

Making the decision to prepare a neighbourhood plan

The following is intended to guide local groups in deciding whether to produce a Neighbourhood Plan, including weighing up alternative courses of action.

Tasks

Consider different routes to achieving your ambitions for your neighbourhood.

Identify the opportunities and benefits of producing a neighbourhood plan.

Consult a range of local people, potential partners and key stakeholders to assess the level of interest.

Review the existing Local Plan to assess how well it covers community concerns and aspirations.

Consider alternatives for the boundary of the neighbourhood area, for which a plan could be prepared.

Estimate resource implications (time and money) of producing a neighbourhood plan.

Review possible sources of funding and support (including technical and professional support).

Meet the local authority to clarify the support it can offer under its duty to support.

Based on the above, make the decision on whether to produce a neighbourhood plan.

Consider alternatives to a neighbourhood plan

Alternatives to producing a neighbourhood plan may include:

- Use other planning tools such as seeking to influence an emerging local plan; commenting on planning applications; get involved in pre-application discussions; influencing design and development briefs.
- Produce a parish plan or community plan (though these do not have any status as statutory planning policy).
- Focus time and money on delivering existing plans (e.g. a parish plan).
- Persuade the local authority to consider new designations, such as a conservation area.
- Develop a community project and raise funds for its delivery.

Other options include:

- Link with other parishes or adjacent areas to produce a joint neighbourhood plan.
- Delay producing a neighbourhood plan until resources can be found.

Opportunities and benefits of a neighbourhood plan

It is useful to be aware of the main motives for wanting to do a plan. These could include:

- the plan will have statutory status – greater influence over planning decisions
- more say on detailed matters than the local plan
- may be community-led
- begins a dialogue with a range of organisations
- possible influence on local authority activities

- opportunity to specify which sites will be developed or where growth will be concentrated
- can encourage community projects and self-build initiatives

Resources

Time and Financial Costs

It may be useful to create a simple project plan in the form of a table to help in assessing time and cost implications. This could break down the plan into different activities, such as:

- Publicity
- Developing local partnerships
- Community and stakeholder engagement and consultation at various stages
- Building the evidence base
- Writing the plan
- Pre-submission consultation
- Other activities

In working out resources including financial costs, each task will need to be considered. Think about breaking down the task of producing a neighbourhood plan into a series of smaller actions and then placing key milestones and costs against them. The following should be included:

- venues, refreshments, materials for community events
- paid professional support (such as preparing technical evidence)
- web site, telephone and postage
- printing
- travel to meetings and events
- other miscellaneous expenses

Sources of support

Time and cost implications can be set against possible sources of support, both financial and professional/technical.

Possible financial support

- specific neighbourhood planning grants or support, if applicable
- precept (for town/parish councils)
- local authority financial contribution
- local donations
- local businesses/chambers of commerce

Professional and technical support

- council officer time and other support by the local planning authority (which has a duty to support the preparation of the neighbourhood plan)
- pro-bono support from local firms (e.g. planning practices, legal firms)
- pro-bono planning support through national and regional organisations (e.g. Planning Aid)
- direct technical support through national programmes (e.g. the Locality-led programme)
- local working or retired professionals
- web sites (e.g. Planning Portal)
- local branches of professional bodies
- approach local bodies for help with printing
- seek help with developing web sites/publicity/communications
- identify skills/knowledge available in local community

Making the decision

The decision on whether to produce a plan, now or in the future may be based on an assessment of:

- potential benefits to the area in question
- local opinion
- estimation of resource implications and comparing to available resources, both financial and volunteer time
- available support, including that from the local planning authority through its duty to support and national support programmes
- consideration of whether alternative courses of action may be a better use of time and resources

Neighbourhood area

To start the neighbourhood planning process, it is necessary to submit the neighbourhood area to the local planning authority for designation.

Tasks

Publicise the proposal to produce a neighbourhood plan and to identify a neighbourhood area.

Identify and consult potential local partners, stakeholders and community groups.

Walk around and look at the physical characteristics of the area.

Consider how the area works as a social and economic unit.

Identify the neighbourhood area to which the Neighbourhood Plan will relate.

Submit details of the proposed neighbourhood area to the local planning authority for designation.

Determining the neighbourhood area

The local planning authority should be able to provide maps on which to identify a neighbourhood area as part of their duty to support. In addition, they are required to maintain a map of any other neighbourhood areas designated in their area. This is important as neighbourhood areas may not overlap.

For parish/town councils, the presumption is to include the whole parish/town administrative area. However, the following options may also be considered:

- Define a more focused area (where there are planning reasons to do so).
- Link with adjacent parish/town councils to produce a joint plan.

It is possible for parish councils to produce more than one neighbourhood plan, for different parts of its area. However, this is more labour intensive and more costly. A more efficient approach may be to produce one neighbourhood plan, with different policy areas.

Deciding on a suitable neighbourhood area may be based on social and economic considerations, and may be defined by physical characteristics. For example, possible approaches could include:

- resident association areas
- housing estates and supporting facilities, such as local shops and community facilities
- town centres and their environs
- villages and small settlements
- areas already defined for previous village, community or regeneration plans
- administrative boundaries, such as local wards (though these don't always make sense as neighbourhoods in social, economic and environmental terms)
- conservation area boundaries.

Some simple steps could be:

- Define what neighbourhood means to the group producing the plan
- Discuss the area with the local planning authority
- Engage with local groups and people to gain their views on what is the local neighbourhood
- Identify the core area and any optional surrounding areas
- Speak to people in different parts of the area, especially where there is uncertainty whether to include them in the neighbourhood area.
- Decide on a boundary, based on clear physical features, so that there is no uncertainty where the boundary lies

Submission to the local planning authority

In submitting the proposed neighbourhood area to the local planning authority for designation, the following must be provided:

- a map of the proposed neighbourhood area (OS Map)
- a statement explaining why the area is appropriate to be designated as a neighbourhood area – important opportunity
- a statement explaining that the body making the area application is capable of being a qualifying body (parish or town council or prospective neighbourhood forum)

The supporting statement should include a description of the way in which the area was determined and how people were involved in the decision.

The local planning authority will publicise the application to designate a neighbourhood area and will take account of any representations received.

The presumption is that the local planning authority will designate the neighbourhood area, or designate it in a modified form where there are planning reasons for doing so. A local authority may designate a smaller area. However, there are legal difficulties in a local authority designating a larger area than that submitted.

Good practice

- Publicise the proposed neighbourhood plan.
- Try to develop a definition/methodology for identifying the neighbourhood area.
- Identify and involve key local stakeholders and potential partners.
- Involve and consult with the local community at all stages.
- Hold on-going discussions with the local planning authority.
- Define the area using clear physical features.

Neighbourhood forum

Where there is no parish or town council, a neighbourhood forum will need to be established. An application to be a neighbourhood forum must be submitted for designation, sometimes following the approval of the neighbourhood area.

Tasks

Publicise the proposal to put together a neighbourhood forum and prepare a neighbourhood plan.

Form a prospective neighbourhood forum to lead the preparation of the Neighbourhood Plan.

Decide on a name and write a constitution for the neighbourhood forum.

Submit details of the proposed neighbourhood forum to the local planning authority for designation.

Legal requirements

- Must have express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned.
- A purpose that reflects the character of the area in general terms
- Membership open to people living and working in the area, and elected members for the area (reasonable steps must be taken to secure at least one of each)
- A minimum of 21 members from above groups
- Membership drawn from different places in the area and different sections of the community

Putting together a neighbourhood forum

In addition to the above legal requirements, it is good practice to try to attract a diverse range of people onto the forum.

This could include:

Intrinsic characteristics: for example young, elderly, balance of gender, lesbian and gay, disability, ethnic groups, faith group.

Socio-economic characteristics: for example tenants, owner-occupiers, low income, small business owners, larger firms, creative industries, not-for-profit sector, public sector, private sector, non-car owners, parents, single people, unemployed, students.

Interests/knowledge/expertise: for example housing, employment, transport (including public transport), urban design, retail, built heritage, natural environment, sports & recreation, education/skills, culture, city or town centres, night economy (e.g. food, drink, entertainment), communications, health, knowledge economy, crime and anti-social behavior, play, waste and recycling.

An existing community group or organisations could become a neighbourhood forum by amending their purpose and opening and expanding the membership to meet the necessary requirements.

Putting together a neighbourhood forum is a challenging process. Usually, it is led by community

organisations or local community activists, who take the first steps to get people involved. Different activities can include:

- Publicising the proposal to prepare a neighbourhood plan, using local media, social media, or existing circulation lists.
- Holding local workshops to explain neighbourhood planning, gain feedback and invite people to become involved.
- Identifying key local stakeholders and inviting them to become involved.
- Identifying potential partner organisations and inviting them to get involved, including organisations with local memberships or mailing lists.
- Liaising with the local planning authority.
- Inviting local elected councillors to get involved and join the forum.

Neighbourhood forums are legal bodies, responsible for leading and coordinating the neighbourhood plan. They are about good governance, communication and balanced decision making. Some people will be naturally suited to this role. Others may have skills that may be better used by involving them in working on steering groups (for example those with an interest in specific issues).

Neighbourhood forum constitution

The constitution should include:

- the purpose of the neighbourhood forum, including promoting or improving the social, economic and environmental well-being of the area
- working arrangements, including sub-groups, partners and their roles
- pattern of meetings and details of how decisions will be made
- details of governance, including official positions (such as chair)
- arrangements for management and financial management
- details of how potential conflicts of interest will be recorded and managed
- defining membership and procedures for replacement of members where necessary
- duration of the forum (5 years from being approved)

Submission to the local planning authority

In submitting the proposed neighbourhood forum proposal to the local planning authority for approval, the following must be provided:

- the name of the proposed neighbourhood forum
- written constitution
- the name of the neighbourhood area to which the forum relates and a map identifying that area
- contact details of at least one member of the proposed neighbourhood forum (this will be made public)
- a statement explaining how the proposed neighbourhood forum meets the legal requirements (see above)

At the same time as making the submissions to the local planning authority, discussions could take place on the nature of support that they will provide.

Good practice

- Publicise the proposed neighbourhood forum widely and open its membership to all
- Analyse the local population to help ensure the membership of the neighbourhood forum reflects local character and diversity
- Identify and involve key stakeholders and potential local partners, either to establish dialogue or to invite them to join the neighbourhood forum or its working groups
- Involve and consult with the local community at all stages
- Hold ongoing discussions with the local planning authority.

Community engagement and consultation

Effective community engagement is essential right from the beginning of the process. Good community engagement will create a well-informed plan and a sense of ownership. A failure to do so may increase the risk of an adverse outcome at the formal consultation, publicity and referendum stages.

Community involvement should be an on-going process of engagement and refinement rather than a stop-start series of exercises.

Important first steps are to make sure that the proposal to produce a neighbourhood plan is known about by as many people as possible and to identify potential local partners who can support the plan-making process and help to get local people involved.

Tasks

Publicise the proposal to produce a neighbourhood plan.

Identify key stakeholders and potential partners and develop working arrangements to gain their involvement and support.

Carry out an initial community engagement programme to gather and analyse information to identify local issues.

Undertake on-going community engagement to support the development of aims, policies and other content of the plan.

Provide feedback at all stages.

Consult on the draft plan proposal (Regulation 14).

Publicising the proposed neighbourhood plan

Methods of publicising the intention to produce a plan include:

- press releases to local papers and local radio
- council newspapers and web site
- local authority and other local newsletters
- social media such as Facebook, LinkedIn and Twitter
- leaflets and flyers
- posters in local shops and public buildings
- publicity through local organisations and their networks

- having a presence at key local social or cultural events.

The local planning authority should be able to provide support, especially through its own publications or by placing notices in libraries and other public buildings.

Identifying key local partners and stakeholders

Local partners and stakeholders should be identified based on their knowledge, expertise, networks and ability to engage with wider groups of people, including minority groups.

They could include:

- local elected councillors
- local shopkeepers, businesses, employers and business organisations, including chambers of trade or commerce
- community groups such as residents' associations, local civic or amenity societies, local history groups or sports clubs
- landowners of key sites or organisations with significant property holdings and developers with site options
- local trusts and project groups, such as community development trusts, land trusts or building preservation trusts
- housing associations and housing trusts.
- not-for-profit organisations representing minority groups (e.g. elderly, disabled, young people, low-income, lesbian and gay groups, faith groups and ethnic groups)
- educational establishments such as schools, colleges and universities
- community facilitators or activists
- local institutions (e.g. arts centres, performance venues, architecture and built environment centres)
- health, education, transport and social care providers and organisations
- local professional practices with connections to planning
- local branches of relevant professional bodies.

The local planning authority should be able to help in compiling the list and providing contact details.

Develop working arrangements with partners

Different working arrangements with partners could include:

- inviting individuals to join the neighbourhood forum
- inviting them onto steering or working groups supporting the work of the neighbourhood forum or parish/town council.
- meeting them to discuss their views and the interests of their members or communities.
- working with them to develop the community engagement programme and discussing ways in which they can engage their members or communities.
- help in compiling and analysing the evidence base
- inviting them to contribute to the development and writing of the plan
- consulting them at key stages in the plan preparation
- using them as a source of professional advice and support.

Community engagement strategy/programme

It is useful to prepare a community engagement strategy/programme at the beginning of the neighbourhood planning process. This may be incorporated into a wider project plan. However, there is also a need to be flexible and to change the programme in response to issues as they arise.

The community engagement strategy/programme needs to be designed for the specific community in question. For example, an area with a population of 100 will need a very different approach to one with 50,000 people. The former could involve direct conversations with all residents. The latter would need to rely more on mass communication, such as web-based engagement. Larger populations will require larger budgets if they are to be engaged with effectively.

Hard-to-reach groups

In designing community engagement and consultation programmes, it is desirable to target the widest range of people, including both genders and minority or hard-to-reach groups like: young and elderly, single parents, lesbian and gay, ethnic groups, disabled groups, low income, disadvantaged groups. It is necessary to approach different minority groups to discuss the most effective way of engaging.

Stages of engagement

Early engagement

- Develop open questions and activities to find out people's likes and dislikes about the area and views on what needs to change. This will identify key issues for the plan to address. This might need to be much more proactive than just sending a leaflet with questions to each household.
- Provide feedback on the outcome of community engagement.

Ongoing engagement

- Develop community engagement events to look at more detailed matters, building on earlier engagement and feedback received on what people want to see. This stage may test assumptions, look at options, and collectively develop solutions to local issues.
- Provide feedback on the outcome of community engagement.

Consulting on the draft plan

- Consult formally, in accordance with Regulation 14 of the Neighbourhood Planning Regulations. This involves publicising and consulting on the draft plan for a 6-week period. It is likely the plan will then need to be changed in light of the feedback received and then it will be submitted to the local planning authority.

Community engagement techniques

It is advisable to use a range of community engagement techniques. Different people respond to different approaches. A range of locations should be used for community engagement events, especially in larger neighbourhood areas. Different timings may also cater for people with diverse working patterns. Techniques could include:

Workshops. Workshops can take many forms, but essentially they are interactive events where people can make their views known and discuss issues with other participants, often working in smaller groups. They do involve time commitments, but have the advantage of allowing participants to get more involved and for issues to be examined in detail.

Market/street stalls. These are a faster and less time consuming form of engagement, aimed at catching passing people. They need to be sited where there are strong pedestrian flows. They can include a range of ways of participating, from questionnaires to comment boards. It is useful to target local events, such as festivals, which often attract large numbers of people.

Questionnaires. These have the advantage of being low-cost and of potentially being circulated to large numbers of people. They can include paper-based and on-line versions. Analysing returned questionnaires can be very time-consuming and this needs to be taken into account in their design. Multiple-choice questions are relatively easy to analyse. However it is important also to ask open questions and to avoid loaded questions.

Model making. Getting local people to make three dimensional models or layouts of how their area could be developed is a creative and often effective way of considering options and developing ideas for sites or areas.

Use of digital media and social media. All neighbourhood plans should have a web site and email address. The web site may be used for things like reporting on progress, making documents (such as evidence, data, technical reports) available, providing links to web-based engagement, publicising events, and providing feedback on previous engagement. Social media is useful for publicising events and sometimes can be a platform for 'live' discussions.

School and college projects. It can be quite challenging to gain access to schools. An effective approach can be to work through teachers and identify opportunities to include Neighbourhood Planning in existing lesson plans, e.g. debate, or art and drawing. For older age groups, pupils or students can be asked to design their own questions to engage their peers.

Placecheck. Placecheck is a useful technique for neighbourhood planning. At the earliest stage, broad questions can be put to local people on what they like and dislike about their area. At a more detailed level, Placecheck provides checklists against which to look at local areas, streets and places.

Building the evidence base

A firm evidence base provides understanding of the area and a foundation on which to write the plan. The evidence base should be relevant and proportionate to the plan's scope, content, impact and complexity.

Tasks

Speak to the local planning authority to clarify local strategic policies and to gain access to evidence compiled by them, especially evidence underpinning any recent or emerging local plan.

Review existing evidence for the neighbourhood area and surrounding area (context).

Produce any additional evidence to address gaps in existing evidence or to provide neighbourhood focus.

Undertake analysis of evidence.

Where to look for existing evidence

- the local plan, including core strategy, and the evidence underpinning that plan or any emerging local plan
- other local authority plans and strategies, such as economic development strategies.
- any opinion-based research conducted by the local authority
- socio-economic data for district/ward (census and other data)
- technical reports, such as transport studies and public transport data
- strategic housing market assessments (SHMA) and strategic housing land availability assessments (SHLAA)
- conservation area appraisals, buildings-at-risk surveys and landscape character studies
- statutory lists (listed buildings, scheduled ancient monuments, registered parks and gardens)
- details of other environmental protection designations, such as tree preservation orders and sites, special scientific interest and areas of outstanding natural beauty.
- plans or data from other public bodies or statutory undertakers, such as health or education providers
- existing plans for an area, such as a community plan, parish plan or village design statement
- local libraries, archives, web sites.

Developing Neighbourhood Level Evidence

This will vary for different neighbourhood areas according to the adequacy of existing evidence and the nature of the area in question. Examples of possible kinds of neighbourhood-level evidence are:

Economic:

business surveys
vacancy/floorspace survey
available sites survey
land values

Environmental:

heritage audit
review of local lists
urban design analysis
open space analysis

Social/Community:

householder surveys
housing condition and occupancy survey
audit of community facilities
'Building for Life' assessment of housing
housing needs assessment (neighbourhood)

Infrastructure:

transport linkages
schools capacity
transport capacity analysis,
traffic/pedestrian flow surveys

Keeping it Manageable

A good approach is to consider the evidence base in stages. At the beginning of the process, general evidence may be compiled to provide an overview of the neighbourhood area. This would include information of things like population, environment, employment, transport links and strategic context.

As key themes for the neighbourhood plan emerge, more specific subject-based evidence may be compiled as a basis for formulating policies.

Checklist - Types of Evidence

The following list is fairly detailed, but not comprehensive. It is necessary to understand the neighbourhood area and the wider surrounding area (the social, economic and physical context). This may look daunting, but selection is required, depending on the characteristics of the area in question. For most kinds of evidence the local planning authority is the first port of call.

Demographic profile of the local population. Income levels, age profile, employment-type, socio-economic groups, unemployment levels, life expectancy, infant mortality rates, ethnicity and other characteristics. Sources include: local census, local plan, local authority statistics.

Local employment and industries. Major local industries and trends (growing and declining sectors), how much employment is local and how much involves commuting, how good transport links are to employment areas, whether local skills match employment opportunities, rate of business start-ups, availability of incubator units, business parks and industrial estates, employment land supply. Sources include: local plan, local authority statistics, local trade organisations, business surveys, Local Enterprise Partnerships, Homes and Communities Agency.

Land use and planning. Major land owners where applicable (e.g. ownership of shopping centres, key sites), existing planning permission, land uses, ground conditions, derelict and contaminated

land, topography. Also, planning policy and other designations such as business improvement districts, retail areas, cultural quarters, green belts, heritage or landscape designations. Also land values and house prices (these will be important when considering viability). Sources include: local plan, local estate agents, Local Enterprise Partnerships, Homes and Communities Agency.

Housing. Current number of dwellings, types of accommodation (size and property types), breakdown of tenure (local authority/social housing, private rented, owner-occupied), household size, vacancy rates, proportion of unfit stock, rate of new build, age of stock (pre-1914, inter-war, post war, modern). Sources include local plan, Strategic Housing Market Assessment, Strategic Housing Land Availability Assessment, local housing department, householder surveys, local housing associations or trusts, Homes and Communities Agency.

Transport. Capacity of transport network, public transport systems and hubs, facilities and safety for pedestrians and cyclists, car-parking, proximity of major transport routes (e.g. motorways, railway stations, A roads). Sources include local plan, local highways authority, transport plans and strategies, local public transport providers.

Natural environment and special landscape designations. Landscape designations, such as sites of special scientific interest, areas of outstanding natural beauty, nature reserves, tree preservation orders. Quality of agricultural land. Key natural features such as woods, rivers and other water features. Sources include local plan, Natural England.

Historic environment. Heritage designations such as listed buildings, conservation areas, scheduled ancient monuments, local lists, historic parks and gardens. Other historic features, such as canals. Characterisation documents such as landscape character appraisals, and conservation area appraisals. Buildings at risk surveys and other condition surveys. Sources include: local plan, local historic environment record, local conservation team, Historic England.

City, town and local centres. Amount of retail floorspace, vacancy rates, nature of retail provision, night-time economy (e.g. pubs, restaurants, performance venues), catchment area, rental values, trends (growth or decline), proximity to other centres. Sources include: local plan, retail studies, local trade organisations, business surveys.

Urban design. Key urban and green spaces, connections (e.g. paths, roads, links), significant landmarks, views, scale, urban form (e.g. layout, scale, enclosure), and character. Sources include: local plan, local design team, local civic societies.

Community infrastructure. Community assets of an area, including community centres, key local shops (e.g. chemist, post office, newsagents), libraries, youth centres, parks, play areas, nurseries/crèches, pubs, health centres and surgeries. Sources include: local plan, local community organisations, public health and education providers.

In addition to using the suggested sources, there should be a dialogue with the local authority, which will be able to provide supporting evidence or sign post to other organisations that can help.

Writing the neighbourhood plan

There is no standard template for writing a neighbourhood plan and community groups may choose unconventional approaches. However, the plan does need to function as a practical tool for development management.

The following may be useful in informing the process of writing the plan.

Tasks

Identify key issues/themes for the plan to address (informed by evidence and community engagement outcomes).

Meet the local planning authority to identify strategic local policies in the adopted Local Plan.

Develop clear aims and/or vision for the neighbourhood plan.

Draft planning policies.

Consider allocating specific sites for different types of development.

Consider the potential for using neighbourhood development orders to deliver the plan's aims.

Identify issues and themes

Identify key issues for the neighbourhood plan by:

- analysis of the evidence base
- analysis of responses through community engagement
- discussions with local partners and stakeholders
- assessing existing local policy.

Develop the vision and aims

- You may wish to write a concise and clear vision based on the above analysis, setting out how the area should be at the end of the neighbourhood plan period (e.g. 10-15 years in the future).
- Develop overall aims for the plan, taking account of the key themes and issues identified by the evidence base and community consultation.

Identify strategic local policies

- The local planning authority should be able to identify strategic local policies, which the neighbourhood plan will need to be in general conformity with.
- The local planning authority should also identify key policies in the National Planning Policy Framework to take into account.

Develop planning policies

- identify the main subject areas for planning policy
- write policies, based on achieving the vision and aims
- ensure policies are clear, concise and provide an effective basis for decision-making
- think how policies work collectively
- if necessary, write more detailed guidance on certain issues, e.g. urban design, housing development
- if applicable, produce a site allocations plan identifying key sites and allocations for specific kinds of development, e.g. housing, employment, community facilities, and other uses
- check the policies against the National Planning Policy Framework
- check the policies against strategic policies in the local plan for general conformity
- have the policy checked by a planning/legal expert for clarity and robustness.

Identify any regeneration, development or enhancement projects and initiatives to help deliver the plan vision and aims. These could include:

- policies to ensure that development enhances key spaces and the public realm
- sites for new community facilities or infrastructure, such as community centres
- proposals for new or improved infrastructure necessary to support development, such as roads, paths and lighting.

Good practice

- Involve and consult partners and the local community throughout the process
- Use the vision and aims to generate policy and proposals
- Liaise with the local planning authority throughout the process
- Bring in expert people and organisations to advise on technical matters, where necessary
- Make sure that the plan content is firmly based on the evidence base and outcomes of community involvement and engagement
- Ensure that the plan and policies do not breach European and national law, has regard to national policy and is in general conformity with strategic local planning policies
- Use clear, simple and unambiguous language.
- Use illustrations or explanatory text to clarify and interpret policies.

Submitting the neighbourhood plan

The independent examination and referendum are the last stages in making a plan. Achieving a positive outcome will depend to a large extent on how well earlier stages have been carried out, especially community engagement and involvement.

Tasks

Undertake pre-submission consultation (Regulation 14).

Consider any representations made in response to the consultation and consider whether to amend the plan, if necessary.

Prepare a consultation statement.

Prepare a supporting statement on how the plan meets the basic conditions.

Submit the proposed neighbourhood plan to the local planning authority.

Participate in the independent examination, if necessary.

Pre-submission consultation (regulation 14)

This should include:

- key consultees (e.g. Natural England, the Environment Agency, Historic England)
- the local planning authority
- neighbouring district, town or parish councils
- significant land-owners
- local community organisations

There is a minimum period of 6 weeks for this consultation stage. The plan will need to be publicised and made available for anyone who wishes to make representations. This should include making available hard copies and making the document available through the web site. The regulations are deliberately light touch, allowing for pro-active or innovative consultation techniques. It is useful to produce a concise summary leaflet, as many people will not wish to read the whole plan.

Submitting the proposed neighbourhood plan

The submission to the local planning authority must include the following:

- **A map:** Map or statement which identifies the area to which the plan relates
- **Consultation statement:** Statement on consultation undertaken in preparing the plan
- **The proposed neighbourhood plan:** A copy of the draft plan
- **Statement on meeting legal requirements:** A statement on how the plan fulfils the basic conditions

Consultation statement

The consultation statement should include:

- details of people and organisations consulted
- details of how they were consulted
- summary of the main issues and concerns raised through the consultation process
- descriptions of how these issues and concerns were considered and addressed in the plan

The main focus is on the pre-submission (Regulation 14) consultation. However, a summary of earlier community engagement is also useful to include.

Basic conditions statement

A plan must meet the following basic conditions. To demonstrate this, a statement on how the plan meets legal requirements should include:

- an explanation of how appropriate regard has been made to relevant policies in the National Planning Policy Framework. It may be useful to list relevant policies and explain how the neighbourhood plan has responded to them.
- an analysis of how the plan contributes to achieving sustainable development
- a description of how the neighbourhood plan is in general conformity with the strategic policies in the local plan, especially in meeting growth requirements
- confirmation that the plan is compatible with human rights requirements and EU obligations. The local planning authority should be able to advise on this.

The statement also needs to confirm that the following legal requirements have been met:

- The draft plan is being submitted by a qualifying body (as defined by the Act – i.e. a designated neighbourhood forum or town or parish council).
- What is being proposed is a neighbourhood development plan (i.e. planning policy)
- The proposed plan states the period for which it is to have effect.
- Confirmation that the policies do not relate to 'excluded development' (such as minerals extraction of nationally significant infrastructure).
- Confirmation that the proposed plan does not relate to more than one neighbourhood area.
- Confirmation that there are no other neighbourhood plans in place within the neighbourhood area.

It is worth putting time and effort into the basic conditions statement, as it provides the opportunity to explain to the independent examiner how the plan meets the basic conditions.

Independent examination

The independent examination will look at whether the plan meets the basic conditions. This will usually be undertaken by written representations, but may involve a public hearing. The parish or town council or neighbourhood forum will need to agree to the appointment of a suitably qualified and experienced person. Things to look for in selecting or agreeing an independent examiner include:

- knowledge and experience of current planning policy, legislation, and procedures
- appropriate qualification and membership of an appropriate professional body
- freedom from conflicts of interest or bias (real or perceived)
- experience and ability to weigh evidence and to deal with a range of people of varying levels of knowledge
- ability to make sound and impartial professional judgements

Gaining support in the referendum

Factors that will make a 'yes' vote more likely include:

- publicity at all stages, so that the voting population know about the plan
- working with partner organisations
- robust community and stakeholder involvement and engagement from the beginning and throughout the plan-making process
- involving and engaging with as many people as possible, including minority groups
- taking account of the outcomes of the community engagement programme and explaining how this has been done
- basing decisions on the content of the plan on robust and relevant evidence
- explaining key decisions made in producing the plan
- openness and transparency in the plan-making process
- clearly explaining the choices and compromises made in the plan
- addressing the diverse range of local needs and wants

There are limitations on things like campaign expenditure for the referendum. The local authority will be able to advise on this.

Delivery of the neighbourhood plan

A neighbourhood plan is a framework for an area's development. To deliver the plan's aims, a range of approaches may be needed.

Development and planning decision making

Development. The policies and guidance in the neighbourhood plan will guide the location, design and sustainability of new development, helping to ensure it contributes to the vision and aims of the plan.

S106 obligations. Section 106 Obligations may be used to fund the improvement of local infrastructure, where such improvements are necessary to allow the development to go ahead.

Community infrastructure levy. Where local economic conditions allow, the local planning authority may set a CIL, to raise funds for community infrastructure.

Funded projects

Whilst some or many of the aspirations of a neighbourhood plan may be delivered through private or public sector development, other aspirations may only be achieved if the community develops and delivers its own projects.

It may be possible to apply for loans or grant funding for local projects. The challenge is to match funder aims and criteria to the project you are trying to deliver.

Funding sources could include:

Government national programmes. Government programmes are constantly changing, with new funding streams replacing older ones. Local authorities, Local Enterprise Partnerships and grant-finding software and organisations like Locality can assist in identifying funding opportunities.

Lottery funds. These can sometimes offer relatively high-rate grants for projects that deliver their aims. They include the Heritage Lottery Fund, Big Lottery and Arts Council and Sports England.

European funding. This is administratively complex and availability depends on location. Local authorities should be able to advise on availability.

Private funding. In some instances, it may be possible to obtain funding from private donors, local companies and local institutions or they may be prepared to directly deliver projects.

Delivery vehicles

It might be useful to set up specific organisations to help deliver the plan's aims. These could include:

- community development trusts or building preservation trusts
- formal or informal partnerships (see below)
- community or social enterprises
- housing trusts or cooperatives

Partnerships and collaboration

Increasingly, partnerships and joint or cooperative working are the means to delivering regeneration and community projects. Potential partner organisations can include:

- housing associations and housing trusts
- community development trusts
- building preservation trusts
- other not-for-profit and community organisations
- local authorities
- health and social care bodies
- Local Enterprise Partnerships
- private developers
- local firms
- local institutions
- universities and educational institutions

Local authorities and other public service providers

Local authorities deliver a range of services, often involving large budgets. They can include:

- management of parks, playgrounds, pedestrian and cycle paths, verges and open space
- school building and improvement
- provision of health and social care facilities
- libraries, leisure centres, markets and community centres
- streets and public spaces
- signage, street furniture and public car parks
- maintenance and management of public buildings

A neighbourhood plan can form the basis of discussions and negotiations on how services and new facilities are provided.

The '**community right to challenge**' could be used to give local communities an opportunity to take on the management of some facilities or services.

Local authorities should also adopt policies on '**asset transfer**' to local community groups. Taking on building assets may be a means to creating new community facilities, or maintaining existing ones.

The Register of Community Assets and '**community right to bid**' may be used to give communities time to raise funds to acquire local community assets that are made available for purchase.

Neighbourhood planning toolkits

More advice is available on different aspects of neighbourhood planning. The following sets out various toolkits (guidance documents), together with their web links.

Toolkits

Site assessment for neighbourhood plans

mycommunity.org.uk/resources/site-assessment-for-neighbourhood-plans

Housing needs assessment at neighbourhood plan level

mycommunity.org.uk/resources/housing-needs-assessment-at-neighbourhood-plan-level

Green spaces: frequently asked questions

mycommunity.org.uk/resources/green-spaces-frequently-asked-questions

Neighbourhood planning guide for councillors

mycommunity.org.uk/resources/neighbourhood-planning-guide-for-councillors

Terms of reference for neighbourhood plan steering group

mycommunity.org.uk/resources/terms-of-reference-for-neighbourhood-plan-steering-group

Planning and localism guide

mycommunity.org.uk/resources/planning-and-localism-guide

Neighbourhood forum diversity cards

mycommunity.org.uk/resources/neighbourhood-forum-diversity-cards

Planning aid England: useful links and resources

mycommunity.org.uk/resources/planning-aid-england-useful-neighbourhood-planning-resources

Planning for low carbon living

mycommunity.org.uk/resources/planlocal-planning-for-low-carbon-living

Crowd sourced neighbourhood planning bibliography

mycommunity.org.uk/resources/crowd-sourced-neighbourhood-planning-bibliography

Engaging communities booklet

mycommunity.org.uk/resources/engaging-communities-booklet

Neighbourhood planning in London 2014 conference in Ealing

mycommunity.org.uk/resources/neighbourhood-planning-in-london-2014-conference-in-ealing

Neighbourhood planning: map of areas

mycommunity.org.uk/resources/existing-neighbourhood-plans-status-map

The community right to build – step by step

mycommunity.org.uk/resources/right-to-build-step-by-step-guides

Neighbourhood planning roadmap

mycommunity.org.uk/resources/neighbourhood-planning-roadmap