



This text has been incorporated as Section 1.2 of the Submission Draft of the NDP

The Role of the Parish Council

Parish Councils, which in larger urban areas are called Town Councils, are the lowest tier of local government in England. They have limited statutory powers but they are an important community voice within the local government system. Unlike principal councils, such as Cheshire West and Chester, their members are entirely unpaid and they generally have few paid members of staff. In planning matters their role was limited to that of a statutory consultee when the local planning authority (in our case Cheshire West and Chester Council) was considering planning applications or local planning policies.

The Localism Act 2011, aimed to give more power and a bigger voice in planning matters to local communities by allowing the production of Neighbourhood Development Plans (NDP) by Town and Parish Councils. Such plans have to have regard to national policies and advice and be in general conformity with the strategic policies in the principal council's Local Plan. Once these plans are completed their policies must be taken into consideration by the planning authority for all planning applications in the area.

Preparing the NDP

In areas which have a Parish Council, the process of developing a Neighbourhood Development Plan has to be led by the Parish Council. In 2014, Upton-by-Chester and District Parish Council established a Steering Group which consists of both Parish Councillors and local residents. This group has worked together to carry out consultations across the community and to develop the Plan. The costs involved in carrying out consultations and providing evidence to support the plan policies have been partly met from the Parish Council's budget but mainly through grants obtained from central government agencies. The administration of the Examination of the NDP and the final referendum of Upton residents will be carried out by Cheshire West and Chester Borough Council (CW&CC).

Implementing, monitoring and updating the NDP

The only parts of the NDP which have statutory force are the specific policies contained within it. These only have effect when an application for planning permission is made, they cannot be used to require changes to existing buildings or land uses.

Because the Parish Council is not a planning authority, decisions on planning applications are made by Cheshire West and Cheshire Council. Refusal of (but not permission for) an application can only be overturned by an appeal to the Department

of Housing, Communities and Local Government (DHCLG). The policies in the Upton NDP will have to be taken into account when decisions are made on planning applications in the Parish Council area.

In its role as a statutory consultee, the Parish Council will act to advise the Local Planning Authority (CW&CC) where it considers that planning proposals would contravene the provisions of the Neighbourhood Development Plan.

Enforcement of the NDP policies is the role of CW&CC but the Parish Council will advise the Local Planning Authority of any breaches so that enforcement action may be taken.

At its meeting on 18th January 2021, Upton Parish Council agreed to set up a Parish Council committee to manage the policies set out in the approved NDP against any future planning and development in the parish. The NDP will need to be updated at intervals, ideally at least every five years, to take account of changes in national and local planning policies.

Once the NDP is in force, the Parish Council will monitor the implementation of these policies and advise the Local Planning Authority so that enforcement action may be taken against any breaches. It will regularly monitor the effectiveness of these policies in achieving the objectives and review them as necessary

For significant developments, the Parish Council will liaise with the Local Planning Authority and seek to be involved in discussions with potential developers and applicants from an early stage and before submission of planning proposals. It will seek engagement in the preparation of any impact assessment to ensure that the impact on the local community is clearly described and understood.

The Parish Council will seek to ensure that the NDP is updated over time as required to take account of any changes to the CW&CC Local Plan or other policies.

As part of the NDP process, particularly the consultations with residents, proposals for actions which the Parish Council and other agencies could take to improve the quality of life in the area and support the vision, objectives and policies in the NDP have been made. Because these are not part of the statutory planning process they cannot be included as policies in the NDP. These *Suggested Actions for the Parish Council* will be considered by the Council and taken forward as appropriate.