

Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	6 September 2018	Finsbury Park Highbury East Highbury West Tollington

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SUBJECT: Designation of Finsbury Park and Stroud Green Neighbourhood Area and Forum.

1. Synopsis

- 1.1 Neighbourhood Planning was introduced under the Localism Act 2011. It allows a community to self-define their neighbourhood and prepare a Neighbourhood Plan for their area which then forms part of a local authority's development plan. The primary function of a Neighbourhood Plan is to provide localised planning policies that must be in general conformity with the policy hierarchy: Islington's Local Plan and the National Planning Policy Framework. Neighbourhood Planning policies must be created as the result of robust evidence and engagement practices. The first steps in the Neighbourhood Planning process are for the Local Authority to designate a proposed Neighbourhood Area and Neighbourhood Forum. Neighbourhood Area and Neighbourhood Forum applications are separate, but it is recommended that these applications are submitted together, as is the case with the Finsbury Park and Stroud Green Neighbourhood Area application and the Finsbury Park and Stroud Green Neighbourhood Forum application
- 1.2 A Neighbourhood Area application and Neighbourhood Forum application are attached at Appendix 1, and were submitted by a community group - the Finsbury Park and Stroud Green Neighbourhood Plan Working Group (referred to as the Working Group in this report). This report considers the designation of a Finsbury Park and Stroud Green Neighbourhood Area and a Finsbury Park and Stroud Green Neighbourhood Forum. The application submissions identify the area within which the group intends to operate and provide summaries of the group's membership and constitution in line with the regulations and requirements. This report also summarises the content of the applications including the evidence based submissions such as the Neighbourhood Area Boundary Study (Appendix 2), the Equalities Assessment (Appendix 6). and the results of consultation on the area and forum applications (Appendix 8).

- 1.3 The designation of a Neighbourhood Area and Forum are the first steps in the neighbourhood planning process. Following designation, a Neighbourhood Forum has the opportunity to utilise planning powers to shape their Neighbourhood Area, for example through the production of a Neighbourhood Plan.
- 1.4 The proposed Neighbourhood Area straddles the borough boundaries of Islington, Hackney and Haringey, making it a tri-borough application. Officers from all three councils have been liaising to coordinate the processing of the two applications, including public consultation, and to synchronise the formal decision making processes in the three boroughs. As regards the proposal for the Neighbourhood Area, each of the three local authorities can make a decision only in respect of their part of the proposed Neighbourhood Area

2. Recommendations

- 2.1 To consider the summary of responses to the consultation on the applications for the Finsbury Park and Stroud Green Neighbourhood Area and Neighbourhood Forum (Appendix 8).
- 2.2 To agree to designate a boundary for the Finsbury Park and Stroud Green Neighbourhood Area, as identified in Appendix 1 and Appendix 7, pursuant to Section 61G and 61I of the Town and Country Planning Act (1990) in so far as that area is within the London Borough of Islington (subject to and following the comparable determination by the London Borough of Hackney and the London Borough of Haringey)
- 2.3 To agree to designate the Finsbury Park and Stroud Green Neighbourhood Forum, as set out in Appendix 1, pursuant to Section 61F of the Town and Country Planning Act (1990) (subject to and following the comparable determination by the London Borough of Hackney and the London Borough of Haringey).

3. Background

- 3.1 Neighbourhood planning was introduced by the Localism Act (2011), which amended the Town and Country Planning Act (1990). The Neighbourhood Planning (General) Regulations, specifying the procedures to be undertaken when implementing the new provisions, came into force on 6 April 2012 and have since been subject to several amendments.
- 3.2 Neighbourhood planning allows communities to influence the development and growth of their local area through the production of a Neighbourhood Plan, a Neighbourhood Development Order or a Community Right to Build Order:
 - Neighbourhood Plans set out a vision for the physical development of an area, and contain planning policies that form part of the borough's Development Plan once adopted. This means a Neighbourhood Plan, if and when adopted, would have legal weight in considering planning applications in the relevant area.
 - Neighbourhood Development Orders allow specified types of development to be built within an area without the need for planning permission.
 - Community Right to Build Orders allow community organisations to bring forward small-scale development without the need for planning permission
- 3.3 The local Working Group have expressed an interest in creating a Neighbourhood Plan and do not have any intentions currently to pursue Neighbourhood Development Orders or Community Right to Build Orders.
- 3.4 In Islington, given that there are no Parish Councils, all neighbourhood planning will be taken forward by Neighbourhood Forums, these bodies operating within a designated Neighbourhood Area

Summary of the applications

- 3.5 The Working Group began work on neighbourhood planning in 2015 as a result of the Finsbury Park Regeneration Conference 2015. The Council has provided feedback on several iterations of the forum and area applications before valid applications (i.e. consistent with the relevant regulations) were submitted to Islington, Hackney and Haringey Councils in April 2018
- 3.6 The application submissions include the following documents (appended to this report):
- Appendix 1: Finsbury Park and Stroud Green Neighbourhood Area and Forum Application
 - Appendix 2: Neighbourhood Area Boundary Study
 - Appendix 3: Protected Characteristics Study
 - Appendix 4: Forum Constitution
 - Appendix 5: Equality, Diversity and Inclusivity Statement
 - Appendix 6: Equalities Assessment
 - Appendix 7: Neighbourhood Area Map

 - Appendix 8: Consultation Summary, produced by the Council

Neighbourhood Area Application

- 3.7 The Neighbourhood Area application includes the following relevant information as required under Regulation 5 of the Neighbourhood Planning (General) Regulations (2012) (see Appendix 1 and Appendix 7):
- A map identifying the proposed Neighbourhood Area (the area to which the application relates)
 - A statement explaining why the area is considered to be appropriate to be designated; and,
 - A statement that the organisation is a relevant body (i.e. an organisation or body which is, or is capable of being, designated as a Neighbourhood Forum as defined in section 61G of the Town and Country Planning Act (1990)).
- 3.8 In addition to a map of the proposed area, an explanation for the proposed boundary and the evidence used to determine it, is set out in the Neighbourhood Area Boundary Study (Appendix 2).
- 3.9 After providing feedback on several iterations of the area application, officers (of Islington, Hackney and Haringey) are satisfied that the application submitted for the designation of a Neighbourhood Area meets the requirements set out in Regulation 5 of the Neighbourhood Planning (General) Regulations (2012) and Section 61G of the Town and Country Planning Act (1990).
- 3.10 The Neighbourhood Area spans eight wards of which four are in Islington. The proposed area contains three main features: Finsbury Park town centre, residential dwellings, and the open space of Finsbury Park. The majority of the proposed neighbourhood area falls within Islington's boundary which contains the majority of Finsbury Park town centre, including the west side of Blackstock Road, west side of Stroud Green Road, and Seven Sisters Road up until the junction with Blackstock Road.
- 3.11 The western boundary of the Neighbourhood Area runs parallel to Hornsey Road. However, it does not follow the physical feature of Hornsey Road itself, instead following an irregular line that excludes all properties fronting Hornsey Road and includes selected properties to the east as a result of the boundary survey. This was felt appropriate by the Working Group in order to not reduce the chances of a comprehensive strategy for the regeneration of the adjoining area and allow for Hornsey Road's potential inclusion in another Neighbourhood Area (possibly linked to Holloway).
- 3.12 To the south-west, the boundary staggers south-eastwards in from Seven Sisters Road as a result of the boundary survey results indicating that half of residents west of Berriman Road and Parkside Crescent identified more with Holloway, and half with Finsbury Park. The boundary here therefore takes account of the survey findings and follows a route based on the local street pattern and character.

- 3.13 The southern part of the Neighbourhood Boundary in the Highbury West Ward follows an irregular line along Gillespie Road. The cluster of local services along Gillespie Road between Plimsoll Road and Avenell Road are excluded as these are said to likely have a catchment area largely serving areas outside the neighbourhood boundary.
- 3.14 The north-west of the boundary in Islington follows the Overground Line west through Crouch Hill to its intersection with the boundary parallel to Hornsey Road. This was done to satisfy Section 61G(7) of the Localism Act 2011 that states 'the areas designated as neighbourhood areas must not overlap with each other'. The proposed Neighbourhood Area therefore abuts but does not overlap with the designated Crouch Hill and Hornsey Rise Neighbourhood Area. Although there is no designated forum for this latter area, the Finsbury Park and Stroud Green Working Group acknowledge the need to engage proactively on cross boundary issues if a neighbourhood forum for Crouch Hill and Hornsey Rise were to form in the future.
- 3.15 The Working Group conducted a comprehensive range of exercises in devising the proposed Neighbourhood Area. This included a boundary survey via an online survey generating 490 valid responses; running nine street stalls; hosting and attending community events; and targeted door knocking, generating an additional 607 valid responses. Additionally, contact was made with Friends of Finsbury Park Management Committee (FFPMC) and the Ladder Community Safety Partnership (LCSP) to gauge their views on the boundary proposal. This mainly concerned whether to include the Park in the boundary which FFPMC felt was appropriate to create a coherent plan. LCSP had reservations about including the whole Park in the plan, though further discussions concluded that LCSP would not take an official line on the issue.
- 3.16 The proposed neighbourhood boundary outside of the Islington boundary abuts the Crouch Hill Neighbourhood Area Boundary to the north, then cuts down south following the railway line towards Finsbury Park station. The boundary then heads eastwards along the northern side of Finsbury Park, then heading down the east side of Finsbury Park where it then follows an irregular line southwards to the west of Green Lanes in the London Borough of Hackney. This is due to boundary survey results, existing planning applications and Area Action Plans that have been taken into account. The boundary then finally meets up with Blackstock Road to the south.
- 3.17 The Council's decision on the designation of the Neighbourhood Area must be made in relation to the proposed Neighbourhood Area within the boundary of the London Borough of Islington only.
- 3.18 The Neighbourhood Area Boundary Study identifies six relevant site allocations in Islington based on the current Site Allocations Document 2013. Updated Site Allocations are being proposed as part of the Local Plan review. Currently the Site Allocations Direction of Travel published for consultation in February 2018 identifies 13 Islington site allocations within the proposed boundary.
- 3.19 The Working Group acknowledge the key planning policies and designations in Islington such as Finsbury Park Town Centre, Employment Growth Areas, Sites of Importance for Nature Conservation, and Archaeological Priority Areas.
- 3.20 A large part of the proposed Neighbourhood Area is covered by Conservation Area (CA) designations, with further Conservation Areas adjacent to the Neighbourhood Area boundary. The two Conservation Areas entirely encompassed by the boundary within Islington's jurisdiction are the Tollington Park CA and the Stroud Green CA.
- 3.21 The Town and Country Planning Act (1990), Section 61G(5)(c) allows the Local Planning Authority (LPA) to refuse to designate a proposed Neighbourhood Area if it is considered to be inappropriate. Section 61G(9) requires the LPA to give reasons for refusing to designate a Neighbourhood Area application. However, if Executive are minded to refuse to designate the Neighbourhood Area boundary as proposed, the provisions of the Town and Country Planning Act (1990) (as amended) Section 61G(5) would apply. This requires the Council to exercise its 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. This means that a smaller Neighbourhood Area would need to be designated (removing any areas which instigated refusal). As the proposed Neighbourhood Area

crosses a local authority boundary the powers of designation apply to each Local Planning Authority for their own area only. The refusal of a proposed Neighbourhood Area however must be supported by robust evidence and justification.

3.22 National Planning Practice Guidance (PPG) provides guidance on what considerations could be taken into account when deciding the boundaries of a Neighbourhood Area. This includes:

- village or settlement boundaries, which could reflect areas of planned expansion;
- the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities;
- the area where formal or informal networks of community based groups operate;
- the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style;
- whether the area forms all or part of a coherent estate either for businesses or residents;
- whether the area is wholly or predominantly a business area;
- whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway;
- the natural setting or features in an area;
- size of the population (living and working) in the area;
- electoral ward boundaries, which can be a useful starting point for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents.

3.23 It is officers' view that the proposed Neighbourhood Area satisfies the considerations laid out in the PPG. The boundary has been arrived at through extensive engagement, consideration of infrastructure and other designations such as the Crouch Hill and Hornsey Rise Neighbourhood Area and the Crouch Hill Neighbourhood Area.

3.24 The PPG also states that, when deciding whether to designate a Neighbourhood Area, a Local Planning Authority should avoid pre-judging what a qualifying body may subsequently decide to put in its draft Neighbourhood Plan or Order; and 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.

Neighbourhood Forum Application

3.25 The minimum requirements for a Neighbourhood Forum application are set out in the Neighbourhood Planning Regulations (2012). Under Regulation 8, as well as the name of the forum and area and contact details of at least one member, applications must also include a copy of the written constitution and a statement which explains how the forum meets the conditions set out in section 61F(5) of the Town and Country Planning Act (1990). This requires that an organisation must be established for the express purpose of promoting or improving the social, economic and environmental well-being of the area. The above requirements are addressed in the Neighbourhood Forum application in (Appendix 1) and the Forum Constitution in (Appendix 4). It also requires membership of the forum to be open to individuals who live, work or are elected members in the area and that membership includes at least 21 individuals each of whom falls within one of these categories (as set out in Appendix 4).

3.26 In addition to ensuring, or taking reasonable steps to ensure membership from each category, section 61F(7) of the Town and Country Planning Act (1990) requires that, in determining whether to designate a Neighbourhood Forum for a Neighbourhood Area, a Local Planning Authority must have regard to the desirability of designating an organisation whose membership has secured (or has taken reasonable steps to attempt to secure) members from different places and different sections of the community in the area and whose purpose reflects (in general terms) the character of the area. The forum application provides details about the forum's purpose and aims for the area (Appendix 1) and The Protected Characteristics Study (Appendix 3) together with the Neighbourhood Area Boundary Study (Appendix 2) demonstrate the comprehensive engagement and evidence gathering that took

place, in order to try and make the forum as representative as possible and identify groups where more engagement will be needed.

- 3.27 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. Efforts have been made to consult and involve different parts of the area and different sections of the community - as set out in the Equalities Assessment (Appendix 6) and the Protected Characteristics Study (Appendix 3).
- 3.28 The Equalities Assessment (Appendix 6) is a formal requirement of Hackney Council, and demonstrates a concerted effort to ensure inclusivity of the Neighbourhood Forum through:
- explicit objectives in the constitution to include people from across the nine protected characteristics of the Equality Act 2010;
 - once the forum is adopted the appointed treasurer will secure funding to support residents to get involved, especially those who do not typically get involved in planning policy development;
 - Subject to the approval of the Neighbourhood Forum and Area, the forum will ask members to voluntarily provide equalities monitoring data to allow the ongoing assessment of how the forum makeup compares to the makeup of the Neighbourhood Area as a whole, and thus deploy resources to engage underrepresented groups;
 - continuous engagement with the local community including non-members of the forum and those outside the Neighbourhood Area through a range of methods including surveys, door knocking, events, online discussions, newsletters and workshops. The Working Group also propose methods to engage those who do not typically take part in civic activity by embedding consultation in cultural, sports and leisure activities;
 - Meetings and events will also be accessible and key information provided in a variety of formats.
- 3.29 The Equalities Assessment acknowledges the need to ensure that development contributes towards reducing economic inequality within the Neighbourhood Area for all protected characteristics.
- 3.30 After providing feedback on several iterations of the forum application officers of Islington, Hackney and Haringey Councils are satisfied that the application submitted for designation of a Neighbourhood Forum meets the requirements set out in Regulation 8 of the Neighbourhood Planning (General) Regulations (2012) and Sections 61F(5) and 61F(7) of the Town and Country Planning Act (1990).
- 3.31 If a Neighbourhood Forum is designated, then the Town and Country Planning Act (1990), Section 61F (8 and 9) is clear that this designation will expire after 5 years. In addition, a Local Planning Authority can withdraw the designation if they consider the organisation is no longer meeting the conditions by reference to which it was designated or any other criteria to which the Local Planning Authority is required to have regard to in making the designation. If a forum designation is withdrawn the reasons for this must be set out.
- 3.32 If a decision is made to refuse to designate a Neighbourhood Forum the Local Planning Authority must publicise their decision and set out their reasons for making that decision in a "refusal statement", as required under Regulation 10 of the Neighbourhood Planning (General) Regulations (2012) and consistent with Section 61F(7) of the Town and Country Planning Act (1990).

Consultation and discussion of responses

- 3.33 Islington, Hackney and Haringey Councils carried out a joint consultation exercise on both applications. Under Regulations 6 & 9 of the Neighbourhood Planning (General) Regulations (2012) as amended, the councils were required to publicise the applications to those who live or work in the area to which the applications relate. The consultation took place for six weeks from the 14th May 2018 to 25th June 2018. Copies of the applications were made available on the Council's website, along with information on how to make representations. Notices were also displayed at various locations throughout the

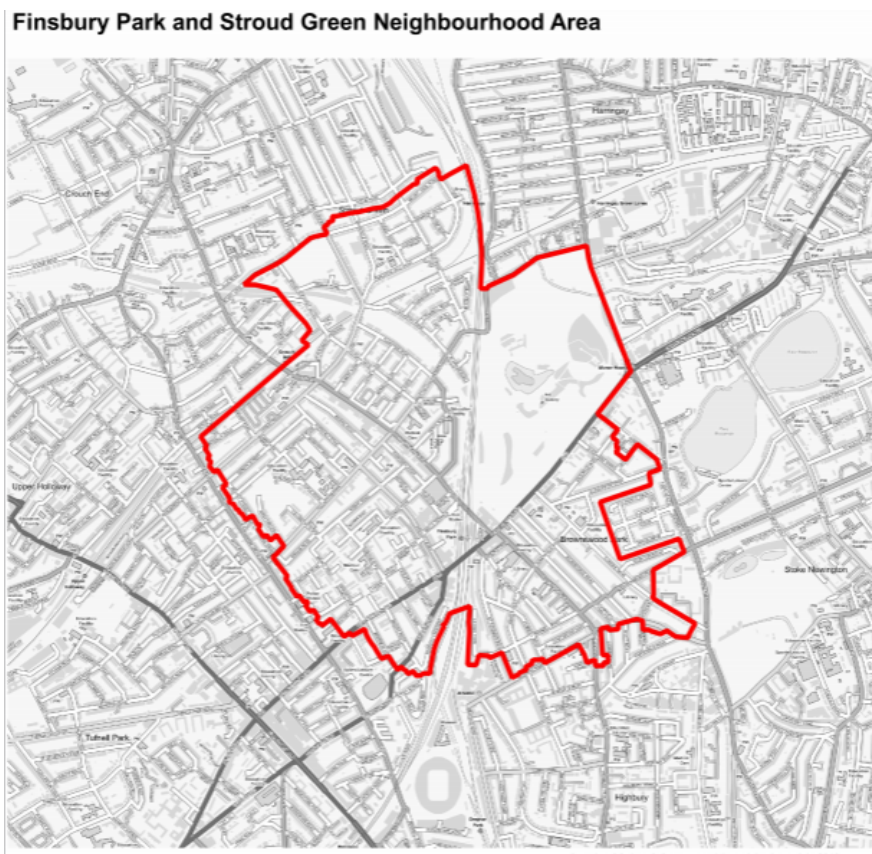
proposed Neighbourhood Area. Finally, individuals and organisations on the Planning Policy database were notified about the consultation, stating where to find further information and how to respond.

- 3.34 A total of 18 responses were received by the three councils during the formal consultation period (see 3.42 below for a contextualisation of this). A summary of all responses received, and the Council's response to these, is provided at Appendix 8, though no explicit representation from Islington residents or organisations were received by the consultation deadline (a late representation was received from an Islington resident that is addressed below). Two of the respondents did not declare what borough they were from.
- 3.35 A total of 8 responses provided general comments that were neutral in relation to the forum and area proposals, mainly from statutory consultees and organisations (TfL, National Grid, Highways England, Natural England, Canal and River Trust, Historic England, Openreach, Deloitte).
- 3.36 Three responses expressed support for both the forum and area applications. Of these, two were from local residents (although neither of these were known to be Islington residents) and one was from a respondent representing the NHS. Overall, there were no responses that specifically supported just the Neighbourhood Forum, and equally there were no responses that specifically opposed the proposed Neighbourhood Forum.
- 3.37 There were seven responses that objected to the proposed Neighbourhood Area boundary, although these were almost entirely related to the inclusion of the whole of Finsbury Park itself within the boundary. All respondents objecting to the proposed Neighbourhood Area were either based in Haringey or objected to the inclusion of the park which itself is within the London Borough of Haringey. It is up to Haringey Council to define the extent of the Neighbourhood Area within Haringey. The one response not related to this issue stated that they were not aware of previous engagement and would have liked to be included in the boundary.
- 3.38 The primary reason for the above objections to include the whole of the park, is that these respondents felt that the inclusion of the park would give residents on the west side of the park, primarily within Islington, undue influence over its development and management. Given the park itself is entirely within the London Borough of Haringey it is for Haringey Council to decide on its inclusion, removal or modification. In their consultation response, Historic England noted that Finsbury Park is a Grade II Registered Park and Garden. Therefore, whether the park is included in the Neighbourhood Area boundary or not, development beyond 'enhancement' of the park would not be allowed.
- 3.39 From Islington's perspective, irrespective of whether Finsbury Park itself is included or not, the recommendation to designate the proposed Neighbourhood Area within Islington's boundary would not be affected.
- 3.40 Support for the area and forum mainly revolved around the opportunity to increase community involvement in the development of the neighbourhood; create a coherent approach to development as the area is at the intersection of three boroughs, and with TfL and Network Rail playing a significant role; and provide opportunities to identify, protect and enhance community assets.
- 3.41 The NHS response welcomed the forum and area application citing opportunities to explore cross boundary working to improve healthcare services and access to these, as well as opening opportunities for the sharing of premises and assets.
- 3.42 It is officers' view that the extensive and comprehensive engagement undertaken by the Finsbury Park and Stroud Green Working Group has been effective in constructing a boundary that is appropriate, at least in Islington, and evidenced by the lack of any formal objections from Islington residents, workers or businesses.
- 3.43 Similarly, there were no objections to the proposed forum by any Islington stakeholders or stakeholders in Hackney and Haringey. Through liaison between officers and the Working Group, the forum constitution does not allow affiliate voting rights so as to ensure forum members have full and fair democratic agency over forum decisions. The constitution (Appendix 4) also builds on the

comprehensive equality assessment (Appendix 6) by committing to open membership of the forum and striving to continuously engage demographic groups that are underrepresented or more challenging to engage.

- 3.44 A late representation was received from an Islington resident objecting to the inclusion of a small part of the Islington area, between Seven Sisters Road and the railway line to the east, within the proposed Neighbourhood Area. It is considered that this late representation does not justify amending this part of Islington's boundary as proposed by the Working Group.

The boundary of the proposed Neighbourhood Area (reproduced from Appendix 7) is shown below;



Joint Borough working

- 3.45 Officers from Islington, Hackney and Haringey have worked closely on managing the neighbourhood planning process for Finsbury Park and Stroud Green and will continue to do so to ensure consistency in advice to the prospective Neighbourhood Forum and that regulations are met throughout the process.
- 3.46 Hackney and Haringey Councils' will also be taking the proposed applications forward through their formal approval processes during the summer, and there is a statutory deadline to formally consider applications within 20 weeks of their publication.
- 3.47 It is recommended that Executive agree the Neighbourhood Area designation in so far as that area relates to Islington, and also to agree to designate the Neighbourhood Forum. This is subject to Hackney and Haringey also agreeing the Forum designation, and the Neighbourhood Area designation for the part of the Neighbourhood Area in Hackney and in Haringey. It is not anticipated that LB Hackney would recommend an amendment to their part of the boundary but it is within their powers to do so. As regard to the boundary in Haringey i.e. the inclusion or not of Finsbury park itself, it is quite possible Haringey might amend the boundary to exclude the park, and it is within their legal powers to do so. As stated elsewhere within this report, this would not affect Islington's recommendations to designate the proposed area on Islington's side.

The role of the Forum

- 3.48 If the Neighbourhood Area and Neighbourhood Forum applications are approved by all three Councils, then the designations will be publicised consistent with Regulations 7 and 10 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 3.49 If designated, the Neighbourhood Forum can develop a draft Neighbourhood Plan, in consultation with residents and other stakeholders. The final Neighbourhood Plan and accompanying material would be submitted to Islington, Hackney and Haringey Councils, who will invite representations on the plan for a period of six weeks. Following this, the plan would be assessed by an independent examiner to ensure basic requirements have been met.

Following a statutory examination, if the examiner is satisfied that a proposed Neighbourhood Plan is sound, a referendum on the proposed plan would be held. All registered voters in the whole Neighbourhood Area would be entitled to vote. A simple majority of votes in favour is required for the Councils to be able to adopt the plan. Upon adoption, the Neighbourhood Plan would form part of each Council's statutory Development Plan and would be used to make decisions on planning applications.

- 3.50 Officers from Islington, Hackney and Haringey will continue to advise the Neighbourhood Forum when developing any further neighbourhood planning proposals in order to ensure that they are effective and consistent with local policies. The Council will set out expectations of the process; this will include setting milestones and strong encouragement of ongoing dialogue between the Forum, local communities and councillors.
- 3.51 It is important to note that once there is a Neighbourhood Plan in place the Neighbourhood Forum would have a role to play in considering the spending of Community Infrastructure Levy (CIL) in the future. The National Planning Practice Guidance states that 25% of CIL receipts from an area with an adopted Neighbourhood Plan should be allocated in consultation with the local community, and this is also applicable where developments are secured through a Neighbourhood Development Order or Community Right to Build Order. This applies to CIL receipts secured through planning permissions granted after the Neighbourhood Plan has passed the referendum.

4. Implications

Financial implications:

- 4.1 The cost of assessing the Neighbourhood Area and Forum applications and consultation costs have been met through existing budgets within the Planning and Development service. ^{*1}Costs associated with publicising any decision to designate a neighbourhood area will also be met through existing budgets.
- 4.2 The Government provides funding to help local authorities meet the cost of their Neighbourhood Planning responsibilities and to support local communities. Local Planning Authorities can claim £5,000 for each of the first five Neighbourhood Areas designated and a further £5,000 for each of the first five Neighbourhood Forums designated. The resource implications of supporting the work of the forum is likely to be significantly greater than this. If this is the case this may impact on the ability of the Service to deliver other priorities.

Legal Implications:

- 4.3 The consultation on the Neighbourhood Area and Forum applications has been conducted in line with the relevant planning regulations.
- 4.4 The Neighbourhood Planning (General) Regulations (2012) (as amended) set a prescribed date for the determination of an area application. In this case, the prescribed date is 20 weeks from the date

¹ Any future referendum on a proposed Neighbourhood Plan would be organised and paid for by the Council.

immediately following that on which the application is first publicised, which was the 14th May 2018. If this deadline is not met the Neighbourhood Area will be subject to automatic designation.

- 4.5 Section 61G(5) of the Town and Country Planning Act (1990) states that the Council 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. This means if the boundary as proposed is refused a smaller Neighbourhood Area would need to be designated (removing any areas which instigated refusal). A justification would also need to be set out for the changes to the boundary.
- 4.6 If a decision is made to refuse to designate a Neighbourhood Forum the Local Planning Authority must publicise the decision and set out their reasons in a “refusal statement”, as required by Section 61F(7) of the Town and Country Planning Act (1990).
- 4.7 Other legal implications are included within the body of the report

Environmental Implications

- 4.8 There are not deemed to be any significant environmental implications from the designation of the Finsbury Park and Stroud Green Neighbourhood Area and Forum. These are only likely to arise if and when a designated Neighbourhood Forum proceeds with the production of a Neighbourhood Plan for the area.

Resident Impact Assessment

- 4.9 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.10 It is important to note that neighbourhood planning activities are carried out by local communities and not by the Council. Nevertheless, officers can work with local community groups and encourage them to consider resident/equality impacts at relevant stages as proposals are developed. RIAs will only inform Council decision making. However, where equalities implications are identified officers will raise these and encourage community groups to consider social/equalities impacts as part of the evidence for more detailed proposals – for example, as part of a wider Sustainability Appraisal.

With regard to the forum application, officers have worked closely with the Finsbury Park and Stroud Green Neighbourhood Plan Working Group to ensure that as far as possible the forum is open to all, including people falling within the protected characteristics as defined in the Equalities Act (paragraph 7.1), with membership drawn from different sections of the community and from different places within the area, as required by legislation. The application demonstrates a commitment to continue to engage with the local community and be as inclusive as possible, working to identify and engage diverse members of the local community.

- 4.11 A Resident Impact Assessment (RIA) of the Council’s decisions on the Neighbourhood Area and Forum designations has been completed and has shown that there are no specific equalities implications. Future decisions related to the Neighbourhood Area and/or Forum may be accompanied by an updated RIA as well as undertaking RIAs where more detailed proposals are developed, for example a neighbourhood plan.

5. Reasons for the recommendations:

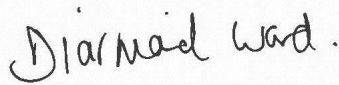
- 5.1 An application for the designation of the Finsbury Park and Stroud Green Neighbourhood Area which falls within London Boroughs of Islington, Hackney and Haringey, as identified on the map submitted as part of the Neighbourhood Area application (at Appendix 7), has been made to the Council and the proposal has been subject to consultation. The application meets the relevant regulations. In light of representations from Haringey residents it is possible that LB Haringey might resolve to amend the proposed boundary within Haringey, namely to exclude the Finsbury Park itself.
- 5.2 An application for the designation of a Finsbury Park and Stroud Green Neighbourhood Forum (Appendix 1) has been made to the Council and the proposal has been subject to consultation which demonstrated no objections from Islington stakeholders. The application meets the relevant regulations.
- 5.3 It is recommended that the Executive designate the proposed Neighbourhood Forum. It is also recommended that Executive designate the proposed Neighbourhood Area as far as it relates to the boundary within the borough of Islington.

Appendices:

- Appendix 1: Finsbury Park and Stroud Green Neighbourhood Area and Forum Application
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Background papers: none

Signed by:



7 August 2018

Executive Member for Housing and Development Date

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