

Charnwood Borough Council Factsheet 2 – The Neighbourhood Planning Process* – Key Stages

Bold text is a formal milestone

Italic blue text is an action taken by Charnwood Borough Council

* The process of preparing a Neighbourhood Plan and a Neighbourhood Development Order is very similar and so the process below can be applied to both.

1. Preliminary Stage – Deciding on the Neighbourhood Forum and/or the boundary of the Neighbourhood plan

- In a parished area the Parish/Town Council has to take the lead as the Neighbourhood Forum. The council's agreement to this is not required;
- In 'un-parished' areas a Neighbourhood Forum needs to be constituted in compliance with the Neighbourhood Planning Regulations.

The Borough council's agreement to the proposed Neighbourhood Forum is then required.

- The Parish/Town Council or Neighbourhood Forum needs to decide the area to be covered by the plan;
- A map of the proposed neighbourhood area and its boundary, together with a statement explaining why the area is appropriate to be designated as a neighbourhood area and a statement explaining that the Parish/Town Council or Neighbourhood Forum is capable of being a qualifying body must be submitted to the Council for agreement.

The Borough council will publicise the application and issue a decision on whether to designate a neighbourhood area as soon as is possible, once we are satisfied that the application is valid and complete. In relation to Neighbourhood Forums, we will reach a decision to designate a Neighbourhood Forum within 13 weeks of receiving the application.

2. Draft Neighbourhood Plan

- Preliminary 'issues and options gathering' consultation;
- Collation of responses, drafting of vision and objectives;
- Assess impact of alternatives, choose preferred alternatives, drafting of proposals
- Prepare draft Neighbourhood Plan
- Endorsement of Neighbourhood Plan by Town/Parish Council or Neighbourhood Forum

- Parish/ town Council/ Forum to publish draft Neighbourhood Plan plus, as required, Sustainability Appraisal (SA), any Habitats Assessment (HA) or any other impact related reports ('linked assessments')

3. Consultation on Draft Neighbourhood Plan

- Publicise draft Neighbourhood Plan and any linked assessments
- Consult any statutory consultee whose interests may be affected by proposals
- Minimum of 6 weeks consultation period
- Revise draft Neighbourhood Plan
- Town/Parish Council or neighbourhood Forum sign off and publish final draft of plan

4. Charnwood Borough Council and Independent Endorsement of draft Neighbourhood Plan

- Submission of draft neighbourhood plan and linked assessments to Charnwood Borough Council
- Submission to Charnwood Borough Council of consultation report

Charnwood Borough Council endorsement then required (i.e. that the neighbourhood plan is consistent with the Charnwood Local Plan Core Strategy and linked assessment compliant).

Charnwood Borough Council publicise proposal – along with details of how to respond and deadline for responses – not less than 6 weeks from publication.

Charnwood Borough Council collates responses.

Charnwood Borough Council appoints Independent Examination Inspector – has to be endorsed by the neighbourhood forum.

Charnwood Borough Council arranges the formal Examination of neighbourhood plan – decision as to whether oral examination required, depending on nature of objections.

Publish the Examiner's report – Charnwood Borough Council obliged to publicise report.

5. Final Decision on Neighbourhood Plan

Charnwood Borough Council consider Examiner's report – the Borough Council has a period of 5 weeks (from the date the authority receive the examiner's report) to make a decision on whether the draft neighbourhood plan or Order

meets the basic conditions and other legal tests (or would do with modifications) and whether a referendum must be held.

If the Borough Council comes to a different view to that of the examiner, there will be a period of 6 weeks during which further representations can be made. The Borough Council must issue its final decision within five weeks of the end of that period.

- Neighbourhood Forum has to decide if further community consultation is required on any changes made. Assuming no further changes need to be made:

Charnwood Borough Council administers a formal Referendum on neighbourhood plan. The Borough Council must set a date for a referendum within 56 working days, from the date the decision was made that a referendum should be held, for standard referendums and 84 working days for business referendums.

- Referendum result – if more than 50% of people voting support Neighbourhood Plan then Charnwood Borough Council must bring it into force

Charnwood Borough Council makes formal decision to adopt neighbourhood plan as part of Development Plan for area alongside the Local plan. The Borough Council is required to ‘make’ a neighbourhood plan or Order within eight weeks of the date of a successful referendum.

Charnwood Borough Council publicises its decision and reasons for it and where this can be found online

Charnwood Borough Council sends a copy of decision to: the Neighbourhood Forum; any persons making written reps on proposal; Environment Agency, Natural England and the Historic Buildings Commission.

Charnwood Borough Council then adopts the neighbourhood plan – and publishes on website the Neighbourhood Plan, details of where and when it can be inspected.

The above process is based on the localism Act 2011 and the Neighbourhood Planning (general) Regulations 2012, both of which came into force on 6 April 2012, and the Town and Country Planning, England (Referendums) Regulations 2012, which came into effect on 3 August 2012¹.

More detailed information on the stages involved in preparing a Neighbourhood Plan by Parish/ Town Councils or Neighbourhood Forums can be found in the Locality Neighbourhood Plans Roadmap Guide at: <http://locality.org.uk/wp-content/uploads/The-Roadmap.pdf>.

¹ Updated Planning Regulations 1st October 2016