

Appendix 7

Formby Neighbourhood Plan

The Allocation of Employment Land in the Neighbourhood Area

**An Advisory Report
Further to the Receipt of Note of the Inspector
Following the November Hearings Into the Sefton Local Plan**

Nigel McGurk BSc(Hons) MCD MBA MRTPI

Formby Neighbourhood Plan – Employment Sites (November 2016)

Contents

- 1) Background
- 2) November 2016 Hearings
- 3) The Inspector's Position
- 4) Conclusion
- 5) Summary and Recommendation

1) Background

Formby Town Council objected to the inclusion of two employment sites, on the opposite side of the by-pass to the town, in the Sefton Local Plan, as both sites are located in the Green Belt and are within sites of flood risk.

In his Initial Findings Report, published 22 February 2016, the Inspector stated that:

"I consider only one of the two Formby employment sites is justified, not both."

In his Report further to the examination of the Sefton Local Plan, the Inspector could not have been clearer in recommending the allocation of the "north site" for employment:

"In my view the Land North of Formby Industrial Estate (MN-48) is clearly the preferred site..."

His view could not have been clearer and was justified with reference to constraints, including flooding, which rendered the southern site significantly less favourable. He also referred explicitly to retail and stated that:

"There is no current capacity for new retail floorspace in north Sefton...compliance with the sequential and impact tests is far from certain."

In direct response to this, the promoters of the "south site" changed their initial plans for this site (which included sporting facilities with enabling development) and presented a different proposal for a mixed use development site, incorporating a supermarket, fast food outlets and a pub. The proposal also includes sporting facilities, which are effectively subsidised by the other uses and comprise a form of planning gain.

November 2016 Hearings

The Inspector has now published a Note, "*Findings from November 2016 Hearings*" in November 2016. The speed with which the Note was published indicates that he is very keen to see the Sefton Local Plan adopted as soon as possible.

He has again determined that only one employment allocation is required in Formby:

"I remain convinced...two allocations are unnecessary."

He has referred to the Green Belt and has been definitive with regards exceptional circumstances. **Consequently, there is no scope for both sites to be allocated.**

However, rather than repeat the definitive conclusion from his earlier Report, the Inspector has decided that, in his view, the revised scheme for the "south site" is now no less favourable than the "north site."

Given the explicit nature of his earlier Report, this is a very significant change in view. Taking the facts into account, it is surprising that the Inspector now considers the sites to be "*finely balanced*," as he was previously concerned about the more substantial constraints associated with the north site. These constraints have not changed – consequently, the north site must still comprise a more heavily constrained site.

The Inspector's conclusion, to be fair to him, is not "I am copping out of making any decision" and slippery-desking the choice to someone else. He is very clear in stating that he will make the decision, if required to do so.

Rather, I am minded to consider that he is trying to be as fair as possible by offering to not make a decision on the employment allocation, but to leave this up to the community.

In reaching a view on what to do, I think it worthwhile considering the Inspector's position a little further – not least to provide an indication of what might happen were the choice left up to him.

The Inspector's Position

Reading into his findings to reach an opinion, it is my view that the Inspector has reached this new position on the basis of two matters: the size of the supermarket proposed and the weight of local opinion (as he sees it).

Taking the latter first. The Inspector thinks that the local community is largely in support of the south site because it provides the sporting facilities. Whether or not this is actually the case, it clearly holds weight with the Inspector. However, his willingness for an approach which involves "*going back to the community*" suggests that he is not completely convinced in this regard and suggests that, in his view, a more open and transparent consideration of the "south site" proposal in particular, would determine community support, or the lack of it.

With regards the supermarket, the Inspector is of the view that, today, the provision of the supermarket, as proposed, at the "south site" would be of a small enough scale as not to result in harm. However, his immediate and explicit reference to the Sainsbury's application, to my mind, demonstrates that this is on something of a "knife-edge." If the Sainsbury's is rejected, then the Inspector's view that the south site does not cause harm will probably stand. If Sainsbury's is approved, I am of the view that the Inspector will consider the provision of a supermarket at the "*south site*" as unacceptable – leading him to choose the north site.

The supermarket issue is not without contention however. As above, the Inspector was previously explicit in stating that not only was there no capacity for a supermarket, but that there was no evidence to demonstrate an absence of harm in respect of Formby town centre. It is surprising that, despite the reduction in size, that the Inspector has made a U-turn in this regard.

Taking the above into account may suggest that a third point is causing the Inspector some discomfort. This relates to the planning gain associated with the sporting facilities. Perhaps he is concerned that his previous Report did not attribute sufficient weight to this. However, I am not convinced. The more one reads the February Report, the more damning of the "*south site*" it is.

As an overview it may be that the Inspector is still convinced that the "*north site*" is the correct one, but that he is making sure that there is no opportunity for a legal challenge with respect to the "*south site*," on the basis of localism (community support) and sustainability in the form of planning gain.

4, Conclusion

Hopefully the above sets out some clarity with regards my train of thought. But now the difficult bit !

It is my overview that the Inspector should decide which employment site to allocate.

However, in so doing, I note that there is some scope for the Town Council (if it wishes to do so) to seek to *"influence"* the Inspector's choice.

Given the opportunity presented by the Inspector, he is clearly expecting a response at the end of his deadline. A simple *"you decide"* may be less helpful than a more constructive, *"on the basis of the following, we accept that the decision is yours, but we would strongly recommend that the following be taken into account..."*

The starting point is that one of the sites will be allocated. There is no point the Town Council adopting the view, that *"both sites flood, it should be neither of them."*

From considering all of the information, it appears to me that the *"north site"* is the most favourable from a local character, Green Belt and flooding perspective. The Inspector has already accepted that this is the case.

There is some concern – and I would strongly agree – that the provision of a range of facilities across the by-pass from Formby is simply the wrong location. Issues of highway safety, impact on town centre, sprawl, unsustainable car-based patterns of movement, are all pretty fundamental flaws in the *"south site."*

I do not have sufficient knowledge of the sporting facility to be definitive, however, as a private enterprise, just how much of a *"public gain"* will it genuinely comprise ? We should also go back to the question – is this the right location for a sporting facility to benefit the residents of the town ?

In addition to the above, the *"north site"* as well as being less-constrained, is for uses that are best-located outside the town and for commercial and sustainability reasons, are appropriately located in this area (notwithstanding flooding, Green Belt etc – which for the reasons above, are no longer a consideration). It is also a historic site and there is general acceptance associated with it.

Taking all of this into account, I would certainly lean towards supporting the *"north site"* in favour of the *"south site."* This is not the same thing as saying that the Inspector will choose the *"north site,"* but I would guess that it should be more favourable to him.

Consequently, I would recommend that the Town Council considers submitting a reasoned “*you decide*” response, with support for the “*north site*” on the basis of a stronger land use planning case. Subject to the Town Council favouring the “*north site*,” this would comprise a strong submission, were the Sainsbury’s to be allowed in December. Consequently, it may well be that it is appropriate to hold off doing anything other than agreeing a strategy until that decision is made.

With regards taking an alternative approach and not leaving the decision with the Inspector, my view is that whilst, of course more consultation would provide for more transparency, I am not necessarily convinced that it would result in consensus and clarity. Rather it may well lead to two camps to become even more entrenched in their views. The single advantage of making the choice as the Town Council is perhaps one of being the ultimate decision-maker, with regard to the responsibilities and no doubt, criticism and challenge that entails.

Of more concern, however, is the impact on the Town Council and the Neighbourhood Plan. As you are abundantly aware, there are many things that the Neighbourhood Plan cannot achieve and there are many things that are already effectively written in stone – whether or not the Town Council agrees with them. It is, in no way, unusual for the Neighbourhood Plan to simply deal with decisions made elsewhere.

The time and resource implications of more consultation would clearly be significant. There is also a possibility of “*consultation overkill*” turning the community off to the Neighbourhood Plan.

Planning is dynamic. Applications come in all the time, regardless of emerging policy. There are times when plan-makers need to consider saying “*enough is enough*,” allowing them to focus on delivering what they can, rather than having to fire-fight everything that happens. Whilst I am not suggesting that that is necessarily the case here, it may have a bearing on any decision.

6) Summary and Recommendation

In summary, I think that the Inspector is (whilst it may not seem like it) being entirely reasonable and is trying to be helpful. On balance, taking all of the above into account, I would recommend that the Town Council lets the Inspector decide. In my opinion, it may be helpful (for the Inspector and the Town Council) to present a further representation in support of the "north site" after the Sainsbury's decision – if the Town Council favours this site.

I think that the "north site" is a better choice in land use planning terms. I cannot claim to know which site the Inspector would favour, but it is my opinion that he would favour the north site if the Sainsbury's application is approved. It is also my opinion that the Inspector's own evidence appears to favour the "north site" – however, he has stated that the two sites are "finely balanced" and consequently, we cannot assume that he continues to favour the "north site."

NMcG
November 2011

INSPECTOR'S NOTE

FORMBY EMPLOYMENT ALLOCATION AND NEIGHBOURHOOD PLAN

1. The suggestion in my Note dated 18 November 2016 (EX.126) that the choice of employment allocation at Formby could be made via the Formby & Little Altcar Neighbourhood Development Plan has prompted a number of questions to me from both Sefton Council and Formby Parish Council. So that all representors are aware of these emails, the attached Q&A Annex sets out (in slightly abridged form) the questions put to me and my responses.

2. As I indicate in EX.126, the suggestion was prompted by the unwillingness of either Council to express a preference for one employment site over the other, coupled with my analysis that either allocation would be sustainable development and would be consistent with national policy. However, I understand the concerns expressed by the parties. I also believe that the release of a large site from the Green Belt has not yet (as far as I can ascertain) been achieved by means of a Neighbourhood Plan (NP), and the process has not been tested in the Courts. Nevertheless, I remain of the view that, in the circumstances set out in my Note (and elaborated in the Q&A Annex), there is no legal or policy reason why this should not be done.

3. The legal test is compliance with the 'basic conditions' set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended), which in particular requires the NP to have regard to national policies and advice, to contribute to achieving sustainable development and to be in general conformity with the strategic policies of the Sefton Local Plan (SLP). As to policy, the NPPF should be read as a whole and provided the strategic decision to release one of the two alternative sites from the Green Belt is taken in the SLP (which would be the case), and in circumstances where each alternative site makes a similar contribution to the Green Belt, I do not believe that the final choice of site is, in itself, a strategic decision.

4. I made clear in EX.126 that it is not my intention to impose the choice of site on the neighbourhood plan process – I merely presented it as an opportunity for the decision to be taken locally. If the Parish Councils decide, for whatever reason, that they do not want to make the choice in the NP, I will make the decision in the SLP. The agreement of Sefton Council is also required, for two reasons. Firstly, the modification to the SLP which would defer the choice of employment allocation to the NP is not a matter on which the soundness of the Plan depends and is not, therefore, a Main Modification that I could require to be made. Secondly, Sefton Council is ultimately the authority that would have to determine whether the NP meets the 'basic conditions' before any NP referendum could be held. There is no point in Sefton Council agreeing to defer the

employment site decision to the NP if it believes there is a risk that the basic conditions test would subsequently not be met.

5. Consequently, if either the Parish Councils or Sefton Council do not support the choice of employment site being made in the NP, I will make it in the SLP. I look forward to receiving the views of all parties by 5 January 2017.

Martin Pike

INSPECTOR

21 December 2016

Annex

QUESTIONS FROM SEFTON COUNCIL (in blue) INSPECTOR'S RESPONSE (in black)

GREEN BELT ISSUES

If the Inspector pursued the line of enabling the Neighbourhood Plan to decide which site should be allocated, would this not mean that both sites would have to be removed from the Green Belt to allow that choice to be made?

I don't see why two sites would need to be removed from the Green Belt as the Green Belt boundary alteration is integral to the allocation process. If the Parish Councils decide to make the choice in the Neighbourhood Plan, the Local Plan would set out:

1. The need for one employment site at Formby;
2. Broad details of the two potential candidate sites, including the fact that both are currently in the Green Belt, together with a clear indication that exceptional circumstances exist for the allocation of either site but not both;
3. The Parish Councils' willingness to make the decision through the Neighbourhood Plan;
4. The fact that, as part of making the allocation, the chosen site will be removed from the Green Belt.

Thus the strategic decisions are made in the Local Plan but the choice of site is made locally.

We remain concerned at the process which the Inspector is suggesting could be acceptable, specifically para 8 of the his report, viz:

8. *I appreciate that neither Sefton Council or Formby & Little Altcar Parish Councils have suggested that the choice should be made locally, so I am presenting this as an opportunity for the decision to be made by the community most affected. If the Parish Councils do not wish to take up this opportunity, or if Sefton Council has good reason for the choice not being made locally, I will make the decision as part of the Sefton Local Plan examination.*

The more so in the context of the further advice provided by Mr Pike in your e-mail that he does not "see why two sites would need to be removed from the Green Belt as the Green Belt boundary alteration is integral to the allocation process."

Reading NPPF para :

83. *Local planning authorities with Green Belts in their area should establish Green Belt boundaries in their Local Plans which set the framework for Green Belt and settlement policy. Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.*

The Council had always understood from the above that only the local plan can alter green belt boundaries and it is not possible for a Neighbourhood Plan to do so. This is why we asked the question was the Inspector proposing to remove both sites from the green belt (with perhaps one ultimately chosen and the other then safeguarded?) to allow a choice to be made? If we have misunderstood the operation of that paragraph we would appreciate the Inspector's guidance. If he is aware of other local plans that have successfully taken this approach we would appreciate the reassurance.

I am aware of other Local Plans that have delegated decisions about site allocations to Neighbourhood Plans, but not ones that involved Green Belt land. I have asked my office to let me know of any Green Belt allocations made through Neighbourhood Plans, and am awaiting the response. I will provide a full reply to the Council once I have this information.

In relation to the principle of allocating Green Belt land in Neighbourhood Plans, the Council may find helpful the following extract from the "Government response to the CLG Select Committee Inquiry into the Operation of the NPPF", published in February 2015 (Cm 9016) – the relevant Government response is at paragraphs 21 and 22:

"Recommendation 7

We recommend that the Government amend paragraph 89 of the NPPF to make clear that development on sites allocated in an adopted neighbourhood plan, and which has the approval of the local planning authority, does not constitute inappropriate development for the purposes of the green belt. In addition, where neighbourhood plans, ahead of the local plan, make proposals to change the green belt, local authorities should have a duty to consider them as part of the local plan production process.

21. The Government does not accept this recommendation. Where a locally-led review of the Green Belt is proposed, the local planning authority will need to engage carefully with local people and other interested groups in the process. The Government supports the principle of local planning authorities working with those preparing neighbourhood plans where a review of the Green Belt is underway. But the Government is also clear that the responsibility for a review of the Green Belt rests with the local planning authority and must be conducted through the local plan process of consultation and examination. The rationale for this approach is to ensure the Green Belt is considered in the round of all the other planning issues the Council is addressing in its Local Plan and on an authority-wide, and indeed a cross-authority basis where appropriate.

22. It is already the case that neighbourhood plans can consider developing policies related to development in the Green Belt where these have regard to national policy on Green Belt and are in general conformity with the strategic policies of the adopted development plan for the local area. Planning guidance is clear that where a neighbourhood plan has been made following referendum the local planning authority should take it into account when preparing the Local Plan strategy and policies, and avoid duplicating what will be non-strategic policies set out in the neighbourhood plan."

The extract makes clear that the strategic decisions about a Green Belt review should be taken through the Local Plan, but that policies related to development in the Green Belt can be made in Neighbourhood Plans provided there is "general conformity" with the Local Plan strategy. This is exactly what I am suggesting.

On further reflection I consider that, to give greater clarity in the Local Plan, it would be beneficial to have a direct link between the Policies Map and the further modified Local Plan policy which delegates the choice of site to the Neighbourhood Plan. This could be achieved by the use of a symbol on the

Policies Map for each of the potential sites and a link to the modified Local Plan policy - this would be one way of cementing in the Local Plan the choice that the Neighbourhood Plan has to make. Alternatively if preferred, as the site boundaries are fixed, a dotted line around each potential site with a link to the modified Local Plan policy may be an option.

PROCEDURAL ISSUES

Notwithstanding the above, even if the process were possible, wouldn't this place huge pressure on the Neighbourhood Plan process and by implication lead to major uncertainty for a strategic site identified through the local plan process?

For example, what if the Neighbourhood Plan were abandoned or if it stalled or were simply not progressed in a timely manner? What would happen if the Neighbourhood Plan were to proceed without consideration of the sites North and South Formby Industrial Estate? And finally we remain concerned as to how the Neighbourhood Plan can be empowered to make such an important planning decision. The Parish Councils could express a preference in their Neighbourhood Plan but isn't the act of removing a site from the Green Belt beyond this process?

Huge pressure on the Neighbourhood Plan process – Clearly there would be pressure, but no doubt the Parish Councils will be aware of this when deciding whether to take up the opportunity to make the decision in the Neighbourhood Plan. If they feel able to withstand the pressure, is it not better that the decision is made locally rather than being imposed by me?

Uncertainty and abandoned or stalled Neighbourhood Plan – Again, this will no doubt feature in the Parish Councils' decision on whether to take up the opportunity offered to it. From the Formby community's very capable participation at the examination it is clear that it understands the complexities of the plan making process, and the publication of the consultation draft Neighbourhood Plan demonstrates its commitment to on-going active participation in planning matters. Unless Sefton Council has information to the contrary, there seems no reason to question the Parish Councils' commitment to completing the Neighbourhood Plan process. Nevertheless I appreciate Sefton Council's concern and, to allow for unforeseen problems, it would be sensible to include a contingency clause in the Local Plan which sets a time limit on the decision being made through the Neighbourhood Plan so that the employment allocation is not unduly delayed.

Neighbourhood Plan proceeding without consideration of either employment site – If this occurred, the Neighbourhood Plan would not "be in general conformity with the strategic policies of the Local Plan" or "be aligned with the strategic needs and priorities of the wider local area" (NPPF 184/185) and the 'basic conditions' test would not be met. In these circumstances it is likely that Sefton Council would have strong grounds for not agreeing to send the Neighbourhood Plan to referendum.

Concern about Neighbourhood Plan being empowered to make such an important decision – An important planning objective of Government is to give power to local communities to make non-strategic decisions which affect them. Sefton Council might like to look at the Thame Neighbourhood Plan in South Oxfordshire, which allocates land for 775 houses and a 3ha employment site – this demonstrates that important decisions can be made by a local community through a Neighbourhood Plan (which now forms part of the development plan).

DEADLINE FOR RESPONSE

We have a number of concerns relating to paragraph 10 of the November 2016 note and the 23rd December deadline the Inspector has set, namely :

"I welcome the views of Formby and Little Altcar Parish Councils and Sefton Council on this suggestion as soon as possible, preferably by 23 December 2016. Other parties with an interest in this matter may also wish to comment."

Firstly, we feel that the final phrase is a bit ambiguous, because it is open-ended, and could lead to the situation where people feel that they can continue commenting beyond that date. Being aware of the Sefton public's desire to be involved in the Local Plan process, we wonder whether possible comments received after this date could still need to be taken into account by the Inspector. Our concern is that this could uncertainty, if it were to arise, could make it difficult for the Inspector to be able to close the examination.

Secondly, we would like to point out that the Sefton Council offices are closed from 23rd December – 3rd January inclusive, and is likely to close early on 22nd December. This means that we would not be able to publish any responses on the web until the offices re-open on 4th January at the very earliest. We therefore wonder whether it would be more appropriate to extend the period for commenting until after the Christmas break to (say) 3rd January, otherwise any responses sent to you will just be sitting in Council e-mail in-boxes?

I indicated at paragraph 11 of my Note following the November hearings (EX.126) that parties would have 14 days to comment on the implications of the Meols Cop (Sainsbury's) decision for the Formby employment site choice. This takes us up to 23 December, when the Council offices are closed.

I have also agreed with Formby Parish Council that their decision on whether to accept the opportunity to make the choice through the Neighbourhood Plan can be put back to 5 January 2017 to fit in with their meetings schedule.

For these two reasons, and to keep matters simple, it would be sensible to have one revised date of 5 January 2017 for all comments previously expected by 23 December (ie the Parish Council's decision, any further comments on the Neighbourhood Plan proposal from third parties, and any comments on the implications of the Meols Cop decision).

QUESTIONS FROM FORMBY PARISH COUNCIL (in blue)
INSPECTOR'S RESPONSE (in black)

1. Mr Pike states that he wants a response by the 23rd December from the Parish Council. Is this to let him know which site is preferred or to let him now that we wish to make the decision?

The December response date is to let me know whether or not the Parish Councils wish to make the decision on the choice of employment allocation at Formby through the Neighbourhood Plan, not which site is to be preferred.

2. Mr Pike refers to the Sainsburys outcome which could have an impact on our decision and this decision is not yet out from the Secretary of State and we would like to have a look at this decision and how it will impact us. He says that we have 14 days from the date of the decision from the Secretary of State which is due on the 8th December, but what happens or what would be the position if it is not published then and published after this date, when would the response time be then?

In light of my response to question 1 above, do the Parish Councils believe that the Sainsbury's decision will influence whether or not they choose to make the Formby employment decision in the Neighbourhood Plan (as opposed to the Sainsbury's decision potentially having an impact on the choice between the two Formby employment allocations)?

3. The full parish councils only meet one a month and our next meeting is on Tuesday 6th December although we are unable to get all the Little Altcar Councillors there and this is a joint Neighbourhood Plan. This item is on the agenda but Councillors are already asking how we can make any decision without all the facts in front of us. Our next full meeting would then be on the 3rd of January 2017 when we would be able to get all the Councillors together. The problem we also have is the Clerk to the Parish Council being available as she finishes for Christmas on the 22nd December until after the new year. It may well be we will have to call an extraordinary meeting but this is difficult to do at this time of year due to many Councillors having other things on and knowing when the Sainsbury's decision is actually going to be published.

I am happy to put back the date for the Parish Councils' decision on whether or not to choose the employment site at Formby through the Neighbourhood Plan to fit in with Parish Council meetings, provided the delay is relatively short – this is why I set the “preferably by” date of 23 December. You say there is a meeting on 3 January when you would be able to get all Councillors together – presumably it would be OK if I put the date back to **5 January 2017**?

4. Whilst we understand from the promoter of the south site that there is a 5,000 petition been submitted for this site we are unable to find this on the website and the Councillors feel it is also important to know what the petitioners have signed up to. In other words was it made clear in the petition what they signed up for and that was a sports facility together with retail. If we could be provided with the exact wording that was used it would help in our decision making process.

As I clarified at the hearing session on 1 November, the online petition is not a document that has formally been submitted to the examination (ie. it is not in the examination library). I believe that Sefton Council knows how to access the petition.

5. I note that there would be a delay to the Neighbourhood Plan if we had to ask the public what their preference was and to consult on this. Obviously this is going to take some time with either a referendum or a 6 week consultation although if we were asking the public we would prefer a referendum so as it was clear what they were agreeing to and that the result would be an honest view of the residents. What is the position with the Local Plan if we do not know which site is going to be put in. Does the Local Plan proceed with a caveat relating to the employment site being inserted at a later date when the decision has been made?

If the Parish Councils decide to make the choice of employment site at Formby through the Neighbourhood Plan, the Local Plan would effectively delegate that decision to the Neighbourhood Plan. As required by the NPPF, the Local Plan would deal fully with the 'strategic priority' by setting out:

- a) the need for one employment site at Formby;
- b) broad details of the two potential candidate sites, including the fact that both are currently in the Green Belt, together with a clear indication that exceptional circumstances exist for the allocation of either site but not both;
- c) the Parish Councils' willingness to make the choice of site through the Neighbourhood Plan.

The Local Plan would not need to be amended at a later date once the Neighbourhood Plan is brought into force because the Local Plan and the Neighbourhood Plan would together make up the statutory development plan for the Formby area.

6. By referring the matter back to the community is he wanting the actual community to make the decision eg a referendum or is he wanting the Parish Councils to make the decision on their behalf.

The Neighbourhood Plan process would have to follow the procedures set out in statute (helpfully summarised in the Government's Planning Practice Guidance). In short, the Parish Councils would choose the employment site in their preferred Neighbourhood Plan and, subject to the Plan meeting statutory requirements and being tested by an independent examiner, that choice would then have to be agreed by a majority of the community through a referendum.

7. A Councillor has raised a question as to whether or not the Parish Council taking the decision on which employment site to use would have a legal implication for the Parish Council. I think what they mean is could the parish council be taken to court for preferring one site over another?

From a quick look at the legislation I think there is the opportunity for a party to seek a judicial review by the courts ("A court may entertain proceedings for questioning anything relating to a referendum....." is the wording of section 61N(3) of the Town and Country Planning Act 1990, as amended by section 38C of the Planning and Compulsory Purchase Act 2004). However, I will seek further advice and clarify this in due course.

Subsequent clarification: As stated above, the Neighbourhood Plan can be challenged on legal grounds. However, any challenge would be made against Sefton Council (the authority that "makes" the Neighbourhood Plan under the legislation) rather than the Parish Councils.

PUBLIC CONSULTATION

This is YOUR CHANCE to look at your Neighbourhood Development Plan for YOUR AREA and

Appendix 8

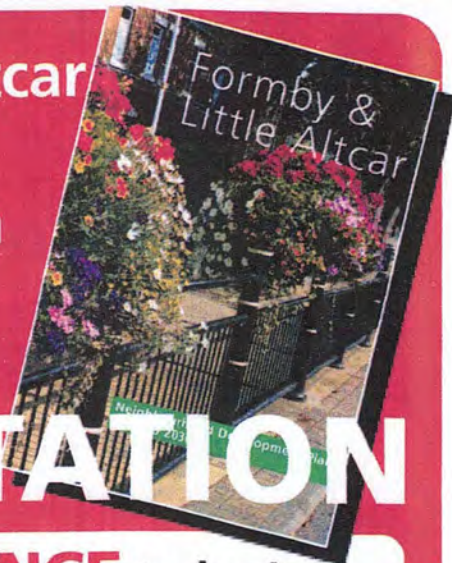
THE PUBLIC CONSULTATION will begin on Monday 15th October 2017 and will run for 6 weeks until Monday 12th December 2017.

THIS IS YOUR CHANCE to see what is being proposed in the Neighbourhood Development Plan for YOUR AREA and MAKE YOUR COMMENTS!

YOU CAN SEE the Neighbourhood Development Plan at Family Library, Family Pool and Leisure Centre, Magdalen House, Beetham, also you can borrow a copy from Family Library or the parish clerk.

Formby & Little Altcar Neighbourhood Development Plan

PUBLIC CONSULTATION



This is **YOUR CHANCE** to look at
your Neighbourhood Development Plan
for **YOUR AREA** and

HAVE YOUR SAY!

THE PUBLIC CONSULTATION will begin on **Monday 31st October 2016** and will run for 6 weeks until **Monday 12th December 2016**.

THIS IS YOUR CHANCE to see what is being proposed in
the Neighbourhood Development Plan **FOR YOUR
AREA** and **MAKE YOUR COMMENTS!**

YOU CAN SEE the Neighbourhood Development Plan at
Formby Library, Formby Pool and Sefton Council,
Magdalene House, Bootle, also you can borrow a copy
from Formby Library or the parish clerk.

**Drop in sessions will be held on the dates and
venues shown overleaf for you to call in and
discuss the Neighbourhood Development Plan
for your area...**

Drop in sessions will be held on the following dates at the following venues for anyone to call in and discuss the Neighbourhood Development Plan:

Gild Hall, Church Road, Formby
Wednesday 2nd November 2016
6pm to 9pm.

Gild Hall, Church Road, Formby
Thursday 10th November 2016
10am to 4pm.

Gild Hall, Church Road, Formby
Thursday 16th November 2016
6pm to 9pm.

Formby Library, Duke Street
Monday 21st November 2016
6pm to 9pm.

Gild Hall, Church Road, Formby
Thursday 24th November 2016
10am to 4pm.

Formby Library, Duke Street,
Wednesday 30th November 2016
2pm to 8pm.

Gild Hall, Church Road, Formby
Monday 5th December 2016
10am to 4pm.

**THIS IS YOUR CHANCE TO SEE
WHAT IS BEING PROPOSED IN THE
NEIGHBOURHOOD DEVELOPMENT
PLAN AND MAKE YOUR
COMMENTS!**

Access on line at:
[www.http://www.formbyparishcouncil.org.uk](http://www.formbyparishcouncil.org.uk)
Parish Clerk on: 01704 395955 or email:
parishclerk@formbyparishcouncil.org.uk



FORMBY community



Neighbourhood Plan... **BUSINESS QUESTIONNAIRE**

YOUR TOWN, YOUR VIEWS, YOUR VISION, YOUR PLAN

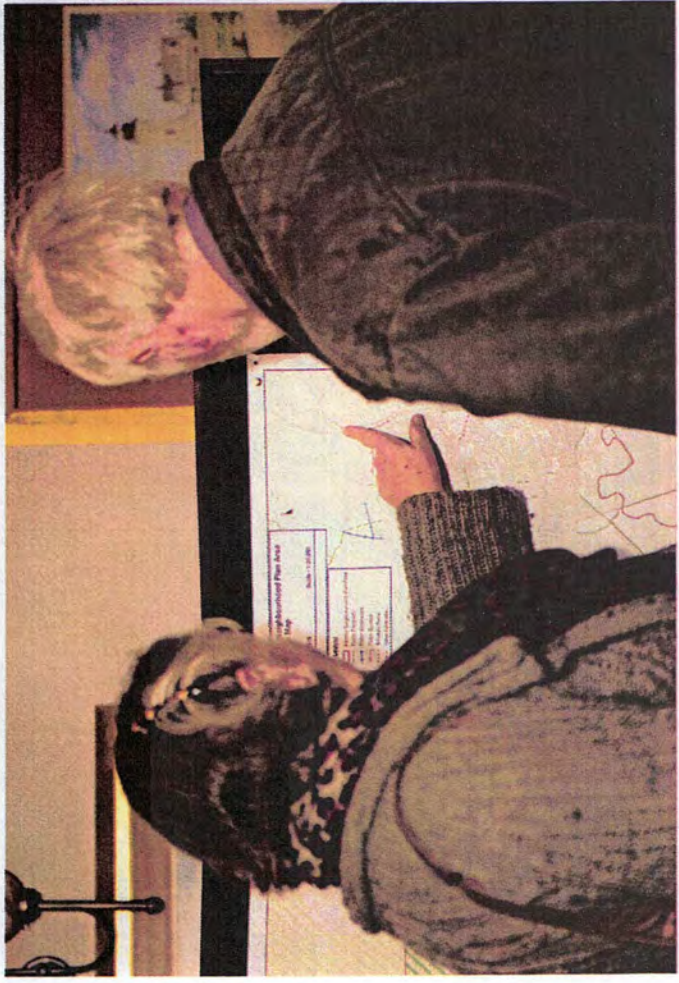
The Localism Act changed the law and gave local people a greater say about what happens in their community. By responding to this questionnaire this is your opportunity to challenge Sefton's Local Plan for Formby.

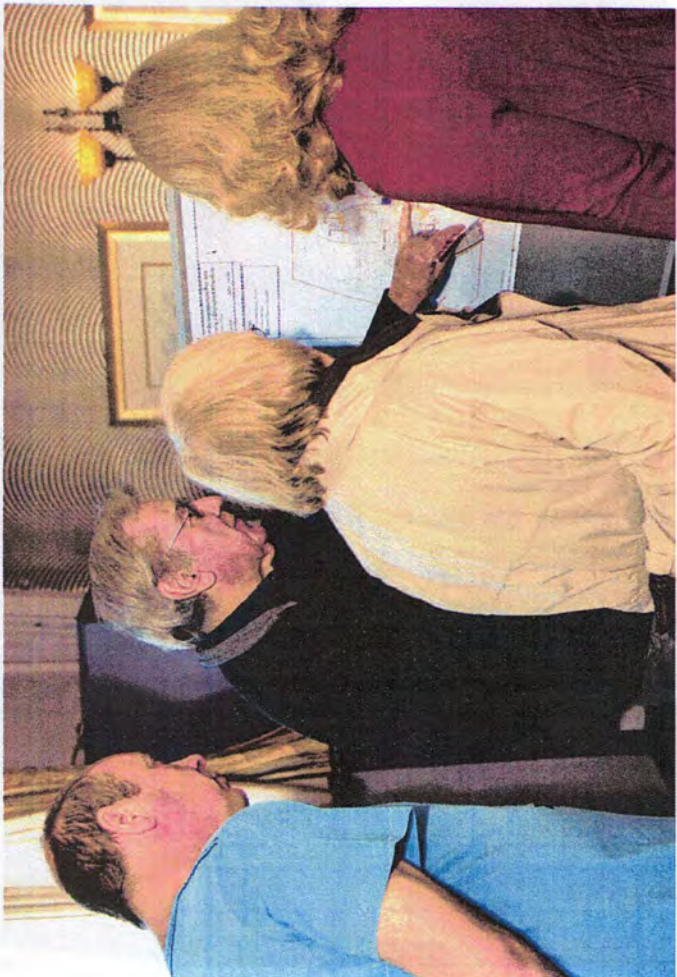
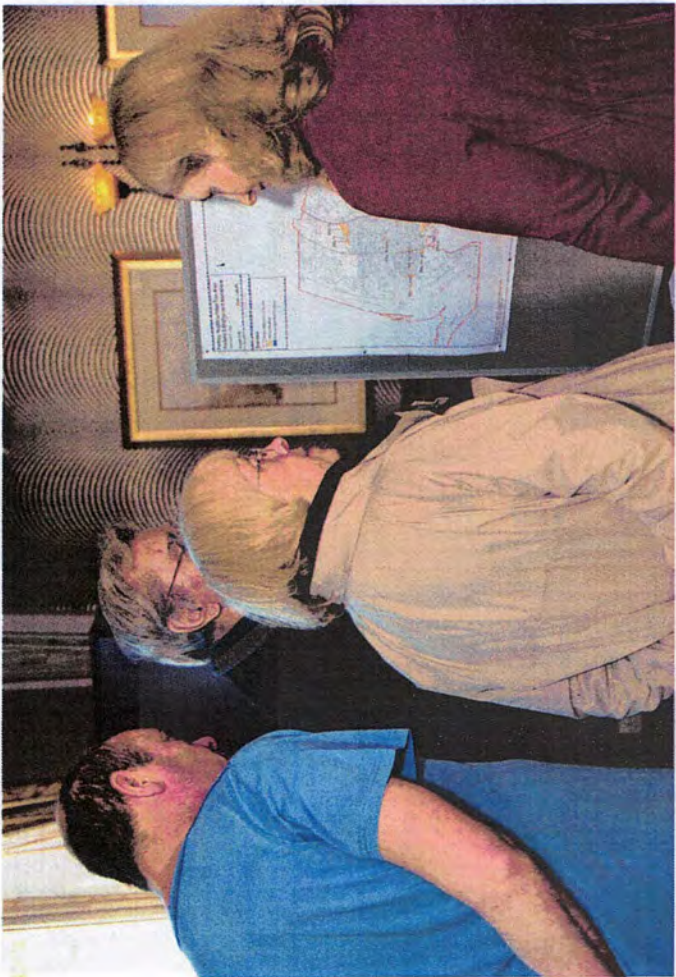
- Formby and Little Altcar Parish Councils are asking for your help to create a Neighbourhood Plan for our town.
- This will allow you to shape how formby will grow over the next 15 years.
- We are canvassing all the local businesses in Formby and asking them to complete the online questionnaire giving their views and opinions. **Your voice counts!**
- You can complete the questionnaire, which should take no more than 5 mins, by going to:
<http://www.tinyurl.com/formbybusiness>
- If you do not have access to a computer and would like a paper copy then please email:
parishclerk@formbyparishcouncil.org.uk
We can then arrange for a paper copy to be delivered and collected from your business.

Your views, as a local business, are important so please help us make the economic growth for Formby in the Neighbourhood Plan.

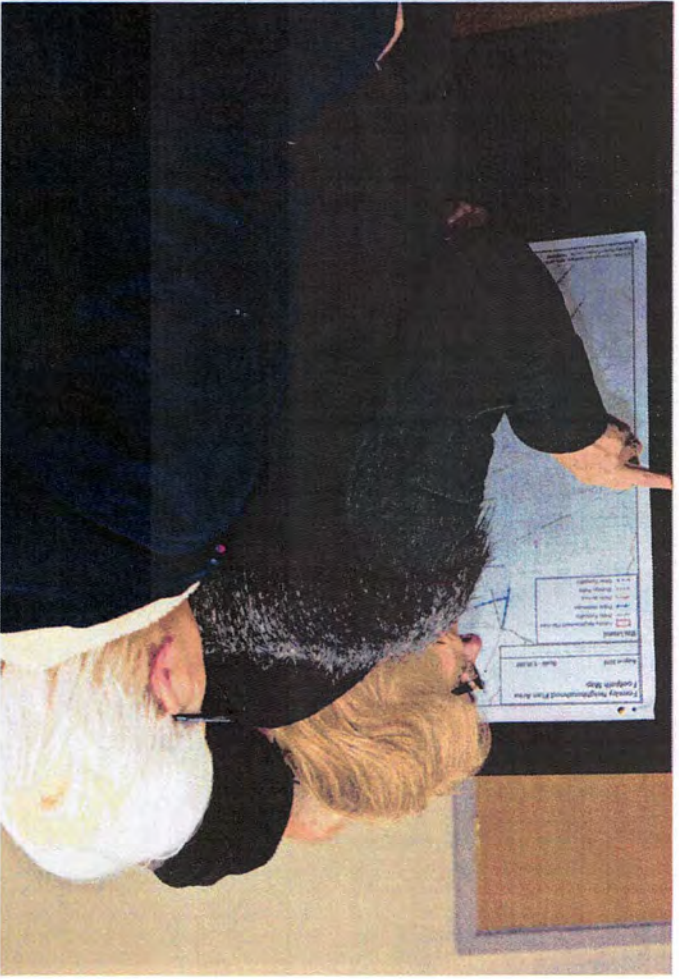
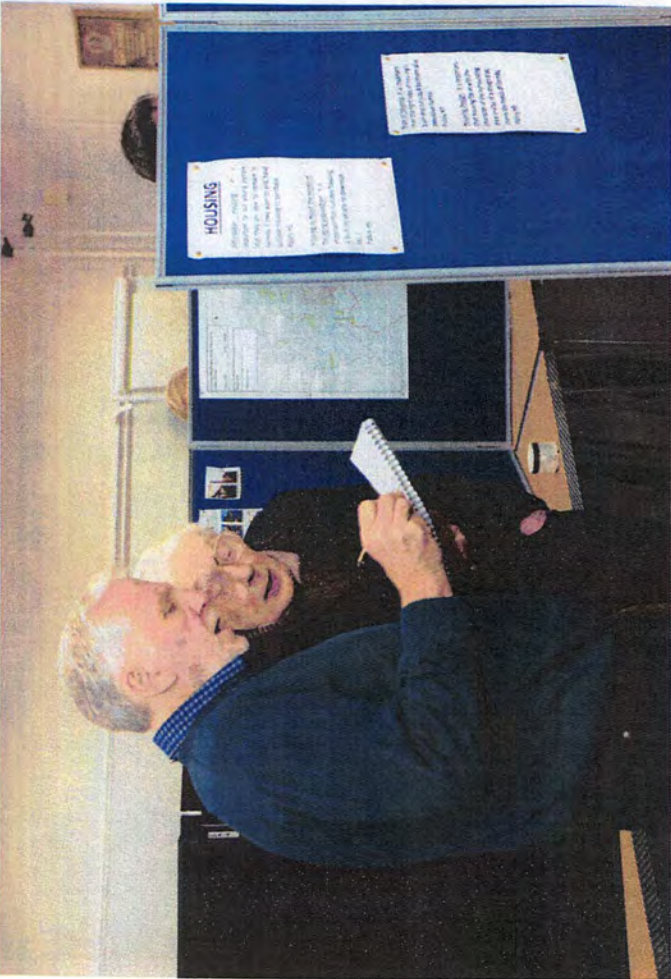
Formby Parish Council, Formby Library, Duke Street, Formby.
Telephone: 01704 395955
Website: www.formbyparishcouncil.org.uk



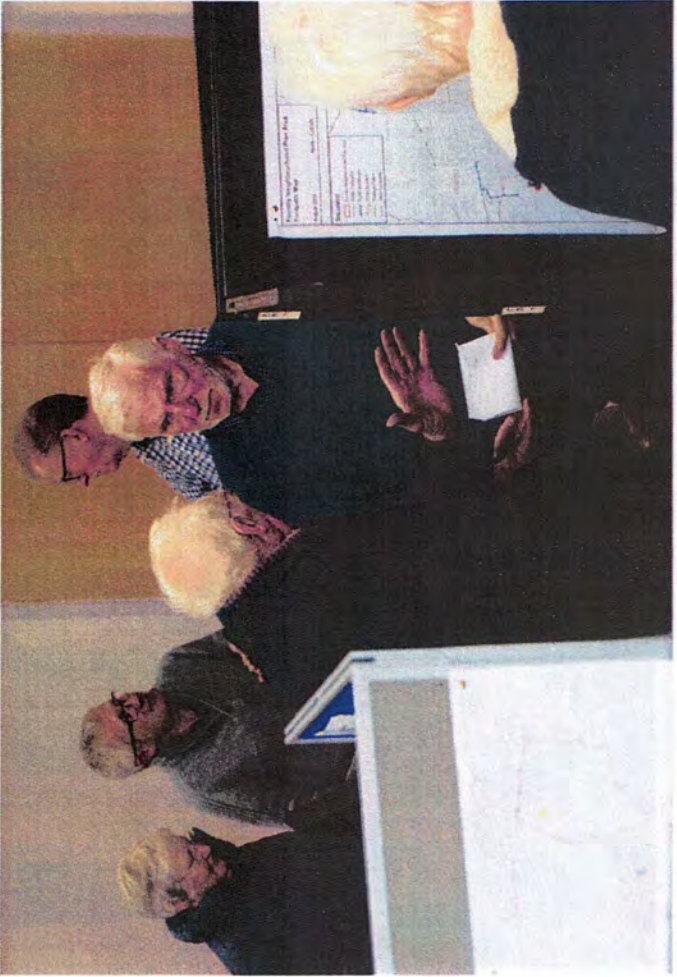
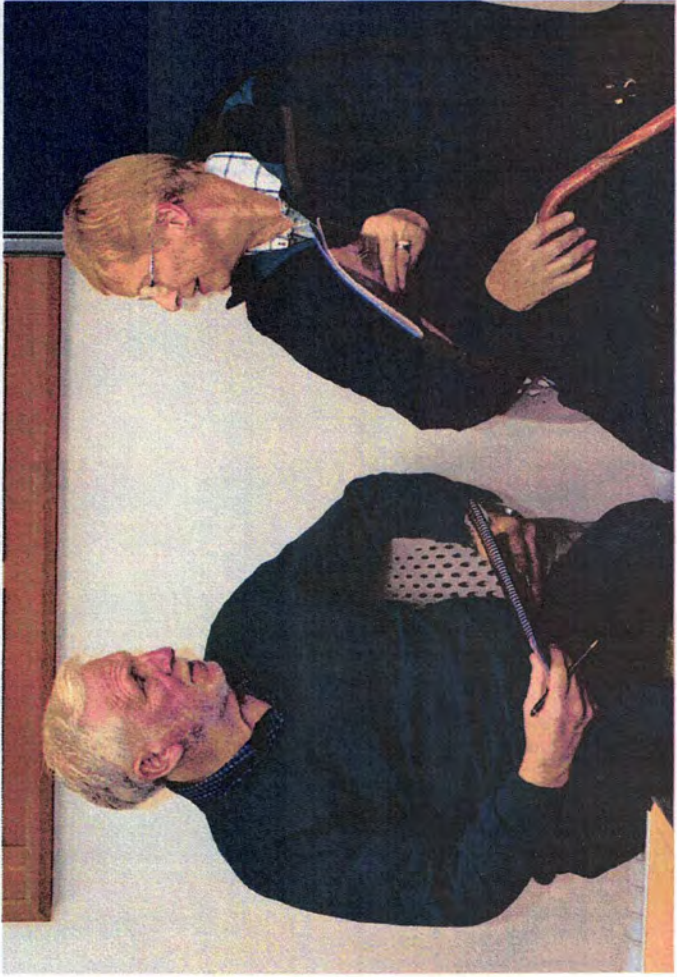


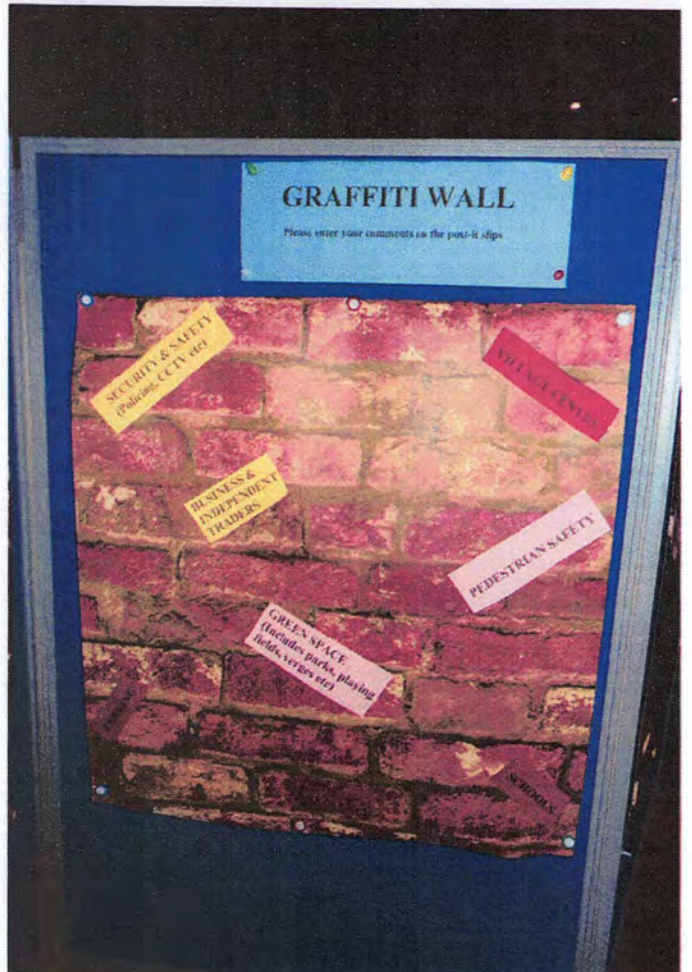
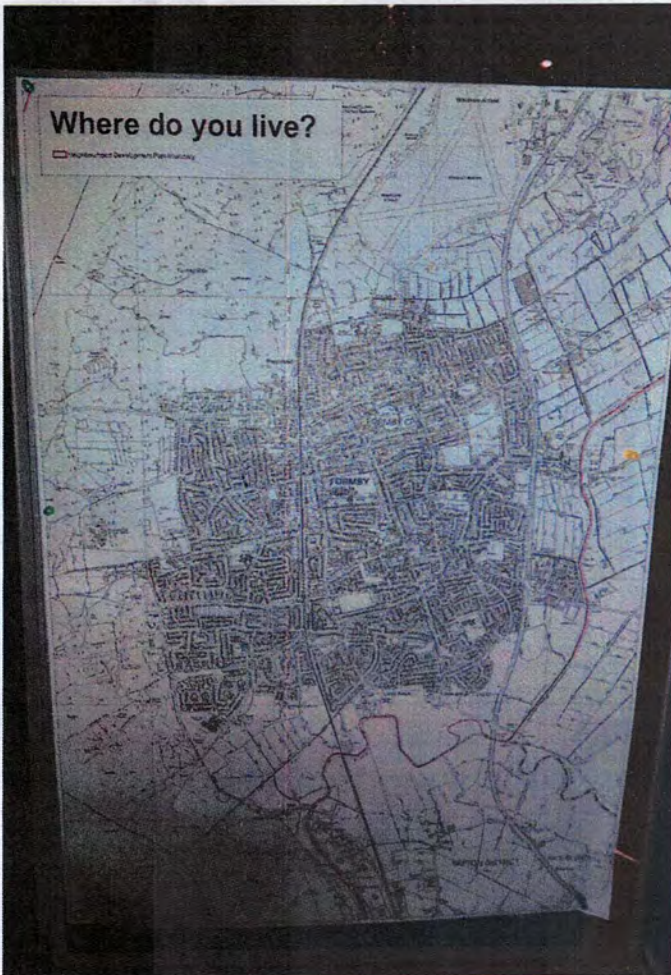


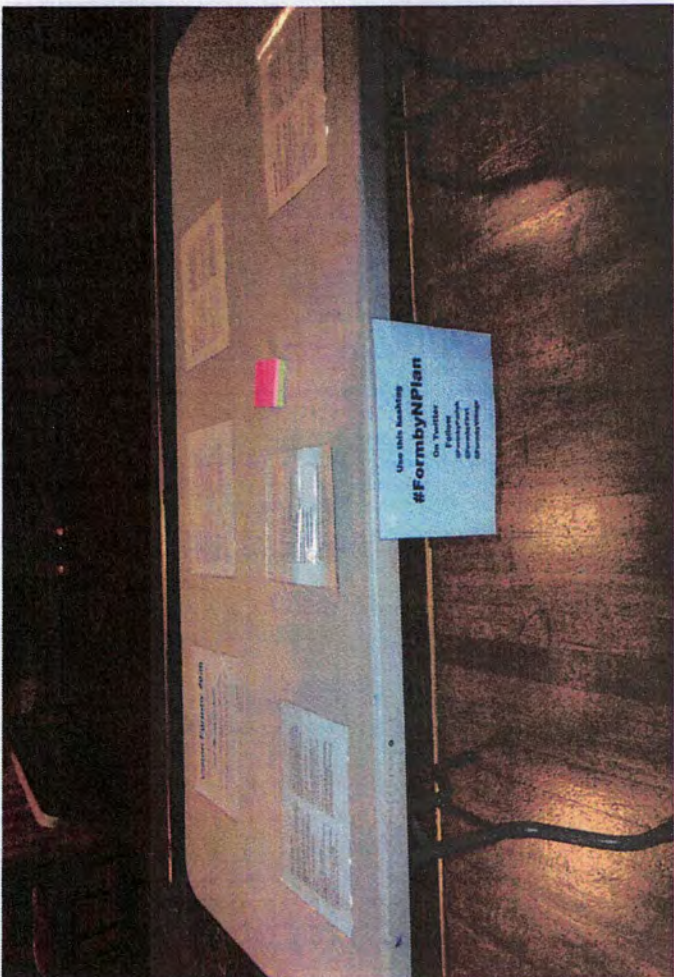














Vision Formby 2020

Formby will be a popular place to live, work and play with a successful, sustainable local economy and a culturally rich, active, diverse and resilient community.

Aims: We seek to achieve

To support the development of high quality, sustainable and successful neighbourhoods whilst nurturing and enhancing the lives of existing residents in Formby and Little Alford

To identify the unique or distinctive physical and cultural assets of both Parish areas and use these to shape the future environment and community

Goal: A local, prosperous and sustainable economy: Objectives

Full employment
 Sufficient and varied housing to meet all needs
 Increasing local employment opportunities particularly in the Knowledge and New Media Sectors
 Thriving local businesses
 Sustainable shopping and recreational areas, which are attractive and accessible
 Current and development of new SMEs with a social focus
 The Village will continue to be the heart of the town, it will be used to a wide range of events, social activities and regular diverse markets
 Sustainable and robust development of the town which will be a mix of housing, shops, services and leisure facilities
 To create an environment that is safe, attractive and welcoming to all and that encourages community participation and development
 To ensure that residential development is supported by appropriate transport and leisure facilities
 Employment opportunities across local businesses

Goal: A Sustainable, diverse Environment for all life:

Objectives

The maintenance and protection of our natural environment whilst adapting to and mitigating the impact of Climate Change
 To maintain, enhance and preserve our existing open space
 To improve access to the neighbouring countryside for cyclists and walkers
 To encourage local food production
 To create a network of green spaces and corridors that is respected, supported and protected by all residents and that sustains local wildlife and a sense of rural living throughout the town
 To provide an excellent network of public transport and non-vehicular transport routes that allow genuine choice in future transport options

Goal: A Safe, Strong Community with a clear sense of Well Being:

Objectives

An active community physically, intellectually and socially, caring for and aware of all in our community
 A physically active and healthy community taking advantage of the geography to walk and cycle
 Efficient recreation services and facilities
 A vibrant and diverse community reflecting all ages, backgrounds and traditions
 To create a diverse and supported community with excellent virtual communication and close links to neighbouring communities
 To ensure that all services, facilities and events both physical and digital where the whole community are regularly used, well used and accessible which encourage new people and

Goal: A Low Carbon and Energy community mindful of the environment:

Objectives

A local community marked by a strong sense of self-reliance, low energy use, local energy and food production and a continuing commitment to become a low carbon community

Goal: A Culturally Rich Community

Objectives

Wide participation in local arts, sports, civic activities and local traditions
 A strong sense of Civic Pride and engagement celebrating what Formby and its Parish offers

Formby Now





How does the Formby Neighbourhood Development Plan relate to Sefton's emerging Local Plan?

The Formby Neighbourhood Development Plan is required to meet certain 'basic conditions' set by central Government. These include:

- Promoting sustainable development, and
- Ensuring it is in 'general conformity' with national planning policy and any Local Plan for the area.

The Unitary Development Plan (UDP) is our current development plan, but will be replaced by the Sefton Local Plan in 2015.

Sefton Council consulted on the Local Plan 'Preferred Option' in 2013. This identified a number of sites around Formby and Little Altcar as suitable for housing (policy SR4) or employment (policy SR5):

- SR4.11 – Land north of Brackenway
- SR4.12 – Holy Trinity School, Lonsdale Road
- SR4.13 – Formby Professional Development Centre, Park Road
- SR4.14 – Land at Liverpool Road
- SR4.15 – Land at Altcar Lane
- SR4.16 – Land at Andrew's Close
- SR4.45 – Land at Marsh Farm, Barton Heys Road (since withdrawn)
- SR4.46 – Powerhouse site, phase 2
- S5.2(d) – Land north of Formby Industrial Estate

Sefton Council intends to publish the Publication-draft Local Plan for comment in the autumn. After this, it will submit the Local Plan to the Secretary of State for independent examination. If the Local Plan is found 'sound', the Council will adopt it in 2015. More information can be found at www.sefton.gov.uk.

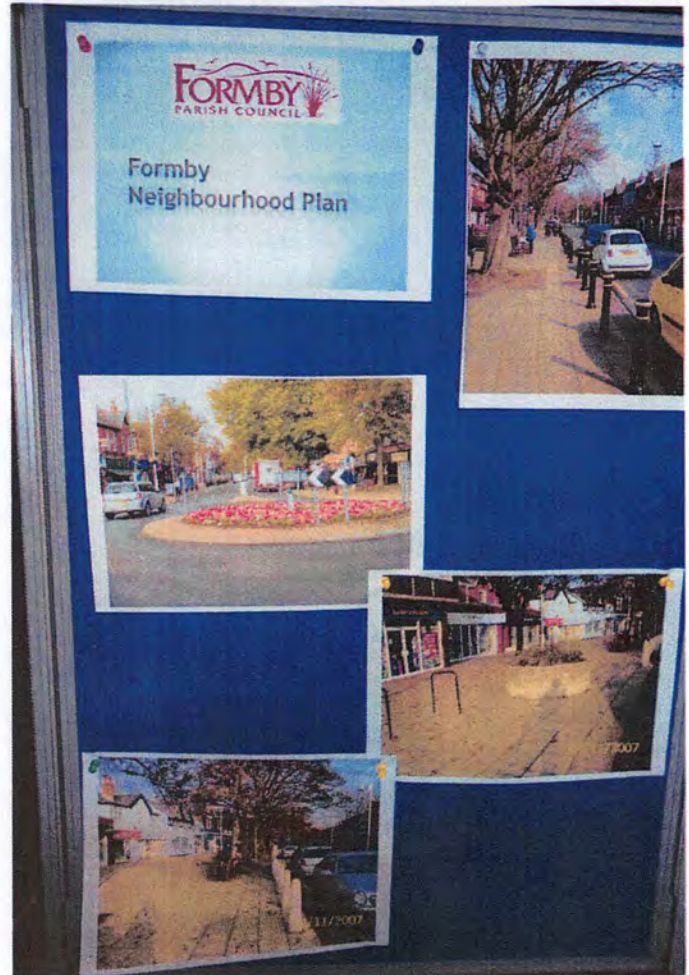
Sefton Local Plan Preferred Option consultation (summer 2013): Formby housing and employment allocations

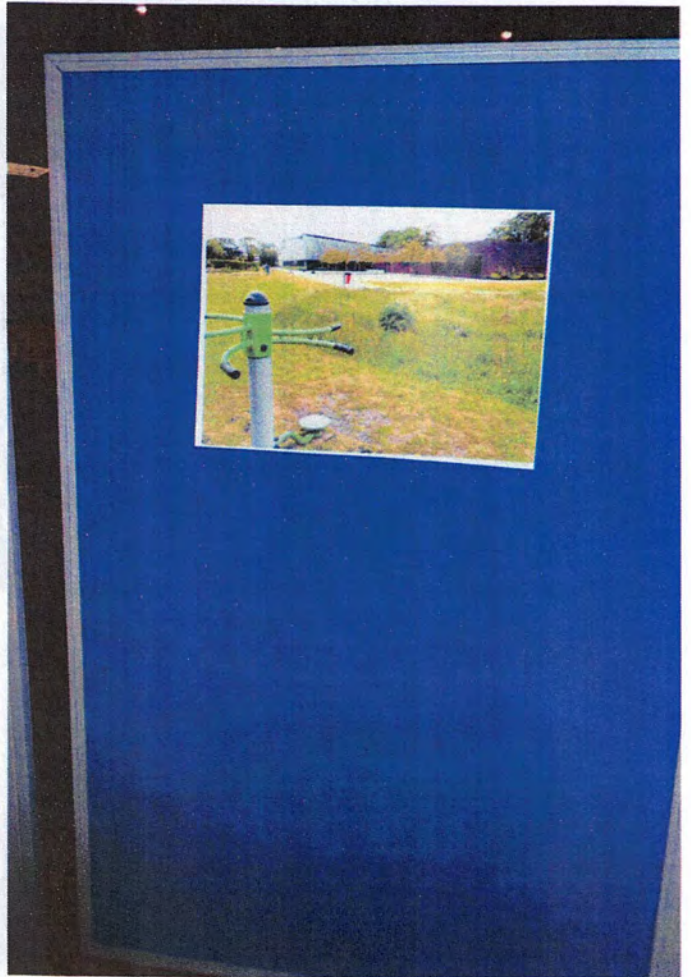


Sefton Council is currently consulting on sites put forward by others during the Preferred Option consultation. No decisions have yet been taken about whether any of these sites will be included in the Local Plan. Comments on these sites should be submitted to local_plan@sefton.gov.uk by Friday 8th August, 2014.

More information can be found at www.sefton.gov.uk/adviceonplanning.







18 JUNE 3-8PM PUBLIC CONSULTATION

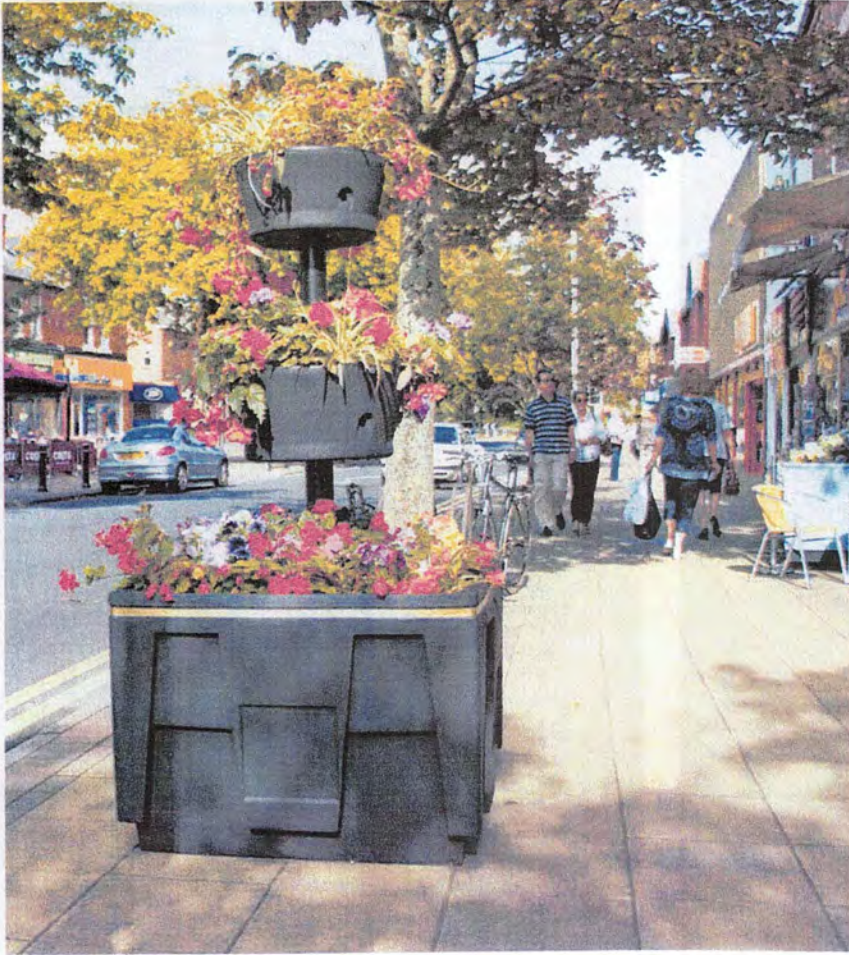
Formby: A Vision for the future
 Join us at the Guild Hall to have your say on The Formby
 Neighbourhood Development Plan.
 It's an opportunity to share your views on the future of
 Formby. A healthy and well-being future.



Local Authority
 Formby Parish Council



Launch Event June 2014



18 JUNE 3-8PM PUBLIC CONSULTATION

Formby: A Vision for the future

Join us at the Gild Hall to have your say on The Formby Neighbourhood Development Plan.

Tell us your priorities across a wide range of social, economic, environmental & health and well being issues.



Little Altcar
Parish Council



The Formby Neighbourhood Plan

Have your say about
the future of Formby

What can we protect
and improve?

Better local
economy?

Better local
facilities?

**GILD HALL
CHURCH ROAD
FORMBY**

Drop in between
3pm - 8pm

Parish council to hold public consultation into future of village

FORMBY Parish Council officers have organised a public consultation meeting for local residents to discuss and present their views on how the village should look in the future.

The Chair of Formby Parish Council, Mike Coles, said that under the changes in legislation in recent years, the Localism Act, neighbourhoods can now establish a Neighbourhood Plan that allows residents to set out what they see as vital in their community and what they want to protect against developments or change.

The Plan doesn't just include proposals against building on green belt, but also maintaining the appearance of the village centre. Cllr Mike Coles added: "The Parish

by Holly Rummens

Council have done a lot to improve the security and appearance of the area and there is still more we can do when money allows.

"But obviously all our plans needs to be negotiated into the wider plans for the region and the Metropolitan Borough Council.

"We have always aimed to actively improve the town and its appearance by the work of our volunteers, and now we have been given the authority to go further."

Both Formby and Alcar parish councils will attend the meeting which will be held on June 18 from

3pm at the Gild Hall, Church Road, Formby.

Formby Civic Society will also be attending to gather comments and to ensure that real local issues are taken into the Sefton Local Plan.

Cllr Coles continued: "You can raise almost any subject at the meeting and once the final report is agreed it will have the necessary powers to see it through.

"We are looking forward to the meeting when we can listen and put forward some ideas for discussion."

For more information about the meeting you can visit the Parish Council website at www.formbyparishcouncil.gov.uk.