



Guidance on Neighbourhood Plans
For areas with a Parish Council
February 2018

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Introduction

This document has been designed to provide a step-by-step guide to producing a Neighbourhood Plan. It follows the process right from the beginning and takes you through the different elements up to completion. **This document has been designed specifically for areas where there is a Parish Council.**

A Neighbourhood Plan is a document containing planning policies which are used, along with the Local Plan and other local and national policies to decide planning applications in the Neighbourhood Area. With the aim of ensuring that sustainable development is achieved.

In their 'Planning Practice Guidance' the government states that Neighbourhood Plans can:

- Give communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area;
- Allow communities to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided; and
- Provide a powerful set of tools for local people to ensure that they get the right types of development for their community where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

It goes on to states that:

- A Neighbourhood Plan attains the same legal status as the Local Plan once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan; and
- Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

This document is designed to be a comprehensive guide however further information can be found at the links below:

Government Planning Practice Guidance:

<https://www.gov.uk/guidance/neighbourhood-planning--2#para088>

Locality- My Community Website: <http://locality.org.uk/projects/building-community/>

This includes several detailed guides and case studies as well as further information on the funding available to Neighbourhood Forums to aid in the production of Neighbourhood Plans.

The Royal Town Planning Institute (RTPI)- the Forum for Neighbourhood Planning:

<http://www.ourneighbourhoodplanning.org.uk/resources/documents/26>

On here are guides and template documents to help with many aspects of the process.

It is strongly advised that anyone considering beginning the process of producing a Neighbourhood Plan reads through this whole document and any further links to ensure they have a good understanding of the whole process before beginning.

Step-by-step- Summary of Stages

Stage One- Designating a Neighbourhood Area and Neighbourhood Forum	
Step 1 The Neighbourhood Area has to be designated.	The area to be covered by the Neighbourhood Plan is known as the Neighbourhood Area. An application has to be made to the Local Planning Authority (LPA) to designate the Neighbourhood Area.
Stage Two- Preparing the Neighbourhood Plan	
Step 2 General principles for preparing the Neighbourhood Plan and funding the Neighbourhood Plan	There are four conditions that all Neighbourhood Plans have to meet which Neighbourhood Forums must be aware of from the outset. Additionally, funding is available from central government to cover some of the costs of producing the Neighbourhood Plan.
Step 3 Evidence to support the Neighbourhood Plan has to be collected.	3.1 Consultation with those who have an interest in the area should be carried out at this stage. 3.2 The LPA will share the evidence that it has already collected for Local Plan Process. 3.3 New evidence studies. 3.4 Consultation with other public bodies, landowners and the development industry may be carried out at this stage. 3.5 EU obligations and screening.
Step 4 The Neighbourhood Plan policies have to be written and a draft plan produced.	4.1 Getting started in producing the Neighbourhood Plan. 4.2 Allocating land. 4.3 Looking at infrastructure requirements. 4.4 Other policies and issues. 4.5 Refining and designing the draft Neighbourhood Plan and preparing for Submission.
Step 5 Pre-submission consultation	The Neighbourhood Forum has to arrange for a consultation on the proposed Neighbourhood Plan to take place for a period of six weeks.
Stage Three- Submission, Referendum and Adoption	
Step 6 The Neighbourhood Plan is submitted to the LPA	The Neighbourhood Plan and supporting documents are formally submitted to the LPA.

<p>Step 7 The LPA publicises the Neighbourhood Plan and passes it on to the Independent Examiner.</p>	<p>The LPA publicises the Neighbourhood Plan and gives a further 6 weeks for representations to be made. These are passed onto an Independent Examiner to make a decision on whether the Neighbourhood Plan meets the basic conditions.</p>
<p>Step 8 The referendum and the Neighbourhood Plan being brought into force.</p>	<p>If the Independent Examiner is happy with the proposed Neighbourhood Plan it can be taken to a referendum. If 50% or more of those voting say 'yes' then the Neighbourhood Plan is 'made' by the LPA and is used to assess applications.</p>

Stage One- Designating a Neighbourhood Area and Neighbourhood Forum

Step 1 - The Neighbourhood Area has to be designated.

1.1 The Parish Council make the decision to consider creating a Neighbourhood Plan.

1.2 The Parish Council decide on an area that they feel would be a suitable Neighbourhood Area. In almost all cases this will be the Parish Area however a Parish Council can propose a multi-Parish area as long as this includes all or part of the Parish Councils administrative area.

Step 1.2 Guidance

The proposed Neighbourhood Area cannot include within it part of another already designated Neighbourhood Area. Any application received which includes part or all of another designated area won't be accepted. The boundaries for the existing Neighbourhood Areas in Rugby Borough can be found on the website at:

https://www.rugby.gov.uk/homepage/49/neighbourhood_planning

1.3 Once a preferred area has been decided on the Parish Council should prepare a draft map with the proposed Neighbourhood Area clearly marked on and should get in touch with the LPA to discuss this. The LPA may suggest changes which the group can choose to make if they wish.

1.4 The group prepare their application to designate the Neighbourhood Area. The application will be made up of:

- A map which identifies the proposed boundary of the Neighbourhood Area;
- A statement explaining why the proposed Neighbourhood Area is an appropriate area;
- A statement explain why the organising body making the area application is a relevant body- the statement will simply need to state that the organising is the Parish Council for the area.

Step 1.4 Guidance

Ideally the map showing the neighbourhood boundary should be an Ordnance Survey map at a scale which shows the whole Neighbourhood Area. The proposed Neighbourhood Area should be outlined in red, the map scale should be clearly written on the map and the map should include a north arrow.

The preferred method for receiving the application is via email with electronic copies of all the supporting information attached. Contact details for the LPA can be found on page 2.

- 1.5 Once the LPA has received this information, along with a covering letter requesting that the LPA assess the application for a Neighbourhood Area, the LPA will publicise the application on the Rugby Borough Council website and give details of how people can make comments. From the date the information is available online the LPA has to allow 6 weeks for anyone to provide their comments on the proposed Neighbourhood Area. In total from the date the LPA receives the application they have 13 weeks to make a formal decision on whether to designate the area.
- 1.6 Once the consultation period has ended the LPA will consider the reasons why the applicants have said the area is an appropriate area, will ensure they are satisfied that the group applying is a 'relevant body' and will consider any comments received as part of the consultation process.
- 1.7 The LPA will make a decision either to designate the area or not to designate the area. The group will be informed of the decision in writing. If the LPA have decided not to designate the area they must provide clear reasons why they have made this decision.

Step 1.7 Guidance

Taking on board feedback from the LPA prior to submission will decrease the chances of the LPA finding a proposed Neighbourhood Area unsuitable to be designated.

If an area is not designated then the group can amend the proposed Neighbourhood Area and re-submit their application. The process laid out in 1.5-1.7 will then be repeated by the LPA.

Stage Two- Preparing the Neighbourhood Plan

Step Two- General principles for preparing the Neighbourhood Plan and funding the Neighbourhood Plan.

- 2.1 Each Neighbourhood Plan produced will be different as they should reflect and respond to the unique characteristics, context and needs of the Neighbourhood Area. Some may include housing allocations and infrastructure needs for the area whereas others may be more focused on design. It is a good idea to have a look at a range of adopted Neighbourhood Plans from the local and wider areas to get an idea about the final document that the Parish Council is aiming for. These will be available on the planning pages of Local Authority websites. Although, it is important to remember that the needs of the Neighbourhood Area may be very different from those of the already adopted Neighbourhood Plans and that the content of the Neighbourhood Plan should not be pre-empted before the collection of evidence has taken place.
- 2.2 There are four conditions which all Neighbourhood Plans should meet. These are provided below. The guidance that follows in this document provides further detail on who to meet each of these conditions.
- Neighbourhood Plans must have regard to national policy;
 - They must contribute to the achievement of sustainable development;
 - They must be in general conformity to the policies in the development plan for the area; and
 - They must be compatible with EU obligations.
- 2.3 The Neighbourhood Plan has to be based on robust evidence to support all the choices made and policies included in the plan. What kind of evidence is required and how this can be collected is covered in detail in the rest of the Stage Two section below.
- 2.4 The Neighbourhood Plan must not conflict with the policies in the Local Plan or with the National Planning Policy Framework (NPPF). As such it is useful for members of

the Parish Council to have read these documents and have them to hand when collecting evidence and drafting policies.

2.5 There are no regulations concerning how the Parish Council organises itself. In many cases a separate Steering Group is formed to oversee the production of the Neighbourhood Plan. This may consist of some members of the Parish Council but can also include residents or local business owners who may have an interest in getting involved. In the interests of ensuring the local community are involved it may be useful to publicise that fact a Steering Group is being put together and to invite people to join.

2.6 It is important to ensure that the Parish Council or Steering Group remains inclusive and open in the preparation of its Neighbourhood Plan. As part of this it must ensure that the wider community:

- are kept fully informed of what is being proposed;
- are able to make their views known throughout the process;
- has opportunities to be actively involved in shaping the emerging Neighbourhood Plan; and
- are made aware of how their views have informed the draft Neighbourhood Plan.

2.7 Many Parish Councils or Steering Groups produce a project plan as their first task, putting together a timetable for the stages of the project. In some cases these are published online and in other cases they will be used internally to organise work.

Step 2.7 Guidance

The my community website provides more information and templates for planning the Neighbourhood Plan project.

<https://mycommunity.org.uk/resources/neighbourhood-plan-project-planner/>

2.8 Further information on the steps where formal consultation is required or recommended is covered in the remainder of the Stage Two section below. It is

useful, where skill and funds allow, to set up a webpage to help to keep the community up to date with the progress of the plan and any events which are planned. This is generally a new page on the Parish Councils existing website.

2.9 Funding is available to support the Neighbourhood Planning process. The Parish Council or Steering Group is responsible for applying for this grant funding. At the present time an organisation called Locality are working on behalf of the government to provide this funding. The amount of money available depends on the context of the Neighbourhood Area however there is a grant of up to £9000 available to all Parish Councils or Steering Groups. There are restrictions on what this money can be used for to support the process. For further information on this and detail on how to apply see the Locality website at the link below:

<https://mycommunity.org.uk/funding-options/neighbourhood-planning/>

Step Three- Evidence to support the Neighbourhood Plan has to be collected.

3.1 Consultation with those who have an interest in the area should be carried out at this stage.

3.1.1 There is only one point in the Neighbourhood Plan process where there *has* to be a formal public consultation carried out with the local community. This is called the pre-submission consultation and is carried out toward the end of the process once a draft Neighbourhood Plan has been finalised. More information on this can be found at Step Six.

3.1.2 However, in order to ensure that the local community is involved in the Neighbourhood Plan, as per paragraph 2.6, many Parish Councils or Steering Groups carry out a consultation exercise in the early stages of putting the Neighbourhood Plan together.

3.1.3 The aim of this would be to gather the opinions and concerns of the local community. This will then feed into an understanding of the further evidence and policies will be included in the Neighbourhood Plan.

3.1.4 Questionnaires are often used to collect information at this stage. These have to be carefully worded to ensure that they allow people to provide their opinions and concerns without bias or coercion. Example questions which may be asked could include:

- What is good about the area?
- What is bad about the area?
- What makes a neighbourhood good to live and work in?
- What pressures affect the area now or in the future?
- What needs to change?

3.1.5 In line with the Data Protection Act they must also only gather personal information where this is necessary and the information provided must be carefully stored and processed. The word necessary means that if, for example, one of the aims of the questionnaire was to find out about what younger people felt were issues then there is a clear reason to ask the participants age. However if the questionnaire asked for the participants gender or ethnic group there would also need to be a clear purpose for this information being collected.

Step 3.1.4 & 3.1.5 Guidance

The LPA will be happy to read through and suggest amendments to a draft questionnaire.

The Royal Town Planning Institute (RTPI) has launched a website called the Forum for Neighbourhood Planning. On here are guides and template documents to help with many aspects of the process including creating, distributing and analysing questionnaires.

<http://www.ourneighbourhoodplanning.org.uk/resources/documents/26>

3.1.6 The results from the questionnaire should be analysed to ensure all of the views have been recorded.

3.1.7 There are instances where the Parish Council or Steering Group may wish to gather further information from local people as the process continues. This can take the form of a further questionnaire or even meetings or focus groups. It is important that there is a clear reason for any further consultation- for example the Parish Council or Steering Group may be looking to discuss potential housing sites or want to gather more ideas on how an issues raised through the initial consultation could be dealt with. It is also important that all the consultation and the findings from these events are recorded.

3.2 The LPA will share the evidence that it has already collected for Local Plan Process.

3.2.1 The LPA has to produce a wealth of evidence base studies to support the production of the Local Plan for the Borough. As such the first place to look to find evidence and information on the area which has already been produced is the Rugby Borough Council Website. Some studies will provide specific information on villages or areas whereas some may be more strategic and higher level. Background information on these studies which provides more specific data may be available so please speak with the LPA if more information is required.

3.2.2 Documents in the Local Plan evidence base which may be useful include:

- The Strategic Housing Market Assessment
- The Strategic Housing Land Availability Assessment
- The Housing Market Delivery Study
- The Housing Background Paper
- The Employment Land Study
- The Employment Background Paper
- The Strategic Transport Assessment
- The Green Infrastructure Study
- The Rural Sustainability Study
- The Strategic Flood Risk Assessment
- The Water Cycle Study
- The Habitat and Biodiversity Audit
- The Landscape Sensitivity Study

- The Gypsy and Traveller Accommodation Assessment
- The Heritage Asset Review
- The Open Space, Play Pitch and Built Facilities Study

3.2.3 Not all of these documents will be necessary to support the Neighbourhood Plan, this will depend on the policies that the Neighbourhood Forum wishes to put into the Neighbourhood Plan and the concerns and issues raised by the local community.

Step 3.2 Guidance

At present the new Local Plan for Rugby Borough has been submitted and is undergoing an examination process by the Planning Inspectorate. The Local Development Scheme anticipates that the new Local Plan will be adopted in 2018.

The studies referred to in 4.2.2 are currently available on the Rugby Borough Council website in the Examination Library at the link below:

https://www.rugby.gov.uk/info/20004/planning_strategy/348/local_plan_examination/3

3.3 New evidence studies.

3.3.1 In some cases the Parish Council or Steering Group will require additional studies and evidence to be carried out on top of the evidence from the LPA. This may be because the information available isn't specific to the Neighbourhood Area, isn't up to date enough to support the Neighbourhood Plan or simply has not been produced elsewhere.

3.3.2 As a starting point the Parish Council or Steering Group may wish to look at the data which is available publically. This will help to build a picture of the Neighbourhood Area at present and may form useful evidence for policies. There are many potential sources of information and it is important that the information used is robust and from a trustworthy source. As a starting point the Warwickshire Observatory website is useful and provides information at a range of levels and areas: <http://maps.warwickshire.gov.uk/IAS/dataviews/listbygeo>

3.3.3 In a few cases there may be further studies which the Neighbourhood Forum will need to commission an expert to produce. If the Neighbourhood Forum believes this to be the case then they may wish to speak with the LPA.

Step 3.2 & 3.3 Guidance

It is important to note that evidence should be up to date. What this means depends on the type of evidence being looked at. For example information on housing need should be updated at least every three years, whereas a document looking at archaeological or heritage assets would potentially need to be updated less frequently. Speak with the LPA about whether there are any studies currently being updated.

When looking at studies already produced or publically available data sets it is important to know exactly what the area the data covers and how closely this matches the Neighbourhood Area. For example census population data is normally available at ward level with some available

3.4 Consultation with other public bodies, landowners and the development industry may be carried out at this stage.

3.4.1 The government has published a list of statutory consultees who, where it is felt their interests may be affected by the Neighbourhood Plan, should be consulted on the draft plan.

3.4.2 In some instances it may be prudent to engage with these bodies at an earlier stage in the process to ensure that the policies are contributing to sustainable development. Historic England, for example encourage early consultation so that they can help to shape policies relating to the historic environment based on what they believe to be best practice. It may be useful to discuss this with the LPA who may have received information and consultation responses as part of the Local Plan process.

3.4.3 The consultation bodies that the government has published are:

- a local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority;
- the Coal Authority;

- the Homes and Communities Agency;
- Natural England;
- the Environment Agency;
- the Historic Buildings and Monuments Commission for England (known as Historic England);
- Network Rail Infrastructure Limited (company number 2904587);
- the Highways Agency;
- any person to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003;
- any person who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority;
- where it exercises functions in any part of the neighbourhood area a Primary Care Trust established under section 18 of the National Health Service Act 2006 or continued in existence by virtue of that section;
- where it exercises functions in any part of the neighbourhood area a person to whom a licence has been granted under section 6(1)(b) and (c) of the Electricity Act 1989;
- where it exercises functions in any part of the neighbourhood area a person to whom a licence has been granted under section 7(2) of the Gas Act 1986;
- where it exercises functions in any part of the neighbourhood area a sewerage undertaker;
- where it exercises functions in any part of the neighbourhood area a water undertaker;
- voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area;
- bodies which represent the interests of different racial, ethnic or national groups in the neighbourhood area;
- bodies which represent the interests of different religious groups in the neighbourhood area;
- bodies which represent the interests of persons carrying on business in the neighbourhood area; and
- bodies which represent the interests of disabled persons in the neighbourhood area.

3.4.4 Additionally any other public bodies, landowners and the development industry may need to be contacted.

3.5 EU Obligations and Screening.

3.5.1 The Neighbourhood Plan must comply with a series of European Directives which have been translated into UK law. It is important to consider this at an early stage in the process to understand what work will be required as the Neighbourhood Plan progresses.

3.5.2 A consideration of whether a Habitat Regulations Assessment may be required is useful at this stage. This is unlikely unless there is a European Site in close proximity to the Neighbourhood Area.

Step 4.5.2 Guidance

A good starting point to see if there are any European Sites close to the Neighbourhood Area is the Natura website, link below. There are very few close to Rugby Borough.

<http://natura2000.eea.europa.eu/>

3.5.3 In some cases Neighbourhood Plans require a Strategic Environmental Assessment (SEA). It is often the case that this is needed where a Neighbourhood Plan allocates sites which have not been allocated in a Local Plan.

3.5.4 However, **in all cases a Strategic Environmental Assessment (SEA) Screening is required.** It is recommended that this screening takes place early in the Neighbourhood Plan process. The process for screening is laid out in the Environmental Assessment of Plans and Programmes Regulation (2004). In short this involves:

- Carrying out a basic assessment of the environmental constraints of the Neighbourhood Area and the potential effects of development which may be included in the Neighbourhood Plan.
- Making an initial judgement on whether a full SEA is required.

- Formally asking for a screening opinion from Natural England, the Environment Agency and Historic England and considering these opinions.
- Making a final decision on whether a full SEA is required.

3.5.5 The next stages depend on whether the screening indicates that a full SEA is required or not. It is important to discuss this with the LPA. A template for the SEA screening can be found at Appendix A of this document. Additionally the My Community website has produced a useful step by step guide which should assist in completing this template, this can be found at the link below:

<https://mycommunity.org.uk/resources/screening-neighbourhood-plans-for-strategic-environmental-assessment/>

Step 3 Guidance

The order in which evidence is collected is to be decided by the Parish Council or Steering Group itself. It can be useful to have gathered the opinions of local stakeholders prior to commissioning any evidence documents as this helps to narrow down the evidence that is needed.

The collection of evidence will be the first step in preparing the Neighbourhood Plan, however it may not end when the policies are being drafted. It may be the case that further evidence is required during Step 5 and once the draft Neighbourhood Plan is complete.

A more detailed guide to the process of collecting and using evidence can be found on the Locality Website:

<https://mycommunity.org.uk/wp-content/uploads/2016/08/How-to-gather-and-use-evidence.pdf>

Step Four- The Neighbourhood Plan policies have to be written and a draft Neighbourhood Plan produced.

4.1 Getting started in producing the Neighbourhood Plan

4.1.1 Using the analysis from an initial public consultation and looking at the first set of evidence is a useful place to begin to pull together a list of aims for the Neighbourhood Plan. These may be tweaked and changed as further evidence is gathered but will provide a starting point from which to develop policies.

4.1.2 From this there should be clear areas which will need turning into policies. Keeping clear and detailed notes on each of these areas may be useful as this can highlight gaps where further evidence may be required. These notes can then be adapted and developed into policy.

4.1.3 Specific advice in the form of notes and videos on how to write policies can be found on the RTPI website:

<https://www.ourneighbourhoodplanning.org.uk/resources/documents>

4.2 Allocating land.

4.2.1 Neighbourhood plans can allocate land for a specific use such as housing or employment. Where it does this it needs to provide evidence to state why there is a need for an allocation and evidence to show that the site allocation is deliverable. The term deliverable means that the site could be developed without too many obligations or burdens placed on a developer which would make the development financially unviable for them.

4.2.2 If the Neighbourhood Plan is to allocate housing sites then a clear process must be followed:

- Evidence must be collected to illustrate a housing need;
- Potential sites must be identified; and
- Potential sites must be assessed against clearly identified criteria.

Step 4.2.2 Guidance

The Neighbourhood Forum can carry out these assessments as part of the process of allocating land. The government provides some guidance on this which can be found using the links below:

<https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

<https://www.gov.uk/guidance/viability>

It is important to note however that the evidence should be 'proportionate' and most of the information required should already be available from the LPA.

4.2.3 Neighbourhood Areas may contain sites which have already been allocated for housing or other uses in the Local Plan. Where this is the case it is important to speak to the LPA to understand the particular planning context and circumstances for the site.

4.2.4 If the LPA has already allocated sites in the area then the Neighbourhood Plan can allocate additional or alternative sites. Again these will need evidence to show there is a need.

4.2.5 LPAs have a requirement from the government to be able to demonstrate that they have a five year supply of housing. This means that there are enough sites which have been granted permission or sites which are very likely to be granted permission to meet the housing targets for the Local Authority area for the next five years. Where the five year housing supply is not in place this can lead to developers putting in applications in sites which would not normally be considered. Where there is a Neighbourhood Plan adopted which allocates sites for housing then the Neighbourhood Area is afforded some further protections where the five year supply is not in place. In this instance as long as the LPA can prove a three year housing supply and the Neighbourhood Plan is not more than two years old the policies within the Neighbourhood Plan are deemed to be up to date and can be used in decision making.

Step 4.2 Guidance

This process provides a good opportunity to consider the option of allocating sites for self-build or custom housing. These can support the housing needs from within the Neighbourhood Area.

4.3 Looking at infrastructure requirements.

4.3.1 When considering sites to be allocated it may become apparent that some sites require new infrastructure to be put in place. This could include a new piece of road or require that a certain part of a housing site be used as open space or a childrens play area.

4.3.2 It is also helpful to consider what the impacts of a new development may be on the existing area. For example a large housing site may have an impact on the capacity of local services such as schools or doctors surgeries.

4.3.3 Any policies which require infrastructure to be provided need to be based on evidence and need to be linked to development. There needs to be some indication provided of how these may be paid for. Contributions from developers may be a source of funding but there needs to be consideration of whether the infrastructure can realistically be provided and would affect the viability of development.

Step 4.2 & 4.3 Guidance

Allocating sites and understanding whether infrastructure requirements would affect viability can be complex and technical. In some cases Neighbourhood Forums would look to bring in an expert to provide technical assistance with this task. There are various organisations who offer this support at a range of costs. The My Community website has some links to consultants and has information on further funding available for this work. Where there is a Neighbourhood Forum as opposed to a Parish Council working on the Neighbourhood Plan there is the potential to access this further funding. More information is available at the following link:

<https://mycommunity.org.uk/funding-options/neighbourhood-planning/>

Consultants are often also used to assist in some of the pieces of work which are required at the latter stages of producing the Neighbourhood Plan. One area where they can be helpful is to assess the viability of sites and understand how much development on a site could contribute to the infrastructure requirements that have been identified.

<https://mycommunity.org.uk/resources/commissioning-consultants/>

4.4 Other policies and issues.

4.4.1 There may be a range of policy areas covered in the Neighbourhood Plan or the Plan might focus just on one or two key issues. To help to get started the list below provides some areas commonly found in Local and Neighbourhood Plans:

- Employment;
- Town Centres and Retail;
- Housing;
- Urban Design;
- Historic Environments;
- Transport;
- Natural Environment.

4.4.2 The process of creating the Neighbourhood Plan may bring forward issues or desires which cannot be provided by the planning system or development. These include things such as traffic management or street cleaning. These can be added

as an appendix to the plan. They will not be subject to the examination but will be part of the overall document.

4.5 Refining and designing the draft Neighbourhood Plan and preparing for Submission.

4.5.1 There is no set format for the layout of the Neighbourhood Plan. The My Community website provide a template for this on page 28 of their Neighbourhood Planning Roadmap document which can be found at the following link:
<https://mycommunity.org.uk/wp-content/uploads/2016/08/NP-Roadmap-Pages-web.pdf>

4.5.2 A sensible option for laying out the policies themselves would be in themes, such as the categories provided above in 4.4.1.

4.5.3 In line with 3.1.7 the Neighbourhood Forum may decide to carry out further consultation to discuss draft versions or the different options for various policies to help narrow these down and shape the final Neighbourhood Plan.

4.5.4 Documents which have been produced to support the Neighbourhood Plan can be incorporated into a background document which sits alongside the draft Neighbourhood Plan. This background document will stop the Neighbourhood Plan being too large and unwieldy and can include the evidence documents and the consultation responses as separate chapters.

Step Five- Pre-submission consultation

5.1 The Parish Council or Steering Group must only consult on what it believes to be the final draft of the Neighbourhood Plan. Earlier consultation should have taken place to refine the options and only the preferred options should be presented.

5.2 The consultation must be carried out for a minimum of 6 weeks and all people and groups who may have an interest in the Neighbourhood Plan should be consulted. This includes people living and working in the area and any elected representatives

of the area. Additionally it will include those listed in paragraph 3.4.3 as well as any person who has previously responded to the consultation.

5.3 The consultation will need to be well publicised with letters and emails sent out. It can be promoted on the website that the Neighbourhood Forum is using or even on social media. The LPA can also put the information on their website.

5.4 Copies of the Neighbourhood Plan itself should be available online and hard copies could be left in local libraries or community centres for people to view. An exhibition or public event may be held to inform people about the content of the Neighbourhood Plan. In many cases a summary leaflet is made to summarise the key points for those who do not wish to read the whole document.

5.5 The publicity for the consultation needs to include details of:

- The proposed Neighbourhood Plan;
- Where and when the Neighbourhood Plan may be viewed; and
- How to make comments and the date by which these should be submitted.

5.6 A copy of the Neighbourhood Plan should be sent to the LPA.

5.7 Once the consultation period has ended all of the responses must be considered and where relevant changes need to be made to the plan.

5.8 Additionally a consultation statement will need to be prepared which provides:

- Details of who was consulted;
- An explanation of how they were consulted;
- Summarises the main issues raised by consultees; and
- Describes how these issues were considered and where relevant how they were addressed in the draft Neighbourhood Plan.

Step 6 Guidance

From the time that the Neighbourhood Plan is published for the pre-submission consultation the policies within it have some weight and can be used in deciding planning applications. However, they will not be held at the same level as other adopted documents and if policies have outstanding objections relating to them or are not in accordance with an adopted Local Plan or national policy the weight they hold will not be great.

Stage Three- Submission, Referendum and Adoption

Step Six- The Neighbourhood Plan is submitted to the LPA

6.1 Following the pre-submission consultation any required changes are made to the Neighbourhood Plan. It can then be submitted to the LPA. The documents required to be submitted are:

- A map or statement identifying the Neighbourhood Area covered by the Neighbourhood Plan;
- A consultation statement as described above in 6.8.
- The proposed Neighbourhood Plan;
- A statement explaining how the Neighbourhood Plan meets the basic conditions as set out in paragraph 3.2.

Step Seven- The LPA publicises the Neighbourhood Plan & passes it to the Independent Examiner

7.1 After receiving the documents the LPA has to publicise the Neighbourhood Plan for a minimum of 6 weeks. This follows very similar rules to the pre-submission consultation but is carried out by the LPA. The main difference is that any representation made at this stage are simply passed onto the Independent Examiner who will consider them in light of whether the Neighbourhood Plan meets the basic conditions as set out in paragraph 3.2.

7.2 The Independent Examiner is chosen by the LPA and agreed by the Neighbourhood Forum. The Examiner is sent the Neighbourhood Plan, along with any supporting documents and any representations made. The Examiner will make a decision on whether the Neighbourhood Plan meets the basic conditions as set out in paragraph 3.2. They may request changes or additional information.

7.3 The Examiner will produce a report for the LPA and the Neighbourhood Forum on their decision.

7.4 If their decision is that the conditions have been met then a referendum can be carried out. The Examiner makes clear who should participate in the referendum. This may include people outside of the Neighbourhood Area.

7.5 In some cases the Examiner will recommend modification to the Neighbourhood Plan which would mean it meets the conditions. Once any modifications have been made it may be the case that further public consultation has to be carried out.

7.6 The LPA will cover the costs of the Independent Examination and the referendum.

Step Eight- The referendum and the Neighbourhood Plan being brought into force

8.1 The Local Authority will arrange for the referendum to take place. This will be organised by the elections unit and 28 working days before the date of the referendum, the local authority is required to publish information about the neighbourhood plan. Then 25 working days before the date of the referendum, the Local Authority is required to give notice that a referendum is taking place and the date of the poll.

8.2 The Neighbourhood Forum may encourage voting and disseminate information on the proposed Neighbourhood Plan, within reasonable expense limits. Public money and parish councils can only produce factual material about the neighbourhood plan, not promote a 'yes' vote. However, members of the parish council and others may act independently, using independent funds, to campaign for a 'yes' or 'no' vote.

8.3 The question that will be asked is as follows:

“Do you want [insert name of local planning authority] to use the neighbourhood plan for [insert name of neighbourhood area] to help it decide planning applications in the neighbourhood area?”

8.4 People on the electoral register will be entitled to vote in the referendum. If more than 50% of those voting in the referendum vote 'yes', then the local planning authority is required to bring the plan into force. This is called being 'made'.

8.5 Once 'made' the Neighbourhood Plan forms part of the Local Development Plan and will be used to make planning decisions on applications within the Neighbourhood Area.

8.6 It is important to note that Neighbourhood Forums exist to produce Neighbourhood Plans and have a designation of five years only. They do not have a formal role in the implementation of a neighbourhood plan. The members of a Neighbourhood Forum may want to consider how they can stay involved and support implementation, perhaps through the creation of another type of formal group.

Appendix A- Template for SEA and HRA Screening

NEIGHBOURHOOD AREA NAME Neighbourhood Plan

Strategic Environmental Assessment and Habitat Regulations
Assessment

Screening Report

DATE

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1. Introduction

Under the requirements of the European Union Directive 2001/42/EC and Environmental Assessment of Plans and Programmes Regulation (2004) certain types of plans that set the framework for the consent of future development projects, must be subject to an environmental assessment.

This screening report has been prepared to determine whether the **NEIGHBOURHOOD AREA NAME** Neighbourhood Development Plan to 2031 should be subject to a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulation 2004 (SEA Regulations)

2. Legislative Background

- 2.1 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)
- 2.2 This report will also screen to determine whether the Neighbourhood Plan requires a Habitats Regulations Assessment (HRA) in accordance with Article 6(3) and (4) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended). A HRA is required when it is deemed that likely adverse significant effects may occur on protected European Sites (Natura 2000 sites) as a result of the implementation of a plan/project. As a general 'rule of thumb' it is identified that sites with pathways of 10-15km of the plan/project boundary should be included with a HRA.
- 2.3 This report focuses on screening for SEA and HRA and the criteria for establishing whether a full assessment is needed.

3. Criteria for Screening for SEA

3.1 Criteria for determining the likely significance of effects are set in Schedule 1 of The Environmental Assessment of Plans and Programmes Regulations 2004.

These are:

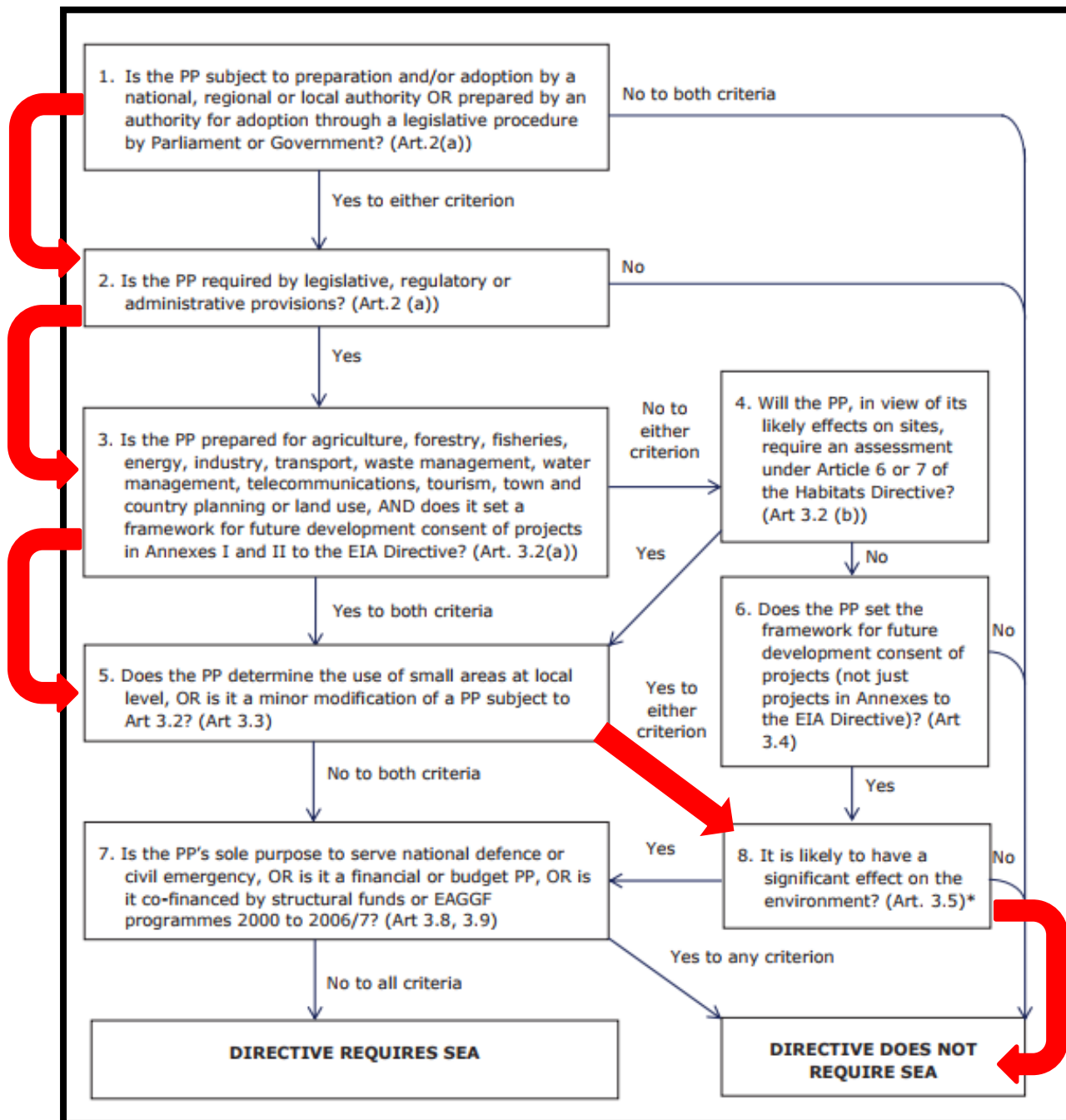
1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.

Source: Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004

4. Assessment for SEA

4.1 The red arrows indicate the **NEIGHBOURHOOD AREA NAME**

Neighbourhood Plan SEA screening route.



Source: Practical Guide to the Strategic Environmental Assessment Directive (2005)

Table 1: Establishing the need for an SEA

Stage	No/Yes	Reason
1. Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or	Yes	If the final Neighbourhood Plan is successful at referendum and is subsequently Made by the Local Planning Authority it will become a

<p>local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))</p>		<p>Development Plan Document with equal status to the Local Plan.</p>
<p>2. Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))</p>	<p>Yes</p>	<p>Communities have a right to produce a Neighbourhood Plan; however communities are not required by legislative, regulatory or administrative purposes to produce a Neighbourhood Plan. However, once 'made' the NEIGHBOURHOOD AREA NAME Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications within the Neighbourhood Area. Therefore it is considered necessary to answer the following questions to determine further if an SEA is required.</p>
<p>3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))</p>	<p>Yes</p>	<p>The NEIGHBOURHOOD AREA NAME Neighbourhood Plan is prepared for town and country planning and land use. The plan sets out a framework for future development in the NEIGHBOURHOOD AREA NAME Neighbourhood Area. Once 'made' the Brandon and Bretford Neighbourhood Plan would form part of the statutory development plan, and will be used when making decisions on planning applications which may include development which may fall under Annex I and II of the EIA directive.</p>
<p>5. Does the PP Determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art.3.3)</p>	<p>Yes</p>	<p>The Neighbourhood Plan identifies land allocations at the local level. Once 'made' the Neighbourhood Plan would form part of the statutory development plan and be used when making decisions on planning applications of small areas at the local level.</p>
<p>6. Does the PP set the framework for future</p>	<p>Yes</p>	<p>The Neighbourhood Plan, once the 'made', forms part of the statutory</p>

development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		development plan and will be used to determine planning applications within the designated Neighbourhood Area. Therefore the Neighbourhood Plan will set the framework for future developments.
8. Is it likely to have a significant effect on the environment? (Art. 3.5)	No	See table 2 below for further detail.

Source: Stages taken from the Practical Guide to the Strategic Environmental Assessment Directive (2005)

4.2 The following assessment in table two provides further detail on the response to criteria ?? in table one. The assessment considers the likelihood of the NEIGHBOURHOOD AREA NAME Neighbourhood Plan to have significant effects on the environment.

Table 2: Likelihood of significant effects on the environment part 1

Characteristics of the Plan	Summary of Effects
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	Once 'made; the Neighbourhood Plan will set out the framework which will be used to determine proposals for development within the neighbourhood area.
The degree to which the plan or programme influences other plans or programmes including those in a hierarchy.	The Neighbourhood Plan must be in general conformity with the currently adopted Rugby Core Strategy and the National Planning Policy Framework.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development.	
Environmental problems relevant to the plan.	

The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection).	
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Source: Criteria taken from Schedule 2, Paragraph 1&2 of the Environmental Assessment of Plans and Programmes Regulations 2004

Table 3: Likelihood of significant effects on the environment part 2

Characteristics of the effects and of the area likely to be affected.					
The probability, duration, frequency and reversibility of the effects.					
The cumulative nature of the effects.					
The trans boundary nature of the effects.					
The risks to human health or the environment (e.g. due to accidents).					
The magnitude spatial extent of the effects (geographical area and size of the population likely to be affected).					
The value and vulnerability of the area likely to be affected due to: - special natural characteristics or cultural heritage					

- exceeded environmental quality standards - intensive land use					
The effects on areas or landscapes which have a recognised national, community or international protection status.					

Source: Criteria taken from Schedule 2, Paragraph 1&2 of the Environmental Assessment of Plans and Programmes Regulations

2004

5. Assessment for HRA

5.1 There are/are not any European sites within 15km of the Neighbourhood Area

6. Screening Outcomes

6.1 As a result of the assessment in section 4, it is likely/unlikely that there will be any significant environmental effects arising from the emerging proposals to be contained within the NEIGHBOURHOOD AREA NAME.