

## **Application to Birmingham City Council Local Planning Authority for:**

- 1. Designation of Balsall Heath Neighbourhood Area and**
- 2. Balsall Heath Neighbourhood Planning Forum**

**Application submitted by Balsall Heath Neighbourhood Planning Forum  
on 7<sup>th</sup> September 2012**

Balsall Heath was declared a Neighbourhood Planning Front Runner by DCLG in April 2011, and a significant amount of work has been undertaken to inform proposals which will feature in a Neighbourhood Development Plan.

In the spirit of the pilot initiative, the Forum's intentions to prepare a NDP were advertised on our own web site as well as BCC's. However, in order to progress the draft plan to adoption as a statutory land use framework we are now seeking formal designation in accordance with the Neighbourhood Planning Regulations (2012). The content of this application fulfils the requirements of the regulations, and clearly highlights the extent of the proposed Neighbourhood Area and the Forum's desire to produce the Neighbourhood Development Plan.

### **The proposed Balsall Heath Neighbourhood Area**

Appendix 1 highlights the extent of the proposed Neighbourhood Area. The Moseley Road runs through the heart of the Neighbourhood Area, with Highgate Road to the north, Stoney Lane to the east, Brighton Road to the south and Pershore Road to the west. There are a number of local centres within the proposed boundary, including Ladypool Road and Moseley Road, and a number of potential development sites have been identified.

### **Why should Balsall Heath be designated as a Neighbourhood Area?**

Balsall Heath is an inner city area with a growing and diverse population. In common with others, it underwent major physical change during the Clearance and Urban Renewal programmes. Apart from periodic immigration, it is now a largely settled neighbourhood, and over the last 20 years community spirit and pride has improved considerably.

However, there are some development pressures, as well as community aspirations. What the area lacks is an up to date, coherent vision for the continued physical and economic regeneration of Balsall Heath.

The plan seeks to explore:

- potential sites for new housing provision to meet community needs;
- the promotion of new employment and other development opportunities by bringing under utilised buildings and sites back into use;
- improved connectivity and accessibility throughout and beyond the area by sustainable modes of travel;
- the preservation and restoration of buildings or sites of historic or architectural importance;
- the protection and conservation of the natural environment;
- promoting the vitality and viability of local centres – meeting the changing demands of both the local population and potential visitors that could be attracted;

- reconciling the views of the community with landowners in respect of development sites; and
- the promotion of public safety and prevention of crime.

Neighbourhood Planning will enable us to explore the principles of the Big Society more widely, including neighbourhood budgeting, community asset management and service delivery. A Neighbourhood Development Plan for Balsall Heath will complement these various strands of activity. Producing a statutory spatial framework will provide clear guidance and direction to investors and developers, as to the way local people wish to see Balsall Heath move forward and thrive in the future. It will become the basis for a long term delivery plan, for implementation by a variety of partners.

### **How does the Balsall Heath Neighbourhood Planning Forum meet the requirements of the Neighbourhood Planning Regulations?**

The Balsall Heath Neighbourhood Planning Forum which is serviced by and complements the Balsall Heath Forum Ltd has been created for the sole purpose of preparing a Neighbourhood Development Plan for Balsall Heath. The Planning Forum is a relevant body for the purposes of section 61G of the Town and Country Planning Act 1990 and has a written constitution (Appendix 2) specific to the preparation of a Neighbourhood Development Plan.

The Forum meets the conditions contained in section 61F(5) of the Town and Country Planning Act 1990, as required by the regulations as follows:

- It seeks to promote and improve the social, economic and environmental well-being of the area, specifically the proposed Neighbourhood Area.
- It's membership is open to:
  - i). individuals who live in the Neighbourhood Area concerned;
  - ii). individuals who work in the Neighbourhood Area concerned; and
  - iii). elected Members of Birmingham City Council (BCC) whose area falls within the Balsall Heath Neighbourhood Area.
- The Forum consists of 21 individuals, each of whom fulfils at least one of the above conditions
- The Forum has a written constitution.

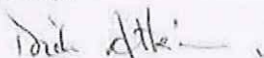
The Chair of the Forum, Danny Bailey and his CEO Dick Atkinson, will be the main point of contact for the plan and can be contacted using the information below:

Email: [nowrah@balsallheathforum.org.uk](mailto:nowrah@balsallheathforum.org.uk)

Telephone: 0121 446 6182

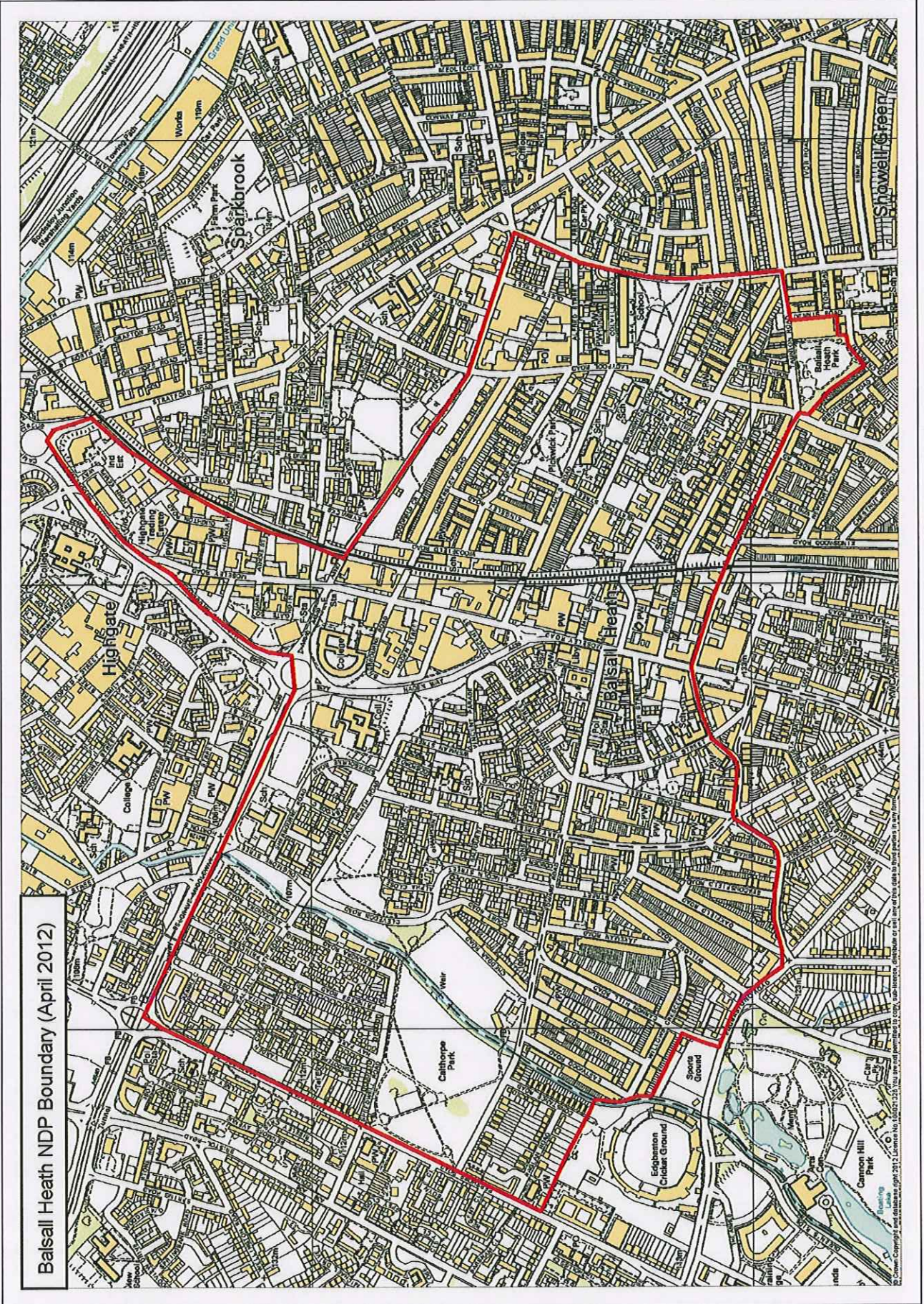
We trust that the information submitted meets the requirements set out in the Neighbourhood Planning Regulations. We look forward to the formal designation to enable us to progress with the plan, helping to realise our regeneration aspirations for Balsall Heath.

Yours sincerely,



Dick Atkinson

Appendix 1: Proposed Balsall Heath Neighbourhood Area



Balsall Heath NDP Boundary (April 2012)

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## **Appendix 2: Constitution for Balsall Heath Neighbourhood Planning Forum**

### **1. Name**

The name of the group shall be Balsall Heath Neighbourhood Planning Forum, hereafter referred to as the Planning Forum.

### **2. Objects**

2.1 The objects of the Planning Forum shall be:

- (a) to promote the social, economic and environmental well-being of the proposed Balsall Heath Neighbourhood Area;
- (b) to improve the social, economic and environmental well-being of the proposed Balsall Heath Neighbourhood Area;
- (c) to prepare a Neighbourhood Development Plan (NDP) for Balsall Heath Neighbourhood Area.;
- (d) to prepare Neighbourhood Development Orders and / or Community Right to Build Orders where relevant.

2.2 In furtherance of the above objects, the Planning Forum may do all such lawful things as are necessary for the attainment of the Objects.

### **3. Balsall Heath Neighbourhood Area**

The extent of Balsall Heath Neighbourhood Area is attached.

### **4. Membership**

4.1 The Forum's Membership is open to:

- (a) individuals who live in Balsall Heath Neighbourhood Area;
- (b) individuals who work in Balsall Heath Neighbourhood Area (whether for businesses carried on there or otherwise); and
- (c) elected Members of Birmingham City Council (BCC) whose area falls within the Balsall Heath Neighbourhood Area.

4.2 The current Membership is listed at Appendix 1. A minimum of 21 Members is required at all times, each of whom satisfy at least one of the above.

4.3 Any member may resign his / her Membership by providing the Secretary with written notice.

### **5. Meetings**

5.1 The Planning Forum will meet on as regular a basis as is required, to discuss issues and progress the drafting of the NDP, especially in respect to item 8.1 below.

- 5.2 Meetings will be arranged at least 7 days in advance to provide sufficient notice for Members to attend.

## **6. Non Members**

- 6.1 Non Members, including technical experts, landowners and BCC officers may attend Planning Forum meetings with the agreement of the Chair, Deputy Chair or Secretary, to provide information to aid plan preparation and to discuss land use options within the area.
- 6.2 Non Members are not eligible to make decisions on proposals within the emerging NDP. However, there will be a number of opportunities for non Members to submit comments during informal and statutory consultation periods.

## **7. Decision making**

- 7.1 All Members are entitled to vote at a Forum Meeting and voting shall be made by a show of hands on a majority basis. In the case of a tied vote, the Chairperson or appointed deputy shall make the final decision.

## **8. Neighbourhood Planning**

- 8.1 Any decision to undertake, consult on, or submit a draft NDP to the local planning authority for validation, examination, referendum and adoption shall be subject to a vote of the full Planning Forum.
- 8.2 The Planning Forum will prepare a timetable for the preparation of the NDP in collaboration with officers from BCC's Planning and Regeneration Service.
- 8.3 Key milestones will be identified, including the submission of the draft NDP to BCC, independent examination and referendum. To ensure proposals and options within the emerging NDP are justified, a sound evidence base will be developed to substantiate the proposals in the submission document.
- 8.4 The NDP will contain policies and proposals that conform to national and local planning policies, meet the needs of the local community and have a reasonable prospect of delivery.
- 8.5 Comments will be considered and a Consultation Statement prepared, to highlight how consultation feedback has informed the NDP, which will be submitted to BCC alongside the draft NDP for verification etc..
- 8.6 Consultation on the draft Neighbourhood Development Plan will be open to all residents, businesses and stakeholders within the Balsall Heath Neighbourhood Area (or an extended area if appropriate), whether Members of the Forum or not.
- 8.7 The Planning Forum shall set up a website to publicise the neighbourhood planning process, seek the views of the public and

record their comments, as well as identifying an address where written comments can be received.

- 8.8 A steering group, comprised of Members of the Forum and local stakeholders, will endeavour to attend meetings to inform the preparation of the NDP and to contribute towards decision making processes.
- 8.9 At the discretion of the Planning Forum, a Neighbourhood Plan Team can be delegated the tasks of preparing the Neighbourhood Development Plan.

## **9. Declaration of interests**

- 9.1 Individual Members of the Forum have a duty to declare in advance any financial, party political, employment, land ownership and other organisation interest that could have an impact on the work of the group.

## **10. Training and development of the Planning Forum**

- 10.1 Members of the Planning Forum will make every effort to take up opportunities for training or learning about any aspect relevant to Neighbourhood Planning and community engagement.

## **11. Officers of the Planning Forum**

- 11.1 The Forum will elect a Chair, Deputy Chair and Secretary from within its Membership on a bi-annual basis to facilitate the steering group.
- 11.2 Arrangements will need to be made by the steering group or Neighbourhood Plan Team, to identify methods of dealing with all communications within the Planning Forum and for third parties, including BCC, landowners, agents and potential investors.
- 11.3 The Chair will have the casting vote on matters relating to elections and resolutions, and all voting will be determined by a show of hands.

## **12. Alteration of the Constitution**

- 12.1 Any proposed amendments to the Constitution will need to be supported by a majority vote at a full meeting of the Forum.

## **13. Quorate**

- 13.1 Meetings of the Full Forum will be quorate if there are at least 9 Members or 1/3 of the Membership eligible to vote present (whichever is the least number) including at least one Officer.

#### 14. Complaints

- 14.1 Any complaints about the behaviour of a Member of the Forum or sub groups, in relation to the work undertaken, shall be made in writing to the Chair of the Planning Forum.
- 14.2 Elected officers of the Planning Forum will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, then other Members of the Forum will be appointed in their place.

#### 15. Finance






- 15.1 Balsall Heath Forum Ltd (BHFL), which is a well established organisation representing the views and aspirations of the local community, is helping the Planning Forum facilitate the production of the Balsall Heath NDP.
- 15.2 Any money acquired by the Planning Forum, shall be held by BHF Ltd on the Planning Forum's behalf, who shall apply it towards the objects of the Forum and for no other purpose. A record of expenditure will be kept by BHF Ltd for inspection by the Planning Forum, or funders of the Planning Forum.

#### 16. Dissolution of the Forum

Once the NDP has been adopted by Birmingham City Council, the Balsall Heath Neighbourhood Planning Forum will be wound up. A majority of the Membership shall decide on the distribution of any remaining monies or assets held by the Planning Forum.

This constitution was adopted at a meeting of the Planning Forum held on September 5th 2012

Signed

	Chair 
	Deputy Chair 
	Secretary 
	Member <b>MAKHDOOM CHISHTI</b>
	Member <b>Andy Donovan</b>