Planning	Date: 25/11/2019	© Crown copyright and database rights	 <a href="http://www.calderdale.gov.uk">www.calderdale.gov.uk</a>
<b>Neighbourhood Area</b>	PD	Scale: 1: 2,250	2019 Ordnance Survey 0100023069.	

**Appendix 5: Responses to the Consultation received between 17th October and 29th November 2019.**

ID	Name	Organisation Details	Should the Council re-designate the Park Ward Neighbourhood Forum as the forum for the designated area?	If NO, please give us your reasons - Reasons for not supporting.	General Comments
PWR1	Mr Jason Fogerty		Yes		
PWR2	Mr Mark McGovern				In reply to your email I have no comment on the re-designation application for the Park Ward Forum but would request that I am kept informed of the progress of the Neighbourhood Plan and notified of future consultations on the Neighbourhood Plan particularly at Reg 16 Stage.
PWR3	Ms Claire Dennison	Environment Agency			Thank you for your consultation on re-designation of Park Ward Neighbourhood plan Area. We have no objection to the re-designation of the area but have attached some advice on what the Environment Agency is looking for in Neighbourhood plans and the Defra family guide. If you require any further information please don't hesitate to ask. (General Advice – sent to Forum)

ID	Name	Organisation Details	Should the Council re-designate the Park Ward Neighbourhood Forum as the forum for the designated area?	If NO, please give us your reasons - Reasons for not supporting.	General Comments
PWR4	Mrs June Paxton White	Halifax Civic Trust	Yes		Halifax Civic Trust supports the application to re-designate the Park Ward Forum.
PWR5	Mrs Sarah Dyer	CMBC	Yes		
PWR6	Rev. Dr. Kevin Barnard		Yes		Might the Council find ways to draw attention to the existence and work of this and similar groups?  Especially, could 6th. formers and those in college be informed?
PWR7	Lucy Bartley on behalf of Mr Spencer Jefferies	Wood PLC on behalf of National Grid			(General Advice – sent to Forum)
PWR8	Mr Craig Broadwith	Historic England			(General Advice – sent to Forum)
PWR9	Ms Melanie Lindsley	The Coal Authority			(General Advice – sent to Forum)

