The Neighbourhood Planning (General) Regulations 2012
A summary of the 13 formal steps to producing a Neighbourhood Plan

1. Application for designation of a neighbourhood area
2. Publicising an area application
3. Publicising designation of a neighbourhood area
4. Application for designation of a neighbourhood forum
5. Publicising a neighbourhood forum application
6. Publicising a designation of a neighbourhood forum
7. Pre-submission consultation and publicity for the plan
8. Plan proposals
9. Publicising a plan proposal
10. Submission of a plan proposal to examination
11. Publication of the examiner’s report and plan proposal decisions
12. Decision on a plan proposal
13. Publicising a neighbourhood development plan
NEIGHBOURHOOD AREAS

Step 1. Application for designation of a neighbourhood area (Regulation 5)

What needs to be done?
(1)(a) Application must include a map which identifies the area to which the neighbourhood area application relates

(b) Application must include a statement explaining why area is considered appropriate to be designated as a neighbourhood area

(c) Application must include a statement that body making area application is a relevant body* in accordance with legislation

Who will do this?
Torbay Council has prepared digitised map, in liaison with NF

Neighbourhood Forum

Step 2. Publicising an area application (Regulation 6)

What needs to be done?
Local planning authority must publicise the following on their website and elsewhere as appropriate

(a) a copy of area application

(b) details of how to make representations

(c) deadline for receipt of representations (minimum 6 week period)

Who will do this?
Torbay Council

Torbay Council

Torbay Council

* eg Town Council, Neighbourhood Forum
Step 3. Publicising the designation of a neighbourhood area etc (Regulation 7)

**What needs to be done?**

1. As soon as possible after designation, local planning authority must publicise the following on website and elsewhere as appropriate:
   - Name of the neighbourhood area
   - Map identifying the area
   - Name of relevant body applying for designation

2. As soon as possible after deciding to refuse a designation, local planning authority must publicise the following on their website and elsewhere as appropriate:
   - Decision document setting out statement of reasons for the decision
   - Details of where and when decision document can be seen

**Who will do this?**

- Torbay Council

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NEIGHBOURHOOD FORUMS

Step 4. Application for designation of a neighbourhood forum (Regulation 8)

**What needs to be done?**

1. Where a body submits a neighbourhood forum application to the local planning authority, it must include:
   - Name of proposed neighbourhood forum
   - A copy of written constitution of proposed neighbourhood forum
   - Name of neighbourhood area and a map identifying area
   - Contact details of at least one member of proposed neighbourhood forum

**Who will do this?**

- Neighbourhood Forum
(e) statement of how proposed
neighbourhood forum meets
relevant legislation

Step 5. Publicising a
neighbourhood forum
application (Regulation 9)

What needs to be done? Who will do this?
(1) As soon as possible after receiving a neighbourhood forum application, the local planning
authority must publicise the following on their website and elsewhere as appropriate
(a) a copy of application Torbay Council
(b) a statement that if a designation is made, no other body may be designated for that
neighbourhood area until designation expires or is withdrawn
(c) details of how to make
representations Torbay Council
(d) deadline for receipt of representations (minimum 6 week period Torbay Council

Step 6. Publicising a designation
of a neighbourhood forum
(Regulation 10)

What needs to be done? Who will do this?
(1) As soon as possible after designating a neighbourhood forum, a local planning authority
must publicise the following on their website and elsewhere as appropriate
(a) the name of the neighbourhood forum Torbay Council
(b) a copy of the written constitution of the neighbourhood forum Torbay Council
(c) the name of the neighbourhood area to which designation relates Torbay Council
(d) contact details of at least one member of the neighbourhood forum Torbay Council
(2) As soon as possible after deciding to refuse a designation, local planning authority must publicise the following on their website and elsewhere as appropriate:

(a) a refusal statement setting out decision and reasons for the decision
(b) details of where and when refusal statement can be seen

NEIGHBOURHOOD DEVELOPMENT PLANS

Step 7. Pre-submission consultation and publicity for the plan (Regulation 14)

What needs to be done? | Who will do this?
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(1) Before submitting a plan proposal to the local planning authority, the Neighbourhood Forum must

(a) publicise in an appropriate manner in the neighbourhood area (i) details of the proposals in a neighbourhood development plan (ii) details of where and when proposals for neighbourhood development plan can be seen (iii) details of how to make representations (iv) deadline for receipt of representations (minimum 6 week period

(b) consult relevant consultation bodies that may be affected by neighbourhood development plan

(c) send a copy of proposals for neighbourhood development plan to local planning authority

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Step 8. Plan proposals
(Regulation 15)

What needs to be done?  
(1) Where an appropriate body submits a plan proposal to the local planning authority, it must include

(a) a map or statement identifying the proposed neighbourhood plan area (b) a consultation statement (c) the proposed neighbourhood development plan; and (d) a statement explaining how the proposed neighbourhood development plan meets the relevant legislation

(2) A consultation statement means a document that (a) contains details of persons and bodies consulted about plan (b) explains how they were consulted (c) summarises main issues raised by consultees (d) describes how issues have been considered and where relevant addressed in proposed neighbourhood development plan

Who will do this?  
Neighbourhood Forum

Step 9. Publicising a plan proposal (Regulation 16)

What needs to be done?  
(1) As soon as possible after receiving a plan proposal that includes all of the relevant documents, the local planning authority must

(a) publicise the following on their website and elsewhere as appropriate (i) details of the plan proposal (ii) details of where and when the plan proposal can be seen (iii) details of how to make representations

Who will do this?  
Torbay Council
(iv) a statement that representations may include a request to be notified of local planning authority’s decision under Regulation 19 below
(v) deadline for receipt of representations (minimum 6 week period)
(b) notify any consultation body referred to in the consultation statement that the plan proposal has been received

Step 10. Submission of a plan proposal to examination (Regulation 17)

What needs to be done? Who will do this?
(1) As soon as possible after appointment of person to carry out an examination, local planning authority must send the following to the person appointed
(a) the plan proposal
(b) the other plan proposal documents (Regulation 15(1)) submitted to the local planning authority
(c) information relating to Conservation of Habitats and Species Regulations if relevant
(d) a copy of any representations made (Regulation 16)

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Step 11. Publication of the examiner’s report and plan proposal decisions (Regulation 18)

What needs to be done? Who will do this?
(1) Local planning authority can decide
(a) to decline to consider a plan proposal
(b) to refuse a plan proposal
(c) what action to take in response to the recommendations of an

Torbay Council
examiner regarding a
neighbourhood plan
(d) what modifications if any they
are to make to the draft plan
(e) whether to extend the area to
which a referendum is to take place
(f) that they are not satisfied with
the plan proposal

(2) As soon as possible after
making a decision referred to
above, a local planning authority
must publish on their website and
elsewhere as appropriate
(a) the decision and their reasons
(the decision statement)
(b) details of where and when the
decision statement may be
inspected
(c) the report made by the
examiner

Step 12. Decision on a plan
proposal
(Regulation 19)

What needs to be done? Who will do this?
(1) As soon as possible after
deciding to make a neighbourhood
development plan (or refusing to
make a plan), a local planning
authority must

(a) publish on their website and
elsewhere as appropriate
(i) a statement setting out the
decision and their reasons (the
decision statement)
(ii) details of where and when the
decision statement may be
inspected

(b) send a copy of the decision
statement to
(i) the qualifying body
(ii) any person who asked to be
notified of the decision

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Torbay Council
Step 13. Publicising a neighbourhood development plan (Regulation 19)

What needs to be done? What will this be done by?

1) As soon as possible after making a neighbourhood development plan, a local planning authority must

(a) publish on their website and elsewhere as appropriate
   (i) the neighbourhood development plan
   (ii) details of where and when the neighbourhood development plan may be inspected

(b) notify any persons 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

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Consultation bodies listed in Appendix 1
Appointed by Torbay Council
Appendix 1
Consultation Bodies (Schedule 1 Regulation 3)
Neighbourhood development plans

1. For the purposes of regulations 14 and 16, a “consultation body” means—
   (a) where the local planning authority is a London borough council, the Mayor of London;
   (b) 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;
   (c) the Coal Authority
   (d) the Homes and Communities Agency;
   (e) Natural England;
   (f) the Environment Agency;
   (g) the Historic Buildings and Monuments Commission for England (known as English Heritage);
   (h) Network Rail Infrastructure Limited (company number 2904587);
   (i) the Highways Agency;
   (j) the Marine Management Organisation;
   (k) any person—
      (i) to whom the electronic communications code applies by virtue of a direction given under section 106(3)(a) of the Communications Act 2003; and
      (ii) who owns or controls electronic communications apparatus situated in any part of the area of the local planning authority;
   (l) where it exercises functions in any part of the neighbourhood area—
      (i) a Primary Care Trust established under section 18 of the National Health Service Act 2006(a) or continued in existence by virtue of that section;
      (ii) a person to whom a licence has been granted under section 6(1)(b) and (c) of the Electricity Act 1989(b);
      (iii) a person to whom a licence has been granted under section 7(2) of the Gas Act 1986(c);
      (iv) a sewerage undertaker; and
      (v) a water undertaker;
   (m) voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area;
   (n) bodies which represent the interests of different racial, ethnic or national groups in the neighbourhood area;
   (o) bodies which represent the interests of different religious groups in the neighbourhood area;
   (p) bodies which represent the interests of persons carrying on business in the neighbourhood area; and
   (q) bodies which represent the interests of disabled persons in the neighbourhood area.