

**Neighbourhood Plans : Procedure
Prepared by Hull City Council October 2012**

*denotes - required by legislation

Action by Community Group/ Neighbourhood Forum	The Council's role
Stage 1 Introduction	
<p>The Community Group would initially approach the Council's relevant Area Team with its proposals for designating a neighbourhood area and a neighbourhood forum with a view to producing a neighbourhood plan.</p> <p>It will be important for the Community Group to establish expectations for its neighbourhood plan. It will need to be in conformity with the Council's Local Plan and be prepared in accordance with the requirements of the legislation and national planning policy.</p> <p>Area Team contact details and sources of support and help for community groups wishing to prepare neighbourhood plans are provided following stage 7 of the procedure.</p>	<p>At stage 1 only, the Council's facilitating role would be led by its relevant Area Team which would work in conjunction with other relevant Council departments including the planning service. For subsequent stages, the planning service would act as the Council's facilitator.</p> <p>The Community Group's proposals would be considered and it would be advised about the procedure to be followed and the advice and support that would be provided by the Council.</p> <p>It will be made clear to the community group that the Council would not be responsible for its neighbourhood plan production. Rather, through its statutory duty to support and facilitating role it would guide and advise the Community Group at all stages of plan preparation.</p> <p>The Council will explain its facilitating role to a Community Group which will be to:</p> <ul style="list-style-type: none"> -confirm formal designations of an area as a neighbourhood for the purposes of neighbourhood plan making; -provide technical advice and support for the preparation of the plan; -validate and check plans for legal compliance; -arrange and meet the cost of an independent examination into the plan; -organise and meet the cost of a referendum to ensure there is public support for the plan; and -to 'make' the plan that has been prepared correctly and that has public

	<p>support.</p> <p>The Council would also highlight alternative approaches to neighbourhood plans that could help the Community Group achieve its vision for the neighbourhood. For example: design statements; article 4 directions; comments on planning applications; and planning enforcement.</p> <p>The Council's neighbourhood plans webpage would be updated to publicise the Community Group's interest to do a plan. Relevant ward councillors would be notified of the approach.</p>
<p>Stage 2 Agreeing the Neighbourhood</p>	
<p>Agreeing the Neighbourhood Area</p>	
<p>*The Community Group submits an application for designation of a neighbourhood area to the Council. The area application must include: a plan/statement identifying the land in question; a statement of why this land should be designated; and details about the Group.</p> <p>Applications for neighbourhood areas should accurately reflect whole neighbourhood areas that are clearly identifiable, established and recognised areas of Hull.</p>	<p>The City Planning Manager will report to the relevant Area Committee and the Planning Committee on the submission of the neighbourhood area application and the legislative steps to be taken.</p> <p>*The Council must publicise and undertake 6 weeks consultation on the area application.</p> <p>Following the 6 week consultation period, the City Planning Manager will report to the relevant Area Committee, the Planning Committee and Cabinet on the results of public consultation. A key decision by Cabinet will need to be made.</p> <p>*If acceptable, the Council will approve the designation of the neighbourhood area. The Council must publicise the designation.</p> <p>*If unacceptable, the Council must publish a statement setting out its decision to refuse with reasons.</p>
<p>Agreeing the Neighbourhood Forum</p>	
<p>*The Community Group submits an application for designation as a neighbourhood forum to the Council.</p>	<p>The City Planning Manager will report to the relevant Area Committee and the Planning Committee on the submission</p>

<p>*The forum must be at least 21 people and the application must include: the name of the forum; a written constitution; the name of the neighbourhood area; contact details; and a statement outlining how the proposed forum meets these legal requirements.</p> <p>*The purpose for establishing the forum must be for the express purpose of promoting and improving the social, economic and environmental well-being of an area. Membership should be open to individuals who live, work <u>or are elected members</u> within the area.</p> <p>The Council will expect the Community Groups to provide evidence of having:-</p> <ul style="list-style-type: none"> -wider community support for undertaking the plan. - a clear vision for the neighbourhood that can this best be achieved through the making of a plan. -skills necessary to complete a neighbourhood plan. -access to finance in the community to help fund neighbourhood plan. -having the time and level of commitment necessary to produce a neighbourhood plan. - key stakeholders to liaise with during the making of plan. -a programme for developing the plan -a communications/publicity strategy 	<p>of the neighbourhood forum application and the legislative steps to be taken.</p> <p>*The Council must publicise and undertake 6 weeks consultation on the neighbourhood forum application.</p> <p>Following the 6 week consultation period the City Planning Manager will report to the relevant Area Committee, the Planning Committee and Cabinet on the results of public consultation. A key decision by Cabinet will need to be made.</p> <p>*If acceptable, the Council will approve the designation of the neighbourhood forum. The Council must publicise the designation giving details of the name of the neighbourhood forum.</p> <p>*If unacceptable, the Council must publish a statement setting out its decision to refuse with reasons.</p>
<p>Note: The neighbourhood planning regulations identify area and forum applications as two separate stages. However, as they are similar in nature and purpose there appears to be merit in combining both stages into a single application for joint area and forum designation. This would save a lot of time and resources. Kensington and Chelsea Council has already done this.</p>	<p>Subject to confirmation that it is acceptable practice to run both stages concurrently, the Council will advise a Community Group to combine their neighbourhood area and forum applications (Stage 1 above).</p>
<p>Stage 3 Preparing the Neighbourhood Plan</p>	
<p>Plan Making</p>	
<p>* The plan will be drafted by the neighbourhood forum. Not the Council. The forum must recognise that:</p>	<p>*The Council will support neighbourhood forums throughout the neighbourhood plan preparation process.</p>

<p>-the plan can be a single policy or a hundred policies;</p> <p>-the plan must be in line with strategic policies of the Local Plan;</p> <p>-it is essential to establish strong working relationships with the Council;</p> <p>-it is vital that there is wide and inclusive community engagement; and</p> <p>-to seek help from organisations such who can offer support and guidance.</p> <p>*There is a legal requirement to undertake a sustainability appraisal/appropriate assessment on planning documents before they can become part of the adopted development plan for the area. Neighbourhood plans are subject to this requirement so neighbourhood forums should be aware that such appraisals will need to be planned for early in the process.</p> <p>A number of organisations provide support to neighbourhood forums such as Planning Aid, Locality/ Princes Foundation, and Planning Advisory Service.</p>	<p>This include:-</p> <ul style="list-style-type: none"> -providing generic neighbourhood planning advice and guidance; -advising and supporting on whether particular matters can be legitimately included in the plan; -advising and assisting with some of the technical, planning-related aspects of producing the plan (eg drafting policies, undertaking a sustainability appraisal, negotiations with developers); -signposting to sources of evidence and assisting in the analysis of evidence received from surveys; -signposting to relevant contacts within the Council or within other stakeholder organisations -help with facilitation or advice on consultation, including giving advice on proposed surveys or questionnaires; -practical support such as providing a venue for meeting and providing copies of maps at a charge. <p>If appropriate, the City Planning Manager will report to the relevant Area Committee and the Planning Committee on the progress being made on the preparation of the neighbourhood plan.</p>
Draft Pre-submission consultation and publicity	
<p>*Before submitting a plan to the Council, a neighbourhood forum must:-</p> <ul style="list-style-type: none"> -publicise draft plan to people who live, work or carry out business in the area; -allow a minimum of six weeks to be given for comments; -consult statutory bodies; and -send proposed draft plan to the Council. 	<p>The City Planning Manager will report to the relevant Area Committee, the Planning Committee and Cabinet on the draft plan and inform the neighbourhood forum of the Council's views. A key decision by Cabinet will need to be made.</p>
Submission Plan Proposals	
<p>Where a neighbourhood forum submits a formal plan proposal to the Council, it must include:</p> <ul style="list-style-type: none"> -a plan/statement showing the area; -the title of the plan; -a consultation statement; and -a statement explaining how the plan meets 	<p>The City Planning Manager will report the submission of the neighbourhood plan to the relevant Area Committee, the Planning Committee, and Cabinet. A key decision by Cabinet will need to be made.</p>

conditions.	*Once the Council is satisfied that everything is in order, it must publicise, notify, consult, and invite representations on the forum's submitted neighbourhood plan proposals for a period of not less than 6 weeks. Publicity should bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area.
Stage 4 Independent Check	
Submission of plan proposal to examination	
<p>In general, it is likely that the examination into a neighbourhood plan would be by written representations from the neighbourhood forum during the examination period rather than oral examinations. However the examiner may decide that an oral examination is preferable in certain situations. In this case a public hearing would be held to which the neighbourhood forum would be invited to attend and give evidence.</p>	<p>*The Council must appoint a suitable person to carry out an examination of the submitted neighbourhood plan and send that person all relevant documentation relevant to the plan's preparation and consultation.</p> <p>The independent examiner will check the plan to see it meets the "basic conditions" such as:</p> <ul style="list-style-type: none"> -having regard to national planning policy; -conforming with strategic policies of the Local Plan; -contributes to the achievement of sustainable development; and -has regard to conservation areas and listed buildings.
Publication of the examiner's report and plan proposal decisions	
	<p>*The examiner will submit a report recommending either:</p> <ul style="list-style-type: none"> -proposals are submitted for referendum - modifications are made prior to referendum; or - the proposals are refused. <p>The City Planning Manager will report the examiner's recommendations on the neighbourhood plan to the relevant Area Committee, the Planning Committee, and Cabinet. A key decision by Cabinet will need to be made.</p> <p>*The Council must publish the examiner's report and its subsequent</p>

	<p>decision statement to the attention of people who live, work or carry on business in the neighbourhood area.</p>
<p>Stage 5 Community Referendum</p>	
	<p>*If the examiner's report recommends that the plan should proceed to a local referendum this will be organised and funded by the Council.</p> <p>*The referendum will normally be open to any individual registered to vote in the area, but the independent examiner may take the decision that it should be extended, if for example the plan has implications for surrounding area</p> <p>*A referendum is required to gauge community support for the neighbourhood plan.</p> <p>*Before a referendum is held, the Council must publish a "detailed notice" of the referendum for at least 28 working days before the referendum is held. This is "to ensure people living in the local authority's area are aware that a referendum is due to be held, the subject matter of that referendum and that they are informed of key information relating to the referendum", the Government has said.</p> <p>*The Regulations set out the prescribed wording for the question that must be asked when the Council holds a neighbourhood planning referendum. It must ask the question "Do you want Hull City Council to use the neighbourhood plan for [insert name of neighbourhood area] to help it decide planning applications in the neighbourhood area?"</p> <p>*A referendum can be held at the same time as elections.</p>
<p>Stage 6 Neighbourhood Plan</p>	

Decision on a plan proposal	
	<p>The City Planning Manager will report the results of the referendum to the relevant Area Committee, Planning Committee, Cabinet and Full Council. A decision to adopt a plan needs to be made by Full Council.</p> <p>*Where the plan receives the support of more than 50% of voters at the referendum, then the plan must be adopted (made) by the Council and brought into effect.</p> <p>*The Council must publish its decision and notify the neighbourhood forum and relevant bodies/persons.</p>
Publicising a neighbourhood development plan	
	<p>*After adopting (making) a neighbourhood development plan the Council must publish the neighbourhood development plan and details of where and when the neighbourhood development plan may be inspected. It must also notify any person who asked to be notified of the making of the neighbourhood development plan that it has been made and where and when it may be inspected.</p> <p>*Once the plan is made it would become part of the statutory development plan for Hull.</p>
Stage 7 Monitoring	
Implementation and monitoring plan	
	<p>The Council will need to monitor the plan checking its progress against its own objectives including those set by the Hull Local Plan.</p>
Area Team contact details	
<p>The city is divided into seven areas. Each area has an area committee and an area team. Teams work closely with partner organisations and local community and voluntary groups to address community priorities. Contact details for each area team, in terms of approaching the Council about preparing neighbourhood plans, are given below. Further information about area teams including a map can be found at: http://www.hullcc.gov.uk/portal/page?_pageid=221,197113&_dad=portal&_schema=PORTAL</p>	
<p>Community Manager Jane Redpath West area team</p>	<p>Community Manager Sylvia Bilsby East area team</p>

Hull City Council
The Calvert Centre
Calvert Lane
Hull
HU4 6BH
Tel: 01482 300 300
Email: west.areateam@hullcc.gov.uk
Text: West to 07795 563000
Facebook: www.hullcc.gov.uk/westarea

Community Manager
Alastair Shaw
Riverside area team
Holderness Road customer service centre
1 The Mount
Holderness Road
Hull
HU9 2BN
Tel: 01482 300 300
Email: riverside.areateam@hullcc.gov.uk
Text: River to 07795 563000

Community Manager
Debbie Akester
Park area team
Central Pavilion
East Park
Holderness Road
Hull
HU8 8JU
Tel: 01482 300 300
Email: park.areacommittee@hullcc.gov.uk
Text: Park to 07795 563000
Facebook: www.facebook.com/ParkArea

Community Managers
Louise Holmes/ Michelle Evans
Wyke area team
Newland Avenue Primary School
Reynoldson Street
Hull
HU5 3BH
Tel: 01482 300 300 and ask for the Wyke
area team
Email: wykeareateam@hullcc.gov.uk
Text: Wyke to 07795 563000
Facebook: www.facebook.com/WykeArea

Ings customer service centre
Savoy Road
Hull
HU8 0TY
Tel: 01482 300 300
Email: East.AreaAdmin@hullcc.gov.uk
Text: East to 07795 563 000

Community Manager
Northern area team
Hull City Council
The Orchard Centre
Orchard Park Road
Hull
HU6 9BX
Tel: 01482 300 300
Email: northern.areateam@hullcc.gov.uk
Text: North to 07795 563000

Community Manager
North Carr area team
Bespoke Centre
Zeals Garth
Wawne Road
Hull
HU7 4WD
Tel: 01482 300 300
Email: NCAT@hullcc.gov.uk
Text: Ncarr to 07795 563000
Facebook: www.facebook.com/northcarr

Sources of support and help

How Planning Aid can help

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

Neighbourhood planning toolkits and guidance –Design Council

<http://www.designcouncil.org.uk/our-work/cabe/services/plan/neighbourhood-planning-toolkits-and-guidance/>

An introduction to neighbourhood planning - Department of Communities and Local Government

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1985896.pdf>

Neighbourhood Planning Frequently Asked questions – Planning Advisory Service

<http://www.pas.gov.uk/pas/core/page.do?pagelId=1802659>

Neighbourhood Planning – Planning Portal

<http://www.planningportal.gov.uk/inyourarea/neighbourhood/>

Forum for Neighbourhood Planning

<http://www.ourneighbourhoodplanning.org.uk/>

Neighbourhood Planning: Questions and Answers- Urban Forum

<http://www.urbanforum.org.uk/briefings/neighbourhood-planning-questions-and-answers>