



Neighbourhood Planning Guidance Leaflet

Updated November 2015



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Please note that this Guide will be regularly updated with advice, templates and forms that we use in our work with the Parish Councils in Central Bedfordshire.

Version 1 – December 2015
Version 2 – May 2015

1) Getting Started

Town and Parish Councils interested in preparing a Neighbourhood Plan should in the first instance speak to the planning team at Central Bedfordshire Council, hereafter referred to as the Council. The Council has a duty to support local groups in preparing their plans and have a statutory role in ensuring that these are complementary to the its wider plans. It is important to have this discussion with the Council as it may be that there are alternative, more effective methods for local communities to shape the future of their area. The preparation of Neighbourhood Plans is time and resource intensive.

Before deciding on undertaking a Neighbourhood Plan, it is useful to think about the following key questions:

- What are the local issues in your area?
- What are you trying to achieve from a Neighbourhood Plan?
- Is a Neighbourhood Plan the best tool for the job, or are there other methods to achieve your aims?
- Do you have the necessary capacity, resources and commitment to undertake a Neighbourhood Plan?
- What support do you think you will need, by whom and when?

Defining a Neighbourhood Area Boundary

Setting the boundary of the neighbourhood area and forming a Steering Group will be one of the first tasks in producing a Neighbourhood Plan. In Central Bedfordshire, which is fully parished, the town and parish councils will initiate the Neighbourhood Planning process; specifying the area to be covered by the plan, and setting up the steering group.

A Neighbourhood Plan does not have to cover the whole parish area although one Neighbourhood Plan area can cover more than one parish. Where the area covers more than one parish, the consent of the other parish council is required. It is however not possible for the Neighbourhood Plans to overlap, i.e. there cannot be more than one plan covering an area.

The neighbourhood area will require the approval of the Council. To gain approval the following information will need to be submitted to the Council:

- A map identifying the area;
- A statement as to why the area is appropriate; and
- A statement explaining that the body making the area application is a qualifying body under the Localism Act 2011.

Once the application is submitted to the Council, it will be publicised on the website and advertised in the local area. The Council will also publicise the application in adjoining areas where appropriate. This will take 6 weeks and people will be invited to respond to the application if they wish. You are therefore recommended to make sure you have support across the whole community before applying.

When making the decision on an application the Council will ensure it is in line with the legal requirements and also the results of the community consultation. Once the form is

submitted the Council will have 8 weeks to make a decision on whether the area will be designated or not.

See [Appendix 1](#) for the form to be filled out and submitted to Central Bedfordshire Council to be designated as a Neighbourhood Planning Area.

Setting up a Neighbourhood Steering Group

Steering Groups decide how to prepare the plan and will co-ordinate the project. The team should comprise a range of skills, knowledge and experience. The Steering Group can be established under its own terms of reference.

Who should comprise a Steering Group?
Chairman
Clerk
Someone who can write documents
Project planner
Consultation expert
Local information specialists
Parish Councillors
IT/website specialist

Please see [Appendix 2](#) for an example of 'Terms of Reference' for a Steering Group.

2) Preparing a Neighbourhood Plan

Please see [Appendix 3](#) for a diagrammatic table on the steps of preparing a Neighbourhood Plan.

Neighbourhood Plans can include anything that other development plan documents deal with. They are about the use and development of land and can deal with a range of social, economic and environmental issues. Plans may be comprehensive, dealing with a wide range of issues or they may be focused on a limited range of issues.

Neighbourhood Plans must conform to:

- European directives/legislation;
- National legislation;
- National Planning Policy; and
- The Development Strategy or any other Local Plans for Central Bedfordshire.

The method by which the Neighbourhood Plan is written is at the discretion of the Town/Parish Council and will be influenced by the aims and objectives.

It is important to continue communication with the Council during this stage to discuss the Neighbourhood's intention for their plan and it is up to each Neighbourhood Plan Steering Group to decide how they should go about preparing their plan.

Project Plan

It is advisable to draw up a plan for preparing a Neighbourhood Plan. This can identify the key stages, actions and timetables. It can also identify resources and costs. This will help the steering group to focus and monitor its activity and to think about what funding might be required for developing the Neighbourhood Plan.

Please see [Appendix 4](#): Example of a Project Plan for preparing a Neighbourhood Plan

Funding Support for Neighbourhood Plans

Before starting a Neighbourhood Plan it is important to know where the money will come from to cover your costs. Although the cost of developing the Plan is borne by the Parish Council, the costs of the examination and referendum are the responsibility of the Council.

There is support for communities wishing to prepare a Neighbourhood Plan. Grants are available from the Neighbourhood Planning Support Programme.

For further information, please visit www.mycommunityrights.org.uk

Plan Contents

The content of Neighbourhood Plans will vary depending on the area itself and what issues the local community consider important. Neighbourhood Plans should be focused on influencing development and not stopping growth and development from happening. For example, a plan could give guidance on what new buildings in the area should look like and what type of development should happen on development sites in the neighbourhood.

Neighbourhood Plans are primarily planning documents so should focus on planning matters. There are no legal restrictions on Neighbourhood Plans covering non-planning matters. However, you should be aware that when the Council assesses planning applications in your neighbourhood area these non-planning matters will not be addressed. Non-planning matters can be incorporated into an appendix or become part of a Parish Plan to clearly separate them from the planning element.

Most plans would be text based and could include photos, sketches, maps and diagrams to explain ideas behind the text. Contents may include:

- A description of the area;
- Vision and objectives – what you are trying to achieve in the area;
- Projects/proposals and policies – the things you need to happen to achieve your aims, include what type of development you need, where the development should take place and what it should look like; and
- Action plan/implementation – what is needed to make it happen and who will lead on this and how.

Gathering Evidence

The Neighbourhood Plan will need evidence to support your plan and may need to demonstrate that the policies and plans in your plan are viable. The evidence required for a Neighbourhood Plan will depend on what it says, the issues it covers and level of detail it contains.

Firstly, a review of the existing evidence should be undertaken and it then may be necessary to develop new evidence at the neighbourhood level.

The Council holds a large amount of information that can be used as background information and evidence for Neighbourhood Plans.

Existing Evidence:

- The Local Development Framework/Local Plan
- Other Local Authority Plans and Strategies
- Socio-Economic Data for the district/ward (census etc)
- Technical Reports
- Transport Studies
- Public transport data

- Conservation area appraisals
- Statutory lists (listed buildings and scheduled ancient monuments)
- Plans from other public bodies or statutory undertakers
- Existing plans for an area, such as a community plan or parish plan
- Details of other environmental protection designations, such as tree protection orders and sites of special scientific interest.

It may be necessary to develop new guidance at a neighbourhood level. These could include:

- Economic: business surveys, vacancy/floorspace survey, available sites survey, land values
- Social/Community: housing condition survey, audit of community facilities, 'Building for Life' assessment of housing
- Environmental: heritage audit, conservation area appraisal, review of local lists, urban design analysis, open space audit, green space strategy
- Infrastructure: transport linkages, school capacity, transport capacity analysis.

From analysing the evidence, certain issues facing the area will become evident and it is these issues which will help develop the vision, objectives and policies.

Secret Spaces

'Secret Spaces' is a national report which looks at County Wildlife Sites on both a national and local scale. County Wildlife Sites are vitally important for wildlife and people alike, many studies have shown how they add value to local communities and contribute significantly to our quality of life, health, well-being and education. The very existence of this network of areas of natural habitat across the county contribute to the wildlife we find in our gardens, parks and other public natural spaces. Ultimately, they also provide some of the natural services we rely on to maintain a healthy and sustainable environment; such as clean air and water, pollinators and food production, and flood resilience.

The following link will take you to the full report; <http://www.wildlifetrusts.org/node/99684>

Developing a Vision and Objectives

The vision will help clarify what the Neighbourhood Plan is aiming to achieve. It should be a short statement describing what the area will be like to live and work in in the future as a result of the Plan.

The objectives will set out what the community wants to achieve in order to help realise the vision. Detailed policies will then follow from the objectives.

Policy Making

Policy should be based on information and data about the area, derived from the evidence base. From consideration of the evidence and early community engagement, key issues

and aims for the plan should emerge. Policies and proposals can then be developed to achieve the plan's aims.

Site Assessment and Selection

The Neighbourhood Plan provides the community an opportunity to select sites for specific purposes, such as housing. If so, it is recommended to contact the Council as they will be able to support you in the site selection and methodology to prove that the most suitable and sustainable site has been selected.

Community Engagement

Community engagement is necessary and important for many reasons. You are strongly advised to involve as much of the community, including local businesses and land owners, as possible. Not only do they have an important role in and influence on a neighbourhood, they can be a valuable source of advice, skills and resources for your plan.

Community engagement should be undertaken before work commences on the plan to help define issues and aims for the plan, and to inform an overall vision. Early and later stages of community engagement/involvement will also inform policies and proposals in the plan.

If your plan is going to include allocations of sites for development you must actively engage with the landowner to find out their views, including on whether the site is available for development and whether they agree with what you are proposing.

Community engagement is important because:

- it is a statutory requirement (including the Localism Act);
- early engagement is essential for developing political consensus and avoiding misconceptions;
- is part of the evidence base;
- helps achieve better outcomes;
- leads to more realistic and deliverable plans and policies; and
- helps avoid conflict, delays and costs at later stages.

During the plan preparation it is important to actively engage with the local community. The community engagement should be stimulating and enjoyable. There are many ways to do this to try get as many people involved as possible. This early engagement will help when it comes to the referendum as people will then be more supportive of it.

There are a wide range of methods available to engage with different groups, such as local residents and local interest groups. This would include; meetings, leaflet drops, questionnaires, surveys, open/drop in days, public meetings. Careful thought needs to be had with regards to what method is most appropriate to reach particular groups. For example engagement with children will require a different approach to adults and some people may not feel comfortable participating in public meetings.

A Neighbourhood Plan will only be adopted where it has the support of the local community, through a referendum, and approval of an independent inspector. So it is essential to get people on-board with a Neighbourhood Plan and where appropriate keep them engaged through the process.

Draft Neighbourhood Plan

Once there is a draft of the Neighbourhood Plan you must:

- publicise the draft plan with those who live, work and carry out business in your neighbourhood area, letting them know how to respond and details of where and when it can be viewed;
- give people at least 6 weeks to respond;
- notify other people - organisations, neighbouring councils, and bodies whose interests may be affected by the plan (including the Environment Agency, English Heritage and Natural England); and
- send a copy to Central Bedfordshire Council.

Strategic Environmental Assessments (SEA)

SEA is a process to determine whether plans will have significant environmental impacts. Draft Neighbourhood Plans should be screened by the Council at an early stage to identify whether an SEA is required. Whether you need an SEA for your plan will largely depend on the scale and impact of the proposals in your neighbourhood plan. It is more likely that an SEA will be required if a Neighbourhood Plan includes proposals relating to the location of new development and the land uses, nature, size of development on particular sites.

Basic Conditions

Neighbourhood Plans must be assessed by an independent examiner to ensure they meet the legal requirements, known as the 'basic conditions'. It is important to note that if you do not meet relevant statutory requirements your plan will not pass the independent examination and will therefore not be able to proceed to local referendum and adoption.

To meet the basic conditions a neighbourhood plan must:

- Have appropriate regard to national policy (the National Planning Policy Framework and guidance);
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies in the development plan (for Central Bedfordshire that would be the Development Strategy for Central Bedfordshire);
- Be compatible with human rights requirements; and
- Be compatible with EU regulations.

Neighbourhood Plans must also be in line with all relevant laws and regulations. Your Neighbourhood Plan may require a Strategic Environmental Assessment (SEA) to meet the basic conditions to meet EU requirements.

3) Examination and Referendum

Following the consultation on the draft Neighbourhood Plan, the plan and supporting documents can be submitted to the Council.

When you submit the Plan to the Council to you must also include:

- A map or statement setting out the area that it covers;
- A consultation statement; and
- A statement explaining how your plan meets the legal requirements (basic conditions).

Once the Council receives the draft plan, it will be publicised on the website and brought to the attention of people who live, work or carry out business in the local area.

The plan will also be checked so that the contents of the draft Neighbourhood Plan and the way that it has been prepared meets the statutory requirements. If the plan meets the requirements it is ready to be submitted for independent examination.

The Council will check whether the draft Neighbourhood Plan:

- Has been prepared in accordance with the provisions introduced by the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012;
- Is consistent with the strategic elements of the Council's planning policies;
- Is consistent with the NPPF; and
- Is in line with the relevant planning, and other legislation and regulations.

Examination

Once the Neighbourhood Plan has been consulted upon by the Council, it can then undergo an examination by an independent person. This person should be independent from the Council and Steering Committee; not have an interest in any land affected; and have appropriate qualifications and experience. The Council will appoint this independent examiner in consultation with the steering group. It is the Council who has to arrange and pay for the examination.

The examination will be held as either a public meeting or through written submissions. Public sessions can be held if the examiner thinks they are necessary.

The examiner will check that the Neighbourhood Plan meets the required standards by being in line with the basic conditions and other legal requirements, they will also consider:

- Comments made during the consultation of the plan;
- Whether the plan is consistent with any neighbouring plans for adjacent areas; and
- Whether the area for the referendum should extend beyond the neighbourhood area.

After the examination, the examiner will produce a report which will recommend that the Neighbourhood Plan should either:

- Go forward to a referendum;
- Go forward to a referendum, subject to recommended amendments; or
- Not go forward to a referendum.

Local Referendum

To ensure that the local community supports a Neighbourhood Plan and has the final say on whether it comes into force, plans passed at examination are subject to a referendum.

The referendum is organised and paid for by the Council. People living in the referendum area who are registered to vote in local elections will be entitled to vote.

It is the Council's duty to publicise the referendum on its website 28 days prior to the referendum and make available the 'specified documents'. The 'specified documents' are:

- The draft Neighbourhood Plan;
- The independent examiners report;
- A summary of representations submitted to the examiner;
- A statement that the Council is satisfied that the plan meets the basic conditions; and
- General information on town and country planning and neighbourhood planning, to ensure voters have sufficient knowledge to make an informed decision.

If more than 50% of people voting in the referendum support the plan, then the Council must use it in its planning decisions in the area alongside its other adopted plans as the basis for decisions on planning applications in the neighbourhood area. If less than 50% of the people voting support the plan, then the Council cannot use the plan in its decisions.

Adoption

If the referendum indicates that the majority support the Neighbourhood Plan, the plan can be adopted ('made' in the terminology of the legislation) by the Council.

Once the plan is 'made' by Executive and Full Council, the Council will publicise its adoption (or non-adoption if there is no support) and the plan will be used in the planning decision-making process and making land allocation decisions.

4) Further Information

Officers at Central Bedfordshire Council are able to offer advice and provide information as well as provide assistance with mapping, gathering evidence and the site selection process. Officers will also be able to screen Neighbourhood Plans to decide whether it needs to have a SA/SEA.

The following websites provide advice on Neighbourhood Planning, including useful guides, tools and templates.

Locality

<http://mycommunity.org.uk/>

Royal Town Planning Institute

<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

Planning Advisory Service

<http://www.pas.gov.uk/neighbourhood-planning>

Appendix 1 Designation Form

Application for Designation of a Neighbourhood Area

The Neighbourhood Planning (General) Regulations 2012, Part 2, Section 5

As a relevant body under the definition of Section 61G(2) of the 1990 Act,

.....Town/Parish Council (*please delete*)

hereby applies to Central Bedfordshire Council to designate a neighbourhood area (see map attached).

The area is considered appropriate to be designated as a neighbourhood area because.....

.....
.....
.....

Signed

.....

(*print name*)

(Chairman)

Date.....

Appendix 2 Example Terms of Reference

TERMS OF REFERENCE

The primary function of this Neighbourhood Plan is to identify solutions to the key challenges that the area faces. Our ambition is to develop a shared vision for the area and our approach to the development of this Neighbourhood Plan will be consultative and inclusive.

INTRODUCTION

X Parish Council has agreed with Central Bedfordshire Council to work together to produce a Neighbourhood Plan. In order to produce the plan they have established a Steering Group.

MEMBERSHIP OF THE STEERING GROUP

The Steering Group will consist of approximately 10 people. These individuals will be agreed / nominated by the Parish Council but do not have to be members of the Parish Council.

The Steering Group may form sub-committees to undertake various work streams involved in producing the Neighbourhood Development Plan.

The Steering Group will be supported by appropriate Officers from Central Bedfordshire.

ROLES AND RESPONSIBILITIES OF THE STEERING GROUP

The Local People on the Steering Group will:

- Report to and liaise with the Parish Council, keeping them apprised of the progress of the plan and ensuring that they continually represent their views and concerns.
- Liaise in consultation with the Parish Council, with their community, promoting the plan, answering concerns and questions and contributing to any public consultation events.
- Work with the local authority to develop policies to inform the future development and use of land in the area.
- Identify and define the development boundaries applicable to the plan.
- Work together to draw up the Neighbourhood Plan and any revisions because of the on-going consultation process.
- Support the Parish Council through the examination process.

The Central Bedfordshire Council Representatives on the Steering Group will:

- Support the Steering Group throughout the process, providing professional planning advice and any relevant evidence to aid the development of the plan, ensuring that the Plan conforms to national and local policy and will be sound at examination and advising the Steering Group as necessary.
- Provide and carry out training to ensure all parties are equipped to make the relevant decisions around the plan making process.
- Work with the Steering Group and the local community to establish the future development needs of the area.
- Work with the Steering Group to develop policies to guide the future development and use of land in the area.
- Work with the Steering Group to ensure there is engagement and consultation with the local communities throughout the plan making process.
- Ensure that any other relevant statutory bodies or parties as necessary are involved in the plan making process.
- Arrange for the referendum of the plan.
- Arrange with agreement from the Group for the Examination of the Plan to be carried out.

All Members of the Steering Group will:

Ensure that the probity of the group and the plan is open and transparent; all Members of the Steering Group must declare any personal interest that may be perceived as being relevant to any decisions or recommendations made by the group. This may include membership of an organisation, ownership of interest in land (directly or indirectly) or a business or indeed any other matter likely to be relevant to the work undertaken by the Steering Group.

Ensure that there is no discrimination in the plan making process and that it is an inclusive open and transparent process to all groups in both the local communities and those wishing to undertake development or be involved in the process in both settlements.

Members of the Group will work together for the benefit of our community. Treat other Members of the Group with respect and dignity, allowing Members to air their views without prejudice and interruption.

GENERAL MATTERS

The Terms of reference will be continually reviewed during the life of the project.

The Steering Group will regularly report its findings and progress to the Parish Council including the on-going budgetary implications associated with the project. Any allocation of

funds to the project will have to be approved by the Steering Group, all baring the cost of the initial meeting.

The agenda at the first meeting of the Steering Group will;

1. Agree the process of election of a Chairman and Vice Chairman of the steering group.
2. Agree Terms of Reference
3. The need for project planning
4. Role of the Local Authority: officer support; mapping.
5. Information sources: Planning Advisory Service (website content and front runner information); Princes foundation; others?
6. The requirement for a sustainability appraisal
7. Determine how the minutes of each meeting are to be taken and disseminated.
8. Determine the frequency, time and location of meetings and the person responsible for setting them up.
9. Determine any training needs for the Group.

Appendix 3 Steps for the Steering Group

Step 1 – evidence gathering	Step 2	Step 3	Step 4 – Producing plan	Step 5 - Submission	Step 6 - Examination	Step 7 - Referendum
Collect baseline information about community (area) <ul style="list-style-type: none"> • What are the existing facilities? • What are the businesses? 	Write background information for plan and Sustainability Appraisal/Strategic Environmental Assessment SA/SEA Scoping report	Send off scoping report to 3 statutory bodies	Write Draft Plan ↓ Publish Draft Plan ↓ Collate comments and write Consultation Report ↓ Revise Plan	Submit final Plan, Consultation Report & SA/SEA to CBC for conformity check	Prepare evidence based on representations received by CBC ↓ Present at Examination	Publicise Referendum
Collect baseline info. about community (people)	Identify community contacts on database, Create Consultation Plan					
Collect existing baseline information about the area <ul style="list-style-type: none"> • What are the planning constraints? e.g Green Belt, nature conservation sites, conservation areas, flooding areas • Other constraints e.g schools places, utilities etc 	Write background information for plan and SA/SEA	Create Site assessment methodology and carry out Create local SA/SEA objectives and carry out	Write SA/SEA			
What does the community want/need over the next 20 years? <ul style="list-style-type: none"> • Housing, quantity and type • Infrastructure e.g. traffic calming, car parking, footpaths, schools, doctors surgeries, sports pitches, play areas etc • Other land use based wants/needs 	Create Vision and objectives					

Where are the sites? <ul style="list-style-type: none">• Promoted by developers/local people• Put forward to CBC• Others						
Create Project Plan						

Appendix 4 Project Plan

Step	Task	Month 1	Month 2	Month 3 etc
Step 1	Formation of Steering Group			
1a	Initial start up of Steering Group and timetable			
1b	Reg 5: Submission of NDP Area application to CBC and consultation (minimum 6 wks)			
1c	NDP Area designation by CBC			
Step 2	Develop a Vision and Objectives			
2a	Initial Community Engagement			
2b	Ongoing evidence gathering			
2c	Scoping Report (comprising write-up of all evidence assessed and confirmation of plan objectives)			
2d	Scoping report to statutory bodies			
2e	Identification of potential policies			
2f	Identification of potential sites			
2g	Engagement with landowners to inform of NP			
Step 3	Generate Site and Policy Option			
3a	Generation of long-list site options			
3b	Identification of site-specific options (site by site development allocation)			
3c	Site and policy Options public consultation (2 day event)			
3d	Site preferred Options stakeholder consultation (combined with public event, letter to statutory consultees)			
3e	Sustainability testing - all options			
3f	Generation of final preferred options			
Step 4	Draft your Neighbourhood Plan			

4a	Full plan drafting			
4b	Prepare proposals map			
4c	SA drafting (final document)			
4d	Consultation Statement (continuing)			
4e	Technical papers (green Infrastructure, housing needs etc)			
4f	Response form for pre-sub consultation?			
4g	Full PC to approve plan for purposes of consultation			
Step 5	Consultation and Submission			
5a	Meet CBC officers to discuss consultation / examination / referendum timescales			
5b	Reg 14: Pre-submission consultation (minimum 6 wks)			
5c	Log & respond to consultation responses			
5d	Revise Draft Plan for submission			
5e	Full PC to approve plan for submission			
5f	Complete Consultation Statement (recording responses and changes made to plan)			
5g	Complete Basic Condition Statement (ref Schedule 4B TCPA 1990)			
5h	Submission of all documents to CBC			
5i	Recommended: agreement and appointment of examiner			
5j	Reg 16: CBC consultation (minimum 6 wks)			
Step 6	Independent Examination			
6a	Reg 17: Submission of all relevant documents to appointed examiner			
6b	Respond to Examiner information requests			
6c	EXAMINATION			
6d	Examination outcome reported			
Step 7	Referendum and Adoption			

7a	Pre referendum promotion / information event			
7b	REFERENDUM			
7c	CBC adopt Plan			



A great place to live and work

Contact us...

by telephone: 0300 300 8307

by email: LDF@centralbedfordshire.gov.uk

on the web: www.centralbedfordshire.gov.uk

Write to Central Bedfordshire Council, Priory House,
Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5TQ