

My Community Rights

Community Right to Build

Step 7:

The referendum



The referendum

A relevant council must make arrangements for and meet the costs of the referendum to take place in the defined neighbourhood area. A 'relevant council' means a district council, a London borough council, a metropolitan district council, or a county council in relation to any area in England for which there is no district council (these are the councils who run local government elections, so that is why they have been selected to run the referendums). The relevant council is usually, but not always, the local planning authority.

A person is entitled to vote in the referendum if on the prescribed date:

- (a) the person is entitled to vote in an election of any councillors of a relevant council any of whose area is in the referendum area, and
- (b) the person's qualifying address for the election is in the referendum area.

Where the referendum area is in the area of two or more relevant councils both councils must make arrangements for the part of the referendum which is in their area. There will be a chief counting officer who will be in overall charge of both parts of the referendum.

If the referendum receives the support of over 50% of those voting, the Community Right to Build Order is passed and the council must make the Order, thus granting the planning permission set out in the Order.