



Neighbourhood Planning Guidance



RCCE
RURAL COMMUNITY COUNCIL OF ESSEX
empowering local communities

This guidance has been produced by RCCE in partnership with the Essex Planning Officers Association and the Essex Community Led Planning Officer Network.

Thanks are also due to the following for permission to use extracts from their publications:

Richard Squires, Broadland District Council - Neighbourhood Planning Guidance
Riki Therivel, Levett-Therivel & URS - DIY SA guide

This guide draws on RCCE experience of supporting other types of Community Led Planning but it is important to remember that the process of Neighbourhood Planning is still being tested.

It is essential that the local planning authority is involved throughout the process; however, each local authority will have different resources for Neighbourhood Planning.

The following may also be able to provide assistance:

Essex County Council and Unitary Councils
Rural Community Council of Essex (see below)
Campaign for the Protection of Rural Essex in partnership with the National Association of Local Councils
Essex Association of Local Councils
Planning Aid
Locality
The Princes Foundation

Some of these organisations have been funded by government to support communities and neighbourhoods in planning and their assistance may be free of charge (subject to meeting specific criteria). Others will charge for their support.

Before starting work on a Neighbourhood Plan, communities are advised to contact their local authority and establish the type of support available in their area.

RCCE Support Services

The Community Engagement Team has extensive experience of supporting Community Led Planning initiatives and offers a number of support options:

Start up support package

For communities at the start of the process who need assistance with initial workshops, formation of a steering group, constitutions, time plans, budgets, engaging with different stakeholders.

In progress support package

Assistance with gathering evidence, community engagement programme, preparing a vision and objectives, exploring options, drafting proposals, establishing, monitoring and reviewing arrangements.

Tailored support

Support for particular events or with specific tasks in the process.

Community Led Planning Network Membership

This is part of the support packages or can be joined separately. Includes a regular newsletter, free attendance at network meetings and access to resources in the online members area (text highlighted in **green** in this guide indicates that examples and templates are available in the members area)

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Introduction

What is a Neighbourhood Plan?

The Localism Act has introduced a new type of Community Led Plan. Communities now have the right to produce a Neighbourhood Plan, setting out policies on the development and use of land in a parish or neighbourhood area. The Neighbourhood Plan will show how the level of growth identified in the Core Strategy/Local Plan is to be met or exceeded.

Once the plan is made, it will become part of the local authority development plan, a statutory plan against which planning applications will be judged. A Neighbourhood Plan might also result in a Neighbourhood Development Order which will grant planning permission for specific development proposals.

For Neighbourhood Plans or Orders to be adopted, they will need to conform to planning policies and guidance at the local, national and European level. They will also need to demonstrate support from the local community through a referendum.

Why produce a Neighbourhood Plan?

Developing a Neighbourhood Plan can help communities to play a greater role in determining the future of their area. It is not a tool to stop development where it is already included in the Core Strategy/Local Plan; it gives communities the opportunity to shape what that planned growth will look like and where additional growth might go.

It will bring the community together to share ideas and build consensus about needs and priorities for the area.

It can also help to create lasting partnerships to take forward actions that may arise from the process.

If the issues in your neighbourhood **do not** relate to land use and development, or if they relate solely to the provision of affordable housing, there may be other community led solutions that are more appropriate than Neighbourhood Planning.

NOTE: In a business area, a Neighbourhood Plan can be 'business-led' – this guide focuses on neighbourhoods where the process is led by local residents.

Who needs to be involved?

The parish council or neighbourhood forum must initiate and lead the process. They will need to involve the wider community in the development of the plan: residents, businesses, local groups, landowners and developers.

It is essential that the local planning authority is involved throughout the process; they have direct responsibility for some of the steps and have a wealth of information that will be useful in producing the Neighbourhood Plan. It may also be necessary to engage other organisations or commercial consultants to assist with the process.

This guidance clearly shows what the parish council or neighbourhood forum needs to do at each step in the process, and the type of support it may need from other organisations. The combination and method of support at each step will differ in each local authority area.

How do you produce a Neighbourhood Plan?

Five broad stages and a list of steps in the process is set out below. The steps may not necessarily need to be undertaken in this order and some may be undertaken concurrently. These are suggestions and may be amended in the light of practical experience as Neighbourhood Plans are progressed.

From past experience a community led plan takes a minimum of 18 months to complete. A neighbourhood plan has additional steps, particularly at the end of the process, which will be beyond the control of the community.

Because a Neighbourhood Plan will become a statutory document, some of the steps are obligatory. These are shown in bold type in the right hand column.

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1. Getting Started

1.1 Prepare a list of local contacts

A high level of community engagement is needed throughout the process. Draw up a list of who to involve and record their contact details so they can be kept informed as the plan progresses.

The list could include: representatives of community groups, representatives of community services/facilities (e.g. school, doctor, children's centre), elected councillors, businesses, landowners. Throughout the process, starting with the initial event, gather contact details of those interested in the Neighbourhood Plan so they can be updated on progress and invited to comment at each stage.

Local group to create a contact database

Possible help needed: advice on who to engage in a neighbourhood plan; data protection implications

1.2 Get the community on board

The plan depends on local leadership and participation to be successful. Give everyone a chance to get involved from the beginning by:

- Holding an initial **event** to explain the intentions of developing a neighbourhood plan. Use participatory methods to explore strengths and weaknesses, identify broad issues and recruit community volunteers to a project steering group. The event will also need to establish the boundary of the 'neighbourhood area' for which a plan will be prepared.
- Writing to everyone on the contact list inviting them to the event and asking them to state their level of interest in taking part in development of the plan.

Local group to book venue and publicise event(s)

Possible help needed: facilitation of event(s), support at event(s) and technical information about neighbourhood planning

1.3 Establish a steering group

The steering group should feature wide representation from the community and the neighbourhood area to be covered. It must not be dominated by any particular group (including a parish council in a parished area). How this steering group is selected will influence the support the neighbourhood planning process receives from the community. A selection process that is fair, open and inclusive will ensure a greater degree of community support. In an unparished area, the minimum number of members is 21, although there is no such stipulation in a parished area.

The steering group can be established under its own **constitution** and bank account or in a parished area, under terms of reference and a **working agreement** with the parish council. Advice is available on different group structures. The group will need to appoint a chairman, secretary and treasurer.

Local group to arrange the first meeting of volunteers and agree the structure of the group

Possible help needed: facilitation of the inaugural meeting to establish the group, advice on constitutions

1.4 Define the ‘neighbourhood area’ and seek approval for a ‘relevant body’ to undertake a plan in that area

The local planning authority is required to approve the ‘neighbourhood area’ for which the plan is being produced and to approve the local group that wants to prepare the plan as a ‘relevant body’. The application process is regulated by the department for Communities and Local Government, and is set out in parts 2 and 3 of the Neighbourhood Planning Regulations <http://www.legislation.gov.uk/ukxi/2012/637/made>

There are two types of ‘relevant body’ – parish/town councils and neighbourhood forums. In areas where a parish or town council exists, these are the only bodies that can prepare a Neighbourhood Plan. Where a parish or town council does not exist, community members can create a neighbourhood forum. Only one neighbourhood forum is allowed to exist for each neighbourhood to be covered by a Neighbourhood Plan. The neighbourhood forum must have the purpose of furthering the social economic and environmental well-being of the area and seek to have representative membership from across the neighbourhood area. It must have a written constitution and a minimum of 21 members.

In parished areas the ‘neighbourhood area’ is expected to follow parish boundaries. However, a neighbourhood area can cover only part of a parish or can be a combination of parishes. If the proposed neighbourhood area covers more than one parish, then consent must be sought from each of the relevant parish councils.

In non-parished areas the ‘neighbourhood area’ would need to be defined. The following factors could be used to help define a neighbourhood area: natural land divisions / features (e.g. rivers, woodland, field boundaries), unnatural land divisions / features (e.g. roads, railway lines, settlement edge), character areas or areas of a particular type or style of development, catchment areas (e.g. school or retail) or local authority ward boundaries.

The application to the local authority must include a map of the area to which the application relates, a statement setting out why the area is appropriate for designation as a neighbourhood, and a statement that the organisation submitting the application is a ‘relevant body’. Once it has approval to proceed with a Neighbourhood Plan, the steering group should establish a ‘main point of contact’ at the local authority. The steering group should also determine the level of support that can be provided by the local authority and by other organisations.

Local group to submit applications for the neighbourhood area and relevant body in accordance with regulations

Possible help needed: advice on boundaries of a neighbourhood area and suitability of local group as a qualifying body

2. Getting Organised

2.1 Develop a communication strategy

Communication and publicity is vital, from an early stage and throughout the process. People are more likely to participate if they are kept informed. In the case of developing a Neighbourhood Plan, where the support of the community at the referendum stage is crucial to its adoption, the need to keep information flowing takes on an even greater significance.

Communication tasks may include raising awareness/background information about Neighbourhood Plans, promotion of events and the opportunities to get involved, feedback on information gathered, general updates on progress and circulation of documents for comment. Different media will be suited to different communication tasks and may include talking to community groups and individuals, posters and leaflets, magazine articles and newsletters, website pages and social networking sites, email groups using your contact database, radio interviews and press releases. Be sure to include these all important communication tasks in your time plan (2.2)

Local group to agree a communication strategy

Possible help needed: advice on different media and barriers to engagement, examples of publicity and promotional materials

2.2 Create a time plan for the process

It will be necessary for the steering group to produce a programme of the tasks to be undertaken and insert these into a **time plan**. You may need to read other parts of this guidance to fully understand each of the tasks. Some months of the year may be better than others for particular tasks (e.g. outdoor consultations) which may affect your time plan. Where visiting other organisations (e.g. schools, youth groups) to gather information, schedule in time to plan the session with teachers / leaders. Build in at least two months for formulation of questionnaires, which always take longer than expected, and also allow plenty of time for processing information, particularly if being undertaken by volunteers.

At the drafting proposals stage, allow plenty of time to set up meetings with decision-making organisations, and time for negotiation on specific policies and actions. Remember that not all parish councils meet on a monthly basis and that the local authority will have pre-set meeting cycles for committee approval of decisions, which may affect timescales. Bear in mind that it may be difficult to organise meetings and complete tasks during July, August and December as they are busy months socially. It usually takes between 15 months and 2 years to produce a Community Led Plan.

Local group to agree a time plan

Possible help needed: advice on creating time plans, examples of time plans for other community led plans

2.3 Determine local skills, expertise and training needs

The tasks and time plan (2.2) will enable the group to understand the skills needed during the process. By allocating the tasks to the volunteers, the steering group will be able to establish where there are gaps in skills and expertise.

The steering group may decide to take advantage of training opportunities to increase skills, it may decide to second other volunteers (who have the relevant expertise) to the group or it may decide to 'buy in' professional support to help with certain tasks.

Local group to carry out a skills audit and decide how to plug the gaps
Possible help needed: contacts for professional support, training sessions

2.4 Prepare a budget

An understanding of the tasks to be undertaken will help in creating a **budget**. The costs of some tasks will vary depending on how they are carried out so you will need to read up on other sections of this guidance to estimate the costs. For example the Sustainability Appraisal (3.1) has minimal costs if undertaken by volunteers with some training and support, but may cost a few thousand pounds if carried out by planning consultants. Build some flexibility into your cost estimates to cover contingencies; you may prefer to add a percentage to costs to cover contingencies. Costs may include hire of meeting halls, publicity materials, printing of questionnaires, data processing costs, publishing of findings. Consider the cost of training and professional support if needed (2.3). The costs of the Validation Check, Independent Examination, Referendum and Adoption will be met by the local planning authority.

Local group to agree a budget
Possible help needed: advice on budget preparation; examples from other community led plans

2.5 Secure funding

Work out a **funding strategy** to provide the money necessary to cover all your costs. This may include parish council precept (in a parished area), fundraising events, sponsorship, sponsorship from local businesses, requests for funding from local authorities and other grant funding applications.

Also consider the value of volunteer time as this is a 'hidden cost' of a neighbourhood plan. Most grant funders require a 'match funding' contribution to the project; this is usually a mix of cash and a volunteer time value. If applying for grants it will therefore be necessary to estimate the number of volunteer days to be spent on the neighbourhood plan and include this in the applications. It is important to record **volunteer time as evidence** for the funding body.

Bear the following in mind when making grant fund applications:

- Grants will not usually cover expenditure incurred before the application.
- Small Grants will often have restrictions on the timescale of spending e.g. funding needs to be spent within one year or needs to be spent by 31st March.

The budget and time plan will show when the most significant costs will be incurred, which will help in deciding when to submit an application.

- Some funders operate several grant schemes but will not usually make multiple awards for the same project.

Local group to agree a fundraising plan

Possible help needed: advice on sources of grant funding, assistance with funding applications, examples of volunteer time records

2.6 Keep a record of community involvement and consultation

When your plan is submitted to the local planning authority (5.7), the Neighbourhood Planning regulations require it to be accompanied by a consultation statement setting out the names of those consulted, a summary of the main issues raised, and how those issues were addressed. It will be easier to produce this statement if a record is kept throughout the process.

Local group to maintain a record of community involvement and consultation

Possible help needed: examples from similar exercises (e.g. diaries of community engagement submitted to local planning authorities with VDS)

2.7 Review existing plans and strategies for the area

It is important to try and understand what implications the following plans and strategies have on the community and on the neighbourhood area:

- Community Led Plans for the area (previous Village Appraisals, Parish Plans, Market Town Healthchecks, Design Statements)
- Local authority planning documents (Saved Local Plan, Core Strategy, Allocations Document and other emerging Local Development Framework documents, Supplementary Planning Documents)
- Local authority Infrastructure Delivery Plan
- Local authority Community Infrastructure Levy Charging Schedules
- National Planning Policy Framework
- Sustainable Community Strategy for each local authority area and related underlying strategies such as housing strategy, economic development strategy, climate change strategy, play strategy, cultural strategy – the names will vary between authorities)
- Essex Rural Strategy
- Essex, Southend and Thurrock Waste and Minerals Plan
- Local Transport Plans for Essex Southend and Thurrock
- Commissioning School Places in Essex (formerly the Essex School Organisation Plan)
- Other strategies relating to the environment, health, etc. produced by different public service providers (Natural England, Environment Agency, Strategic Health Authority)

It may be useful at this point for the steering group to have initial discussions with some of the public agencies and service providers to understand whether there are any other aspirations for the area that have not yet been developed into a plan or strategy.

Local group to understand the planning context of the area

Possible help needed: information about existing policies and strategies, training

2.8 Establish the focus of attention for evidence gathering

The point of this stage is to clarify what it is that the steering group need to find out:

- If a community led plan has previously been prepared, does it raise any actions that the Neighbourhood Plan can address?
- What information is needed to get a better understanding of issues raised at the initial meeting (1.2)?
- How much support is there for courses of action suggested at the initial meeting?
- What courses of action might be available that have not yet been suggested?
- What development opportunities are there? And what areas need to be protected?
- What other issues should be explored to improve the community's ability to deal with future threats (such as rising fuel costs, climate change, ageing population etc.)?
- What topics or themes should be focused on?

A provisional summary of the strengths, weaknesses, opportunities and threats based on issues raised at the initial event (1.2) and the review of existing plans and strategies for the area (2.6) will help establish a focus for further investigation. The steering group will also need to identify which issues are likely to have equality implications, in particular race, disability and gender identity.

The steering group may wish to set up working groups to focus on gathering evidence under thematic headings.

Local group to agree the main topics and issues to be covered by the Neighbourhood Plan

Possible help needed: information on emerging and future issues, advice in interpretation of information, advice on equalities implications

3. Preparing an Evidence Base

3.1 Familiarise yourselves with Sustainability Appraisal

There is a legal requirement to undertake a Sustainability Appraisal (SA) for all planning documents that are to become part of the adopted development plan for an area. Separate reports, in addition to the Neighbourhood Plan itself, will need to be prepared and consulted upon.

The local authority will have to prepare SA Reports for its own planning documents so it will be useful to look at them. Much of the information in those SA Reports can be used in the Neighbourhood Plan SA Report.

It is important that the SA is started when work begins on the plan. It needn't be complicated or expensive; Levett-Therivel and URS has produced a 'DIY guide to Sustainability Appraisals' <http://www.levett-therivel.co.uk/DIYSA.pdf>

In fact, the steps in the production of a SA run alongside most of the stages of producing a Neighbourhood Plan as follows:

- Identify the policy context (covered by 2.6)
- Identify the characteristics of your neighbourhood (covered by 3.3 to 3.5)
- Identify possible things to include in the plan (covered by 3.6, 4.1 and 4.2)
- Prepare an SA Scoping Report and consult on it (see 4.3)
- Assess the environmental impacts of options and choose preferred options (covered by 4.4)
- Fine tune the plan to minimise its impacts (see 5.1)
- Prepare the final SA Report (see 5.3)

If the steering group undertakes the sustainability appraisal, it is advisable to seek advice throughout the process from someone with SA experience to ensure that it fulfils the legal requirement.

Local group to decide how to meet the requirement for a Sustainability Appraisal

Possible help needed: advice and support with the SA, examples of SA, training

3.2 Familiarise yourselves with Equality Impact Assessment

There is a legal duty to undertake an Equality Impact Assessment (EIA) on the development of policies and the delivery of services to assess the impact on people in respect of disability, gender and racial equality. A separate report will need to be prepared and consulted upon, alongside the policy and service proposals in the Neighbourhood Plan. The local authority might have a template for EIA.

It is important that the EIA is started when work begins on the plan. The Equality and Human Rights Commission has produced 'EIA Guidance' http://www.equalityhumanrights.com/uploaded_files/eiaguidance.pdf

It should be possible to integrate the steps in the preparation of the EIA into your SA process (above) as both are looking at impacts, albeit different types.

The suggested steps in the production of an EIA for the Neighbourhood Plan are as follows:

- Identify which aspects are likely to be relevant to equality, and to which protected groups they relate (covered by 2.7)
- Identify evidence that is already available and gaps in data or research that need to be filled (covered by 3.3)
- Identify who will need to be involved in the development of the policy and service delivery (covered by 3.5)
- Draft proposals (covered by 3.6, 4.1 and 4.2)
- Assess the likely impact, and any opportunities to promote equality (covered by 4.4)
- Prepare the EIA Report (see 5.4)

Those responsible for developing the policies and service delivery should be the ones who undertake the equality impact assessments but it is recommended that they seek advice throughout the process from someone with EIA experience to ensure that the legal duty is met.

Local group to decide how to meet the requirement for EIA

Possible help needed: advice and support with the EIA, examples of EIA, training

3.3 Create a profile of your community

The steering group will need to gather factual and statistical information about the community in the neighbourhood area, paying particular attention to topics and themes identified as the focus of the neighbourhood plan (2.7). The profile will build up a social portrait of the community which will help in understanding current and potential future needs. Some local authorities have parish and neighbourhood level information on their websites: other sources are ONS Neighbourhood Statistics <http://neighbourhood.statistics.gov.uk/> and summary statistics on Nomis website <http://www.nomisweb.co.uk/> and a parish profile on the Rural Evidence Project website <http://www.rural-evidence.org.uk/pages/about/> (access to parish profiles via your RCCE Community Engagement Officer)

Information about human population, human health, employment and jobs, education and skills and groups of people with specific needs will help describe the 'baseline environment' as required by the Sustainability Appraisal.

In addition, information from local authority consultations (such as the place survey) will be useful for the Equality Impact Assessment. The most important and appropriate data for EIA is likely to be service level data which will provide information about who uses different services and their experiences. Part of this stage is to identify any gaps in data and research that would help with your EIA.

Local group to prepare a community profile

Possible help needed: advice on sources of information, provision of statistical data

3.4 Audit existing infrastructure and designations

The steering group will need to do a 'stock take' of the area's physical assets and take note of the various land use designations that apply to the neighbourhood area to help understand the constraints and opportunities available for development and for conservation. Many local authorities will already have a vast amount of detailed evidence and so it makes sense to try and use existing information wherever possible.

The audit of infrastructure can be carried out by a mixture of desk top research and walks through the area to photograph assets, note them on a map and also make a record of their condition. Assets may include community centres/village halls, churches, recreation grounds, play areas, sports facilities, allotments, health facilities, housing stock, footpath networks, highways infrastructure, employment sites. The audit may also include often unseen infrastructure such as energy generation and broadband.

The local authority should be able to provide maps showing for example the following:

- Development boundaries
- Conservation areas
- Listed buildings
- Tree preservation orders (and protected groups of trees)
- Protected lanes
- Flood plains
- Open spaces such as allotments, churchyards, recreation space
- Sites of special interest or importance

Statutory Environmental Bodies can provide local level historic and natural environment data/maps. See page 4 of their publication:

<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Information about landscape, nature conservation, physical assets and heritage, will help describe the 'baseline environment' as required by the Sustainability Appraisal. You may also need to look at air and climate, water and soil; the DIY SA includes a list of suggested questions to ask your planning officer on this subject. <http://www.levett-therivel.co.uk/DIYSA.pdf>

Local group to prepare an infrastructure audit

Possible help needed: provision of maps, advice on sources of information, facilitation of interactive audit activities

3.5 Carry out surveys and needs assessments

This stage is about engaging with residents, community groups and businesses to ascertain their views and opinions about the area, as well as their needs and aspirations for the future. The questions that are asked in these surveys will be influenced by the factual information gathered in 3.3 and 3.4.

A variety of techniques and approaches should be used to maximise opportunities for involvement. These could include:

- Questionnaires (hard copy or web based)

- Interviews
- Workshops
- Exhibitions
- Focus groups or discussion meetings
- Tailored techniques to suit particular circumstances.

The steering group will need to decide which methods to use to engage different sections of the community or to cover particular topics / themes in more depth. Landowners should be invited to comment on site specific issues. Relevant organisations and protected groups should be invited to comment on matters where they have a particular interest.

For each community involvement exercise, the steering group must gather basic demographic data to show some information about who took part. In addition, the steering group should continue to gather the contact details of anyone interested in the Neighbourhood Plan so they can be kept informed and invited to comment at later stages.

When selecting and designing methods to gather information, the steering group must also consider how responses will be processed and the costs involved. Detailed guidance on collecting information and undertaking surveys is contained in the RCCE Information Pack '**Involving the Community in your Project**', including advice on questionnaire design, use of maps and models, and running workshops.

Local group to prepare a programme of community involvement and carry out the surveys and needs assessments

Possible help needed: advice on community involvement methods, facilitation of meetings and workshops, advice and comments on questionnaires, examples from other types of community led plan, contacts for support with processing

3.6 Summarise findings and consider how to tackle the issues

The steering group will need to organise all the evidence it has gathered and consider the options that need to be explored further. There will be factual information about the area which may not match with people's perceptions. There will be some topics on which there is broad agreement and some topics where opinion is polarised. The steering group will need to analyse all the information and summarise the main strengths, problems, constraints and opportunities for the neighbourhood area. It will be helpful to keep a list and copy of all the sources of evidence to demonstrate how it leads to the conclusions drawn; this will be particularly important at the Independent Examination (5.8)

The steering group should list all the possible options to tackle each issue; everything from 'do nothing' through to 'do something quite radical'. For some topics, the steering group may need to meet with others to find out what options are available to tackle particular issues. It is an important part of the SA that all the possible options are included, even those that appear not to be financially or technically feasible, or that may provoke a negative reaction. It is essential that all potential sites for development are identified at this stage; the neighbourhood area may be earmarked for growth in a strategic plan or the evidence may indicate a need or desire for development of some

kind. Later stages in the process (4.4) will assess the impact of the options and show which of them will be taken forward as the preferred option, and which will be rejected.

The steering group may find that some of the information it gathers is not planning related i.e. it is about service delivery, operational matters or enforcement rather than land use, character and infrastructure. Whilst these may not be issues for the Neighbourhood Plan to address, they will still be important issues for the community. Options to tackle these issues should be explored (4.2 and 4.4) and the preferred action included in an appendix to the final neighbourhood plan (5.3).

Local group to analyse findings and consider all options available

Possible help needed: advice on summarising findings and issues relevant to Neighbourhood Planning, advice on the different options available to tackle the identified issues, assistance with SA

4. Drafting Proposals

4.1 Draft a vision and objectives for the area

Developing a vision and objectives for the community will be an important first stage in drafting the Neighbourhood Plan. The vision will be an overarching statement, or series of statements, describing the area in 15-20 years' time. It may cover what the area will look like, what facilities will be provided, what it will be like to live and work in etc. The objectives will be more specific and will set out what the community wants to achieve in order to help make the 'vision' a reality. For each element of the vision there may be one or a number of objectives, depending on the different priorities of the community.

Take a look at the vision and objectives in the saved Local Plan or LDF Core Strategy for the district or borough as an example and, based on the evidence gathered (as summarised in 3.6), draft some statements that relate more specifically to the neighbourhood area. It would make sense for the vision in the Neighbourhood Plan to cover the same time period as the one for the local authority area (or the period for the plan they are currently working on if it is not yet in place). The vision and objectives for the neighbourhood area must not conflict with those for the district / borough as a whole.

Local group to prepare a vision and objectives

Possible help needed: information about the local authority area vision or emerging vision and objectives, facilitation of a steering group meeting

4.2 Feedback and further community involvement

It is important to report the factual information and survey findings back to the community and to gather opinion about priorities and options for action in the light of these findings. The steering group will need to:

- show how comments and responses relate to the factual information gathered and the conclusions drawn by the steering group (invite further comment on this);
- check that the community supports the draft vision and objectives for the area;
- explore different options, making it clear that this is a requirement of a neighbourhood plan and that none of the options listed is a preferred option. For some topics you may be reporting back findings on options included in a survey (3.5) but for other topics you may be seeking opinion on different options;
- ask if there are any other options that have been overlooked;
- continue to take contact details of those attending events and providing comments so they can be involved in assessment of impacts and invited to comment on the final document.

Information can be published in local newsletters, magazines and on the website with an invitation for people to comment. An event, or series of events, should also be organised. This could be open days/exhibitions, workshops or informal discussion groups.

At the end of this stage, any necessary amendments will be made to the vision and objectives, and comments noted on the options, for inclusion in the draft SA report.

Local group to organise a feedback event to publicise findings and seek opinion on the vision, objectives and options

Possible help needed: provision of maps, provision of planning information, advice on how to present the options, examples from other community led plans, advice on event organisation, facilitation of event

4.3 Prepare an SA Scoping Report

At this stage, all of the information required to produce a SA Scoping Report will have been collected. The SA Scoping Report should be prepared and sent to the local authority. Get someone with SA experience to check it first for legal compliance. The SA Scoping Report should include:

- Introduction and methodology –Provide information on the area covered by the neighbourhood plan; who has been involved in writing the plan and carrying out the SA and the objectives of the plan (to the extent that you know them)..
- Policy context - What national guidance, local plan(s) and other documents were reviewed. This should be a summary of the work carried out in 2.6.
- Environmental context - How the evidence base was prepared, details of the information collected, a map showing designations and the location of local facilities. This should summarise the work undertaken in 3.3 to 3.5
- Sustainability Issues and Problems - A concluding summary of strengths, weaknesses, opportunities and threats.
- Options - How options were identified and a list of them as a result of the work undertaken in 3.6.
- Next steps – How the impact of the different options will be assessed and the framework that will be used. The framework used by the local authority for their SA may be a good basis, or you may wish to use the template as suggested in DIY SA <http://www.levett-therivel.co.uk/DIYSA.pdf>

The local planning authority will consult on the SA Scoping Report with the statutory consultees (Natural England, English Heritage and Environment Agency) on your behalf. Statutory consultees will be given at least 5 weeks to comment on the draft report. **Do not** start assessing the impact of options until their comments have been received. The steering group will need to respond to comments from the consultees but it is not compulsory to do what they suggest; planning officers will be able to advise on this.

Local group to arrange for preparation of the SA Scoping Report

Possible help needed: advice on SA report and how to respond to comments

4.4 Assess impact of options

The assessment of the impact of options is an important step in the SA process.

EU legislation requires that environmental impact is assessed.

British law requires that equality impact is assessed.

UK planning guidance suggests that social and economic impact is assessed.

Impact assessment must be undertaken as a group exercise, involving those with an interest in particular topics. The meeting (of series of meetings if topic related) should include a review of the relevant parts of the evidence base, an explanation of the options (with maps where site specific) and a structured method for assessing each option. A planning officer or someone else from outside the community could facilitate these meetings.

The most straightforward way of recording an impact assessment is to use a template. An example is suggested in DIY SA <http://www.levett-therivel.co.uk/DIYSA.pdf> where the impact assessment questions are listed down the left hand side and each option has a column across the top. The assessment questions can cover all the possible impacts that need to be assessed – environmental, social, economic and equalities. SA reports produced by the local authority for their development plans will have a template which could be used.

A template will be needed for each issue or topic. Discuss for each assessment question whether the option would have a positive or negative impact and write the reasoning and conclusions in the cells within the template. The cells can also be colour coded to aid the exercise visually: green for positive, red for negative, amber for in between, blank for no impact / not relevant.

Where there are several distinct options for tackling an issue, this exercise can help to identify the best option or it can eliminate all options; it can improve the options that are suggested and it can suggest new options. It may be necessary to do several rounds of assessment as new options are proposed or refined. For each template a conclusion should be reached about which options (if any) should be taken forward and an explanation of the reasons why.

Local group to arrange meetings to assess the impact of options

Possible help needed: advice on community involvement methods, facilitation of meetings, technical advice on impact assessment

4.5 Choose preferred options and draw up proposals

For each of the broad objectives agreed and supported by the community, the steering group should consider what proposals should be put in place to try and achieve them. The proposals will be the preferred options based on information gathered during previous stages and could be policies and/or actions. Site-related policies must be drawn up in negotiation with the relevant landowners or site promoters. Action plans must be drawn up in partnership with organisations that will be involved in delivering the action.

Policies may take one of the following forms:

- Policies that allocate specific sites for particular types and scales of development e.g. residential, employment, community use, energy generation;
- Policies that specify particular requirements relating to a development e.g. landscaping, amount of green space, community facilities and general infrastructure;
- Policies that specify sites for protection or enhancement as environmental assets or areas of landscape character;

- Policies that are more generic in relation to any future development e.g. design and character, energy standards, transport and access.

Policies must be credible, justifiable and achievable. Many of the policies will need to be shown diagrammatically, on a map, as well as being in written text. The policies will guide planning applications but will not in themselves 'make things happen'.

A neighbourhood area should also consider the management of Community Infrastructure Levy (CIL) payments within the Neighbourhood Plan. The CIL is a charge, set by the local authority through a 'charging schedule', on the owner or developers of land that is being developed. The charge should contribute to the costs of providing the infrastructure needed to support the development of the area. Parish Councils (or similar groups such as neighbourhood forums in non parished areas, subject to approval by the local authority) will receive a proportion of any CIL payments in relation to development within their area. Government has recently consulted on the proportion of CIL that should be allocated to local areas, which will be confirmed soon. Therefore, neighbourhood plans should identify how CIL payments allocated to their area should be used.

Further information on CIL is available at the following location:

<http://www.pas.gov.uk/pas/core/page.do?pageId=122677>

Actions will be included in an implementation plan which sets out 'who will do what' to deliver the policies in the Neighbourhood Plan. The actions should meet 'SMART' criteria:

- S** = Specific
- M** = Measurable
- A** = Attainable (Achievable)
- R** = Realistic/Relevant
- T** = Time Related

This implementation plan need not be part of the Neighbourhood Plan itself but could be an appendix to the main document which continues to evolve as actions progress and new ones emerge. As a separate document, it could also include actions to tackle some of the issues that were raised during the process but fall outside of the Neighbourhood Plan remit e.g. speeding, bus services, activities for young people etc.

If the community wants to 'make development happen' it should consider, as part of the implementation plan, the creation of a **Neighbourhood Development Order** or a **Community Right to Build Order**.

<http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/part/1/enacted>

<http://communityrights.communities.gov.uk/what-are-community-rights/community-right-to-build/>

Local group to agree preferred options, draft policies and draft an action plan
Possible help needed: advice on policy wording, advice on Neighbourhood Development Orders, advice on preparing SMART action plans, training, examples from other community led plans

4.6 Check for conformity with strategic policies in the development plan

This is a check that the policies and actions included in the Neighbourhood Plan document are in general conformity with strategic planning policies. Hopefully, if there has been continued liaison with planning policy officers, there should not be an issue.

Local authority will check conformity

4.7 Consult on proposals

It is suggested that an open day or exhibition is organised to display the draft policies and implementation plan and invite comment. The impact assessment templates should also be displayed to explain the preferred options.

This stage is the last opportunity, other than the formal consultation in 5.6, to check whether the community will support the Neighbourhood Plan.

The events should therefore be widely advertised within the community (in accordance with the communication strategy 2.1) as well as targeting contacts on your database; key organisations, landowners and individuals who have expressed an interest. There must also be an opportunity to comment for those not able to attend the events by providing access to the information on a web site or hardcopy.

Local group to consult on the draft policies and action plan

Possible help needed: provision of maps and information for the consultation, advice on organising a consultation

5. Finalising Your Plan

5.1 Fine tune your plan to minimise overall impacts

'Fine tuning' is an important legal requirement of the SA directive, so be thorough and keep track of any changes made as a result of this stage.

Summarise all of the preferred options (established in 4.5) in one impact assessment template and calculate the cumulative impact for each impact assessment question. The cumulative impact will not necessarily be an average of the assessments of each proposal as some will have much bigger impacts (positive or negative) than others. The DIY SA guide <http://www.levett-therivel.co.uk/DIYSA.pdf> includes a good example of this.

Important questions to consider are:

- Do any of the proposals have a particularly large number of negative impacts?
- Do any of the assessment questions show a large number of negative impacts?
- Are some assessment questions not addressed by the proposals (lots of blanks)?

The steering group will need to consider if any refinements to the plan are needed after exploring these questions

Local group to consider the combined effect of impacts and refine the plan if necessary

Possible help needed: impartial overview of impact assessment, advice on changes to be made

5.2 Agree monitoring, evaluation and review

Legislation requires plan makers to monitor the significant effects of their plans. Most of the monitoring of the Neighbourhood Plan will be carried out by the local authority or at the national level. However some impacts might warrant local level monitoring – and the steering group may want to do this anyway to make sure that the Neighbourhood Plan is effective.

Your local authority planning officer can advise what policies are already being monitored and what makes sense to additionally monitor. The equalities officer at the local authority can advise on the monitoring of equalities impacts. Monitoring, evaluation and review arrangements will need to be included in SA and EIA Reports (5.4 and 5.4).

It is most likely that the steering group will want to monitor the implementation plan to evaluate the success of actions and undertake regular reviews.

Local group to agree monitoring arrangements with the local authority

Possible help needed: advice on evaluation and review

5.3 Prepare final Neighbourhood Plan document

There is no set format for a Neighbourhood Plan but it is suggested that it includes the following elements:

- Introduction – what it is, its status and area covered
- How it was produced – the different stages and who was involved
- Description of the area – key information about community profile and characteristics
- Vision and objectives for the area
- Map showing proposals for the area
- Policies to guide development proposals
- Topic related sections – explaining the issues, community opinion and conclusions.

Information that falls outside the remit of a Neighbourhood Plan could be included as an Appendix with an action or implementation plan.

Good practice on contents and layout will be learned from the **neighbourhood planning front runner** projects.

Local group to prepare the final document

Possible help needed: provision of maps, advice on layout and content, examples

5.4 Prepare final Sustainability Appraisal Report

The final SA Report may be longer than the Neighbourhood Plan but it will demonstrate clearly how decisions were made about the proposals included in the final document and it is a buffer against legal challenge. It should include:

- Introduction and methodology – the plan it relates to, the area covered, who has been involved in writing it and what they did at each step.
- Policy context – Information from the SA Scoping Report with any updates.
- Environmental context – Information from the SA Scoping Report with any updates.
- Options - Information from the SA Scoping Report with any updates.
- Assessment of options – how the assessment was carried out showing the templates and conclusions. The reasons for choosing the preferred options is the most important bit.
- Fine-tuning of the plan – present the summary table, explain how it was analysed, what changes were made and the reasons why.
- Next steps – explain how impacts will be monitored.

The final SA report should be prepared and available for consultation alongside the Neighbourhood Plan proposals. Get someone with SA experience to check it first for legal compliance.

Local group to arrange for preparation of the final SA Report

Possible help needed: advice on SA report

5.5 Prepare Equality Impact Assessment Report

There are a number of ways that EIA results can be published but it is suggested that a report is produced for consultation alongside the Neighbourhood Plan document. The report should include:

- Introduction and relevance – the plan it relates to and the relevance of equality duties
- Evidence – Information available and evidence gaps.
- Environmental context – Information from the draft SA with any updates.
- Involvement and Consultation – who was involved, in what way, and what were the results
- Options and their impacts – how the assessment was carried out showing the templates and conclusions. Extract the relevant information from exercises undertaken in 4.4 and 5.1
- Next steps – explain how impacts will be monitored.

The EIA report should be prepared and available for consultation alongside the Neighbourhood Plan proposals. Get someone with EIA experience to check it first for legal compliance.

Local group to arrange for preparation of the final SA Report

Possible help needed: advice on EIA report

5.6 Consult on Proposals

The neighbourhood forum/parish council is required by Part 5 section 14 of the Neighbourhood Planning Regulations to undertake a pre-submission consultation on the Neighbourhood Plan proposals. It is required to:

- publicise the proposals, bringing them to the attention of a majority of those who live, work or operate a business in the neighbourhood area;
- publish contact details for representations and information about the proposed timetable for consultation (the minimum period is 6 weeks);
- consult any statutory consultees whose 'interests are affected'.

The local authority Statement of Community Involvement will include a list of organisations that need to be consulted on plans. The list is likely to include the local authority itself (even though officers have been involved in supporting the plan), Essex County Council, neighbouring parish councils and other authorities, the Environment Agency, Natural England, English Heritage, Historic Buildings and Monuments Commission for England, water authorities, police authorities, health authorities and local organisations.

After consultation the steering group will need to consider whether any amendments need to be made to the plan before formally submitting it to the local authority.

Local group to arrange for formal consultation

Possible help needed: contacts for statutory consultees, advice on dealing with comments

5.7 Submit Proposals for Validation

The neighbourhood forum/parish council is required by Part 5 section 15 of the Neighbourhood Planning Regulations to submit the Neighbourhood Plan proposals showing the title of the plan, the area covered and, if it includes a Neighbourhood Development Order, how it meets the requirements (as set out in paragraph 8 of Schedule 4B (process for making of neighbourhood development orders) to the 1990 Act). It must be accompanied by a consultation statement (2.6) setting out the names of those consulted, a summary of the main issues raised, and how those issues were addressed.

The local authority will conduct a check on the plan to ensure that the process that has been followed is in accordance with the Localism Act. If so it will decide, in collaboration with the steering group, who to appoint as independent examiner.

The local authority will publish the Neighbourhood Plan proposals and will make any draft Neighbourhood Development Orders available for inspection.

From this point on, responsibility for 'making' the plan rests with the local authority

5.8 Independent Examination

The main purpose of the examination is to check that the Neighbourhood Plan conforms with:

- The strategic content of the local Development Framework
- The National Planning Policy Framework
- European Directives
- National and international designations
- Neighbouring Neighbourhood Plans

The result of the examination will be a report that will have one of the following recommendations:

- that the draft Neighbourhood Plan should proceed to a referendum
- that it should proceed to a referendum subject to certain amendments
- that it should be refused

The local authority will publish the examiner's report and its decision on whether or not the examiner's recommendation should be followed.

5.9 Referendum

If you get to this point, well done!

The local authority will organise the referendum. The decision to put the plan to referendum will be published on the local authority website. The referendum will be open to any individual registered to vote in the 'neighbourhood area' defined in 1.4. The Independent Examiner, or the local authority, may take the decision that the referendum should be extended to include residents over a wider area if certain policies in the plan have implications for surrounding communities.

If the majority of those who vote, vote in favour, then the Neighbourhood Plan will be made.

5.10 The plan is made

The Neighbourhood Plan will become a planning policy document within the local authority's current Local Development Plan and will be used in the determination of planning applications.

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