

Neighbourhood *Planning*



Neighbourhood Development Plans – Action List

These notes are based on current regulation and will be reviewed at regular intervals. The note looks to identify the key stages (based upon the planning practice guidance issued by the government). The note makes use of the PAS Guide for Councils to meet the legal requirements for neighbourhood development plans.

The government has now established a 7 stage process - the following information identifies these stages and the possible work and available help within each. Please also refer to the CWaC [Neighbourhood Planning Protocol](#) which provides information on the support that can be provided to assist with neighbourhood plan work.

This document should in no way preclude the need to read the original regulations and act.

What – activity?	What does this mean?	Who has Primary responsibility	What can CWAC offer?	What other help can be found?
Step - Pre work				
Who has control of the Neighbourhood Plan?	The Government have made it quite clear that the Local Planning Authority will not control the process and that the production of the Plan will be owned by the Parish/Town Council ⁱ or neighbourhood forum, also known as the ‘qualifying body’. However, the Neighbourhood has to align with the Local Plan and the National Planning Policy Framework (NPPF).	Qualifying body	General advice on neighbourhood planning and what it entails. Advice on existing national and local planning policies (Local Plan Part One and Two)	See general guidance note at end of document and links.
Should we do a Neighbourhood Plan?	There are a number of issues to consider, including for example: <ul style="list-style-type: none"> • What does the local community want to achieve by having a Neighbourhood Development Plan (NDP)? • Is a NDP the best option or most appropriate option? Would project plan, Neighbourhood Development Order, Community Right to Build Order or other form of document be more appropriate? • Can what you want be delivered by another means? • Do the current Local Plan (Part One and Part Two) documents provide sufficient policy support? • What is driving the Parish Council’s wish to have a NDP? • What land-use planning decisions does the local community want to influence? • Are Parish Councillors prepared to deal with, and reconcile potentially 	Qualifying body	Advice on whether a neighbourhood plan is appropriate for your community. Advice on existing national and local planning policies (Local Plan Part One and Two)	Cheshire Community Action can also assist with considering options. Guidance and support is available online from various organisations including Locality. See links on last page.

	<p>controversial planning issues, say where it involves the allocation of land for new development, or new housing development? The Government intention is that communities will have influence over what housing will look like and where it will go – but not to stop it altogether when there is an identified local housing need.</p> <ul style="list-style-type: none"> • Site identification and allocation of land - there needs to be a transparent site appraisal process developed to protect Parish Councils from allegations. • A Neighbourhood Plan will need to meet or exceed the level of development set out in the Local Plan - will the community want this? • Preparing a NDP is a significant commitment in terms of time and resources. 			
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What – activity?	What does this mean?	Who has Primary responsibility?	What can CWAC offer?	What other help can be found?
Step 1 Designating neighbourhood area / Forum				
Neighbourhood Area Designation				
<p>Identification and submission of a neighbourhood area</p> <p>Regulation 5</p>	<p>Need to consider what geographic area should be covered by the Plan. It may be part of or the whole parish area, or a wider area extending across all or part of two or more parishes. If it extends beyond the parish boundary, this must be agreed with adjoining parishes.</p> <p>It will be for the qualifying body to apply. It is a legislative requirement that when applying, they provide:</p> <ol style="list-style-type: none"> 1. A map identifying the area 2. A statement explaining why it is considered appropriate neighbourhood area 3. Statement that the organisation making the application is a relevant body. 	Qualifying body	<p>Toolkit</p> <ul style="list-style-type: none"> ▪ Neighbourhood Area description; ▪ Guidance on Neighbourhood Area applications; ▪ Neighbourhood Area Application Form. 	
<p>Determining the application for a neighbourhood area and publicising the decision.</p> <p>Regulations 6 & 7</p>	<p>The LPA should be sure that parish council applications cover part or all of the parish and that neighbourhood forum applications do not cover a parished area.</p> <p>In determining the application, the Local Planning Authority (LPA) must consider:</p> <ol style="list-style-type: none"> 1. how desirable it is to designate the whole of the parish area as a neighbourhood area, and 2. how desirable it is to maintain the existing boundaries of areas already designated as neighbourhood areas (as areas designated as neighbourhood areas must not 	Local Planning Authority		

	<p>overlap), as well as</p> <p>3. whether they should designate the area as a business area. The application can be returned if it does not contain this information.</p> <p>The LPA should, as soon as possible after receipt of the application for area designation, publicise the application on its website and in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area. The information to be publicised is:</p> <ol style="list-style-type: none"> 1. a copy of the area application 2. details of how to make representations 3. details of the deadline for representations, not less than 6 weeks after the date of publication. When the local planning authority receives an area application from a parish council to designate the whole of the parish council's area, the LPA can designate the area as a neighbourhood area without the need for public consultation. <p>The Council will determine all applications in accordance with Government's regulations:</p> <ul style="list-style-type: none"> • For areas covering more than one planning authority, within 20 weeks of the date of first publication by the LPA; or • For all other areas, within 13 weeks of the date of first publication by the LPA. <p>Publicising a designation of a neighbourhood plan: If the LPA approves the application it should publicise on its web site its decision and</p>			
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	<ol style="list-style-type: none"> 1. the name of the neighbourhood area 2. a map identifying the area 3. the name of the parish council or neighbourhood forum who applied for the designation. <p>If the Council decides to refuse the neighbourhood area application, it will be based upon a planning reason or the validity of the application. A decision statement will be issued setting out the reasons for making the decision and where the decision document can be inspected.</p>			
Setting up and designating a Neighbourhood forum				
<p>Submission of a neighbourhood forum application.</p> <p>Who qualifies as a relevant Body to prepare a Neighbourhood Plan?</p> <p>Reg 8.</p>	<p>In an area where no Parish Council exists, a body will need to apply to become a “neighbourhood forum”. An application has to be made to CWaC and should include:</p> <ol style="list-style-type: none"> 1. Name of the proposed neighbourhood forum 2. Copy of its written constitution 3. Name of the neighbourhood area to which application relates and a map which identifies the area. 4. Contact details of at least one member that can be made public 5. Statement explaining how the proposed forum meets the following conditions: <ol style="list-style-type: none"> a. Is established to promote or improve the social, economic and environmental well being of an area that consists of or includes the neighbourhood area for the NDP (this can also relate to businesses) b. Has 21 individual members and membership is open to the following groups : <ul style="list-style-type: none"> • People living in the area • People who work there 	Community group / perspective neighbourhood forum	<p>Toolkit</p> <p>Neighbourhood forum description</p> <p>Neighbourhood forum application form</p>	

	<ul style="list-style-type: none"> • County council, district or London borough • Councillors for the area <p>c. Has a written constitution.</p> <p>If the application does not contain this information it should be returned.</p>			
<p>LPA - Receipt, publicity and determination & subsequent decision publicity of a neighbourhood forum application including ability to refuse application.</p> <p>Key Regulations 8, 9 and 10</p>	<p>Authorities will have regard to the designation criteria prior to publicising the application and, where necessary encourage applicants to provide evidence to demonstrate that they have made steps to meet the conditions. Where a neighbourhood forum has been designated in relation to a neighbourhood area and that designation has not expired or been withdrawn, a LPA may decline to consider any further neighbourhood forum applications made in relation to that neighbourhood area.</p> <p>As soon as possible after receiving a valid neighbourhood forum application, a local planning authority must publish on their website: a copy of the application, a statement that once a neighbourhood forum has been designated another cannot be designated for that area until the existing expires or is withdrawn, details of how to make representations and the date by which representations must be received (not less than 6 weeks from the date the application was first publicised).</p> <p>The LPA may designate the forum if they are satisfied that the organisation or body meets the conditions set out above in neighbourhood forum application. In deciding on designation, the LPA:</p>	Local Planning Authority		

	<p>1. Must have regard to the desirability of designating the forum organisation or body:</p> <ul style="list-style-type: none"> a) that has taken reasonable steps to secure membership that includes at least one person from each of the three membership groups identified, b) that has membership drawn from different places in the area and different sections of the community in the area, and c) whose purpose reflects the character of the area. <p>2. Must designate only one organisation or body as a neighbourhood forum for a neighbourhood area, and only if the body has applied to do so, and only where the area does not include part or all of a parish.</p> <p>The LPA must determine a neighbourhood forum application (which is not declined) within 13 weeks, or 20 weeks when the application area falls across 2 or more LPAs.</p> <p>When a neighbourhood forum has been designated, the LPA must publish on its website:</p> <ul style="list-style-type: none"> a) the name of the forum b) a copy of the written constitution c) the name of the area to which the designation relates d) contact details for at least one member of the neighbourhood forum. <p>Where the designation is made to refuse a neighbourhood forum, a LPA must publish a statement setting out the reasons for the refusal and the details of where and when such statement may be inspected.</p>			
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	A forum designation expires 5 years from the day on which it was made. Where a neighbourhood forum no longer wishes to be designated for its area, the LPA must withdraw their designation as a neighbourhood forum and publish 'the withdrawal statement' on their website.			
Step 2 Preparing a draft neighbourhood plan				
What subject areas can neighbourhood plans cover?	A neighbourhood plan can tackle any planning related issue in an area; it can be more detailed than a local plan. In addition to specifying locations for housing, it could, for instance, tackle improving roads, footpaths and cycleway networks, specify design and density of housing and safeguard sites from development that are valued as open space. It cannot however deal with major infrastructure projects or aspects such as minerals and waste development. The plan must specify the period to which it should have effect and cannot relate to more than one neighbourhood area.	Qualifying body		
How will the neighbourhood plan be prepared?	Project planning - there will be a need to prepare a project plan. This will set out key stages and anticipated milestones and need to consider resources, both financial, time and community commitments and help.	Qualifying body	Toolkit Activity List Locality Neighbourhood Plan project planner template & PAS Guide for councils to meet the legal requirements for neighbourhood development plans.	

Getting organised	<ul style="list-style-type: none"> • Communication strategy • Audit of local skills, expertise • Prepare a budget • Identify funding /secure funding • Start a record of community involvement / engagement • Identify audit of local groups/businesses • Governance and terms of reference - Clearly identify roles and responsibilities and reporting mechanisms • Be aware of your legal requirements and documentation and the Freedom of Information requirements • Consideration of how best to meet the basic conditions • Establish the focus of attention for evidence gathering 	Qualifying body	Toolkit consultation guidance note.	
Initial publicity	There is a need to raise awareness that a plan is being developed. This could be done through existing local events, existing newsletter as well holding a launch event at which other volunteers from the wider community are recruited.	Qualifying body	Toolkit guidance notes on consultation; Data protection	Cheshire Community Action
“Place profile” – evidence/ Information gathering	This information will need to describe what the area is like today. It will bring together key background/baseline information about the neighbourhood plan area. This should include information about the people and population trends, type of housing need, housing, the natural and built environment, historic assets, jobs/local economy, accessibility, travel, greenspace, recreation facilities, services and other infrastructure. Much of this	Qualifying body	Toolkit Information sources and mapping; Local plan and evidence base	Cheshire Community Action; The sign of a good place to live, Design Council; Placecheck

	<p>information can be shown on one or more maps. This will help in starting to identify some of the issues that the plan may wish to address.</p> <p>Potential information sources and considerations:</p> <ul style="list-style-type: none"> • Consider how you will prove sustainability of your plan • Audit of current policy (NPPF and Local Plan) • Audit of infrastructure and designations • Audit of community groups and businesses • Placecheck • Sign of a good place to live • Local plan evidence base • OCSI reports <p>Review documentation at the end of this process and ensure that neighbourhood plan and land use items are clearly identified. Those other non-land use items should be listed and the alternative means of delivery identified.</p>			
Development of web site/web pages	<p>Does the qualifying body Council have local expertise and volunteer time locally? Costs may be associated with this aspect.</p> <p>Need to tie in with consultation / engagement strategy. What other forms of engagement do you wish to consider?</p>	Qualifying body	CWaC neighbourhood plan web page provides links to other neighbourhood plan websites in the borough.	

<p>What do you want to plan for?</p> <p>What are the issues and what are the priorities?</p>	<p>Initial discussion with local organisations, businesses and wide cross-section of residents about what they like and what needs improving in the area including how the improvements could be achieved. This will help to identify what the key issues are and priorities that the plan should address. Be clear about what is land use based and what can be delivered by other means, i.e. Parish Council, CWaC etc.</p> <p>Workshops may work well at this stage. This will require consideration of: venue booking, invitations, publicity, materials necessary to run workshops/discussion groups.</p> <p>Summarise findings and consider how best to tackle the issues.</p>	Qualifying body	Local Plan	Cheshire Community Action
<p>Writing of Vision and Objectives document</p>	<p>Based on the results of the consultation and the baseline information what do you want the area to look like in 10-15 years time in order to meet the needs of the community? (timescale could be linked to local plan) How do you wish the area to develop in land use terms? The vision and objectives will set this out and what you want to achieve.</p> <p>Explore various options for delivery. Evidence of this will be needed to show how the plan has emerged, how plans have changed due to consultation and how plans can be seen to be meeting sustainable principles.</p>	Qualifying body	CWaC web site and link to other neighbourhood plan groups.	
<p>Reflect the Vision and objectives back to the community and ask for</p>	<p>Invite the community to comment on the draft vision and objectives that will provide the framework for the development of policies and proposals.</p>	Qualifying body	Toolkit consultation guidance note.	

comments	<p>How could this be publicised? Perhaps through Parish Newsletter, web site, electronic social networking channels, existing arranged meetings/events etc.</p> <p>A standard consultation feedback form could be utilised.</p>			
Collate and review feedback, refine vision and objectives as appropriate	Publicise final vision and objectives (web site, newsletter, letters) and consult with consultation bodies as appropriate.	Qualifying body	Toolkit consultation guidance note.	
Write the plan in draft	<p>Drafting of land-use policies and proposals.</p> <p>Type and amount of work here depends on the potential content of the plan - for example the allocation of land for development will require site selection/appraisal methodology.</p> <p>May want to run second round of workshops – how should Vision and objectives be translated into policies and proposals?</p> <p>Review statutory documents and make sure your plan is going to do what you want it to do.</p> <p>The plan must</p> <ul style="list-style-type: none"> • specify the period for which is it to have effect • It cannot include provision about development that is excluded development (county matter; minerals and waste; major operations requiring EIA) • It cannot relate to more than one neighbourhood area or repeat an existing planning permission <p>Prepare scoping documents/ evidence base and submit</p>	Qualifying body	<p>Toolkit</p> <ul style="list-style-type: none"> • How to write policy; • Sustainability assessments; • Procuring consultants; • Site assessment template • Housing needs survey 	

	<p>to LPA for formal scoping exercise; If SEA required, prepare relevant documentation.</p> <p>Start to prepare formal Basic Conditions Statement and Consultation Statement.</p>			
Step 3 Pre submission publicity and consultation				
<p>Publish the draft plan for consultation Reg 14 Not less than 6 weeks</p>	<ul style="list-style-type: none"> • Preparation of plan including graphics/maps • Printing copies • Publicise and invite comments – newsletter, web site, letters, Standard consultation feedback form • Ensure that engagement reaches all sections of the local population. <p>Before submission to the LPA the qualifying body should:</p> <ol style="list-style-type: none"> 1. publicise in a way that is likely to bring to the attention of people who live work or carry on business in the area details of : <ol style="list-style-type: none"> a. the proposals, b. when and where they can be inspected, c. how to make representations, and d. the deadline for making representations – not less than 6 weeks from first publicised. 2. consult any consultation body listed in whose interests they consider may be affected by the proposals for a NDP. 3. send a copy of the NDP to the LPA. 	Qualifying body	Toolkit consultation guidance note and data protection	

Collate and review feedback, amend plan as appropriate. Submit plan and documents for independent publicity by LPA	<p>“Close the consultation loop”.</p> <ul style="list-style-type: none"> • Prepare final plan • Prepare final consultation statement. • Prepare appropriate environmental assessments • Prepare final SEA or sustainability work as required • Prepare basic conditions statement • Check criteria listed below in stage 4 and see if the plan meets these. 	Qualifying body	Toolkit How to write policy	
Step 4 submission of a Neighbourhood Plan or Order proposal to the local planning authority				
Qualifying body submits the plan to LPA	<p>Submission of documents to the LPA should include:</p> <ol style="list-style-type: none"> 1. a map or statement identifying the area to which the plan relates, 2. the consultation statement - which contains details of those consulted, how they were consulted, summarises the main issues and concerns raised and how these have been considered, and where relevant addressed in the proposed NDP, 3. the proposed NDP, 4. a statement explaining how the NDP meets the ‘basic conditions’ i.e. requirements of para 8 schedule 4B to the 1990 Act 5. Where appropriate, the information to enable appropriate environmental assessments if required e.g. that will enable the LPA to make an assessment under the Conservation of Habitats and Species Regulations 2010 where the plan proposal is likely to have significant effects on a European site or European offshore marine site, or the Environmental Assessment of Plans and Programmes Regulations 2004. 	Qualifying body		

LPA receipt of draft plan Reg 15	Documentation required as shown above.	Local Planning Authority		
Reasons for LPA declining to consider the proposal for NDP Reg 18	<p>The LPA can decline to consider a plan proposal if it is a repeat, and notify the body of that fact and their reasons for declining. To qualify as a 'repeat' proposal:</p> <ol style="list-style-type: none"> 1. the authority has refused the same or similar proposal within the previous 2 years, or 2. a referendum relating to a proposal that is the same as or similar has been held and 50% or less than 50% of those voting voted in favour and 3. the LPA considers no significant change in national policy and advice in SoS guidance of relevance to the proposal, or the strategic policies of the development plan for the area of the authority have occurred since the refusal or referendum. 	Local Planning Authority		
Criteria the LPA needs to consider, LPA decision on plan / order	<p>The LPA must consider:</p> <ol style="list-style-type: none"> 1. whether the parish council or neighbourhood forum is authorised to act (see 'determining the application criteria for a neighbourhood forum'), 2. whether the proposal and accompanying documents: <ol style="list-style-type: none"> a. comply with the rules for submission to the LPA, and b. meet the 'definition of an NDP' and c. meet the 'scope of NDP provisions', and 3. whether the Parish Council or Neighbourhood Forum has undertaken the correct procedures in relation to consultation and publicity (see 'pre submission consultation by the parish council or neighbourhood forum above). 	Local Planning Authority		

	<p>LPA can refuse to take forward a plan if any of the criteria are not met.</p> <p>LPA need to notify the parish council / forum of decision via a decision statement.</p>			
Publicising the NDP Reg 16	<p>The LPA is required to publicise on its website:</p> <ol style="list-style-type: none"> 1. the details of the plan, 2. where and when it can be inspected, 3. Details of how to make representations on the plan proposals, 4. that a representation can include a request to be notified of the LPA decision on the plan proposal, and 5. the date by which those representations must be received deadline (not less than 6 weeks from the first day the proposed plan is publicised). <p>The LPA is required to notify the bodies referred to in the neighbourhood forum or parish councils' consultation statement that the plan has been received as soon as possible.</p>	Local Planning Authority		
Examination – appointment of examiner	<p>The LPA must be satisfied that the examiner is:</p> <ol style="list-style-type: none"> 1. independent of the parish council or neighbourhood forum, 2. has no interest in any land that may be affected by the draft plan, and 3. has appropriate qualifications and experience. 	<p>Local Planning Authority and Qualifying body.</p> <p>Cost of examiner LPA.</p>	Toolkit NPIERS top tips	
Step 5 Independent examination				
LPA submits plan for examination Reg 17	The LPA submits the plan to the independent examiner for examination as soon as possible after receipt with any representations and any other documents	Local Planning Authority		

	<p>submitted with the plan. This should include:</p> <ol style="list-style-type: none"> 1. Map or statement identifying the area to which the plan relates 2. Consultation statement 3. The proposed plan 4. The qualifying bodies statement as to how the plan meets the basic conditions of Schedule 4B to the 1990 Act (including compliance with national policy, how it contributes to sustainable development, general conformity with the strategic policy of the development plan for the area, compatibility with EU obligations) 5. The SEA of the plan if required for that plan 6. A Habitat Regulations Assessment (where appropriate) 7. Any other relevant evidence 8. Any other document submitted to the LPA by the qualifying body in relation to the draft plan 9. A copy of any representations received in response to the draft plan 			
LPA role in examination	LPA makes the arrangements they consider appropriate to holding the examination.	Local Planning Authority		
Examiners role	<p>The examiner must only consider:</p> <ol style="list-style-type: none"> 1. whether the draft plan meets the basic conditions these include the impact on European sites, 2. whether the draft plan complies with definition of an NDP and the provisions that can be made by a NDP including any time periods specified in the NDP (in short whether the NDP is duly made and appropriate), 3. whether the area for referendum should extend beyond the neighbourhood area, and 4. whether the draft plan is compatible with the Convention rights. 	Local Planning Authority		

<p>The form and conduct of the examination</p> <p>1990 Act para 9 Sch 4B</p>	<p>As a general rule examination is by written representations. However, oral representations must be heard, in public, if the examiner considers they are needed to ensure adequate examination of an issue or for a person to have a fair chance to put a case. If there are oral representations then the following people can speak:</p> <ul style="list-style-type: none"> • The parish council or neighbourhood forum • The LPA • Where the hearing is held to give a person a fair chance to put their case, that person. • The examiner decides on the conduct of the hearing including: • Whether the speaker may be questioned and the matters that they • can be questioned upon • The amount of time given to a person to speak and for questioning. <p>The examiner should undertake the questioning unless s/he considers that questioning by another person is necessary to ensure adequate examination of an issue or for a person to have a fair chance to put a case.</p>			
<p>Content of examiner's report and recommendation to go to referendum</p> <p>1990 Act para 10 Schedule 4B</p> <p>1990 Act para 10(7&8) sch 4B</p>	<p>The examiner must make a report with recommendations, the reasons for them and a summary of findings, only as follows:</p> <p>1. the report must recommend either:</p> <p>a. the draft plan is submitted to referendum,</p> <p>b. modifications specified in the examiner's report are made and the draft report as modified is submitted to referendum, or</p> <p>c. the proposal is refused.</p>	<p>Local Planning Authority</p>		

	<p>2. Modifications can only be those that the examiner thinks are needed to:</p> <ul style="list-style-type: none"> a. make the plan conform to the basic conditions b. make the plan compatible with the Convention rights c. make the plan comply with definition of an NDP and the provisions that can be made by a NDP or d. to correct errors. <p>The examiner cannot recommend the plan goes to referendum if it does not meet the basic conditions or comply with the definition of an NDP or the provisions that can be made by a NDP.</p> <p>If a recommendation to go to a referendum is made it must be accompanied by a recommendation as to whether the area for the referendum should go beyond the neighbourhood, and if so what the extended area should be.</p> <p>Parties issued with examiners report. LPA responsibility.</p>			
<p>LPA consideration of examiners report 1990 Act sch 4B para 12</p> <p>61J & 61L Para 12(9)</p>	<p>The LPA must consider each of the examiners recommendations and the reasons for them and decide what action to take in response to each.</p> <p>If the authority are satisfied that the draft plan meets the basic conditions, is compatible with the Convention rights, and complies with the definition of an NDP and the provisions that can be made by a NDP or can be so as modified a referendum must be held.</p> <p>The LPA must make the decision as to whether or not a referendum should be held within five weeks of receiving the examiner's report. Exceptions can occur where the LPA propose to make a decision which differs</p>	Local Planning Authority		

	from that of the Examiner or where additional time has been agreed between the LPA and the Qualifying Body.			
Actions the LPA can take following consideration of the examiner's report	<p>Once the LPA has considered each of the examiners recommendations and determined its response It can:</p> <ol style="list-style-type: none"> 1. make modifications to correct errors, or to make the plan: <ol style="list-style-type: none"> a. meet the basic conditions b. comply with the Convention Rights c. comply with the definition of an NDP and the provisions that can be made by a NDP d. comply with suitable periods for making applications and starting development. 2. extend the area to which the referendum(s) are to take place. If the authority decides to extend the area for referendum it must publish a map for that area. 3. decide that they are not satisfied with the plan proposal with respect to meeting basic conditions, compatibility with Convention rights, definition and provisions of the NDP even if modified. <p>Where the LPA's proposed decision differs from that of an Examiner and the reason for the difference is wholly or partly as a result of new evidence or a new fact or a different view taken by the LPA about a particular fact, additional consultation must be undertaken on this for a period of six weeks with the final decision being issued within five weeks of the end of said consultation period. The LPA should notify all those identified on the</p>	Local Planning Authority		

	consultation statement of the parish council or neighbourhood forum and invites representations and may refer the issue to an independent examination if they think it appropriate.			
Intervention of the Secretary of State.	<p>Paragraph 13B of Schedule 4B of the Town and Country Planning Act 1990, inserted by section 141 of the Housing and Planning Act 2016, gives the Secretary of State power to intervene, where requested by a qualifying body in 3 circumstances:</p> <ul style="list-style-type: none"> • where the local planning authority has failed to take a decision to send a plan or Order proposal to referendum within 5 weeks of receipt of the examiner's report, or within 5 weeks of the end of the period for representations; • where the authority does not follow all of the examiner's recommendations; or • where the authority modifies the plan or Order in a way that was not recommended by the examiner (except where the modification is to ensure compatibility with EU or human rights obligations or to correct an error). <p>The parish or town council, or neighbourhood forum, must submit the request in writing and give reasons for making the request.</p>	Qualifying Body	CWaC will take all reasonable measures to prevent the need for such intervention.	Planning Practice Guidance https://www.gov.uk/guidance/neighbourhood-planning--2#key-stages-in-neighbourhood-planning)
Step 6 Referendum				
Referendum	LPAs must hold the referendum within 56 working days of the date that a decision to hold one has been made (or 84 working days when relating to a Business Neighbourhood Area, the neighbourhood area falls within more than one LPA or where the LPA are not the 'principal authority' responsible for arranging the referendum).	CWaC	Toolkit Referendum info.	

	<p>Eligibility to vote is the same as for local elections. 50% of those voting need to be in favour of the Plan for it to be adopted.</p> <p>These are contained in the Neighbourhood Planning (Referendum) Regulations 2012 (as amended by the Neighbourhood Planning (Referendum) (Amendment) Regulations 2016 and the Neighbourhood Planning (prescribed Dates) Regulations 2012.</p> <p>Need to consider if business and residential referendums are required. If both are required they need to be held on the same day.</p> <p>The Council must ensure that the information statement and specified documents (see below) are published on the web site not fewer than 28 days before the referendum date (not including weekends and bank holidays, days of public thanksgiving). Documents must be available during the referendum period for inspection at the main offices in the Councils control (geographic distribution should be considered).</p>			
The information statement	<p>The information statement prepared by the Council must include the following information:</p> <ul style="list-style-type: none"> a. that a referendum will be held b. the date of the referendum c. the question to be asked (<i>Do you want (insert name of LPA) to use the neighbourhood plan for (insert name of neighbourhood area) to help it</i> 	CWaC		

	<p><i>decide planning applications in the neighbourhood area?)</i></p> <p>d. a map of the referendum area</p> <p>e. where the referendum area and neighbourhood area are not identical a map of the neighbourhood area</p> <p>f. a description of those entitled to vote in each referendum</p> <p>g. the referendum expenses limit applicable (to both referendums if there are to be a residential and business referendum) and the number of people identified as entitled to vote (in both referendums if there are two) on which the limit was calculated</p> <p>h. that the referendum(s) will be conducted in accordance with procedures similar to those for local government elections, and</p> <p>i. the address and times at which a copy of the specified documents can be inspected.</p>			
“Specified documents”	<p>The specified documents to be published by the Council on the website (made available for inspection) are:</p> <p>a. Draft NDP</p> <p>b. Examiners report</p> <p>c. Summary of representations submitted to examiner</p> <p>d. For a draft NDP a statement that the Council is satisfied that it meets the basic conditions and provisions as they apply</p> <p>e. A statement that sets out general information as to town and country planning (and neighbourhood planning) and the referendum (prepared having regard to any guidance issued by SoS)</p>	Local Planning Authority		

Referendum results and publication of results	<p>If a referendum is held and there is a vote in favour (50% plus 1) the LPA must publicise their decision and reasons for the decision – called a ‘decision statement’, and details of where and when it can be inspected.</p> <p>They should send a copy to</p> <ul style="list-style-type: none"> • The parish council or neighbourhood forum as relevant • Any person who asked to be notified of the decision <p>As soon as possible the LPA should publish the plan, details of when and where it can be inspected and notify any person who has asked to be notified that it has been made and where and when it may be inspected. It should also publish the environmental report in cases where the plan has been subject to the SEA Directive, inform the consultation bodies of relevant matters including how significant effects will be monitored. Monitoring results should be published in the Councils monitoring report.</p>	CWaC		
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Stage 7 making the plan				
Adoption of the plan as part of the LDF	The LPA have to 'make' the plan within 8 weeks of the result of the referendum unless there are unresolved legal challenges. The plan then becomes part of the statutory development plan.	Local Planning Authority		
Alongside plan preparation				
Sustainability assessments Habitats Regulation appraisals (and other appraisals as appropriate)	This tests the plan's policies and proposals in terms of their environmental, social and economic impacts. It helps to shape the plan, ensuring that any impacts are properly considered. The Sustainability Appraisal is carried out throughout the plan making process. Preparation, printing and publication of reports required	Qualifying body	Toolkit Sustainability assessments	DIY SA documentation

ⁱ For Parish Council, also read Neighbourhood Forum

Financial support

The cost of the Plan will depend upon its size, scope and complexity. Government estimate it could cost upwards of £17,000 to £63,000 to produce. The Government Supporting Communities fund will provide financial assistance for professional support. This fund is however currently being reviewed. Current funding details can be found at:

- **Locality** - online resources and other networking tools, practical workshops and seminars, and tailored advice through a telephone advice line. www.locality.org.uk
- **Royal Town Planning Institute** (Planning Aid) - support and training to local communities on planning strategy, policy and decision-making www.rtpi.org.uk/planningaid
- **The National Association of Local Councils in partnership with the Campaign to Protect Rural England** – basic planning info via a website, phone line and publications. Local events for the public and parish councils www.cpre.org.uk
- **The Prince's Foundation** - community engagement and finding local solutions to issues. www.princes-foundation.org

Useful links for Neighbourhood Planning

http://inside.cheshirewestandchester.gov.uk/policies_plans_and_strategies/planning_policy CWaC core strategy background documents

<https://www.gov.uk/guidance/neighbourhood-planning--2> - Planning Practice Guidance on Neighbourhood Planning

<https://www.posenterprises.co.uk/neighbourhood-planning> - Planning Officers Society (POS) Neighbourhood Planning information

<http://cheshireaction.org.uk/> - Cheshire Community Action

<https://levetttherivel.wordpress.com/sustainability-appraisal-sea/> - DIY SA (including SEA) of neighbourhood Plans