

Town and Country Planning Act 1990  
Neighbourhood Planning (General) Regulations 2012

INTERIM BLACKWELL NEIGHBOURHOOD FORUM

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Application for Designation  
of a Neighbourhood Area

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Darlington Borough Council  
Planning and Environmental Policy  
Town Hall  
Darlington  
DL1 5QT

21<sup>st</sup> February 2014

*For the Attention of: Richard Alty, Director of Economic Growth*

Dear Mr Alty,

### **Application for Designation of Blackwell Neighbourhood Area**

I am writing to apply for the designation of a Neighbourhood Area under Section 61G of the Town and Country Planning Act 1990 and in accordance with Part 2(5) of The Neighbourhood Planning (General) Regulations 2012.

The name of the proposed Neighbourhood Area is the **Blackwell Neighbourhood Area**.

A map is enclosed to identify the Neighbourhood Area, the boundary of which is shown edged red (see Annex 1).

Annex 2a provides a statement which explains why this area is considered appropriate to be designated as a Neighbourhood Area.

The application is made by the interim Blackwell Neighbourhood Forum, which is capable of being a 'relevant body' within the terms of the legislation. Annex 2b provides a statement which explains how the interim Blackwell Neighbourhood Forum meets legal requirements for the purposes of this application. Annex 3 is a copy of the draft Constitution for the interim Forum.

The application meets all the legislative provisions and requirements and is being submitted in parallel with a separate application seeking the designation of the Blackwell Neighbourhood Forum. Together, these designations will empower the local community to plan positively and creatively for the future development of Blackwell through the preparation of a Neighbourhood Plan.

On behalf of the interim Blackwell Neighbourhood Forum, I look forward to the Council's designation of the Neighbourhood Area once statutory consultation procedures have been met.

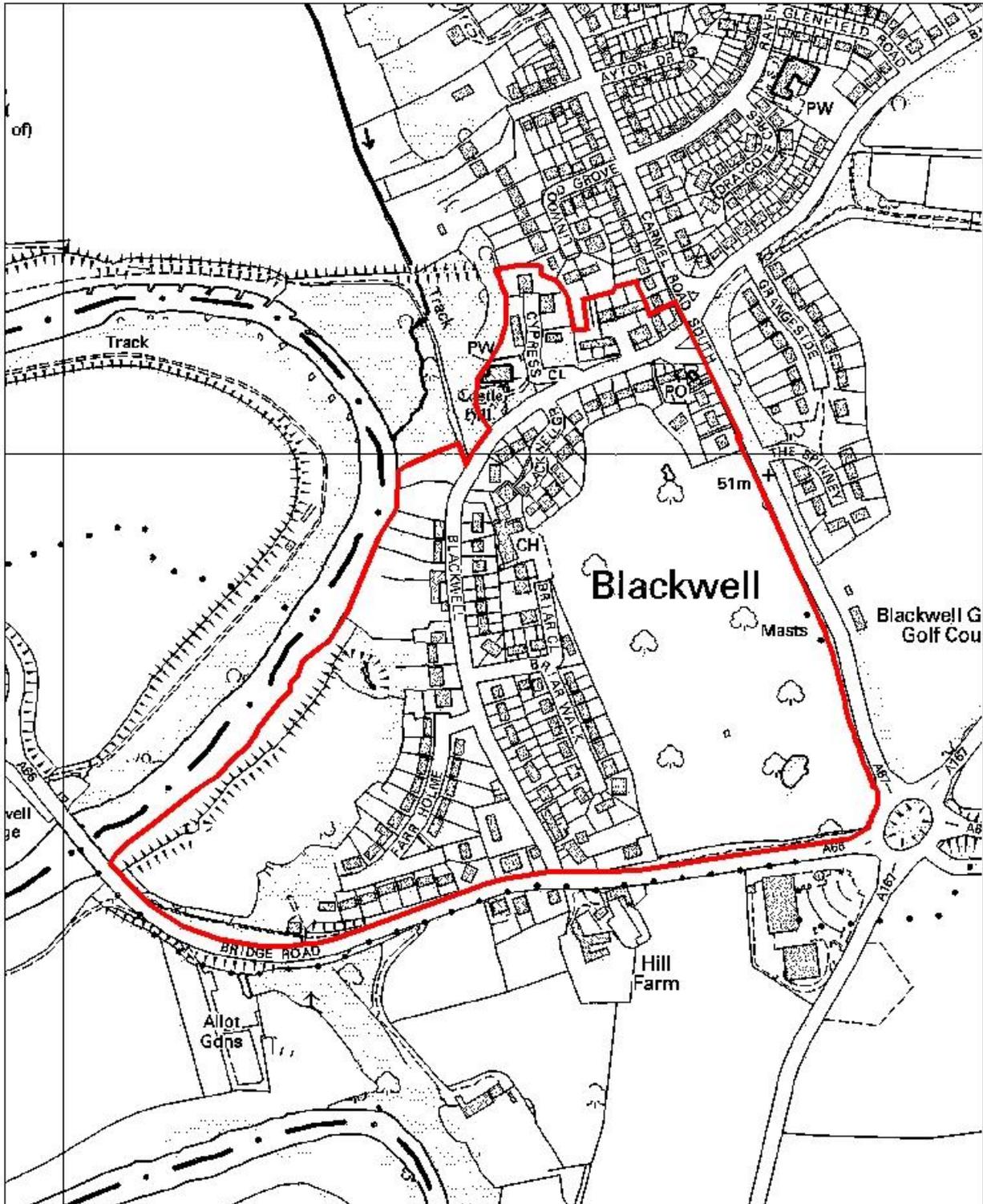
Yours Sincerely,

*John Hardman*

Chair, Interim Blackwell Neighbourhood Forum

# ANNEX 1

## Map of Proposed Blackwell Neighbourhood Area



Blackwell Proposed Neighbourhood Area Boundary  
Darlington



Scale: 1:5,000  
Date: 05.02.14



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# ANNEX 2a

## Supporting Statement for Proposed Area

(Regulation 5[1b] of Part 2 of the Neighbourhood Planning [General] Regulations 2012)

### Description and historical identity

**Blackwell** is a distinct and definable neighbourhood on the south western edge of Darlington.

It centres on the road which bears the same name as the settlement – Blackwell. To avoid confusion in this statement, any reference to the settlement name appears in bold text (ie - **Blackwell**), and the road name appears in normal text (ie - Blackwell).

In bald terms, Blackwell is the backbone to the settlement, connecting Bridge Road (A66) to Carmel Road South. There is almost continuous housing either side of this road and more housing in the off-shoot streets that can only be accessed from Blackwell itself. This makes Blackwell the core that connects the **Blackwell** community to itself and to wider Darlington and the world beyond.

This physical constitution is, in large part, a historical legacy of **Blackwell** Village, a settlement that has existed for hundreds of years. In 1870-72, for example, John Marius Wilson's Imperial Gazetteer of England and Wales catalogues that: '**BLACKWELL**, [is] a township in Darlington parish, Durham; on the river Tees, near the Croftbridge railway, 1 ½ mile SW by S of Darlington'.

Indeed today, **Blackwell** is often referred to locally as '**Blackwell** Village' and it is significant that the appellation 'Blackwell' has not transformed into 'Blackwell Avenue' or 'Blackwell Crescent' or something similar, signifying that **Blackwell** is not simply a road but a *place* with its own history and identity.

Of equal importance to this identity and sense of place are the areas of open land which are both the setting to, and an integral part of, the settlement.

To the east, this is defined by the large tract of golf course land, including the now redundant club house building. This land clearly has a very strong spatial relationship to **Blackwell**. Not only does it physically adjoin the present built form of the settlement along its eastern side, but it serves to 'contain' the outer envelope of the settlement through the clear boundary edges formed by Carmel Road South and Bridge Road.

To the west, is a tract of sloping open land which falls away from the rear gardens of properties on Blackwell and Farr Holme down to the River Tees. This too provides a strong and natural edge to the settlement.

### Rationale behind **Blackwell** Neighbourhood Area

The chosen boundaries for the proposed **Blackwell** Neighbourhood Area have been arrived at following consideration of three guiding principles –

- a) Community Identity
- b) Tangibility of boundaries
- c) Appropriateness for Neighbourhood Planning

### a) Community Identity

The physical setting and form of the settlement already provides a very strong starting point for defining a proposed Neighbourhood Area.

However, a key driver to defining the actual extent of that Neighbourhood Area has been the local community's response to the recently changed status of the golf club land and the nature of development which could potentially take place within it.

This has in effect been the trigger from which a clear 'community of interest' has emerged. This resulted from the community uniting together over the second half of 2013 with a shared desire to progress its own vision for the future development of the golf club land. Fundamental to this vision is the community's desire to utilise the development opportunities of the golf club land - 1) to help re-create and reinforce **Blackwell** as a village with a distinct centre/focal point, and, 2) to help promote a more sustainable community and diverse social/demographic mix.

The spatial extent of this community of interest is thus a product of the inherent physical relationship of the golf club land to Blackwell and its off-shoots. In turn, this collectively provides the basis for defining a clear and rational Neighbourhood Area which the residents within can all identify with.

The chosen boundaries therefore carry the full endorsement of the **Blackwell** community. They encompass an area which carries a strong sense of place and identity for people from **Blackwell**, based not just on its history, form and setting, but also on shared interests and aspirations for their neighbourhood.

### b) Tangibility of boundaries

The chosen boundaries follow clear physical features, namely the A66 Bridge Road to the south, Carmel Road South to the east, the edges of properties on, or served off, Blackwell to the north and the River Tees to the west.

### c) Appropriateness for Neighbourhood Planning

The chosen boundaries encompass a strong and coherent spatial entity, within which there are opportunities, aims and objectives which a Neighbourhood Plan can help tackle. In tandem with this, the boundaries encompass a strong and identifiable community which, through the creation of an interim Neighbourhood Forum and forging links with Council officers, has demonstrated itself to be willing and able to take forward the task of preparing a Neighbourhood Plan.

### Statements in fulfillment of Section 61G of the Act

No part of the proposed Neighbourhood Area overlaps any part of any other Neighbourhood Area (in fulfilment of Section 61G(7) of the Act).

No part of the proposed Neighbourhood Area consists of or includes the whole or any part of the area of a parish (in fulfilment of Section 61G(3)(b) of the Act).

# ANNEX 2b

## Supporting Statement for Relevant Body

(Regulation 5[1c] of Part 2 of the Neighbourhood Planning [General] Regulations 2012)

At a meeting of Blackwell residents in August 2013, a decision was made to lay the legal foundations for preparing a Neighbourhood Plan by establishing a Neighbourhood Forum and defining a Neighbourhood Area for the settlement of Blackwell.

Since then, representatives from the interim Forum have been working with the direct support of a Locality consultant to ensure that the interim Forum and proposed Area are 'fit for purpose' in anticipation of making simultaneous applications for their designation.

This has involved further meetings of the key representatives of the interim Forum, plus meetings and ongoing liaison with the Council, as well as work to widen the membership and fine tune the Written Constitution.

In fulfillment of legislative requirements, membership of the interim Forum is open all those who live and work (whether for businesses carried on there or otherwise) in the Blackwell Neighbourhood Area, and to elected Members for the area. Membership also seeks to represent the character and diversity of the proposed Neighbourhood Area. It is pertinent in this respect to note that Blackwell is an overwhelmingly residential area, with a demographic skewed heavily to an older, relatively affluent population. It is indeed part of the objective of the Forum to utilise the opportunities afforded by a Neighbourhood Plan to create a more socially and demographically diverse community.

Notwithstanding this, the current membership of the interim Forum stands at a healthy 50 members from all walks of life, including an elected Member for the Ward and individuals under the 'work in the area' category. Geographically, membership is also drawn from across the proposed Neighbourhood Area.

A copy of the draft Written Constitution of the interim Forum is included as part of this application at Annex 3. This identifies that the express purpose of the interim Forum is to promote and improve the social, economic and environmental wellbeing of the proposed Blackwell Neighbourhood Area.

In the context of this application, the interim Blackwell Neighbourhood Forum is thus a 'Relevant Body' for the purposes of section 61G(2)(b) of the Act since, in accordance with the Act, it is *'capable of being designated as a neighbourhood forum (on the assumption that, for this purpose, the specified area is designated as a neighbourhood area)'*.

# ANNEX 3

## Draft Constitution of the Blackwell Interim Neighbourhood Forum

### **1.0 Name and Area**

- 1.1 The name of the Forum shall be the Blackwell Neighbourhood Forum.
- 1.2 The area covered by the Forum shall be the area as shown on the attached map, known as the Blackwell Neighbourhood Area.

### **2.0 Purpose, aims and objectives**

- 2.1 The Blackwell Neighbourhood Forum is established for the express purpose of promoting and improving the social, economic and environmental well-being of the Blackwell area.
- 2.2 The aims and objectives of the Neighbourhood Forum are to –
  - a) Undertake the preparation of a Neighbourhood Plan for Blackwell from inception through to adoption of the Plan;
  - b) Identify ways, in consultation with relevant authorities and organisations, of involving the whole community in the preparation of the Plan and gathering, analysing and presenting their views and opinions to ensure the Plan is as comprehensive and inclusive as possible;
  - c) Work closely with Darlington Borough Council and other relevant organisations in the preparation of the Neighbourhood Plan;
  - d) Take responsibility for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including identifying possible sources of funding;
  - e) Ensure the Blackwell Neighbourhood Plan conforms with local and national planning policies;
  - f) Ensure the Forum shall not be affiliated to any political party or organisation;

### **3.0 Powers**

- 3.1 The Forum's ultimate decision-taking authority comes from its Annual General Meeting (AGM) and other open meetings (see Section 6). These meetings in turn provide legitimacy to the Forum Steering Group and the plans which they and/or supporting task and working groups may develop (see section 7).
- 3.2 In pursuance of its aims and objectives, the Neighbourhood Forum is empowered to –
  - a) Produce a Neighbourhood Plan on behalf of the community within the designated boundary referred to in Section 1.2;
  - b) Seek to maintain a Neighbourhood Forum website giving details of the Forum, including a map of the Blackwell Neighbourhood Area and the contact details of the Chair and Secretary.

Communication with the Forum membership will be via notices, agendas and minutes of AGM's and open meetings, together with periodic newsletters and briefings;

- c) Organise open meetings or other equivalent events, including an Annual General Meeting (AGM), to which all Forum members will be invited;
- d) Establish a Steering Group in pursuance of the Forum's aims and objectives;
- e) Raise money or apply for funding as necessary (see section 8);
- f) Conduct research;
- g) Carry out anything else within the law necessary in pursuance of the Forum's aims and objectives.

#### **4.0 Values**

- 4.1 All members of the Forum shall act in the best interests of the Forum in any meetings of the Forum, the Steering Group and any Task or Working groups.
- 4.2 In any of the meetings referred to in 4.1, a member must declare any actual or potential conflicts of interest which may render said member unable to vote on the particular issue or issues under discussion, unless the members present unanimously agree that the declaration does not preclude the member from voting.
- 4.3 The Forum will comply with all relevant equality and anti-discrimination legislation and shall not discriminate against any persons on grounds of race, nationality, gender, sexuality, religion, or age.

#### **5.0 Membership**

- 5.1 Forum Membership is open to all residents living in the area, all those who work in the area (whether for businesses carried on there or otherwise), and elected members for the area (with 'area' being as defined in section 1.2).
- 5.2 Individuals can sign up for membership at any Forum open meeting or by contacting any Steering Group Member.
- 5.3 Members must be over 16 years of age, can attend Forum meetings and are eligible to vote on proposals put forward by the Forum.
- 5.4 Forum Members may be contacted by the Steering Group from time to time to act as a litmus test for ideas and proposals or be invited to participate in other activities related to the work of the Forum.
- 5.5 Membership of the Forum must consist of a minimum of 21 individuals made up of the following:
  - a) Individuals who live in the Blackwell Neighbourhood Area Boundary;
  - b) Individuals who work in the Blackwell Neighbourhood Area Boundary (whether for businesses carried on there or otherwise);
  - c) Individuals who are elected members of the Council whose area falls within the Blackwell Neighbourhood Area boundary.

- 5.6 The draft Constitution which has been used to achieve designation of the forum will be tabled at a founding Open Meeting of the Forum and deemed accepted if a majority of those voting at the meeting approve it. Subsequently, all members of the Forum will be contacted and provided with a copy of the new Constitution to agree to as approved and this process shall be repeated with any further revisions to the Constitution.
- 5.7 All members of the Forum have a duty to declare at application stage any financial interests or associations through party political or other organisations, employment or land ownership that could have an impact on their, or the Forums work.
- 5.8 Any member who wishes to resign must provide the Secretary with written notice stating whether the resignation is with immediate effect or subject to a time frame to be specified in the written notice.
- 5.9 Associate membership is open to individuals who do not meet the requirements in 5.1, but have an interest in assisting the Forum to achieve its aims and objectives. Associate membership does not carry voting rights.

## **6.0 AGM and other meetings**

- 6.1 The AGM and other open meetings provide the mechanism for decisions to be taken by the Forum in relation to its powers as set out in Section 3 of this Constitution.
- 6.2 At each AGM, the Forum shall elect a Steering Group by means of a majority vote to undertake the day to day work of the Forum as set out in section 7 of this Constitution.
- 6.3 The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Steering Group.
- 6.4 The AGM will be called with at least 15 working days notice by informing all residential properties within the Blackwell area, as defined in section 1.2 of this Constitution.
- 6.5 At each AGM, the Treasurer will provide a set of independently examined accounts for the Forum consisting of a statement of income and expenditure and a balance sheet for the previous financial year and the Minute Secretary will record the proceedings (see section 8.5).
- 6.6 The following rules apply to Open Meetings, Steering Group Meetings and the AGM:
- a) Chairing – each meeting has a chair. The chair of the meeting ensures that the business of the meeting is transacted in an orderly and respectful way.
  - b) Decision Making – the Forum endeavours to make decisions by consensus, but in the case of a vote, decisions are made by simple majority of those present and entitled to vote and will be determined by a show of hands. When the vote is tied, the chair of the meeting has a second, casting vote.
  - c) Speaking – all members are entitled to speak at meetings and, at Open Meetings, all members of the public are entitled to speak. The chair of the meeting has the power to impose time limits on speeches.

- d) Quora – open meetings and the AGM will be quorate if at least 2 officers (including either the Chair or Deputy Chair) and at least 6 other members are present. The quorum applicable to Steering Group meetings is set out in paragraph 7.6.

## **7.0 Forum Steering Group**

7.1 The Steering Group (SG) exists to –

- a) Co-ordinate, implement and monitor the work of the Forum;
- b) Prioritise, schedule and publicise this work;
- c) Receive and consider reports from relevant Task or Working Groups;
- d) Undertake the financial management of the Forum;
- e) Establish policies, procedures and frameworks.

7.2 The SG is a working committee made up from Forum members initially elected at the inaugural meeting and subsequently at each AGM by majority vote. Only full members of the Forum may stand for the SG and should be nominated by at least one Forum member.

7.3 SG Members to be elected at the inaugural meeting and subsequent AGM's, are: Chair, Treasurer, Minute Secretary and Membership Secretary, plus 5 Open Place members.

7.4 Non-voting SG members with specialist skills may be co-opted onto the SG and the SG may set up Task or Working Groups of Forum and co-opted members for specific projects or tasks to be undertaken.

7.5 The SG will liaise with relevant bodies such as Locality, community support groups, relevant business associations, the local authorities and the elected representatives of the ward in which Blackwell Neighbourhood Area falls.

7.6 SG decision making will be by consensus or by majority vote. SG meetings will be declared quorate with 50% or more of SG members in attendance.

7.7 The Steering Group will meet monthly and Task and Working Groups will meet as determined by the nature of the task or project and timetable they are responsible for.

7.8 The SG has the power to hold votes of no confidence in any member by simple vote.

## **8.0 Forum Funding**

8.1 Any monies acquired by the Forum shall only be used to help achieve the aims and objectives of the Forum as set out in Section 2.0 of this Constitution.

8.2 The Forum can raise funds for its activities by one or more of the following methods -

- a) Charging membership fees on an individual and/or associate member basis – level of fees to be agreed at an AGM or Special General Meeting (SGM);

- b) Submitting applications to grant awarding bodies for appropriate funds;
- c) Working in partnership with organisations which have funds to spend in the Blackwell area;
- d) By other means in keeping with the role of the Forum, including revenue from websites, donations, and proceeds from events.

8.3 The Steering Group will be responsible for determining the financial management of the Forum, including a minimum of 2 members – The Treasurer and one other nominated Steering Group member (or deputy) – to authorise expenses and sign cheques.

8.4 The Treasurer shall keep a proper account of the finances of the Forum, where necessary supported by receipts or invoices, and shall ensure that the Forum has a bank account in its own name.

8.5 The annual accounts of the Forum shall be subject to independent audit by two members of the Forum who are not Steering Group members.

## **9.0 Complaints**

9.1 Any complaints about the behaviour of a member of the Forum, Steering Group or sub-groups in relation to work undertaken shall be made in confidence, in writing to the Secretary unless the complaint is about the Secretary in which case it shall be made to the Chair.

9.2 The elected officers of the Forum will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the forum will be appointed in their place.

9.3 Appeals will be held by three members of the Board who have not been involved in investigating the complaint or determining action.

## **10.0 Alteration of Constitution**

10.1 This Constitution can only be changed at an AGM or SGM of the Forum. Any change to the Constitution requires a simple majority of votes of the members present and will be communicated to Forum members as described in section 5.6 of this Constitution.

## **11.0 Extending life of Forum**

11.1 The Forum shall exist for 5 years from its formal designation by Darlington Borough Council, and before the expiration of its 5 year life, it will give consideration to establishing a continuing or successor organisation to maintain and monitor the Blackwell Neighbourhood Plan.

## **12.0 Disbanding of Forum**

12.1 If the Forum is disbanded and no successor organisation established, any remaining funds after all bills and charges have been settled shall be returned to the provider from which the funds were received. No individual member of the Forum shall benefit from the dispersal.