

CENTRAL LINCOLNSHIRE

STATEMENT OF COMMUNITY INVOLVEMENT

JANUARY 2018



Note: This version of the Central Lincolnshire Statement of Community Involvement (SCI) was adopted by the Central Lincolnshire Joint Strategic Planning Committee on 22nd January 2018. It replaces the previous SCI adopted in June 2016. This 2018 version is almost identical to the 2016 version but adds a contents page and a section relating to neighbourhood plans in accordance with the requirements of the Neighbourhood Planning Act 2017. The remainder of the document is unchanged.

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STATEMENT OF COMMUNITY INVOLVEMENT

1. Introduction

This Statement of Community Involvement (SCI) outlines how the Central Lincolnshire Joint Strategic Planning Committee expects to involve and consult the public and stakeholders when preparing planning policy documents, namely local plans (page 2) and supplementary planning documents (page 4). It also outlines how and when the public can have their say on planning applications (page 5) and provides brief commentary on neighbourhood planning (page 8).

The commitments made in this SCI are legally binding on the CLJPC and its constituent district authorities. The County Council also has a duty to prepare and maintain its own separate SCI, which will mostly cover planning consultations related to Minerals and Waste proposals and policies.

The three district constituent authorities of the CLJSPC may, in addition to this SCI, adopt their own non-legally binding guidance on community involvement in planning matters specific to their individual area. However, any such guidance can only add to, rather than take away from, the commitments set out in this SCI.

What is the Central Lincolnshire Joint Strategic Planning Committee?

The Central Lincolnshire Joint Strategic Planning Committee (CLJSPC) is responsible for the strategic planning policy functions of the four constituent authorities of the Central Lincolnshire area, namely the City of Lincoln Council, North Kesteven District Council, West Lindsey District Council and Lincolnshire County Council. Each of these four authorities remain individually responsible for other planning policy functions, such as neighbourhood planning, as well as development management operations (e.g. determining planning applications).

2. Our Commitment to Meaningful Consultation

The CLJSPC is committed to meaningful community involvement in planning: this includes taking all input from the community into account. There are various stages in the process of preparing planning policy documents and determining planning applications where community involvement can take place. Government legislation puts in place minimum requirements, but local authorities can go further if they wish. This document will help you to make sense of the process, and learn how consultation will take place in Central Lincolnshire. The benefits of good community engagement include:

Enhanced democracy: planning shapes the places where we live and work, so community involvement is vital to getting planning right.

Transparency: consultation gives us the opportunity to inform the public about the boundaries and limitations incurred in policy making, particularly the challenges faced in balancing the interests of all groups.

Encourages ownership: we hope that the public will better understand, respect and promote outcomes if they have been involved in the identification of issues and the generation of options and ideas to address such issues.

The Central Lincolnshire Joint Planning Committee's Vision for Community Involvement

To comprehensively engage with users of the City and Districts, including residents, service users, stakeholders and partners, in a meaningful, appropriate and cost effective way.

3. Local Plans

What is a Local Plan?

A Local Plan, in simple terms, sets out the policies a council will use to determine planning applications. It also sets out clearly what land is proposed for new development and what land a council thinks should be protected. A more legal definition is set out in the glossary.

Central Lincolnshire Local Plan: when will it be prepared?

A Council can produce more than one Local Plan, but it has been agreed that a single Local Plan will be produced for the Central Lincolnshire area, replacing the existing Local Plans for the City of Lincoln, North Kesteven District and West Lindsey District Councils.

To help you find out when the Local Plan will reach a consultation stage, the CLJSPC has prepared a project plan called the Local Development Schemes (LDS). The latest Central Lincolnshire LDS can be viewed on our website (www.central-lincs.org.uk). The CLJSPC commits to keeping the LDS up to date and highlighting on our website the latest stages we have reached with preparing our Local Plan.

Who we will consult on the Central Lincolnshire Local Plan

When preparing our Local Plan, we will invite the following to be involved in the various stages:

- ‘Specific’ and ‘General’ consultation bodies who are considered to have an interest in the proposed Local Plan. By law, we must consult these bodies¹.
- Residents, especially those that have expressed their interest in the Local Plan and have asked for their details to be kept on our consultation database.
- Businesses in the area who we consider appropriate or who have expressed an interest.

Although those outlined above will be specifically targeted during the preparation of our Local Plan (e-mails, newsletters, etc), any individual, business, organisation or group is welcome to partake in any or all of the various consultation stages.

When we will consult

The public, businesses and consultation bodies will have opportunities to be involved in the preparation of the Local Plan at various stages. The CLJSPC commits to there being at least the following opportunities for involvement, though please note that we can only take comments relating to planning considerations into account.

Draft plan consultation (min 6 weeks)	At this stage, we legally, as a minimum, must notify appropriate bodies of our intention to prepare a Local Plan and what the subject of this plan will be. However, the CLJSPC commits to going further than this legal minimum, as follows: <ul style="list-style-type: none">• We will invite comments from everyone, not just the appropriate bodies required by law• We will set out in the draft plan greater detail than is legally required as to what the emerging plan will look like, and seek comments on it. This gives everyone a better opportunity to make informed comments before the plan reaches its final stages.• If appropriate, we may consult on a second draft plan, especially if the first draft plan had some elements of uncertainty or we specifically asked open questions seeking the views of the public. Following the consultation(s) on the draft plan we will use all
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¹ Specified in The Town and Country Planning (Local Planning) (England) Regulations (as amended)

	<p>feedback to consider how best to revise the plan before reaching the next stage.</p> <p>We will summarise and publish a report of all the key issues raised at this stage. Whilst we will not reply to each individual person or respond to every comment raised, we can assure you that all comments received will be carefully considered.</p> <p>Any comments received outside the advertised consultation period are unlikely to be considered.</p>
<p>Consultation on the proposed submission ('final') version of the plan (min 6 weeks)</p>	<p>Once we have finalised the plan in light of the earlier round(s) of consultation we will consult on what is known as a proposed submission version of the plan. This is the final version of the plan before it is submitted to government for examination.</p> <p>All comments received during this consultation will be considered by the independent inspector who is appointed to examine the plan: he or she will consider if any changes are needed in light of the comments received (not the Central Lincolnshire Local Plan Team). Further details on this stage will be published nearer the time.</p>

How we will consult

We will use a range of methods to engage with the community when we prepare a Local Plan. Some things we are required to do, but the CLJSPC commits to undertaking as a minimum the following:

- Notify certain bodies which we have to in order to bring the consultation to their attention and inform them of how and when they can make comments.
- Notify anybody else who has asked to be notified or who we think would be interested in the emerging plan.
- Issue a press release to bring the consultation to the attention of the wider public and inform them of how and when they can make comments.
- Make hard copies of the plan and other essential material available to view at various suitable locations, such as Council offices and libraries.
- Publicising full details of the consultation on Council websites, including making an electronic version of the Plan available for people to view and download.

In addition to this, we may, if appropriate and cost effective, also:

- Undertake a 'launch' event at the very start of the plan making process, to highlight to everyone that we have commenced preparation of a new local plan. However, this will not be a formal consultation event.
- Use questionnaires (electronic and/ or hard copies) to gather feedback during a formal consultation period.
- Hold focus groups or workshops to gather feedback.
- Have exhibitions/ displays in appropriate places.

During all consultations, individuals and organisations will be able to submit comments either:

- In writing: via post, or at a focus group, workshop or exhibition (if held); or
- Electronically: via e-mail, electronic questionnaire (if available), or via an online consultation portal (if available).

4. Supplementary Planning Documents

What is a Supplementary Planning Document?

A supplementary planning document (SPD) is a document which can be prepared to expand on a particular policy or policies contained within the Local Plan. The CLJSPC may prepare SPDs at any time, but is not obliged to do so. Also, the individual constituent authorities may prepare SPDs which are specific to their locality only. Whether the CLJSPC or one of the constituent authorities prepares an SPD, the following commitments will apply.

Who will be consulted on Supplementary Planning Documents?

When preparing an SPD, any individual, business, organisation or group is welcome to partake in the public consultation stage/s. However, the CLJSPC/ the local planning authority may choose to notify those individuals, businesses, organisations and groups which it thinks will have particular interest in the SPD and invite them to comment.

When we will consult

We will invite comments on the draft version of a SPD during a consultation period of at least 4 weeks: we will review all comments received during the consultation period and amend the SPD as necessary and appropriate. As with Local Plans, only comments relating to planning considerations can be taken into account.

Depending on the nature and extent of changes made to the SPD, we may decide that it is necessary to re-consult on the revised draft, again for at least 4 weeks. If so, we will notify all those who submitted comments during the initial consultation of this second consultation. However, as before, anyone will be able to submit comments during the second consultation stage, if one takes place.

How we will consult

As with Local Plans, when we consult on a SPD we will:

- Make hard copies of the SPD available to view at various suitable locations, such as Council offices and libraries during the consultation period.
- Publicise full details of the consultation on the relevant CLJSPC or Council websites, including making an electronic version of the SPD available for people to view/ download.

We may also identify other methods to engage the public, taking into account the subject and content of the SPD, the individuals and organisations that we want to target, as well as accessibility and cost. These may include:

- Issuing consultation letters/ e-mails to parties who we consider will have a particular interest in the SPD to bring the consultation to their attention and inform them of how and when they can make comments.
- Issuing a press release to bring the consultation to the attention of the wider public and inform them of how and when they can make comments.
- Using questionnaires (electronic and hard copies) to gather feedback.
- Holding focus groups or workshops to gather feedback.
- Having exhibitions/ displays in appropriate places.

During all SPD consultations, individuals and organisations will be able to submit comments either:

- In writing: via post, or at a focus group, workshop or exhibition (if held); or
- Electronically: via e-mail, electronic questionnaire (if available), or via an online consultation portal (if available).

5. Planning Applications

Applicant consultation obligations before a planning application is submitted

Those applying for planning permission for certain developments must consult on the proposal prior to formally applying for planning permission. The applicant must have due regard to all comments received during this consultation when deciding whether to make changes to their proposal before submitting an application. When submitting their application, applicants must provide details of the consultation undertaken in order for their application to be valid.

Please contact the applicable Local Planning Authority for full details of what proposals will require applicants to undertake pre-application consultation.

Although only certain proposals will require this formal pre-application consultation, applicants are encouraged to involve the local community when preparing their proposal, even if legally they don't have to. Such engagement can be beneficial to both the applicant and the community, as it can foster transparency, and enable proposals to respond to local needs and desires.

Who will be consulted on planning applications?

Planning applications should be submitted to the relevant local planning authority - Lincoln City Council, North Kesteven District Council or West Lindsey District Council (or, for certain matters such as minerals and waste proposals, to Lincolnshire County Council). Full details of how to submit a planning application, including details of all the information and documents that must be submitted alongside an application, are available from each individual authority.

Any individual, business, organisation or group is able to submit comments on any planning application.

When a local planning authority receives a planning application, it will publish details of the application on its website. Specifically, it will publish details of the location of the proposed development; a description of the proposed development; details of how people can submit comments on the application and the deadline for people to do this. In addition to this, the application will be publicised as outlined below:

TYPE OF DEVELOPMENT	MINIMUM PUBLICITY THAT WILL BE UNDERTAKEN
Development where the application: <ul style="list-style-type: none">- is accompanied by an Environmental Statement; or- is a departure from the Local Plan; or- affects a public right of way	Site notice: on display on or near the site for a minimum of 21 days. Will contain details of the application and how to submit comments. Local newspaper: notice of the application featured in a newspaper which circulates within the locality of the applicant site. Neighbour notification: the owners/ occupiers of properties adjoining the site notified.

Major development (likely to have a significant impact on the local area or create significant public interest or controversy)	<p>Site notice: on display on or near the site for a minimum of 21 days. Will contain details of the application and how to submit comments.</p> <p>OR</p> <p>Neighbour notification (where appropriate): the owners/ occupiers of properties adjoining the site notified.</p> <p>AND</p> <p>Local newspaper: notice of the application featured in a newspaper which circulates within the locality of the applicant site.</p>
Minor development	<p>Site notice: on display on or near the site for a minimum of 21 days. Will contain details of the application and how to submit comments.</p> <p>OR</p> <p>Neighbour notification: the owners/ occupiers of properties adjoining the site notified.</p>
Development affecting the setting of a listed building or the character and appearance of a conservation area.	<p>Site notice: on display on or near the site for a minimum of 21 days. Will contain details of the application and how to submit comments.</p> <p>Local newspaper: notice of the application featured in a newspaper which circulates within the locality of the applicant site.</p> <p>Neighbour notification (where appropriate): the owners/ occupiers of properties adjoining the site notified.</p>
Permitted development requiring prior approval of the local planning authority	<p>Site notice: on display on or near the site for a minimum of 21 days. Will contain details of the application and how to submit comments.</p>

How and when consultation will take place

Once a planning application has been validated, the local planning authority should determine the application within 8 weeks in the case of minor applications, or 13 weeks in the case of major applications.

Towards the start of this 8 or 13 week period, the local planning authority will invite comments on the application: this consultation period will be for at least 14 days, but will normally be 21 days (although the local planning authority will try to take into account any late comments received up to the date on which the decision is made). During this time, the application and details of how to submit comments will be publicised as outlined above.

People can submit comments on an application either in writing or electronically. A verbal comment will not be recorded. Local planning authorities can only take comments which relate to planning considerations into account: comments on non-planning matters such as the effect of the development on property values, or loss of view for example, cannot be taken into consideration. Examples of the planning considerations that we can take into account include:

- whether or not the proposal complies with the local planning policies in the local plan;
- government planning policy;
- comments on the design and appearance of the proposed development and its potential impact on the surrounding area;
- planning law and previous decisions;
- highway safety and traffic issues;
- noise, disturbance and odour;
- conservation of historic buildings and trees.

Sometimes, especially for small applications, a decision will be reached by a planning officer (a 'delegated' decision – each council sets its own thresholds as to what types of proposals are delegated to officers). If a proposal is to be determined at planning committee, all those who made comments on the application will be advised of when the application will be presented at committee. Those who submitted comments on the application will have opportunity to speak at the committee meeting: for further information on the procedures for speaking at committee please contact the Committee Services of the relevant council.

6. Neighbourhood Planning

About Neighbourhood Planning

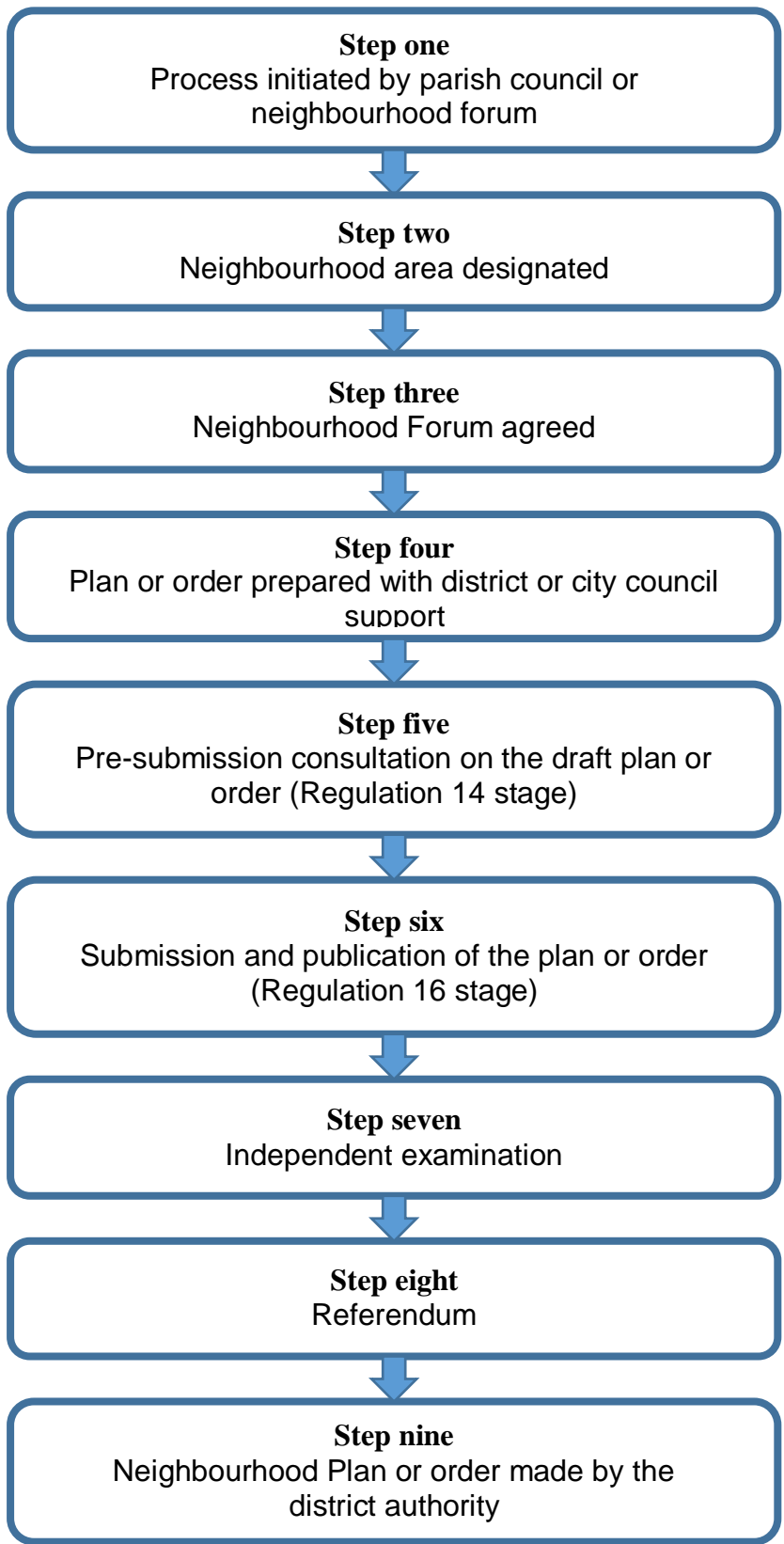
Neighbourhood planning was a key outcome of the Localism Act 2011. It enables parish councils and, in areas without parish councils, neighbourhood forums, to prepare neighbourhood development plans and/ or orders.

A neighbourhood development plan is a document that sets out policies in relation to the development and use of land in the whole or any part of a particular neighbourhood area. A neighbourhood development order is a statutory mechanism which automatically grants planning permission in relation to a specific site or a particular type of development within a neighbourhood area.

The CLJSPC has no involvement in neighbourhood planning and whilst a district council cannot prepare a Neighbourhood Plan, it has a duty to support their production at various stages.

Section 6 of this SCI provides a step by step guide to neighbourhood planning. However, it does not cover every detailed legislative element or every possible eventuality in the process of preparing a plan or order. Whilst every effort has been made to make the following text accurate, if the legislation differs in any aspect, then such legislation overrides the content of this SCI.

The key steps in the neighbourhood planning process are set out in the diagram below:



Step one – Process initiated by parish council or neighbourhood forum

Neighbourhood planning is an optional process that can only be initiated by a parish council or neighbourhood forum. Neighbourhood plans and neighbourhood development orders cannot be prepared by the CLJSPC, City Council, North Kesteven District or West Lindsey District Council.

Within Lincoln City, where there are no parish councils, community groups can be set up as a Neighbourhood Forum for the purpose of preparing a neighbourhood plan or order.

The parish council or neighbourhood forum should then ask the council to agree to a neighbourhood area being set up, and move onto step two.

Whilst it is not necessary to be formally constituted as an official forum at either step one or step two (section 61G(2) of the Town and County Planning Act) any forum must be at least “capable of being designated as a neighbourhood forum”.

Step two – Neighbourhood area designation

A neighbourhood area is the geographic area that a neighbourhood plan or order will cover.

In an area with a parish council, only the parish council can apply to have all or part of the area designated. Parish councils may want to work together to prepare a joint plan or order for an area made up of more than one parish. If this is the case, consent must be obtained from each of the affected parish councils.

In an area without a parish council, a neighbourhood forum needs to be set up. There can only be one forum per neighbourhood area. The boundary for the area will be proposed by a group who will subsequently apply to be an official neighbourhood forum (if not already established as a neighbourhood forum). An area proposed by a neighbourhood forum cannot include any area covered by a parish council.

This table lists relevant advice and support that can be expected at different stages of the neighbourhood plan designation process from the relevant local authority ² :	
Pre-application stage	Advice offered to parishes / forums considering applying to designate a neighbourhood area. Application forms for neighbourhood area designations provided on request.
Validation stage	The relevant local authority will check that no part of the area has already been designated or has an outstanding application to be designated as a neighbourhood area and, in the case of a proposed neighbourhood forum, that the neighbourhood area does not include any land covered by a parish council. The area will be confirmed as valid if it passes these checks or, if invalid, the applicant will be supplied with the reason.
Consultation on application	Notice of a valid application will then be publicised as soon as possible. The notice of application will appear, as a minimum, on the council’s website and, if one is available, in at least one of the following: relevant library; community centre, parish council building and/or local notice board, with the following details: <ul style="list-style-type: none">• A copy of the area application, including a map of the proposed area

² Please note that references in this SCI to the relevant council or local authority mean the Local Planning Authority within which the neighbourhood plan is located – City of Lincoln, North Kesteven District, or West Lindsey District.

	<ul style="list-style-type: none"> • Details of how to make representations; and • The date by which those representations must be received. <p>The period for making representations will normally be a minimum of six weeks, however, if the application is by a parish council for the whole of their parish area, this is reduced to four weeks.</p>								
Decision on application: designation	<p>The application and all consultation responses will be assessed and one of the following recommendations made:</p> <ol style="list-style-type: none"> Area approved without amendment Area approved with minor amendments, such as: <ol style="list-style-type: none"> Including or excluding an area if this enables a better fit with established boundaries; Including or excluding areas to fit in with other formal designations such as land allocations or protected nature sites, if appropriate to do so; Including the whole of a parish council area, if not already the case, for applications by a parish council Minded to approve an area, but only if significant amendments are made which are subject to further consultation, such as: <ol style="list-style-type: none"> As above, but the amendments are of such a scale that the size of population would be significantly altered; Where there is a formal representation expressing a desire to expand an area by an adjacent parish/es, provided the applicant parish is in support of the amendment. <p>An appropriate Head of Service will review the recommendation and issue a final decision. They will also consider whether the area should be designated as a business area. This will happen rarely and only if the area is wholly or predominantly business in nature. In this case, further guidance and support would be provided.</p> <p>Applications for neighbourhood areas will be determined within the following timescales:</p> <table border="1" data-bbox="432 1294 1441 1612"> <thead> <tr> <th data-bbox="432 1294 935 1384">Situation</th> <th data-bbox="935 1294 1441 1384">Minimum timescale (from the date of application being publicised)</th> </tr> </thead> <tbody> <tr> <td data-bbox="432 1384 935 1473">A Parish Council has applied for the whole of the parish area</td> <td data-bbox="935 1384 1441 1473">8 weeks</td> </tr> <tr> <td data-bbox="432 1473 935 1563">Area falls within the areas of two or more local planning authorities</td> <td data-bbox="935 1473 1441 1563">20 weeks</td> </tr> <tr> <td data-bbox="432 1563 935 1612">All other areas</td> <td data-bbox="935 1563 1441 1612">13 weeks</td> </tr> </tbody> </table>	Situation	Minimum timescale (from the date of application being publicised)	A Parish Council has applied for the whole of the parish area	8 weeks	Area falls within the areas of two or more local planning authorities	20 weeks	All other areas	13 weeks
Situation	Minimum timescale (from the date of application being publicised)								
A Parish Council has applied for the whole of the parish area	8 weeks								
Area falls within the areas of two or more local planning authorities	20 weeks								
All other areas	13 weeks								

Step three – Neighbourhood forum agreed, if needed

(Not applicable to areas with a Parish Council)

All applications to become a neighbourhood forum should be made using the application form that is available from the relevant council on request.

Neighbourhood forums must meet the following conditions:

1. Established for the main purpose of promoting or improving the social, economic and environmental well-being of an area;
2. Covers a designated neighbourhood area;

3. Membership has been, and remains open to individuals living, working or acting as elected members in the area concerned;
4. Membership is made up of at least the number required by law, as set out in the Localism Act 2011, each of whom lives or works within the neighbourhood area.

Once a neighbourhood area has been designated in a non-parished area, applications to become a neighbourhood forum will be welcomed.

Once an application to set up a neighbourhood forum has been validated, the relevant council will publish as soon as possible on their website, the following information:

- A copy of the application;
- A statement that if a formal designation as neighbourhood forum is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;
- Details of how and when to make representations, within the six week representation period. A potential alternative forum may come forward at this time.

The relevant council may also undertake additional advertising of the application, if appropriate.

If an alternative neighbourhood forum wanted to put itself forward to prepare a neighbourhood plan or order for the designated neighbourhood area it must submit the same information as required by the original applicant within the six week consultation period.

The information supplied in a valid application and all representations received during the consultation will be considered. A report will be produced that will include a recommendation for one of the following:

A. Neighbourhood forum rejected with reasoning

An application may be rejected because, for example:

- The group does not meet the required conditions
- Through the consultation process a valid alternative neighbourhood forum has been put forward that is considered more appropriate to represent the neighbourhood area.

B. Neighbourhood Forum approved without amendment

The relevant council committee will review the report and choose one of the above options. Its decision may differ from the recommendation made in the officers' report.

As soon as possible after either designating or refusing an application, the relevant council will publicise the decision in the same way as it publicised the application. If the designation is approved, details of the name of the forum, its constitution, the neighbourhood area to which it relates and the contact details of at least one member will be published. If the designation is refused, a 'refusal statement' setting out the reasons for refusal will be published. Where refusal is on the basis that a valid alternative neighbourhood forum is considered more appropriate, the application for the alternative neighbourhood forum and supporting evidence will also be published on the relevant council's website.

A neighbourhood forum designation lasts for five years beginning on the day in which it is made by the council.

Under the provisions of the Localism Act, the council may withdraw a neighbourhood forum designation if it is considered that the organisation or body is no longer meeting the conditions and the applicable designation conditions and criteria. Where a designation is withdrawn, the council will

give reasons to the organisation or body. A designated forum may also voluntarily withdraw its status by contacting the council. If this happens, the council will make reasonable efforts to publicise the withdrawal and will issue a 'withdrawal statement'. A new body or organisation would then be able to apply to become a forum for that neighbourhood area.

Step four – Plan or order prepared with District or City Council support

Once a neighbourhood area has been designated, the parish council or approved neighbourhood forum can choose to prepare a neighbourhood plan or a neighbourhood order (or both) for the area. The production of a neighbourhood plan or neighbourhood order will be 'owned' by the parish council or neighbourhood forum; the process will be led by them, not the local authority.

In preparing a neighbourhood plan and/ or order, parish councils and neighbourhood forums should:

- Decide on an approach to effective engagement that will give all residents and individuals with an interest in the neighbourhood area opportunity to have a say on the emerging plan or order;
- Try to get the community on board with the idea of a neighbourhood plan or order from the outset. If this is not the case, it will be difficult to produce a document that reflects fully the priorities and aspirations of the community; and
- Be mindful that a neighbourhood plan or order can only be adopted by the relevant council if it meets the basic conditions (see step six).

The Localism Act (2011) places a duty on the local authority to provide advice and assistance to parish councils and neighbourhood forums in developing proposals for plans and orders, however, there is no requirement to provide financial assistance.

In delivering this advice and assistance, the council will:

- Provide advice and assistance in the preparation of any neighbourhood plan or development order wherever possible. However, it should be noted that this is a limited resource and it should be noted that if you are waiting for assistance, or you do not require assistance, there is nothing to stop you proceeding on your own;
- Meet with the parish council/ neighbourhood forum where necessary;
- Undertake a Strategic Environmental Assessment (SEA) screening to determine whether an SEA is required;
- Provide copies of Ordnance Survey base map(s) of the applicable neighbourhood area.

The advice and assistance provided may include, for example:

- Help understanding the Localism Act and Neighbourhood Planning Regulations;
- Proof reading questionnaires;
- Advice on the scope of the plan;
- Advice on the research and evidence needed to justify a policy approach;
- Advice on policy wording; and
- Advice on the submission of the plan and accompanying documents.

Step five – Pre-submission consultation on the draft plan or order (Regulation 14 stage)

The neighbourhood planning regulations require that before submitting a neighbourhood plan/ order to the council, the parish council or designated neighbourhood forum **must**:

1. Publicise in a manner that is likely to bring to the attention of people who live, work or carry on business in the neighbourhood area:
 - a. Details of the neighbourhood plan/ order and where they can be inspected,
 - b. Details of how to respond to the publicity and make representations (comments),
 - c. The deadline for the receipt of comments, being not less than six weeks following the date on which the draft proposals are first publicised.

2. Consult any relevant consultation body whose interests the parish council or neighbourhood forum considers may be affected by the proposals (as set out in the Neighbourhood Planning (General) Regulations (as amended)).
3. Send a copy of the draft proposals to the relevant local authority.

It is up to the parish council or neighbourhood forum to decide who else to consult on the draft plan in addition to those required above.

The requirements for consultation during the preparation of a neighbourhood development order are similar to those for a neighbourhood plan, except that the consultation bodies that must be consulted are different. The council will be able to advise on this.

The following methods could be used to publicise the consultation on the neighbourhood plan/order:

- Contact the local press with a press release;
- Place a public notice in the local newspaper;
- Undertake a leaflet drop to residents and businesses in the area;
- Put up posters in libraries, community and other public buildings in and around the area;
- Ask the council to advertise the consultation on their website.

Following the consultation period, the parish council / neighbourhood forum will be able to amend the plan or order in light of representations received if it wishes to do so. However, if the changes made are significant, it is recommended that this step five (Regulation 14) consultation is repeated before proceeding to step six.

The relevant local authority will help to ensure that appropriate consultation is undertaken, including providing advice on the contact details for consultation bodies (subject to any data protection issues) and using its website for publicity. Furthermore, the local authority has the right to comment on proposals during the formal consultation. Whilst the local authority will always try to reach agreement with the promoters of the neighbourhood plan or order, it may formally object during the consultation.

Step six – Submission and publication of the plan or order (Regulation 16 stage)

Following the completion of step 5, the parish council or neighbourhood forum can submit the neighbourhood plan or order to the relevant council.

The submission must include all of the following:

1. A map or statement identifying the area covered by the proposed neighbourhood development plan or order (a map must be provided for an order);
2. A consultation statement which contains:
 - a. Details of everyone who was consulted about the proposed neighbourhood development plan or order and how they were consulted;
 - b. A summary of the main issues and concerns raised by those who responded;
 - c. A description of how the issues and concerns have been addressed in the proposal.
3. The proposed neighbourhood development plan or order;
4. A basic conditions statement: A statement explaining how the proposed neighbourhood development plan or order meets the requirements set out in paragraph 8 of schedule 4B to the 1990 Act, as summarised below:

	Order	Plan
Has regard to national policies and advice contained in guidance issued by the Secretary of State.	✓	✓
The plan contributes to the achievement of sustainable development.	✓	✓
The plan is in general conformity with the strategic policies contained in the	✓	✓

development plan for the area of the authority (or part of that area).		
The plan does not breach, and is otherwise compatible with EU obligations.	✓	✓
Any other prescribed conditions are met and prescribed matters have been complied with in connection with the plan.	✓	✓
Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order.	✓	
Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order.	✓	

The neighbourhood plan or order must also be submitted with either:

- (i) An environmental report prepared in accordance with paragraphs (2) and (3) of regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 (a); or
- (ii) Where it has been determined (under regulation 9 (1) of those Regulations) that the plan or order proposal is unlikely to have significant environmental effects (and, accordingly, does not require an environmental assessment), a statement of reasons for determination.

Once it has been established that the submission is valid:

- The relevant council will, as soon as is practicable, publicise the details of the proposed neighbourhood plan or order, where and when it may be inspected, how to make representations and the deadline for receipt of those representations, on its website and at other suitable locations within the neighbourhood area;
- The period during which representations may be made will be a minimum of six weeks from the date on which the proposal is first publicised;
- The relevant council will notify any consultation body which is referred to in the submitted consultation statement of the Regulation 14 consultation;
- Following the close of the period for making representations, any representations that have been received will be forwarded to the person appointed to conduct the examination of the plan. (It is not the job of the parish council, neighbourhood forum or the relevant council to consider and respond to such representations).

There will be additional publicity if the order proposal includes development that would be covered by the regulations relating to Environmental Impact Assessment.

The relevant council is entitled to make representations. Any representations that it makes will be forwarded to the examiner for consideration in the same way as all other representations.

Assisted by comments received, the relevant council will check that the applicant has completed and met the requirements of the Localism Act (steps one to five). If the relevant local authority is satisfied, it will notify the applicant and the order or plan can proceed to independent examination. However, if the relevant council is not satisfied, the proposal will be refused and the applicant will be notified with reasons for refusal.

Step Seven – Independent examination

The relevant council will aim to agree with the parish council or neighbourhood forum a suitable examiner to undertake the examination. If an agreement can't be reached, other measures will be put in place.

All documents submitted by the parish council or neighbourhood forum, and a copy of all the representations received by the relevant council during the Regulation 16 consultation will be submitted for examination. The relevant council will make all of the arrangements necessary to hold the examination.

The examiner must consider whether the plan or order meets the basic conditions (as set out in step six).

The general rule is that the examination will take the form of written representations, but a public hearing will be arranged if the examiner considers that it is necessary. The examiner will decide how any hearing will be conducted.

The examiner must produce a report on the submitted plan or order, which must recommend:

- a. That the plan or order proceeds to a referendum; or
- b. That the modifications specified in the report are made to the draft plan or order and then, as modified, it is submitted to a referendum; or
- c. That the proposed plan or order is refused.

In relation to option b, the only modifications that can be made are those that the examiner considers necessary to make the proposed plan or order meet the basic conditions or other fundamental statutory requirements. If the report recommends proceeding to a referendum, the examiner must also make a recommendation whether the area for the referendum should extend beyond the neighbourhood area.

The relevant council will pay the fee for the person conducting the examination and any costs associated with a hearing session should it be required as part of the examination.

Following the examination, an appropriate Head of Service will consider the examiner's recommendations, the views of the parish council or neighbourhood forum on the content of the examiners recommendations and then decide whether the proposed plan or order (with modifications if necessary) should be put to referendum. In making this decision, considerations will include the recommendation of the examiner and whether the plan/ order meets the basic conditions.

Step eight – Referendum

The Council will make arrangements for the referendum to take place. An individual is entitled to vote in the referendum, provided that they would be eligible to vote in an election for councillors and their address on the electoral register falls within the referendum area.

The council will pay all the costs of arranging the referendum, which will be held in accordance with the provisions of the Neighbourhood Planning (Referendum) Regulations (as amended). These regulations specify the exact question that must be asked:

“Do you want (*insert name of relevant district authority*) Council to use the neighbourhood plan for (*insert name of neighbourhood area*) to help it decide planning applications in the neighbourhood area?”

The question that will be asked in a referendum for a neighbourhood development order will be:

“Do you want the type of development in the neighbourhood development order for (*insert name of neighbourhood area*) to have planning permission?”

If the plan or order proceeds to referendum, as a minimum, the referendum area must be the neighbourhood area to which the proposed plan or order relates. The relevant council may extend the referendum area if it is appropriate to do so. If the relevant council decides to extend the referendum area, it will publish a map of that area.

The community has the final say on whether a neighbourhood plan or order is passed by voting 'yes' or 'no' at the referendum. If more than 50% of those who vote are in favour, the plan or order must be 'made' (adopted) by the relevant council.

If the majority vote against the plan or order in the referendum, the relevant council will publicise the outcome and notify people in an appropriate manner.

If the relevant council has designated a neighbourhood area as a business area an additional referendum must be held. This is so that non-domestic rate payers in the referendum area can vote as well. The additional referendum will also be conducted in accordance with the Neighbourhood Planning (Referendum) Regulations (as amended). If there is a majority vote in favour of the plan or order in one referendum, but against the plan or order in the other, the council has the discretion as to whether or not to 'make' the plan or order.

Step nine – Neighbourhood plan or order made (adopted) by the relevant council

If more than half the people voting in the referendum on the plan or order have voted in favour, the council will make (adopt) it, but only if the council considers that making it would not breach, or otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

Once the relevant council has resolved to make the plan or order, as soon as is practicable it will publish on its website:

- a. A statement of the council's decision and reasons for making that decision;
- b. The neighbourhood development plan or order.

If the relevant council decides to refuse to make the plan or order on the grounds that it would breach or otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998), it will, as soon as possible after reaching that decision, publish on its website a statement of the council's decision and reasons for making that decision.

Once a neighbourhood development plan is adopted by the council it will become part of the statutory development plan for Central Lincolnshire (decision making on planning applications will remain the responsibility of the relevant district council as Local Planning Authority).

Legal challenge may only be made by judicial review, with a time limit for filing the claim form in Court of six weeks from:

- The date of publication of the decision to make the plan or order; or
- Publication of the decision relating to the councils consideration of the examiner's recommendations; or
- From the date of declaration or the result of the referendum.

For more information on neighbourhood planning, please see the following websites or contact your parish council or neighbourhood forum (if you have either) to see if they are preparing a neighbourhood plan.

City of Lincoln Council: <http://www.lincoln.gov.uk/living-in-lincoln/neighbourhood-working/>

North Kesteven District Council: <http://www.n-kesteven.gov.uk/residents/living-in-your-area/localism/neighbourhood-plans>

West Lindsey District Council: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

Glossary

Local Plan	<p>A term used to describe a single development plan document or the combined development plan documents for the local planning authority area. It sets out the spatial planning strategy, policies, and/or allocations of land for types of development across the whole, or specific parts, of the local planning authority's area.</p> <p>A local plan is any document prepared by a local planning authority (individually or in cooperation with one or more local planning authorities) which contains statements regarding: the development and use of land; the allocation of sites for a particular type of development or use; or development management and site allocation policies which are intended to guide the determination of applications for planning permission.</p>
Neighbourhood Plan	<p>A statutory development plan prepared by a neighbourhood forum or parish/ town council, or jointly, which sets out policies in relation to the development and use of land within the particular designated neighbourhood area to which it applies.</p>
Neighbourhood Development Order	<p>A statutory document prepared by a neighbourhood forum or parish/ town council which automatically grants planning permission for development or a particular class of development within the particular designated neighbourhood area to which it applies.</p>

Contact Details

If you require further information on anything within this Statement of Community Involvement please contact us:

The Central Lincolnshire Local Plan Team,
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District Council Offices
Kesteven Street
Sleaford
NG34 7EF

Tel: 01529 414155 or

E-mail: talkplanning@central-lincs.org.uk

<p>Directorate of Communities and Environment City of Lincoln Council City Hall Beaumont Fee Lincoln LN1 1DF Tel: 01522 873550 E-mail: customer.services@lincoln.gov.uk Web: www.lincoln.gov.uk</p>	<p>Planning Services North Kesteven District Council District Council Offices Kesteven Street Sleaford NG34 7EF Tel: 01529 414155 E-mail: customer_services@n-kesteven.gov.uk Web: www.n-kesteven.gov.uk</p>
<p>Development Services West Lindsey District Council Guildhall Marshall's Yard Gainsborough DN21 2NA Tel: 01427 676676 E-mail: customer.services@west-lindsey.gov.uk Website: www.west-lindsey.gov.uk</p>	<p>Economy and Place Directorate Lincolnshire County Council Witham Park House Lincoln LN5 7JN Tel: 01522 52222 E-mail: Dev_PlanningSupport@lincolnshire.gov.uk Website: www.lincolnshire.gov.uk</p>