

Application to designate a Neighbourhood Area for a Community Right to Build Order

Town and Country Planning Act 1990 (as amended)

Neighbourhood Planning (General) Regulations 2012

Please note that the information provided on this application form may be published on the Authority's website. Questions 8 and 9 are only applicable to community organisations.

If completing by hand, please use block capitals and black ink.

1) Applicant contact details

(representative from community organisation, Parish Council or Neighbourhood Forum)

Title and full name

Address and postcode

Email address

Application to designate a Neighbourhood Area for a Community Right to Build Order

2) Relevant body statement

Is the group you represent a relevant body (community organisation, Parish Council or Neighbourhood Forum) to prepare a Community Right to Build Order in your area, in accordance with section 61G and paragraph 3 of Schedule 4C of the Town and Country Planning Act 1990 (as amended) and regulations 5(c) and 13 of the Neighbourhood Planning (General) regulations 2012? Community organisations only should also complete questions 8 and 9.

(please select one answer)

Yes: Community organisation / Parish Council / Neighbourhood Forum (delete as appropriate)..... ☐

No ☐

Name of community organisation, Parish Council or Neighbourhood Forum

If a Neighbourhood Forum, has this been designated yet?

(please select one answer)

Yes ☐

No - but application submitted ☐

No - application not yet submitted ☐

3) Name of Neighbourhood Area

Please give the name by which your Neighbourhood Area will be formally known.

4) Extent of the area

Please indicate below and attach an OS plan showing the intended extent of the area.

(please select one answer)

Area not covered by a Parish ☐

Whole Parish boundary area ☐

Part of one Parish ☐

Includes more than one Parish (please complete section 6 below) ☐

A map showing the area to which the application relates has been attached. ☐

5) Intention of the Neighbourhood Area

Please indicate which of the following you intend to undertake with your Neighbourhood Area.

(please select all that apply)

Neighbourhood Development Plan ☐

Neighbourhood Development Order ☐

Community Right to Build ☐

6) Additional Parish details (if applicable)

Please complete this section if the proposed Neighbourhood Area includes more than one Parish.

Please provide details of the additional area covered and the name(s) of the relevant Parish/Parishes.

If the neighbourhood area includes the whole or any part of the area of another Parish council, the lead Parish council is authorised to act in relation to the neighbourhood area only if the other Parish council(s) have given their consent.

Please provide the name and signature of a representative from each relevant Parish council to confirm that the Parish council have provided formal agreement and are happy for you to act on their behalf.

7) Extent of the neighbourhood area

Please provide a statement to explain below why you consider that the extent of the neighbourhood area is appropriate.

If applicable, please provide a copy of the minutes of the Parish Council meeting(s) at which it was agreed that the whole/part of the Parish council area could be included in the Neighbourhood Area and that the applicant Parish Council were authorised to act as the lead authority on Neighbourhood Planning work.

8) Relevant body declaration (community organisations only)

The following questions will confirm that you are a relevant body to undertake a Community Right to Build Order in accordance with Section 61G and schedule 4C of the Town and Country Planning Act 1990 and section 13 of the Neighbourhood Planning (General) Regulations 2012.

Is the community organisation a body corporate?

Being a 'body corporate' means that the organisation is a legal entity that is recognised in law and therefore has the capacity to enter into agreements or contracts, assume obligations, incur and pay debts and can be held responsible for its actions.

(please select one answer)

Yes ☐

No ☐

Has the community organisation been established for the express purpose of furthering social and environmental well-being of individuals living, or wanting to live in the particular area?

The particular area is the area for which the community organisation is established, which may be the neighbourhood area or a larger area of which the neighbourhood area forms part.

(please select one answer)

Yes ☐

No ☐

Do more than half of the members of the organisation live in the neighbourhood area?

(please select one answer)

Yes ☐

No ☐

Are individuals who live or work in the area for which the community organisation is established entitled to become voting members of the community organisation?

(please select one answer)

Yes ☐

No ☐

9) Relevant body constitution (community organisations only)

The following questions will confirm whether the constitution of the community organisation meets the requirements to enable the organisation to be a relevant body.

Does the constitution of the community organisation identify that individuals who live in the particular area hold the majority of voting rights and have the majority on the board of directors or governing body of the community organisation?

(please select one answer)

Yes ☐

No ☐

Does the constitution include a statement that:

- identifies that the organisation must have at least 10 members, living in different dwellings to each other and who live in the particular area;
- the community organisation will carry on its activities for the benefit of the community in the particular area or a section of it; and
- indicating how it is proposed the community organisation's activities will benefit the community in the particular area (or a section of it)?

(please select one answer)

Yes ☐

No ☐

Please provide details of how the community group will carry out activities for the benefit of the community in the neighbourhood area:

Does the constitution include a statement that:

- identifies that any assets of the community organisation will not be disposed of, improved or developed except in a manner which the community organisation consider benefits the community (or a section of it); and
- identify that any profits from its activities will only be used to benefit the community in the particular area or a section of it (payment of profits directly to members / directors is not considered a benefit to the community); and
- identify that in the event of winding up of the community organisation or in any other circumstances where the organisation ceases to exist, its assets must be transferred to another body corporate which has similar objectives.

(please select one answer)

Yes ☐

No ☐

10) Declaration

I hereby apply to designate a neighbourhood area as described on this form and the accompanying plan.

Name

Signature

Date