

Dear Matt,

We have received no response from either LBHF or OPDC to our query as to why both local planning authorities intend to designate separate neighbourhood areas, in response to a single application for a single area.

In these circumstances, we suggest that a third recommendation 2.3 is added to the September 4th LBHF Cabinet report, reading:

'In the event of the OPDC Board agreeing to make a small variation to the boundary of the Old Oak neighbourhood area recommended for designation, extending this southwards to Braybrook Street, that the Council agrees that the area in green recommended for designation should form part of a single Old Oak neighbourhood area, until such time as the Council may in future come to determine a designation application for a separate neighbourhood area covering the Old Oak Estate.

We feel that such an additional recommendation would allow for all eventualities, in a scenario in which LBHF is making formal designation decisions in advance of OPDC. As we have pointed out:

- No rationale is provided in the committee reports of either LBHF or OPDC (the 'lead authority') for designation of two separate neighbourhood areas rather than one.
- This has the potential to double public expenditure on grants, examination costs and referendum costs, for no apparent reason.
- The committee report on the proposed LBHF decision is confusing. Paragraph 1.8(i) of the committee report asks Cabinet *to designate part of the proposed neighbourhood area which falls under LBHF planning control* when in fact LBHF appear to be proposing designation of a separate and unnamed neighbourhood area for which no application has been made. As pointed out, this would **not** become 'part of the proposed area', as a result of the requirements of the Act for 'one area, one forum'.
- This outcome would to the detriment of those OONF members and other respondents to the consultation, who are residents of the Old Oak Estate and who would be deprived of the way forward which they have supported, which is to be part of a wider cross-boundary neighbourhood area.

Paragraph 5.6 of the recently published OPDC report states: *to the south-west within the Old Oak Estate, the Old Oak Friends and Residents Association and five residents of Old Oak Estate were in favour of revising the boundaries to exclude the estate from the proposed neighbourhood area while twelve residents of the estate support the proposed boundary of the neighbourhood area;*

We see no evidence from the schedule of 198 consultation responses to justify the contradictory statement in the LBHF report at 4.19, which *states To the south-west, residents of the Old Oak Estate were largely in favour of revising the boundaries to exclude their estate from the proposed Neighbourhood Area.*

The 'group' response submitted by OOFRA may or may not prove to be representative of the majority view of Old Oak residents and tenants. At present there is no evidence that it is, while there is evidence to the contrary.

Hence by proceeding to designate a neighbourhood area separate from that immediately to the north (as recommended for designation by OPDC) the Council would be acting prematurely and prejudicially in denying the majority of those who responded individually to the consultation the outcome that they seek.

In any event, the views of Old Oak Estate residents are (rightly) not offered or relied upon as a rationale for the designation of two separate neighbourhood areas.

A number of cross-borough neighbourhood areas have been designated elsewhere in London. The OPDC report (para 1.2) states that in the case of cross-boundary applications *Both LPA are required to make independent decisions for the land within their areas.*

The 2011 Act states *The power to designate an area as a neighbourhood area under section 61G is exercisable by two or more local planning authorities in England if the area falls within the areas of those authorities.* There is no suggestion in the Act or Regulations that the two or more authorities should act 'independently' in such circumstances.

When coupled with advice in NPPG 030 and 031 we consider it clear that a single cross-boundary application should lead to both authorities working together to designate a single area.

This has been the case elsewhere in London, and we have seen no examples elsewhere in such scenarios of committee reports which fail to explain what the other 'cross-boundary' authority intends to do by way of designation. Decision-makers should be given this very basic level of information.

The Interim Forum will be submitting a further application to both OPDC and LBHF for designation of the Old Oak Neighbourhood Forum. This is in light of the view that both planning authorities have taken in committee reports, in declining to accept updated membership figures relating to a much reduced neighbourhood boundary and 'refusing' designation of the forum on the sole ground of insufficient members.

Since the original list of members provided with the April 2017 application, many more members have joined the forum and there will be no difficulty in providing the requisite number for a much reduced Old Oak neighbourhood area.

I hope that you and Cllr Harcourt see the suggested additional resolution as an appropriate way forward. Withdrawal of the report until OPDC has made its decisions would be another option, as suggested previously. As you know, the Old Oak Interim Neighbourhood Forum was not consulted on the draft text of either the OPDC or the LBHF report before these were finalised and published.

Best wishes,

Henry Peterson

Adviser to the Old Oak Interim Neighbourhood Forum

0207 460 1743