

# ***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 2012<sup>1</sup>.

**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>.**

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<sup>1</sup> Updated Planning Regulations 1<sup>st</sup> October 2016