

**Name of meeting:** Cabinet  
**Date:** 16<sup>th</sup> November 2021

**Title of report:** Netherton and South Crosland Neighbourhood Forum Approval (i) and Neighbourhood Area Designation (ii)

**Purpose of report:** To seek Cabinet approval for the designation Netherton and South Crosland Neighbourhood Forum, and designation of the Neighbourhood Area for the purposes of Neighbourhood Planning.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Yes</b>  <b>If yes give the reason why</b> Affects Crosland Moor and Netherton Ward. The neighbourhood area borders two designated neighbourhood development plan areas: Newsome Neighbourhood Area and Holme Valley Neighbourhood Area and adjoins the boundary of the administrative area covered by Meltham Town Council.
<b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></b>	<b>Key Decision – Yes</b>  <b>Private Report/Private Appendix – No</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>	David Shepherd (Strategic Director - Growth and Regeneration) 28 <sup>th</sup> October 2021
<b>Is it also signed off by the Service Director for Finance?</b>	Eamonn Croston (Service Director – Finance) 27 <sup>th</sup> October 2021
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	Julie Muscroft (Service Director – Legal, Governance and Commissioning) 28 <sup>th</sup> October 2021
<b>Cabinet member <u>portfolio</u></b>	Cllr McBride 25 <sup>th</sup> October 2021

**Electoral wards affected:** Crosland Moor and Netherton Ward.

**Ward councillors consulted:**

The following ward councillors have been consulted/briefed on this item:

- Leadership Management Team (cabinet members) 25<sup>th</sup> October 2021
- Portfolio Holder briefing: Cllr McBride (18<sup>th</sup> October 2021)
- Crosland Moor and Netherton Ward Councillors (17<sup>th</sup> September 2021)

**Public or private:** Public

**Has GDPR been considered?** Yes, no personal information is recorded in the report.

## 1. Summary

Netherton and South Crosland Neighbourhood Plan Forum has applied to have the Forum designated for the purposes of producing a neighbourhood development plan. They have also applied for the designation of the neighbourhood area. The purpose of this report is to seek cabinet approval for the designation of the Neighbourhood Forum (i) and the Neighbourhood Area (ii).

It is considered that the applications meet all legal requirements. The applications were publicised for a period of 6 weeks. 9 representations were received. 3 supporting the forum and the area, 1 objection to the neighbourhood area and 5 general comments from Statutory Consultees for information (see Appendix A).

For ease of reference, Netherton and South Crosland Neighbourhood Plan Forum will be referred to as “the Forum” and “Neighbourhood Area referred to as “the Area”.

The Forum and Area applications are outlined in Appendix B.

## 2. Information required to take a decision

### Background

Netherton and South Crosland Neighbourhood Plan Forum has submitted two applications to Kirklees Council for designation as a Neighbourhood Forum (i) and designation of a Neighbourhood Area (ii) for the purposes of neighbourhood planning.

### Neighbourhood Development Plan Process

The following diagram below (page 3) has been included for context to show where we are in the process and the steps the Forum and Local Planning Authority will need to go through for the neighbourhood development plan to be made and become part of the statutory development plan.

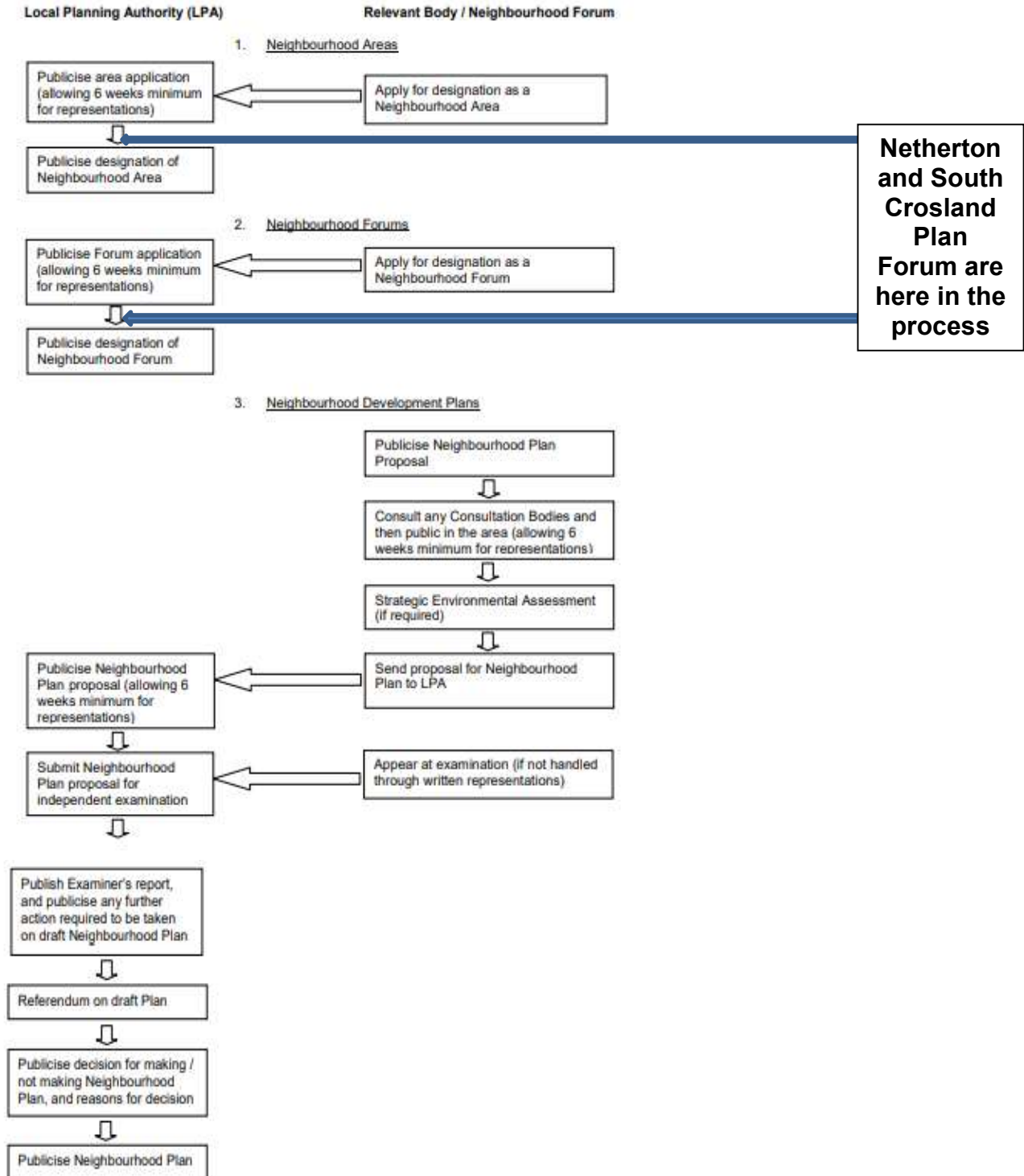
The applications were publicised for a period of 6 weeks from 17<sup>th</sup> August – 28<sup>th</sup> September 2021. 9 representations were received. 3 supporting the Forum and the Area with no specific comments, 1 objection to the Area, and 5 representations from statutory consultees providing general guidance but no specific comments. A summary of the representations is outlined in appendix A.

The publicity involved:

- Statutory consultees, and people interested in neighbourhood planning (taken from the Planning Policy mailing list) were notified.
- Press adverts were placed in The Huddersfield Examiner on 20<sup>th</sup> August 2021 and Reporter series on 19<sup>th</sup> August 2021.
- Copies of the applications and details of how and when to make representations were put on the council’s website. A banner was put on the front page and a social media campaign was undertaken throughout the 6-week period.
- Advertisement internally through ‘our week’ and externally in Kirklees Together
- Posters were put up in Huddersfield, Honley and Meltham Libraries.
- Promotion through the council’s Involve database.

- Email sent to all councillors and a second email was sent to the ward councillors.
- Netherton and South Crosland Community Group publicised the applications through their Facebook page.

### The Neighbourhood Development Plan Process (for information)



## **Neighbourhood Forum (“the Forum”)**

### **Requirements**

Neighbourhood Development Plans are required to be produced by a “qualifying body”. Where there is a parish or town council, they are the qualifying body. In areas where there is no parish or town council, as is the case with Netherton and South Crosland, a neighbourhood forum must be established to act as the qualifying body. The Forum has submitted an application on this basis.

The Neighbourhood Planning (General) Regulations 2012 (as amended) (Regulation 8) requires the following information to be submitted:

- a. the name of the proposed neighbourhood forum;
- b. a copy of the written constitution of the proposed neighbourhood forum;
- c. the name of the neighbourhood area to which the application relates and a map which identifies the area;
- d. the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
- e. a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

### **Proposed Forum**

The information submitted as part of the Forum application includes a statement that its purpose is: - *‘to promote or improve the social, economic, and environmental well-being of the Netherton and South Crosland area’*, and a list of 23 individual members who live or work in the area. The written constitution has been submitted and it states that: - *‘Membership is open to individuals who live or work in Netherton & South Crosland Neighbourhood Area. It is also open to individuals representing their own businesses ‘based’ in the area, also those who are local elected members of a county council, district council, central government representing the forum community.’*

Officers consider that the Forum meets the requirement as set out above with all relevant information required outlined in its application.

No objections have been raised through publicity relating to the Forum and Officers recommend that the application is approved.

## **Neighbourhood Area (“Area”)**

### **Requirements**

The Forum also applied for the designation of an Area. Regulation 5 of the Neighbourhood Planning Regulations requires the following:

- a. a map which identifies the area to which the area application relates;
- b. a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
- c. a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

### **Proposed Netherton and South Crosland Neighbourhood Area**

A map of the proposed Area is outlined at Appendix C.

The proposed Area does not cover a parish or town council area. It is smaller than the Crosland Moor and Netherton Ward, which extends beyond the proposed northern boundary of the Area on Blackmoorfoot Road and includes the areas of Crosland Hill, Crosland Moor and Lockwood.

It adjoins Newsome neighbourhood area to the east, Holme Valley Parish Council area to the South and Meltham Town Council area to the West. In the north it extends to Crosland Hill with the boundary following strong physical features including Nopper Road, Blackmoorfoot Road, then turning south down Thewlis Lane and Nether Moor Road, then turning east along the northern boundary of Butternab Spring Round Wood until meeting Butternab Road.

The Area contains the main settlements of Netherton and South Crosland and more sporadic development along School Hill and Sandy Lane including Hadden Farm and Nether Moor Farm to the north of South Crosland.

To the north of Netherton and South Crosland, the Area encompasses surrounding countryside, agricultural land and woodland, and includes Dean Wood and Delves Wood which are both designated Local Wildlife Sites connected by Wildlife Habitat Network. Moving further north, up to the northern boundary of the Area on Blackmoorfoot Road, lies Crosland Moor Airfield, quarries and a triangle of residential development still surrounded by open countryside and rural in nature. Blackmoorfoot Road forms a strong, clearly identifiable and consistent (i.e., “defensible”) boundary and separates the Area from development to the north.

### **Objection to the proposed boundary**

One objection has been received to the Area. The objection considers that *“the current proposed boundary area is extensive and extends too far North which goes beyond the most appropriate geographical area for the Neighbourhood Plan.”*

The representation outlines an alternative boundary which excludes Crosland Moor Airfield, quarry sites which are the subject to Kirklees Local Plan Minerals Extraction sites, and a triangle of residential development which lies adjacent to Blackmoorfoot Road.

The alternative boundary proposed by the objector is outlined at Appendix D.

## **Assessment of the Proposed Area**

### **Starting point**

A Briefing Note on Neighbourhood Area and Neighbourhood Forum Designations jointly produced by Local Government Association and Planning Advisory Service states that: *“The area applied for by the ‘qualifying body’ should be approved by the LPA unless there are clear reasons why an alternative Neighbourhood Area is more appropriate.”*

It further states that: *“The starting point should be a boundary that makes sense to that community and is logical in spatial terms (e.g. not subdividing an estate).”*

Planning practice guidance sets out several considerations when deciding on boundaries of neighbourhood areas including:

- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway;
- the physical appearance or characteristics of the neighbourhood, for example buildings that may be of a consistent scale or style;
- the natural setting or features in an area.

Neighbourhood Plans Roadmap, Locality guidance (part c, page 3) also states ‘decide on a boundary based on clear, physical features, so that there is no uncertainty where the boundary lies.’

### **Forum’s application states:**

The application states that the Forum has considered several options for the Area and agreed on the area submitted. It further states that: *“The boundaries have been decided by the borders with other parish, town and neighbourhood forums to the East, South and West. To the North, the clearest boundary marker defined by a continuous physical characteristic is Blackmoorfoot Road. There is no other continuous physical boundary which is suitable for the purposes of defining the Northern Boundary.”*

The application references consideration of alternative northern boundaries by the Netherton Community Engagement project group and their conclusion was *“without a more clearly defined physical border, there are no other options which will include the entirety of the Netherton and South Crosland area.”*

### **Officers consideration**

Officers consider that the Netherton Community Engagement Project Group provides evidence of community discussion on the neighbourhood Area and that in spatial terms, the group considered the neighbourhood Area covers the entirety of the Netherton and South Crosland area.

The Neighbourhood Area is aligned with the boundaries of the Newsome Neighbourhood Area, Holme Valley Neighbourhood Area and Meltham Town Council so that there is no overlap with other designated areas and no gaps between the areas which could lead to confusion over future policy planning coverage.

Officers agree that Blackmoorfoot Road as the northern boundary forms a continuous physical feature on the ground making a strong, defensible boundary for the Area.

### **How big/small can the Area be?**

There are no set rules set out in guidance in terms of how big or small a neighbourhood area can be. Locality guidance suggests that a good starting point is the consideration of what the neighbourhood development plan is seeking to achieve.

The application sets out a number of aims to be considered as part of the preparation of the neighbourhood development plan including:

- Spatial and development principles aimed at ensuring the area continues to be a vibrant, pleasant, sustainable and safe place in which to live, with facilities that meet the needs and aspirations of the people who live and work there.
- Economic to ensure that the area maintains the ability to support local commercial & rural business needs and requirements.
- Social to consider housing meets the needs of all sections of the community, provision of community facilities and good infrastructure and the promotion of good design.
- Environmental to maintain and protect the natural environment as well as the availability of open green spaces, public access whilst preserving and improving the character and quality of Netherton & South Crosland. To protect and enhance the heritage & historic environment, buildings, ancient woodlands and settings – to support the use of conservation legislation to protect the existing built and landscape environment.

### **Officers consideration and conclusion**

It appears reasonable to consider the whole of the Area as proposed by the Forum as the geographical area for the extent of the Neighbourhood Area and for the purpose of considering the neighbourhood development plan aims set out above. The area which objectors seek to exclude does include employment operations, residential development and has a strong relationship with the adjoining woodland and open countryside which all relate to the plan aims and therefore in officers' opinion it may be properly included in Area.

Officers acknowledge that the proposed Area contains a significant area of open countryside beyond the settlements of Netherton and South Crosland. However, while the objection seeks to exclude Crosland Moor Airfield and Crosland Hill Quarry, officers consider their setting in open countryside, with farmsteads, woodland areas and local wildlife sites is like the "natural setting" to the south of the objector's proposed revised boundary.

The objection presents an alternative boundary which follows PROW byway (path and track) HUD/233/20 and HUD/230/30 (track) from Nether Moor Road eastern boundary to Haddon Farm in the west then a track to Intake Lane on the western boundary which are bordered by stone walls.

### **Conclusion**

Taking into account (i) the similarities in the natural setting and character of the area, (ii) the plan aims, (iii) the firm boundary to the Area provided by Blackmoorfoot Road and (iv) that the boundary has been agreed through community engagement, officers consider that Forum's boundaries for a Neighbourhood Area which includes the wider area is justified for the purpose of the developing a neighbourhood development plan.

Despite the objection, officers consider that based on an assessment of the Forum's application, that the submitted area (Appendix C) should be approved for the purposes of producing a neighbourhood development plan.

The decision for Cabinet is to approve or refuse the designation of the submitted neighbourhood area.

If Cabinet refuse to designate the area on the basis that it does not consider it to be an appropriate area, it must give reasons for doing so (NPPG Paragraph: 035 Reference ID: 41-035-20161116).

### **Options**

**Option 1:** Cabinet approve the Forum and Neighbourhood Area as submitted by the Netherton and South Crosland Neighbourhood Plan Forum (Appendix B)

**Option 2:** Cabinet approve the Forum and refuse the neighbourhood area application submitted by the Netherton and South Crosland Neighbourhood Plan Forum.

A new neighbourhood area application with supporting justification for a revised boundary would need to be submitted to the council by the Neighbourhood Forum and would be subject to a further 6 weeks publicity/consultation.

### **Timescale**

The average time to prepare a neighbourhood development plan is 2 -3 years but this will be dependent on a range of factors such as the time/capacity of the Forum, the complexity of the plan and statutory requirements. Neighbourhood plan groups are able to apply for funding for technical support from Locality (national neighbourhood plan support organisation). This includes funding for sustainability appraisal which is a requirement of the statutory process. The council has a duty to support the process and will work with the Forum to produce a Service Level Agreement to clarify roles and responsibilities.

## **3. Implications for the Council**

### **○ Working with People**

The council has a duty to provide support to those bodies preparing neighbourhood development plans. This includes providing support and advice on the local plan and its evidence base, access to relevant data, mapping, comments on emerging draft plans, undertaking environmental assessment screening and providing advice on conformity of the draft neighbourhood development plan with legal and regulatory requirements. The council will comply with its regulatory duties.

First steps for the Forum will be to undertake early engagement to identify key issues and themes to inform the vision and objectives and policies of the neighbourhood development plan. As part of the statutory requirements, the Forum will need to demonstrate how early engagement and consultation has informed and shaped the plan.

### **○ Working with Partners**

As above.



- **Place Based Working**

The purpose of the Forum is *'to promote or improve the social, economic, and environmental well-being of the Netherton and South Crosland area'* through the production of a neighbourhood development plan. This plan should be based on locally specific evidence with community engagement throughout the process.

Place standard engagement was undertaken by the council in January this year. The information collected can support the Forum in the early evidence gathering stage of the plan process.

- **Climate Change and Air Quality**

To progress through the statutory stages of the neighbourhood development plan process, the plan will need to be in general conformity with the national planning policy framework (NPPF) and the strategic policies of the Kirklees Local Plan. Both NPPF and the Kirklees Local Plan set out guidance/policy in respect of climate change, sustainability and air quality.

The Forum's application outlines that it will seek;

- To continue to promote sustainable access with a transport framework to/from and within the area;
- To maintain and protect the natural environment as well as the availability of open green spaces, public access whilst preserving and improving the character and quality of Netherton & South Crosland
- To encourage development, which is sustainable, fosters environmental respect, develops exemplary solutions to new developments that improve the environment.

- **Improving outcomes for children**

In their application, the Forum set out that they *'will endeavour to fulfil all civic responsibilities while ensuring any new development within the forum area will provide for current need and future generations. This is to provide for a viable economic future and promote a socially inclusive community'*.

- **Other (eg Legal/Financial or Human Resources)**

- Financial:

- The council can claim Neighbourhood Planning Grant funding for the designation of a Neighbourhood Forum (£5k) and the designation of a Neighbourhood Area (£5k), totalling £10,000. If the Plan progresses to referendum, the council can claim a further £20K.

- Human resources:

- Existing staff resources from Planning Policy with input from other service areas as and when needed

- Legal:

- The Forum and Area applications are considered to have met all the legal requirements for designation.

- Communications

- The Forum and Area applications were publicised as required by regulation and the details are set out on page 2 of this report.

## **Integrated Impact Assessment (IIA)**

An Integrated Impact Assessment (Stage 1) has been undertaken in relation to the applications. The Integrated Impact Assessment can be viewed at:

[Integrated impact assessments | Kirklees Council](#)

### **4. Consultees and their opinions**

Responses from the consultation on the applications are outlined at Appendix A. The objection to the neighbourhood area is referenced in the report. Cllr McBride was briefed on 18<sup>th</sup> October 2021 and Leadership Management Team (cabinet members) were briefed on 25<sup>th</sup> October 2021.

### **5. Next steps and timelines**

If Cabinet designate Netherton and South Crosland Neighbourhood Plan Forum and the Neighbourhood Area, the council is required to publicise the decision on its website and in another manner to bring it to the attention of people who live, work or carry on business in the area. This will include information on the council's neighbourhood plan webpages, social media channels, our week and Kirklees Together, press adverts, notifying interested people on the Planning Policy mailing list and notices in Huddersfield, Honley and Meltham libraries.

Officers will invite the Forum to an introductory meeting to establish roles and provide advice. Officers will seek to agree a Service Level Agreement which will set out what support the council will provide.

### **6. Officer recommendations and reasons**

*Officer recommendation* – Cabinet designate Netherton and South Crosland Neighbourhood Plan Forum and Neighbourhood Area as outlined on the map in appendix C for the purposes of neighbourhood planning.

*Reason:* The applications meet legislative requirements and for the assessment reasons as set out in the report, it is considered that sufficient justification has been to support the applications.

### **Cabinet Portfolio Holder's recommendations**

Cllr McBride was briefed on 18<sup>th</sup> October 2021. The Cabinet Portfolio Holder recommends that Cabinet designate Netherton and South Crosland Neighbourhood Plan Forum and Neighbourhood Area for the purposes of neighbourhood planning.

### **7. Contact officer**

Jo Scrutton  
Planning Policy Team Leader  
Johanna.scrutton@kirklees.gov.uk  
01484 221000

### **8. Background Papers and History of Decisions**

Appendices to the report:

- Appendix A Netherton and South Crosland Neighbourhood Plan Forum Neighbourhood Forum and Area Applications Summary of representations
- Appendix B Netherton & South Crosland Neighbourhood Forum and Area Applications
- Appendix C Netherton and South Crosland Proposed Neighbourhood Area
- Appendix D: Alternative boundary proposed by objector (for information purposes only)

9. **Service Director responsible**

Edward Highfield,  
Service Director Skills & Regeneration  
Edward.highfield@kirklees.gov.uk  
01484 221000

## Appendix A Netherton and South Crosland Neighbourhood Plan Forum Neighbourhood Forum and Area Applications Summary of representations

Kirklees Council undertook publicity on the Netherton and South Crosland Neighbourhood Plan Forum Neighbourhood Forum and Neighbourhood Area applications between 17<sup>th</sup> August and 28<sup>th</sup> September 2021. This is required by Regulations 6 and 9 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

9 representations were received in response to the publicity and are summarised below:

Electronic copies of the full representations on the Plan are available to view at: [Kirklees Council - Netherton & S Crosland Neighbourhood Forum & Area \(objective.co.uk\)](http://www.kirklees.gov.uk/objecive)

### Neighbourhood Forum Application

Respondent	Summary of representation	Council Comments
Private Individual	Support. No further comments given.	Support Noted.
Private Individual	Support. No further comments given.	Support Noted.
Private Individual	Support. No further comments given.	Support Noted.

### Neighbourhood Area Application

Respondent	Summary of representation	Council Comments
Private Individual	Support. No further comments given.	Support Noted.
Private Individual	Support. No further comments given.	Support Noted.
Private Individual	Support. No further comments given.	Support Noted.
Agent on behalf of a representor	Object to proposed boundary as it extends too far North and is not the most appropriate geographical area.	Details are set out in the main body of the report.

### General Comments

Respondent	Summary of representation	Council Comments
Natural England	General advice on natural environment impacts and opportunities: Sites of Special Scientific Interest (SSSIs), Air quality impacts on SSSIs, Biodiversity duty, Protected Species, Local sites and priority habitats and species, Ancient woodland, ancient and veteran trees, Protected landscapes, Landscape, Best and most versatile agricultural land and soils, Access and Recreation, Rights of Way, Access land, Environmental enhancement,	Noted.
Canal and River Trust	Reviewed in relation to their work. No comment.	Noted.

<b>Respondent</b>	<b>Summary of representation</b>	<b>Council Comments</b>
Yorkshire Gardens Trust	The plan touches Beaumont Park which is on the Historic England Register of Parks & Gardens at Grade II. Can advise on the park and it's setting.	Noted.
The Coal Authority	Mine entry within the proposed neighbourhood area. Advise that if the neighbourhood plan proposes to allocate sites for development that building over the top of, or in close proximity to mine entries should be avoided wherever possible.	Noted.
Historic England	Look forward to being consulted on pre-submission draft of the plan in due course.	Noted.

**Appendix B: Netherton & South Crosland Neighbourhood Forum and Area Applications**

## **Netherton & South Crosland Neighbourhood Forum Plan**

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### **Application to designate a Neighbourhood Area.**

**Contents:**

- Formal Application Letter to Chief Executive of Kirklees MBC requesting designation of a Neighbourhood Area.
- A statement explaining why this area is considered appropriate to be designated as a Neighbourhood Area and group intent.
- A Statement that the organisation making the application is relevant / and or qualifying body for the purpose of 61G of the 1990 Act as amended by the Localism Act 2013.
- Appendix 1 – Netherton and South Crosland Forum Membership.
- Appendix 2 – Netherton & South Crosland Neighbourhood Forum Constitution and membership

A copy of the proposed Neighbourhood Area has also been provided to Kirklees Council for digitisation to be publicised as part of the application.

**Contact Details:**

Rachel Hunter, Chair Netherton and South Crosland Neighbourhood Forum  
Email: [nscneighbourhoodchair@gmail.com](mailto:nscneighbourhoodchair@gmail.com)

Or by post to:  
Planning Policy Group  
PO Box B93  
Civic Centre 3  
Market Street  
Huddersfield HD1 2JR

Tel: 01484 221627

***Formal Application Letter to Chief Executive of Kirklees Council  
requesting designation of a Neighbourhood Area.***

Jacqui Gedman  
Chief Executive  
PO Box B24 Civic Centre 3  
Market Street  
Huddersfield  
HD1 1WG

03.10.2020

Dear Ms Gedman

*Town & Country Planning Act 1990 The Neighbourhood Planning (General) Regulation  
2012*

We are writing to you to request the designation of a Neighbourhood Area under Section 61 of the above Act. This application is made by the prospective Netherton & South Crosland Neighbourhood Forum Plan Committee, which is capable of being a qualifying body within the terms of Section 61.

The prospective Neighbourhood Forum Plan Committee is comprised of 21 or more 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.

Attached to this letter are details to support our application.

Appendix 1 to this document shows those people who have, as of this date, volunteered to be a member of the Neighbourhood Forum Committee. All of those who have volunteered to be on the committee either live or work in the defined area. The membership of the committee comprises people of a variety of ages and experience. They include both current employed, self-employed, unemployed and retired residents. There is a wide range of employment experience from teachers, business owners, property managers, receptionists, homemakers to media workers. All have in common an active interest in improving our local community.

Not included in Appendix 1 are the duly elected Ward Councillors who all have a seat on the committee in line with statutory requirements. This application has been given a letter of recommendation from Cllr Erin Hill, which is included within our application.

Our Committee members have been informed of the implications and requirements of the Neighbourhood Plan and have willingly accepted involvement. We feel that the commitment of our members and the diverse knowledge, experience and professionalism is comprehensive to engage with the requirements of the Kirklees Local Plan.

There is a written constitution for the Neighbourhood Forum's formation, Appendix 2.

Having considered the options for the Neighbourhood Area, we envisage the area

indicated on the Netherton and South Crosland Neighbourhood Area map to be designated.

This area is based on the current Netherton & South Crosland & Ward Boundaries and runs up to and including geographically \*\*\*the boundary with Honley Parish Council to the South, and Meltham Town Council the West. From Nopper Road as the North Western border, and the Southern side of Blackmoorfoot Lane in an Easterly direction, along to Thewlis Lane as the North Eastern border. South down Thewlis Lane which becomes Nether Moor Road to the border with Round Wood. East to incorporate the Northern boundary of Round Wood, Butter Nab Spring and Delves Wood, meeting at Butternab Road. Continuing south down Butternab Road to meet at the Eastern Boundary, which is the Newsome Ward Community area. This boundary forms the Eastern boundary of Netherton & South Crosland Forum area, which then joins with Holme Valley Parish Council\*\*\* It contains within it several areas which are currently recognised by the local population as 'Netherton & South Crosland Neighbourhood' areas.

We ask for formal recognition of our group as an organisation dedicated to sustain and improve the local Netherton & South Crosland area and immediate neighbourhood within the remit of the Localism Act and to further the formation of the Kirklees Local Plan.

Yours faithfully

Rachel Hunter, Chair Netherton and South Crosland Neighbourhood Forum



## **Supporting Evidence for the Netherton and South Crosland Neighbourhood Forum and Neighbourhood Area Applications**

### **The designated area for a Neighbourhood Plan & the group intent**

The name of the group shall be the 'Netherton & South Crosland Neighbourhood Forum'[the Forum]. It is in the interest of our community & local area to create a Neighbourhood Plan to sustain the quality of community and setting, to enhance the 'sense of place & provide a nearness to need' for Netherton & South Crosland.

A Neighbourhood Plan group/forum can be working in consultation with interested parties including:

Kirklees Borough - Environmental Department and its officers Key civic

bodies - schools, community and healthcare providers

Residents - homeowners, community groups, sports clubs, interest groups Businesses -

established employers and prospective inward investing companies Environmental groups

Landowners - Residents, Agricultural, Development, civic and community groups

The area in which the Forum will pursue its objects is broadly the Netherton & South Crosland Neighbourhood Area, area & Ward Boundaries and runs up to and including the areas described above. The boundaries have been decided by the borders with other parish, town and neighbourhood forums to the East, South and West. To the North the clearest boundary marker defined by a continuous physical characteristic is Blackmoorfoot Road. There is no other continuous physical boundary which is suitable for the purposes of defining the Northern Boundary.

This Northern Boundary has been discussed with other individuals who are part of the Netherton Community Engagement project group. Whilst we feel that the boundary as defined above does extend further North than may be necessary, without a more clearly defined physical border, there are no other options which will include the entirety of the Netherton and South Crosland area. This is the greater area to be designated by Kirklees Council for which the Forum will produce a Neighbourhood Plan.

### **The purpose of the Netherton & South Crosland Neighbourhood Forum is:**

To prepare a Neighbourhood Development Plan for the Netherton & South Crosland as defined by the Localism Act 2011

To promote or improve the social, economic and environmental well-being of the Netherton & South Crosland area

To promote and protect our green spaces, to enhance our walking and cycling routes, and foster and grow our links with our neighbouring towns and villages

To restore our local heritage, such as the iconic lamppost, which has fallen into disrepair, and seek a return of a red telephone box of Moor Lane.

To create, promote, and sustain local groups for the betterment of our village community, for example, local horticultural groups to help with 'Netherton in Bloom'. Explore new initiatives, for example: to grow and trade vegetables, herbs and other items within the village. Any other benefit

for the community to improve the amenity of Netherton & South Croslandby appropriate purpose agreed by the Forum within the remit of Localism Act 2011

To seek funding for local schemes, with the aim of regenerating and/or protecting our village and surrounding countryside and woodland, for example The Greenway

This also will include taking the National Planning Framework into consideration. The Forum will:

'Propose to foster, promote and seek to achieve sustainable and low-carbon development under the Local Plan, to assist meeting new commercial, community and housing needs embodied within the Local Plan.

The Forum will endeavour to fulfil all civic responsibilities while ensuring any new development within the Forum area will provide for current need and future generations. This is to provide for a viable economic future and promote a socially inclusive community.

All development will respect and protect the outstanding quality of our landscape, open space, rural, woodland and urban areas, the proposal is to enhance the valued heritage of the area.

The essential aims of the Neighbourhood Development Plan will be as follows: Spatial and Development Principles

- To ensure that the area continues to be a vibrant, pleasant, sustainable and safe place in which to live, with facilities that meet the needs and aspirations of the people who live and work there.
- To assess and respond to the spatial issues and opportunities of the whole Neighbourhood Plan area.
- To encourage the sequential use of Brownfield sites before Greenfield and Green Belt sites.
- To continue to promote sustainable access with a transport framework to/from and within the area.

Economic - the Forum seeks:

- To ensure that the area maintains the ability to support local commercial & rural business needs and requirements.

Social - the Forum seeks:

- Ensuring housing meets the needs of all sections of the community. To build high quality environmentally responsible accommodation within easy walking distance and access to services, including schools, medical centres & civic facilities, shops, business and local transport. Endeavouring to serve the local community, not the wider region of West Yorkshire.
- To ensure that affordable housing is built fit for purpose, addressing local needs.
- To ensure that all development, as identified in the Local Plan, is provided in the right location, preserving open space, local character and quality of design, materials and context and in sympathy with the area's rural aspect and heritage.
- To ensure that the infrastructure is developed to meet the needs of the community, supporting the civic requirements of residents within the educational, health, leisure, and heritage sectors and to encourage and identify opportunities for development to sustain the local area of Netherton & South Crosland for future generations - the Forum is to support development and growth to improve the local area within the remit of the Local Plan.

Environmental - the Forum seeks:

- To maintain and protect the natural environment as well as the availability of open green spaces, public access whilst preserving and improving the character and quality of Netherton & South Crosland
- To seek and encourage development which is sustainable, fosters environmental respect, develops exemplary solutions to new developments that improve the environment
- To protect and enhance the heritage & historic environment, buildings, ancient woodlands and settings – to support the use of conservation legislation to protect the existing built and landscape environment.

## **The membership and focus of the Forum**

Effective Process - the Forum seek:

- To maintain a continuing dialogue between the Residents Associations, the community, key local community & business partners, local organisations, construction/developers and the local Planning Authority.
- The Neighbourhood Plan should respond to and meet the future aspirations of all the community.
- Statement of why this group is capable of being a 'qualifying body' for the purpose of a Neighbourhood Development Plan. Section 61G ss2a of the Town and Country Planning Act 1990, (as amended by the Localism Act 2012) states that a qualifying body must ensure:-

"It is established for the express purpose of prompting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned."

"That the membership of the group must be open to; individuals who live in the neighbourhood; individuals who work there and elected members of the Kirklees Council whose Ward falls within the area."

"Must include a minimum of 21 individuals each of whom either: live in the area, works there or is an elected member of the Kirklees Council whose Ward falls within the area."

This Forum group is formed by a group of individuals who wish to improve their area and make it a sustainable place to live, we have local experience, members who have lived in family groups locally for generations, developing a wealth of local knowledge. We also include professionals with professional civic, development and planning backgrounds.

All of those who have volunteered to be part of the Forum, either live or work in the defined area. The membership of the committee comprises of people from a variety of ages and experience. They include employed, self-employed, unemployed and retired residents.

A full membership list is at Appendix 1. While this list shows current membership, it does not preclude others from joining at a later date.

"The group must have a written constitution." Our constitution can be found in Appendix 2.

## **Appendix 1**

## **Netherton and South Crosland Community Forum membership**

Chair: Rachel Hunter

Secretary: tbc

Vice Chair: tbc

Treasurer: tbc

### **Members:**

- Rachel Hunter
- John Hunter
- Ian Wright
- Craig Scargill
- Anne Armstrong
- Andrea Fanchette
- Paul Armstrong
- Jodie Woodhead
- Tony Hodgkinson
- Claire Magson
- Didier Fanchette
- Steve Bolton
- Dave Neaverson
- Louisa Day-Smith
- Gary Cooling
- Chris Wilkinson
- Barbara Ho
- Charles Rapley
- Diana Rapley
- Mark Armitage
- John Paul Kasznicki
- Andy Gledhill
- Matthew Thompson
- Alison Brown

- Claire Williams
- Charlotte Thompson
- Sue Milner
- Tim Milner
- Rodney Kaye
- Sandra Kaye

## **Appendix 2 Netherton & South Crosland NEIGHBOURHOOD FORUM Constitution 03.10.2020**

### **A - Mission**

The Netherton & South Crosland Neighbourhood Forum gives our community the best opportunity to improve and influence any future development in Netherton & South Crosland.

#### ***How will the Netherton & South Crosland Neighbourhood Forum work?***

By the creation of our own Neighbourhood Plan which will ensure that we get the right types of development, in the right places, for our community.

#### ***What the Neighbourhood Plan will cover***

The Neighbourhood Plan will define:

- Where any new housing would best be placed to suit Netherton & South Crosland
- What infrastructure is needed to support any developments, such as highways improvements, transport system, schools, health services, employment and retail opportunities
- Preserving our rural, green, open spaces for our future generations.

#### ***Why do we need a Neighbourhood Plan?***

The Kirklees Council Local Plan determining the development needs of the whole district was adopted on 27th February 2019. By forming the 'Netherton & South Crosland Neighbourhood Forum', our community will be given the power to have a distinct influence on Netherton & South Crosland's future. This is because, once designed and approved, the resultant Neighbourhood Plan will become part of the Kirklees Statutory Development plan.

### **B - Neighbourhood Forum Constitution 03.10.2020\***

**Name:** The name of the Forum shall be the **Netherton & South Crosland Neighbourhood Forum** (the Forum).

## Area of

**Benefit:** The area in which the Forum will pursue its objectives is the **Netherton & South Crosland** Neighbourhood Area, which is the area designated by Kirklees Council for which the Forum will produce a Neighbourhood Plan.

**Objects:** The purpose of the Netherton & South Crosland Neighbourhood Forum is:

To prepare a Neighbourhood Development Plan for the Netherton & South Crosland area as defined by the Localism Act 2011

To promote or improve the social, economic and environmental well-being of the Netherton & South Crosland area. Any other benefit for the community to improve the amenity of Netherton & South Crosland by appropriate purpose agreed by the Forum within the remit of Localism Act 2011.

*\* Note - This wording is contained in the Act and has to be used in the constitution. In some instances, the Forum could also have the purpose of promoting the carrying on of trades, professions or other businesses in the area. The purpose should reflect the character of the neighbourhood area.*

**Powers:** In furtherance of its objects the Netherton & South Crosland Neighbourhood Forum may:

Invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds

Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc.

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

Employ staff and volunteers as are necessary to conduct activities to meet the objects of the Forum

Take any form of action that is lawful, which is necessary to achieve the objects of the Forum, including taking out any contracts which it may see fit.

*Note – The above are indicative of the powers which the Forum may employ. It may consider appropriate to delegate some of these powers to a Management Committee, whose membership would need to be defined in this constitution. It may be advisable to exclude certain categories of Forum members from employment by the Forum (i.e. management committee members).*

## Membership

\*

- The Netherton & South Crosland Neighbourhood Forum will comprise at least 21 individuals who live or work in the Netherton & South Crosland Neighbourhood Area or who are elected members of a county council, district council or London borough council, any of whose area falls within the Netherton & South Crosland Neighbourhood Area.
- Membership is open to individuals who live or work in Netherton & South Crosland Neighbourhood Area. It is also open to individuals representing their own businesses 'based' in the area, also those

who are local elected members of a county council, district council, central government representing the forum community i.e. those whose area falls within the Netherton & South Crosland Neighbourhood Area.

- Membership shall be drawn from all different parts of the Netherton & South Crosland Neighbourhood Area and different sections of the community in the Netherton & South Crosland Neighbourhood Area.

In Addition:

- 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.
- 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.

Membership of the Forum should at all times be a minimum of 21 individuals. 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.

Membership should be maintained at a minimum of 21 individuals, resignations can prompt members to be recruited to maintain appropriate membership.

*\* Membership of a neighbourhood forum is set out in the Localism Act 2011 the forum must have a minimum of 21 members and its membership must reflect the diversity, character and inclusivity of the area and to ensure that membership is only available to persons with a genuine long term business interest in the area.*

## C - Working Arrangements

**C1 General Meetings:** The Forum's ultimate authority comes from its annual and other general meetings:

- 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
- If there is more than one public meeting in any one year, one will be designated as the AGM
- 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.
- The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Executive

- 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.
- Voting will be restricted to full members present at the meeting on a one member one vote basis.
- All meetings will be minuted, all data recorded and circulated to all members, all minutes will be 'approved & seconded' at any meeting of the membership or by the membership within 4 weeks of circulation.

**C2 Forum Executive:** Comprising of: Chairman, Vice Chairman, Treasurer, Secretary and any sub committee Chair persons

- 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.
- 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.
- The Executive must meet not less than eight times in any twelve-month period with no less than two months between meetings.
- The Executive will determine its officers subject to the proviso that these must include a Chair, Vice Chair, a Secretary and a Treasurer.
- Individuals with specialist skills may be co-opted onto the Executive on a non-voting basis and the Executive may set up Committee, Task or Working Groups of Forum members for specific projects or tasks to be undertaken. The executive will approve and designate appropriate Committees/task Groups with a Chair and agreed membership taken/co-opted from the Forum Membership.
- 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.
- 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.
- 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
- Only full members of the Forum may stand for the Executive and should be nominated by a member or Associate Member



- The Executive will receive and consider reports/recommendations from all Committee, Task or Working Groups - a majority vote will be taken on all Committee/Task Group representations by the Executive and be ratified by the membership.

**C3 Forum Funding:** The Forum can raise funds for its activities by one or more of the following methods:

- Community fund raising, charging membership fees on an individual and/or associate member basis – level of fees to be agreed at an AGM or extraordinary general meeting
- Submitting applications to grant awarding bodies for appropriate funds
- Working in partnership with organisations which have funds to spend in the Parkward
- By other means in keeping with the role of the Forum, including revenue from the website, donations, and proceeds from events

### ***C4 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.

### ***C5 Extraordinary General Meeting***

- May be called of all membership by the consensus of the Executive or Membership

### ***C6 Financial Officers***

- Financial Officers with access to the bank/capital reserves of the Forum will be elected by the Executive and are to include the Treasurer and two other members, these members will be subject to appropriate Disclosure Criminal record check DBS (Formerly called CRB Check).

### ***C7 Declaration of Interest***

- All members will be subject to provision of a 'declaration of interest' form [provided by the Executive], the majority membership will decide if it is appropriate on certain voted issues if members with a vested interest should not be allowed to vote.
- Members can abstain from any vote by choice.
- Any members can request anonymous voting/recording of minutes in advance

of any meeting/vote if/as required.

### ***C8 Dissolution***

- The Forum may be dissolved only by a two thirds vote of those present and voting at a properly constituted General Meeting with a minimum of 10 days notice.
- 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.

### ***C9 Alteration to the Constitution***

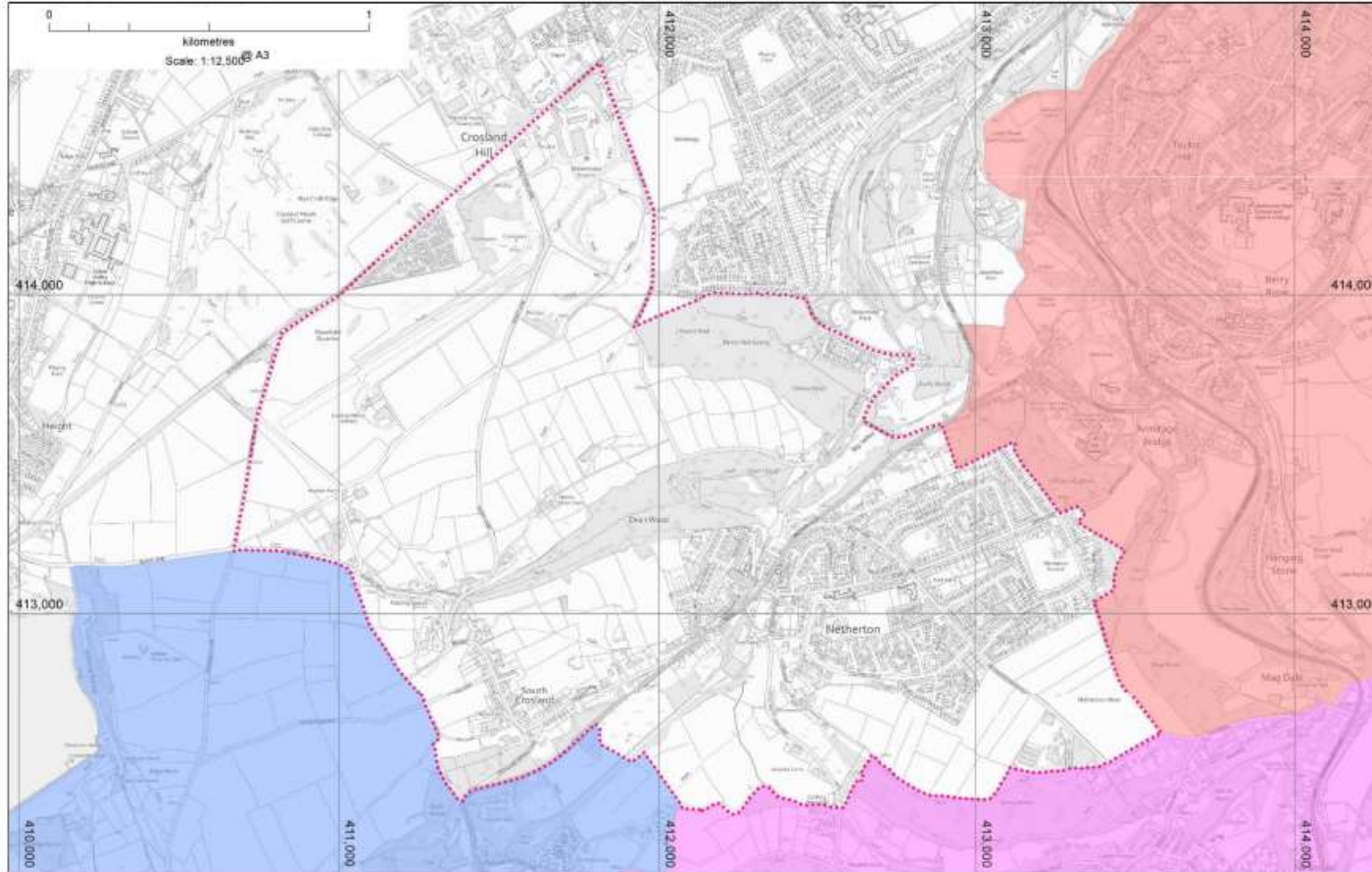
- Alterations to the constitution should be made by meetings of the full Forum, not by a sub-committee a majority vote is required.

### ***C10 Duration***

- The duration of the **Netherton & South Crosland Neighbourhood Forum** is 5 years from the date of designation by Kirklees Council as the Local Planning Authority.

## Appendix C: Netherton and South Crosland Proposed Neighbourhood Area

### Netherton and South Crosland Neighbourhood Area - Proposed



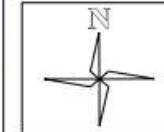
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**Economy & Infrastructure**

Date: 2021-03-19

Filename (abridged):  
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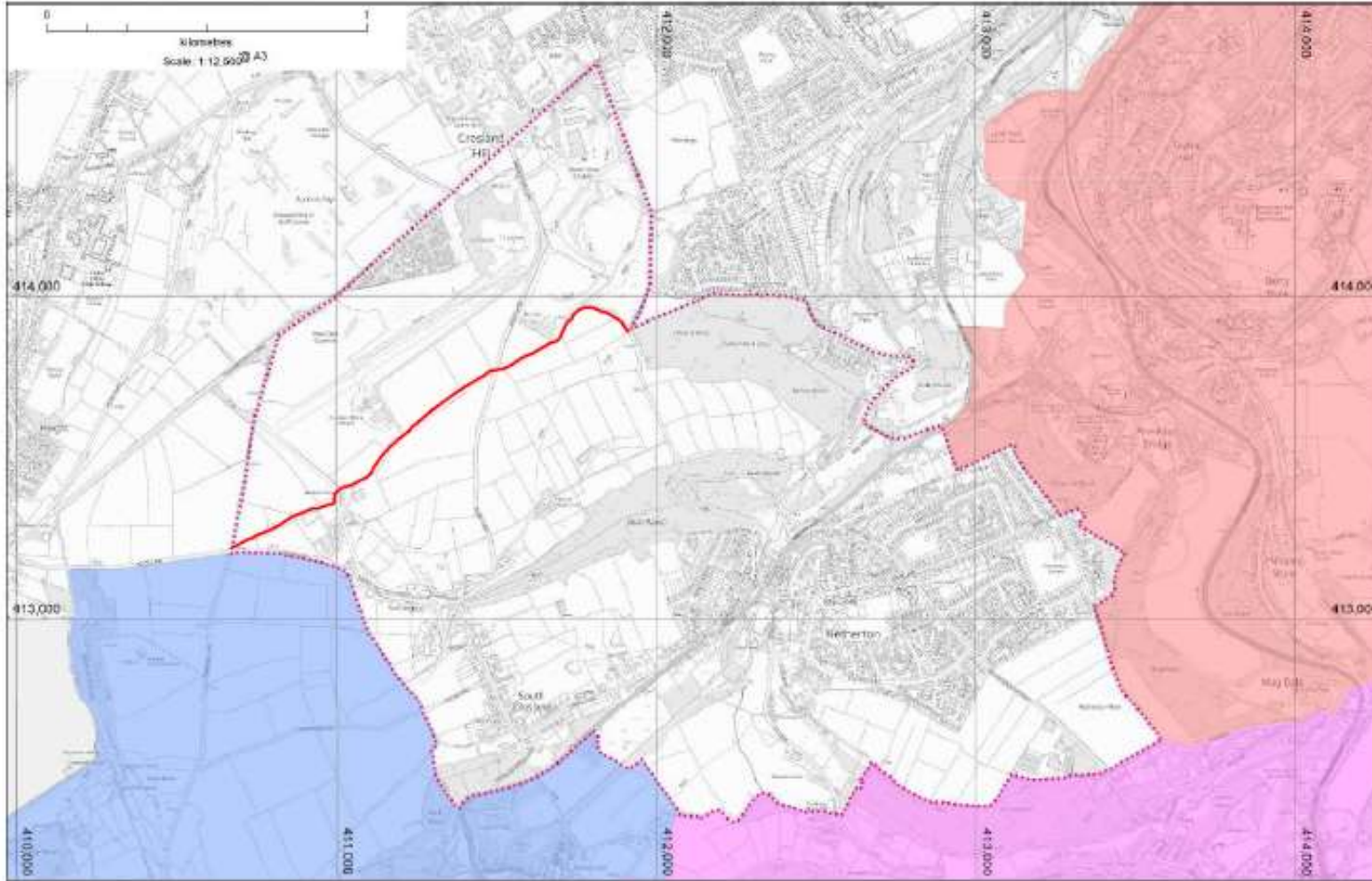
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**Legend**

- Netherton and South Crosland Neighbourhood Area (Proposed)
- Newsome Neighbourhood Area
- Holme Valley Neighbourhood Area
- Meltham Town Council

**Appendix D: Alternative boundary proposed by objector (for information purposes only)**



**Key:**  
Red line  
denotes  
objector's  
alternative  
boundary