Appendix E
Extracts from The Neighbourhood Planning (General) Regulations 2012

PART 2
Neighbourhood Areas

Application for designation of a neighbourhood area
5.—(1) Where a relevant body submits an area application to the local planning authority it must include—
   (a) a map which identifies the area to which the area application relates;
   (b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
   (c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

(2) A local planning authority may decline to consider an area application if the relevant body has already made an area application and a decision has not yet been made on that application.

Publicising an area application
6. As soon as possible after receiving an area application from a relevant body, a local planning authority must publicise the following on their website and in such other manner as they consider is likely to bring the area application to the attention of people who live, work or carry on business in the area to which the area application relates—
   (a) a copy of the area application;
   (b) details of how to make representations; and
   (c) the date by which those representations must be received, being not less than 6 weeks from the date on which the area application is first publicised.

Publicising a designation of a neighbourhood area etc
7.—(1) As soon as possible after designating a neighbourhood area, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the designation to the attention of people who live, work or carry on business in the neighbourhood area—
   (a) the name of the neighbourhood area;
   (b) a map which identifies the area; and
   (c) the name of the relevant body who applied for the designation.

(2) As soon as possible after deciding to refuse to designate a neighbourhood area, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the refusal to the attention of people who live, work or carry on business in the neighbourhood area—
   (a) a document setting out the decision and a statement of their reasons for making that decision ("the decision document"); and
   (b) details of where and when the decision document may be inspected.

PART 3
Neighbourhood forums

Application for designation of a neighbourhood forum
8. Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—
   (a) the name of the proposed neighbourhood forum;
   (b) a copy of the written constitution of the proposed neighbourhood forum;
   (c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
   (d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
   (e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

Publicising a neighbourhood forum application
9. As soon as possible after receiving a neighbourhood forum application, which the local planning authority do not decline to consider under regulation 11, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the application to the attention of people who live, work or carry on business in the area to which the application relates—
   (a) a copy of the application;
   (b) a statement that if a designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;
   (c) details of how to make representations; and
   (d) the date by which those representations must be received, being not less than 6 weeks from the date on which the application is first publicised.
Publicising a designation of a neighbourhood forum

10.—(1) As soon as possible after designating a neighbourhood forum, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the designation to the attention of people who live, work or carry on business in the neighbourhood area—
   (a) the name of the neighbourhood forum;
   (b) a copy of the written constitution of the neighbourhood forum;
   (c) the name of the neighbourhood area to which the designation relates; and
   (d) contact details for at least one member of the neighbourhood forum.

(2) As soon as possible after deciding to refuse to designate a neighbourhood forum, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—
   (a) a statement setting out the decision and their reasons for making that decision (“the refusal statement”); and
   (b) details of where and when the refusal statement may be inspected.

Subsequent applications

11. Where a neighbourhood forum has been designated in relation to a neighbourhood area under section 61F of the 1990 Act, and that designation has not expired or been withdrawn, a local planning authority may decline to consider any neighbourhood forum application made in relation to that neighbourhood area.

Voluntary withdrawal of designation

12.—(1) Where a neighbourhood forum gives notice to a local planning authority that it no longer wishes to be designated as the neighbourhood forum for a neighbourhood area, the local planning authority must withdraw the designation of the neighbourhood forum.

(2) As soon as possible after withdrawing the designation of a neighbourhood forum under paragraph (1) or under section 61F(9) of the 1990 Act, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the withdrawal of the designation to the attention of people who live, work or carry on business in the neighbourhood area—
   (a) a statement setting out details of the withdrawal (“the withdrawal statement”); and
   (b) details of where and when the withdrawal statement may be inspected.

PART 5
Neighbourhood development plans

Pre-submission consultation and publicity

14. Before submitting a plan proposal to the local planning authority, a qualifying body must—
   (a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—
      (i) details of the proposals for a neighbourhood development plan;
      (ii) details of where and when the proposals for a neighbourhood development plan may be inspected;
      (iii) details of how to make representations; and
      (iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;
   (b) consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and
   (c) send a copy of the proposals for a neighbourhood development plan to the local planning authority.

Plan proposals

15.—(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—
   (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
   (b) a consultation statement;
   (c) the proposed neighbourhood development plan; and
   (d) a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.

(2) In this regulation “consultation statement” means a document which—
   (a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
   (b) explains how they were consulted;
   (c) summarises the main issues and concerns raised by the persons consulted; and
   (d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

Publicising a plan proposal

16. As soon as possible after receiving a plan proposal which includes each of the documents referred to in regulation 15(1), a local planning authority must—
(a) publicise the following on their website and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area—
   (i) details of the plan proposal;
   (ii) details of where and when the plan proposal may be inspected;
   (iii) details of how to make representations;
   (iv) a statement that any representations may include a request to be notified of the local planning authority’s decision under regulation 19 in relation to the neighbourhood development plan; and
   (v) the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised; and
(b) notify any consultation body which is referred to in the consultation statement submitted in accordance with regulation 15, that the plan proposal has been received.

Submission of plan proposal to examination
17. As soon as possible after the appointment of a person to carry out an examination under paragraph 7 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act), a local planning authority must send the following to the person appointed—
   (a) the plan proposal;
   (b) the documents referred to in regulation 15(1) and any other document submitted to the local planning authority by the qualifying body in relation to the plan proposal;
   (c) if the order proposal is one to which the Conservation of Habitats and Species Regulations 2010(a) applies, the information submitted in accordance with regulation 102A of those Regulations; and
   (d) a copy of any representations which have been made in accordance with regulation 16.

Publication of the examiner’s report and plan proposal decisions
18.—(1) Paragraph (2) applies where a local planning authority decide—
   (a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);
   (b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);
   (c) what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan;
   (d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act);
   (e) whether to extend the area to which the referendum is (or referendums are) to take place; or
   (f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act).
   (2) As soon as possible after making a decision referred to in paragraph (1), a local planning authority must publish—
      (a) the decision and their reasons for it (“the decision statement”),
      (b) details of where and when the decision statement may be inspected; and
      (c) in the case of a decision mentioned in paragraph (1)(c), the report made by the examiner under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act), on their website and in such other manner as they consider is likely to bring the decision statement and, as the case may be, the report to the attention of people who live, work or carry on business in the neighbourhood area.

Decision on a plan proposal
19. As soon as possible after deciding to make a neighbourhood development plan under section 38A(4) of the 2004 Act or refusing to make a plan under section 38A(6) of the 2004 Act, a local planning authority must—
   (a) publish on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—
      (i) a statement setting out the decision and their reasons for making that decision (“the decision statement”);
      (ii) details of where and when the decision statement may be inspected; and
   (b) send a copy of the decision statement to—
      (i) the qualifying body; and
      (ii) any person who asked to be notified of the decision.

Publicising a neighbourhood development plan
20. As soon as possible after making a neighbourhood development plan under section 38A(4) of the 2004 Act, a local planning authority must—
   (a) publish on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—
      (i) the neighbourhood development plan; and
      (ii) details of where and when the neighbourhood development plan may be inspected; and
PART 6
Neighbourhood development orders and community right to build orders

Pre-submission consultation and publicity
21. Before submitting an order proposal to the local planning authority, a qualifying body must—
   (a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area—
   (i) details of the proposals for a neighbourhood development order or community right to build order;
   (ii) details of where and when the proposals may be inspected;
   (iii) details of how to make representations; and
   (iv) the date by which those representations must be received, being not less than 6 weeks from the date on which details of the proposals are first publicised;
   (b) consult—
      (i) any consultation body referred to in paragraph 2(1)(a) to (c) of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development order or a community right to build order; and
      (ii) where the qualifying body considers the development to be authorised under the proposed neighbourhood development order or community right to build order which falls within any category set out in the Table in paragraph 2 of Schedule 1, any consultation body mentioned in the Table in relation to each of those categories; and
      (iii) any person who, on the date 21 days before the order proposal is submitted under regulation 22, the qualifying body considers to be—
         (aa) an owner of any of the land which is proposed to be developed under the order proposal; and
         (bb) a tenant of any of that land; and
   (c) send a copy of the proposals for a neighbourhood development order or a community right to build order to the local planning authority.

Order proposals
22.—(1) Where a qualifying body submits an order proposal to the local planning authority it must include—
   (a) a map which identifies the land to which the order proposal relates;
   (b) a consultation statement;
   (c) the proposed neighbourhood development order or community right to build order;
   (d) where the qualifying body considers it appropriate, following consultation with the Historic Buildings and Monument Commission for England (known as English Heritage), an archaeology statement;
   (e) a statement explaining how the proposed neighbourhood development order or a community right to build order meets the basic conditions in paragraph 8(2) of Schedule 4B to the 1990 Act; and
   (f) in the case of a proposal for a community right to build order, details of the enfranchisement rights, if any, which the qualifying body proposes are not exercisable and the properties, or types of properties, in relation to which the enfranchisement rights are not exercisable.

23.—(1) As soon as possible after receiving an order proposal which includes each of the documents referred to in regulation 22(1), a local planning authority must—
   (a) publicise the following on their website and in such other manner they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area—
(i) details of the order proposal;
(ii) details of where and when the order proposal may be inspected;
(iii) details of how to make representations;
(iv) a statement that any representations may include a request to be notified of the local planning authority’s decision under regulation 26 in relation to the neighbourhood development order or community right to build order; and
(v) the date by which those representations must be received, being not less than 6 weeks from the date on which the proposal is first publicised; and
(b) notify any consultation body which is referred to in the consultation statement submitted in accordance with regulation 22, that the order proposal has been received.

(2) As soon as possible after receiving an order proposal to which regulation 29A of the EIA Regulations applies, the local planning authority must, in addition to any publicity required under paragraph (1), publicise the information described in paragraph (1)(a) and the environmental statement submitted in accordance with the EIA Regulations by giving notice—
(a) by site display in at least one place on or near the land to which the order proposal relates for not less than 21 days; and
(b) by publication of the notice in a newspaper circulating in the locality in which the land to which the order proposal relates is situated.

Submission of order proposal to examination
24. As soon as possible after the appointment of a person to carry out an examination under paragraph 7 of Schedule 4B to the 1990 Act, a local planning authority must send the following to the person appointed—
(a) the order proposal;
(b) the documents referred to in regulation 22(1);
(c) if the order proposal is one to which regulation 29A of the EIA Regulations applies, the environmental statement submitted in accordance with those Regulations;
(d) if the order proposal is one to which the Conservation of Habitats and Species Regulations 2010 applies, the information submitted in accordance with regulation 61(2) of those Regulations;
(e) any other document submitted to the local planning authority by the qualifying body in relation to the order proposal; and
(f) a copy of any representations which have been made in accordance with regulation 23.

Publication of the examiner’s report and order proposal decisions
25.—(1) Paragraph (2) applies where a local planning authority decide—
(a) to decline to consider an order proposal under paragraph 5 of Schedule 4B to the 1990 Act;
(b) to refuse an order proposal under paragraph 6 of Schedule 4B to the 1990 Act;
(c) what action to take in response to the recommendations of an examiner made in a report paragraph 10 of Schedule 4B to the 1990 Act in relation to a neighbourhood development order or community right to build order (as modified in the case of community right to build orders by paragraphs 7 to 10 of Schedule 4C to the 1990 Act);
(d) what modifications, if any, they are to make to the draft neighbourhood development order or community right to build order under paragraph 12(6) of Schedule 4B to the 1990 Act (as modified in the case of community right to build orders by paragraphs 7 to 10 of Schedule 4C to the 1990 Act);
(e) whether to extend the area to which the referendum is (or referendums are) to take place; or
(f) that they are not satisfied with the proposed neighbourhood development order or community right to build order under paragraph 12(10) of Schedule 4B to the 1990 Act (as modified in the case of community right to build orders by paragraphs 7 to 10 of Schedule 4C to the 1990 Act).

(2) As soon as possible after making a decision referred to in paragraph (1), a local planning authority must publish—
(a) the decision and their reasons for it (“the decision statement”),
(b) details of where and when the decision statement may be inspected, and
(c) in the case of a decision mentioned in sub-paragraph (c), the report made by the examiner under paragraph 10 of Schedule 4B to the 1990 Act, on their website and in such other manner as they consider is likely to bring the decision statement and, as the case may be, the report to the attention of people who live, work or carry on business in the neighbourhood area.

Decision on an order proposal
26. As soon as possible after deciding to make the neighbourhood development order or community right to build order under section 61E(4) of the 1990 Act or to refuse to make it under section 61E(8) of the 1990 Act (as modified in the case of community right to build orders by paragraphs 7 to 10 of Schedule 4C to the 1990 Act), a local planning authority must—
(a) publish on their website and in such other manner as they consider is likely to bring the order to the attention of people who live, work or carry on business in the neighbourhood area—
(i) a document setting out their decision and their reasons for making that decision (“the decision document”); and
(ii) details of where and when the decision document may be inspected;
(b) send a copy of the decision document to—
(i) the qualifying body or the community organisation, as the case may be; and
(ii) any person who asked to be notified of the decision.

Publicising a neighbourhood development order or a community right to build order
27. As soon as possible after making a neighbourhood development order or community right to build order under section 61E(4) of the 1990 Act, a local planning authority must —
   (a) publish on their website and in such other manner as they consider is likely to bring the order to the attention of people who live, work or carry on business in the neighbourhood area —
       (i) the neighbourhood development order or community right to build order; and
       (ii) details of where and when the order may be inspected;
   (b) notify any person who asked to be notified of the making of the neighbourhood development order or community right to build order that it has been made and where and when it may be inspected.