

Neighbourhood Planning – Purpose and Resources

The Stages of Neighbourhood Planning

- 3.1 Neighbourhood planning was introduced in the Localism Act 2011. It allows communities to shape new development by coming together to prepare neighbourhood plans which can then become part of the development plan for the area and be used when deciding planning applications in the neighbourhood area, as well as allocate land for development.
- 3.2 Preparation of a neighbourhood plan includes a number of formal stages required in legislation. A summary of the main stages in neighbourhood planning is below:

Step 1: Designating neighbourhood area and if appropriate neighbourhood forum

- The relevant body (parish / town council, prospective neighbourhood forum or community organisation) submits an application to the local planning authority to designate a neighbourhood area
- The local planning authority publicises and consults on the area application
- The local planning authority designates a neighbourhood area within the statutory timescales
- In an area without a town or parish council, a prospective neighbourhood forum submits an application to be the designated neighbourhood forum for a neighbourhood area
- The local planning authority publicises and consults on the forum application
- The local planning authority takes decision on whether to designate the neighbourhood forum

Step 2: Preparing a draft neighbourhood plan or order

The parish council or neighbourhood forum develops their proposals (advised or assisted by the local planning authority) by undertaking the following tasks:

- Gather baseline information and evidence
- Engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers)
- Talk to land owners and the development industry
- Identify and assess options
- Determine whether a plan is likely to have significant environmental effect
- Start to prepare proposals documents e.g. basic conditions statement

Step 3: Pre-submission publicity & consultation

The parish council or neighbourhood forum:

- Publicises the draft plan and invites representations
- Consults appropriate people and bodies
- Sends a copy of the draft plan to the local planning authority
- Considers consultation responses and amends plan if appropriate
- Prepares consultation statement and other proposal documents

Step 4: Submission of a neighbourhood plan or order proposal to the local planning authority

- The parish council or neighbourhood forum submits the plan proposals to the local planning authority
- The local planning authority checks that submitted proposal complies with all relevant legislation
- If the local planning authority finds that the plan or order meets the legal requirements it:
 - Publicises the proposal for minimum 6 weeks and invites representations
 - Notifies consultation bodies referred to in the consultation statement
 - Appoints an independent examiner (with the agreement of the qualifying body)

Step 5: Independent Examination

- A local planning authority sends the plan and any representations that have been made to the independent examiner
- The independent examiner undertakes examination
- The independent examiner issues a report to the local planning authority and qualifying body
- The local planning authority publishes report
- The local planning authority considers report and reaches own view on whether to send the plan to referendum

Steps 6 and 7: Referendum and making the neighbourhood plan or order (bringing it into force)

- The local planning authority publishes information statement
- The local planning authority publishes notice of referendum/s
- Polling takes place (in a business area an additional referendum is held)
- The result is declared
- Subject to the result, the local planning authority considers the plan in relation to EU obligations and convention rights

- If the plan is compatible with EU obligations and does not breach convention rights, the local planning authority makes the plan or order.

Existing Neighbourhood Plans in Hinckley and Bosworth

3.3 There are currently five areas that have been designated for the purposes of producing a neighbourhood plan and all are at different stages. The plans are:

a. Market Bosworth

- Identified by Central Government as a neighbourhood planning frontrunner.
- Designated as a Neighbourhood Area in February 2013
- Draft plan published for consultation in early 2015 and was deemed appropriate in an Examiners Report in February 2015
- A referendum on the making of the plan took place on 3 September 2015 and, following a majority 'yes' vote, the plan was made by the Borough Council on 4 September 2015

b. Burbage

- Area designated in February 2014
- Evidence gathering and public consultation work has been ongoing
- Draft NDP is due to be consulted upon soon

c. West Clarendon, Hinckley

- Forum and Area designated in May 2014
- Currently evidence gathering and undertaking public engagement

d. Desford

- Designated in September 2015
- Currently evidence gathering and undertaking public engagement

e. Sheepy

- Designated in October 2015
- Currently evidence gathering and undertaking public engagement

f. Stoke Golding

- Designated in June 2016
- Currently evidence gathering and undertaking public engagement

3.4 In addition to the designated areas mentioned above, the Borough Council has undertaken consultation on neighbourhood areas for both Higham on the Hill and Newbold Verdon parishes and it is anticipated that these will both be designated later in 2016. Interest in neighbourhood planning has also been expressed by multiple other communities although no formal application has yet been submitted.

Funding available for neighbourhood planning

- 3.5 Due to the resources required to take forward neighbourhood planning, financial assistance has been made available to both local planning authorities and parish councils / neighbourhood forums.
- 3.6 In order to meet the statutory duty to support, the Borough Council can apply for grant funding from Central Government. The details of this funding are as follows:

Revised claims criteria for 2016/17:

- For all areas: LPAs can claim £20,000 once they have set a date for a referendum following a successful examination.

Additional funding is available in certain areas:

- Area designation: LPAs can claim £5,000 for the first five neighbourhood areas designated. The limit of five areas applies to the total number of areas designated in the LPA (i.e. it includes areas designated in previous years). **HBBC has already designated five areas and therefore cannot claim for any additional area designations.**
 - Forum designation: LPAs can claim £5,000 for the first five neighbourhood forums they designate. The limit of five forums applies to the total number of areas designated in the LPA (i.e. it includes forums designated in previous years). **HBBC has only designated one Forum (West Clarendon) as the rest are being completed by parish councils.**
 - Business areas: LPAs can claim a further £10,000 once they have set a date for a referendum following a successful examination. **HBBC has no designated business areas.**
 - Neighbourhood development orders (NDOs) and community right to build orders (CRtBOs): LPAs can claim £20,000 in relation to NDOs and/or CRtBOs for each neighbourhood planning area per year. The claim can be made once the date for the referendum on the orders has been set. **HBBC has no NDOs or CRtBOs**
- 3.7 All groups writing a neighbourhood plan or neighbourhood development order are eligible to apply for up to £9,000 in grant. Groups facing a range of complex issues are able to apply for further support from the programme. This support can come in two forms:
1. Technical support provided by AECOM – there are a range of technical support packages that groups are able to apply for as and when they become needed.
 2. Groups are also be eligible to apply for a further grant of up to £6,000 giving a total grant ceiling of £15,000 in the period 2015-18.

Existing and potential resourcing arrangements

- 3.8 Currently, once the Borough Council receives a formal application for the designation of a neighbourhood area, a dedicated officer is assigned to liaise with those producing the plan to provide professional advice and assistance with the process. The officer will be a member of the Planning Department and will ensure that the Borough Council meets its statutory duty to support. It is important to note that the role of the local planning authority is to support communities who wish to produce a plan and not to take forward its production. The programme of the plan and desire to take it forward must be community led with appropriate levels of support provided.
- 3.9 The level of time and resource required to support communities in preparing their plans varies depending on the stage the plan is at and the existing level of expertise, funding and personnel available to the body producing the plan. Due to the fact that only one neighbourhood plan has been completed through to adoption, it is not possible to accurately predict the number of officer hours that each neighbourhood plan would take to support. It is a fact however that with an increase in the number of plans, additional officer time would be required to support them through the process.
- 3.10 Although it is considered that the current number of neighbourhood plans in production is manageable in terms of resources by the Planning Department, as these plans progress, or if more plans become designated, the amount of officer time required to work on plans will increase. Should a significant number of communities choose to produce neighbourhood plans over time, additional staffing resources, including the potential for a dedicated officer or officers, could be explored by the council.
- 3.10 Along with Hinckley town which is unparished, Hinckley and Bosworth Borough contains 24 parishes. As detailed above, the council has six designated Neighbourhood Areas, with other areas potentially being designated later in the year dependent on responses to consultation. If the rate at which interest in producing neighbourhood plans continues at the historic rate, with a small number of areas applying at a staggered rate, it is possible that the planning department could resource the support without additional officers being required. If however there is a sudden increase in the number of plans, this could place a significant strain on the ability of the planning department to support the plans or, alternatively, produce the Local Plan or contribute to strategic matters.
- 3.11 The Rural Communities Council can also provide a valuable resource for the production of neighbourhood plans, particularly in the provision of advice and support when engaging members of the public. The Borough Council has a longstanding service level agreement with the Rural Communities Council, of £8760.00 per annum, which equates to 30 hours of support per year to communities, currently targeted to support neighbourhood plans. During 2016/17, to date, resources have already been committed to support Desford and Sheepy. Additional support can be purchased from the Rural Communities Council.