

**Tower Hamlets' Strategic Planning Service Offer to
Prospective and Designated Neighbourhood Forums**

July 2018

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1. Purpose

The purpose of this document is to outline the London Borough of Tower Hamlets' Service Offer to prospective or designated Neighbourhood Forums that want to carry out Neighbourhood Planning. It is considered to fulfil the requirements in part 1, section 6, of the Neighbourhood Planning Act (2017)

It is intended to provide certainty on process, timetable, responsibilities and information and to set out the principles which will govern the relationship between the Council and the relevant body.

The provisions in this document should not be treated as a contract in law or similar instrument.

Please note, the Service Offer outlines support provided at both the designation stage and plan making stage. Whilst the Council's legal 'duty to assist or give advice is limited to plan/order proposals made by' designated Forums, the Council wishes to provide support at all stages of neighbourhood planning.

This Service Offer is provided in order to aid the purposes of neighbourhood planning and fulfil the Council's duties under the Localism Act 2011, as set out in paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (as applied by section 38A of the Planning and Compulsory Purchase Act 2004 (as amended)), which states:

“A local planning authority must give such advice or assistance to qualifying bodies as, in all the circumstances, they consider appropriate for the purpose of, or in connection with, facilitating the making of proposals for Neighbourhood Development Orders [/Plans] in relation to neighbourhood areas within their area.”

This Service Offer also takes into consideration the requirements of the subsequent Neighbourhood Planning Act (2017) (which have come into force).

This Service Offer outlines, at each key stage of Neighbourhood Area and Forum Designation and Neighbourhood Development Plan/Order Making:

1. The statutory duties of the Council
2. The statutory duties of the Neighbourhood Forum
3. The additional support provided by the Council, in line with their duty to assist
4. The information or action required from the Neighbourhood Forum, in order for the Council to provide this additional support

All references to statutory duties in this document are current as at the date of publication and they are therefore subject to any subsequent changes to the relevant legislative and planning policy/guidance framework relating to neighbourhood planning.

Memorandum of Understanding:

At the request of the Neighbourhood Planning Forum, the Council is happy to enter into a Memorandum of Understanding (MOU) with Designated Forums. This will provide an opportunity to set tailored target timeframes for each stage of plan-making and the completion of the associated duties, additional support and required information / action. A model of such an MOU is included in Appendix 1 of this Service Offer.

Further advice on how to proceed with:

Designating a **Neighbourhood Area and Neighbourhood Forum** is available in the [Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 1\)](#).

Creating a **Neighbourhood Development Plan or Neighbourhood Development Order** is available in the [Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 2\)](#).

2. Support

2a. During Area and Forum Designation

Stage 1: Developing an Area Application:

Please note, in order to increase the speed and ease of decision making, and to make the process more manageable for prospective Forums, the Council strongly suggests:

- 1. First, you should submit your application for a Neighbourhood Area.*
- 2. Second, once the Neighbourhood Area has been designated, you then submit your application for a Neighbourhood Forum.*

At this stage, prospective Forums should start to consider:

- Making links with residents, workers, businesses and other groups (residents' forums, third sector organisations, business associations etc.) in the area
- What a suitable Area boundary could be
- Whether there is overlap with any other designated Areas
- Whether the proposed Area will cover land in another Borough
- Considering whether the proposed Area could be considered as a Business Area
- Consulting with stakeholders on the Area boundary

STATUTORY DUTIES/REQUIREMENTS

Prospective Forum: None

Council: None

The Council will provide the following additional support at this stage:

1. Guidance:

The following guidance and supporting documents are provided on the [Council's website](#):

- A set of guidance notes on procedures for Neighbourhood Planning

2. Meetings:

Initial Meeting:

The Council wants to ensure that applications are approved in a smooth and timely manner. In order to support this process, we encourage interested groups to meet and begin discussions with the Plan Making Team, well in advance of submitting an application. This meeting will provide advice and guidance on key considerations, which will help to ensure that the Area, as applied for, can be designated without delays. This meeting will provide an overview of the process and procedures.

Area Meeting:

Following the initial meeting and once groups have further considered their Area boundaries, we encourage groups to meet the Plan Making Team again for a more detailed discussion regarding the proposed Area boundaries. Depending on the nature of the proposed Area and to help ensure that once the application is made, the decision making process can be as smooth and fast as possible, the Council may suggest a follow up meeting to discuss and resolve any issues raised during the initial meeting. Where complete agreement cannot be reached, the prospective Forum will be informed in advance of the publication of the Council's proposed amendments.

Cross Boundary Meeting:

In the case of a proposed cross-boundary Area, the Council will make every endeavour to work with neighbouring boroughs and progress the designation together. The Council will encourage a joint meeting with the other Council(s) and the Prospective Neighbourhood Forum to agree a lead authority and proposed joint timetable.

3. Mapping:

The Council understands that at this stage, Prospective Forums may not have the specialist software to draw maps at a sufficiently detailed scale. In an urban environment, like Tower Hamlets, issues of landownership and boundary lines can be complex.

In order to ensure that the boundary submitted is exactly what the prospective Forum wants, and follows clear boundaries, without anomalies, the Council will provide the technical support to undertake this mapping. However, it is the prospective Forum's responsibility to book an appointment with the Council by giving sufficient notice period (a minimum of three weeks).

Information/Action required from the Neighbourhood Forum, in order for the Council to provide this additional support:

1. Meetings:

Two days in advance of meeting the Neighbourhood Planning Officer, the Neighbourhood Forum is asked to provide:

- An agenda
- A proposed project plan or rough timeline for submitting applications
- A proposed Area shown on a map (of varying detail, depending on the meeting)

For this and any future meetings, an attendance list is required in advance and following the meeting both the Forum and Council Officer(s) present will confirm agreed actions in writing.

Stage 2: Applying to be designated as a Neighbourhood Area:

At this stage prospective Forums will be making their application to the Council, who will then determine whether to designate the Area, as applied for, as per national legislation and guidance.

STATUTORY DUTIES/REQUIREMENTS

Prospective Forum:

The submission must include:

- The completed application form for the Neighbourhood Area (which includes statements explaining why the Area is an appropriate neighbourhood area and that the applicant is capable of being a designated Forum) - this can be downloaded from the Council's website.
- A clear map of the Area - for more guidance please see [Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 1\)](#). The Council is also able to help the prospective Forum to undertake this mapping.

Note 1: The application form for the prospective Area can be downloaded from the Council's website. This provides a framework to detail how the proposed Forum meets the requisite conditions.

Forums are requested to provide 2 hard copies and 1 electronic copy of their application form and documents.

Council:

Consultation

As soon as possible following receipt of a valid application, the Council must publicise on its website and in such other manner likely to bring to the attention of those who live, work or carry on business in the proposed Area:

- a copy of the Area application;
- how to make representations; and
- the deadline for those representations - at least six weeks from the date the application is first published

Determination

The Council must determine the application by the following dates:

- where the application falls within the areas of two or more planning authorities, the date 20 weeks immediately following the date application is first published; and
- in all other cases, the date 13 weeks immediately following the date the application is first published.

In determining the application, the Council will comply with all relevant legislation and give due regard to prescribed guidance (in particular, sections 61G, 61H, 61I and 61O of the Town and Country Planning Act (1990), all cognate regulations and Planning Practice Guidance paragraphs 033 and 035.)

If the Council considers that the Area is wholly or predominantly business in nature, it should designate it as a business area.

Note: The final decision on the Area designation will be made by the Mayor, ideally, if timings allow, in Cabinet.

Publication Post-Determination

As soon as possible after designating a Neighbourhood Area, it must publicise on its website and in such other manner likely to bring to the attention of those who live, work or carry on business in the proposed Neighbourhood Area:

- the name of the Neighbourhood Area;
- a map which identifies the Area; and
- the name of the applicant body.

As soon as possible after refusing to designate a Neighbourhood Area, it must so publicise:

- the decision and reasons;
- details of where and when the decision document may be inspected.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action is required from the Neighbourhood Forum.**

Stage 3: Developing a Forum Application:

At this stage, prospective Forums should start to consider:

- Developing their membership
- Making links with other groups in the area
- How to evidence the prospective Forum meets the four conditions as set out in section 61F of the Town and Country Planning Act 1990 (as amended) (“the Four Conditions”) :
 1. It is established to promote or improve the social, economic and environmental well-being of its Neighbourhood Planning Area;
 2. It has a membership open to everyone who lives, works or represents the area as an elected member;
 3. Its membership includes a minimum of 21 people, each of whom lives, works or represents the areas as an elected member;
 4. It has a written constitution.

Other than the Council having to make people aware of the right to make an application, there are no **Statutory Duties of the Council or the Prospective Neighbourhood Forum** at this stage and **no additional support is provided by the Council nor any additional information or action is required from the Prospective Neighbourhood Forum.**

Stage 4: Applying to be designated as a Neighbourhood Forum:

At this stage prospective Forums will be making their application to the Council, who will then designate the Forum, as per national legislation and guidance.

STATUTORY DUTIES/REQUIREMENTS

Prospective Forum:

The application must include:

- The name of the proposed Forum.
- a copy of its written constitution.
- The name of the relevant Neighbourhood Area and a map identifying it.
- Contact details of at least one member of the proposed Forum to be made public.
- A statement explaining how the proposed Forum meets the Four Conditions.

Note 1: The application form for the prospective Forum can be downloaded from the Council's website. This provides a framework to detail how the proposed Forum meets the requisite four conditions.

Forums are requested to provide 2 hard copies and 1 electronic copy of their application form and documents.

Note 2: The Council may decline an application for a Forum where one has already been designated and it has not expired or been withdrawn.

Council:

Consultation

As soon as possible following receipt of the application, the Council must publicise on its website and in such other manner as it considers likely to bring to the attention of those who live, work or carry on business in the Neighbourhood Area:

- a copy of the Forum application;

- a statement that if a designation is made, no other organisation may be designated for that Neighbourhood Area until that designation expires or is withdrawn;
- how to make representations; and
- the deadline for those representations - at least six weeks from the date on which the application is first published

Determination

In determining the application, the Council shall comply with all relevant legislation and have regard to guidance (in particular, section 61F of the Town and Country Planning Act (1990) (as amended), all cognate regulations and Planning Practice Guidance paragraphs 016 to 020).

Note: The final decision will be made by the Mayor, ideally, if timings allow, in Cabinet.

Publication Post-Determination

As soon as possible after designating a Neighbourhood Forum, the Council must publicise on its website and in such other manner likely to bring to the attention of those who live, work or carry on business in the Neighbourhood Area:

- the name of the Forum;
- a copy of the Forum's written constitution;
- the name of the Neighbourhood Area to which the designation relates; and
- contact details for at least one member of the Forum.

As soon as possible after refusing to designate a Forum, it must so publicise:

- the decision and the reasons for it; and
- where and when that decision document may be inspected.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action is required from the Neighbourhood Forum.**

2b. During Neighbourhood Plan-making

Stage 1: Initiating Plan-making:

At this stage, Neighbourhood Forums should start to consider:

- Publicising their aspiration to develop a Neighbourhood Plan/Order
- What they want their Plan/Order to cover
- A project plan for the development of their Plan/Order, including resource implications
- The evidence they may need to gather to support their Plan/Order
- Their consultation strategy

At this stage it is useful to remember that when the Plan/Order is submitted to the Council for validating, the Forum will also have to submit:

- A Consultation Statement (Outlining how the Forum consulted on their Plan/Order and the outcomes).
- A Statement explaining how the Plan/Order meets the 'Basic Conditions' in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended) (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004(as amended)); (see [Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 2\)](#) for explanation).
- An Environmental Report (SEA) or (if not required) SEA screening /HRA screening statement and Equalities Impact Assessment. *The SEA process needs to be undertaken alongside plan-making. This [Locality guidance note](#) provides an overview of the requirements and process.*

Thinking about these documents from the beginning of plan-making can simplify the process later and ensure the collation of all the evidence and documentation needed.

STATUTORY DUTIES/REQUIREMENTS

Forum:

None.

Council:

To provide such advice and assistance to the Forum as considered appropriate.

The Council will provide the following additional support at this stage:

1. Guidance and Supporting Documents:

The following guidance and supporting documents are provided on the Council's website:

- [A basic webpage](#) for each Neighbourhood Forum, providing an overview, contact details and links.
- [A set of guidance notes](#) on procedures for Neighbourhood Planning
- [Useful resources and websites](#) for Neighbourhood Planning
- [An evidence base](#) related to the current and proposed development plan
- [Published Ward profiles](#) and council research reports on aspects of the borough (demographic, social, economic, housing, environment etc.). *Please note most Council information will not be disaggregated to Neighbourhood Areas. The smallest scale of information will be Wards or Local Super Output Areas.*

2. Meeting:

Following the designation of the Neighbourhood Forum and Area, the Forum may request a post-designation meeting with the Neighbourhood Planning Officer.

Please note, the Council strongly advises that Forums take up this offer, as it will provide advice and clarification, which if not addressed, may cause delays later in the process.

This meeting will provide an overview of the process and procedures and provide advice on:

- Existing planning policy and any expected upcoming policy refreshes or changes
- The legal procedures
- Methods of consultation and engagement
- The requirements of other legislation such as the Equalities Act, the Human Rights Act, the Habitats Regulations and Strategic Environmental Assessments (SEA).

Information/Action required from the Neighbourhood Forum, in order for the Council to provide this additional support:

1. General:

- Provide a single named point of contact for the Neighbourhood Planning Officer.
- Prepare a project plan and undertake to work towards preparation of a Neighbourhood Development Plan / Order with a defined work programme and timetable to delivery.
- Provide regular updates on progress against the project plan to the Council via the Neighbourhood Planning Officer.

2. Meeting:

Two days in advance of meeting the Neighbourhood Planning Officer, the Neighbourhood Forum is asked to provide:

- An overview of aims and objectives
- A draft project plan or timeline
- The proposed methods of consultation and engagement

For this and any future meetings, an attendance list is required in advance and following the meeting both the Forum and Council Officer(s) present will confirm agreed actions in writing.

Stage 2: Developing the Draft Plan:

At this stage, Neighbourhood Forums will be developing their Plan/Order policies and possible site allocations, informed by their growing evidence base and by undertaking consultation.

STATUTORY DUTIES/REQUIREMENTS

Forum:

None.

Council:

To provide such advice and assistance to the Forum as considered appropriate.

To support the Forum's Plan/Order Development, the following **additional support will be provided by the Council:**

1. Advice and Supporting Documents:

The Council will provide advice on:

- Conformity with current Local, Regional and National Policy
- Document structure
- Up to date information on the Local Plan

The Council will make available:

- Monitoring reports
- The published Local Plan evidence base
- Contact details for statutory consultees and identified key stakeholders
- OS Maps in a variety of formats - *please contact the Council for more information on accessing these maps and licencing.*

It is expected that this advice can be provided by email or over the telephone.

The council is unable to provide direct financial support and Neighbourhood Forums will be expected to undertake the following, without support from the Council:

- *Grant Applications*
- *Writing documents or policies*
- *Undertaking mapping*
- *Undertaking survey work or creating a new evidence base*
- *Creating and printing consultation materials*
- *Organising and facilitating forum meetings and consultations*

2. Comments on Drafts:

The Council is happy to view the draft Plan / Order and provide one set of written comments in advance of the pre-submission consultation. Please ensure this is provided sufficiently in advance of when consultation is expected to commence. The Council will provide written comments and screening (see below) within 6 weeks of receipt of all relevant documents. Depending on the scope and content of the plan, other council services will be consulted and their views fed back. Should this target timeframe not be possible, the Forum will be advised as soon as possible of an alternative deadline.

The comments will cover:

- Conformity of the Plan /Order to national, regional and local planning policy
- Whether it is considered to meet the basic conditions and definition of a plan
- Suitability and clarity of the plan structure
- Suitability of proposed indicators
- Conformity with other legislative requirements
- OS mapping requirements

Within this 6 weeks target period, the Council will also undertake a Strategic Environmental Assessment Screening, Habitats Regulations Assessment Screening and Equalities Impact Assessment Screening of the plan/order to determine whether a full Strategic Environmental Assessment, Habitats Regulations Assessment or Equalities Impact Assessment is required (see point 3 below for more details).

3. Equalities and Environmental Screening:

Strategic Environmental Assessment Screening:

A Strategic Environmental Assessment (SEA) is used to determine whether plans will have significant environmental effects and to help develop ways to deal with those effects. Not all Neighbourhood Plans / Orders will need to carry out an SEA, however, all Plans /Orders should be assessed to see whether an SEA is needed or not. *Please note, Plans including site allocations, are highly likely to require an SEA.*

The Council will undertake this screening to determine whether a full SEA is required. The screening process will involve a consultation with the statutory bodies (Natural England, Historic England and Environment Agency). Comments from the statutory bodies will be considered and a final screening determination published.

Habitats Regulations Assessment:

A Habitats Regulations Assessment (HRA) identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information.

As there are no European Sites in the borough and the HRA screening of the Local Plan identified that no HRA was required, it is highly unlikely that an HRA will be required. However the Council will undertake a screening to determine whether a full HRA is required.

Equalities 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. It is highly likely that a Neighbourhood Plan will require an Equalities Impact Assessment and a separate report will need to be prepared and consulted upon, alongside the draft Neighbourhood Plan.

Information/Action required from the Neighbourhood Forum, in order for the Council to provide this additional support:

1. General:

- Provide regular updates on progress against the project plan, including expected dates for key stages, to the Council via the Neighbourhood Planning Officer.
- Provide results of primary source data which would be helpful to the Council.

2. Comments on Drafts:

- Whilst policy drafting is likely to be an iterative process, and may involve many drafts, the Council is only able to provide comments on a final draft. Please do not send us policy iterations, instead please send the final draft Plan/Order to the Neighbourhood Planning Officer. *This draft will need to be at a developed enough stage to enable SEA screening to be undertaken. It should therefore include the area of the plan, the aims, policy objectives and detail and any site allocations.*
- Provide to the Council all documents relevant to the Plan/Order, on one date, in electronic format.

3. Strategic Environmental Assessment Screening and Strategic Environmental Assessment:

- Provide to the Council all documents relevant to undertaking a SEA/HRA/EQIA screening on the Plan/Order, in electronic form.

- Should the SEA, HRA and Equalities Impact Assessment Screening suggest an SEA is required, to undertake the SEA, HRA and Equalities Impact Assessment.

Please note, the Council is happy to look at your draft SEA environmental report before you undertake your consultation. The Council will aim to provide comments within 4 weeks, so please allow adequate time before the planned start of consultation.

Stage 3: Pre-Submission Consultation

At this stage, once the Forum is satisfied with their draft Plan/Order, they must organise a statutory consultation (in line with the relevant legislation and guidance) on the proposed Plan / Order and the draft SEA Environmental Report, HRA and Equalities Impact Assessment (if required).

STATUTORY DUTIES/REQUIREMENTS

Forum:

Before submitting a Plan/Order proposal to the Council, it must 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:

- the Plan/Order proposals;
- where and when the proposals may be inspected;
- how to make representations;
- the deadline for representations - at least six weeks from the date on which the draft proposal is first published; and
- notify other people, organisations, neighbouring councils, landowners, tenants and consultation bodies whose interests may be affected by the Plan/Order (this must include the relevant [statutory consultees](#)) as prescribed by the Neighbourhood Planning (General) Regulations 2012 (as amended).

*Note: the statutory consultation by the Forum is in addition to the series of consultation exercises the Forum may wish to undertake as part of its Plan / Order development. **As part of the examination of the Neighbourhood Plan, the Inspector will look at the consultation undertaken on the Plan/Order to ensure it was sufficient. To ensure the consultation meets the legislative and European requirements (equalities and human rights) we would suggest using the Council's Statement of Community Involvement as a guide on how to consult and meeting with the Plan Making Team to discuss the consultation plans.***

Council:

To provide such advice and assistance to the Forum as considered appropriate.

To support the Forum's Plan/Order development, the following **additional support will be provided by the Council:**

1. Before initiating consultation:

- The Council can meet with the Forum to discuss their proposed consultation plan and ensure the Forum is clear on how they will fulfil their Statutory Duties. If the Forum wishes to make use of this meeting, they are asked to request it sufficiently in advance of the planned start of the consultation.
- The Council will upload details of the Forum's consultation to the Council's website.

2. During consultation:

- The Council will provide a coordinated council response to the Forum's consultation, with input from relevant departments, within the 6 week consultation period.

3. After consultation:

- If the Neighbourhood Forum has made significant changes to the Plan/Order following the consultation, the Council is happy to view the draft Plan / Order again and provide one set of written comments.
- The comments will cover:
 - Conformity of the Plan /Order to national, regional and local planning policy
 - Whether it is considered to meet the basic conditions and definition of a plan
 - Suitability and clarity of the plan structure
 - Suitability of proposed indicators
 - Conformity with other legislative requirements
 - OS mapping requirements
- In addition, the Council is happy to view any updated Strategic Environmental Assessment Environmental Report, HRA and Equalities Impact Assessment, if required by any changes to the Plan.
- The comments will cover:
 - Suitability of the Environmental Assessment (SEA) Environmental Report, HRA and Equalities Impact Assessment, if required

The Council will provide written comments and screening within 6 weeks of receipt of all relevant documents. Depending on the scope and content of the plan, other council services will be consulted and their views fed back. Should this deadline not be possible, the Forum will be advised as soon as possible of an alternative deadline.

Where further comments on an updated draft or on an SEA are required from the Council, the following **Information/Action is required from the Neighbourhood Forum**, in order for the Council to provide this additional support:

- Provide to the Council all documents relevant to the Plan/Order, including (if required) the SEA, HRA and Equalities Impact Assessment and supporting documents on one date, in electronic format.

Stage 4: Plan/Order Submission to the Local Authority and Consultation:

At this stage, once the Forum are satisfied with their draft Plan/Order, including that it satisfies the Basic Conditions, and have adequately undertaken their statutory consultation, the Forum hands the draft Plan / Order to the Council to assess.

STATUTORY DUTIES/REQUIREMENTS

Forum:

The submission of the Plan/Order proposal must include:

- the proposed Plan/Order - including a summary and the reasons why it should be made; or, if the proposal is for a modification to an existing Plan, the reasons why the modifications should be made;
- a map or statement identifying the relevant Area ;
- the “Consultation Statement”;
- where appropriate the information to enable appropriate environmental assessments if required;
- a statement explaining how the proposal satisfies the Basic Conditions; and
- in the case of an Order proposal (and where the Forum considers it appropriate following consultation with the appropriate body) an “Archaeology Statement”

Note 1: Although not required by the regulations, the Forum should consider providing the Inspector with all background evidence used to justify policies. This will provide a stronger rationale for the Plan and help the Inspector understand the choices made in the Plan/Order.

Note 2: The submission documents should be what is considered to be the final version of the plan as Neighbourhood Forum will not be able to make any further changes, or submit further supporting evidence unless the Inspector asks for this.

Council:

Consideration

On receipt of the proposal, it must consider whether:

1. the Neighbourhood Forum is authorised to act in relation to the Area;
2. whether the proposal and accompanying documents:
 - Comply with the rules of submission (see above)
 - Meets the definition of an NDP: “A plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan”; and
3. the NDP specifies the period for which it is to have effect; and
2. the NDP doesn't include provision about development that is 'excluded development' (as defined by paragraph 61K of schedule 9 of the TCPA 1990) such as minerals and waste matters or Nationally Significant Infrastructure Projects; and
4. it doesn't relate to more than one neighbourhood area and there are no other neighbourhood development plans in place that cover any part of the neighbourhood area. And,
5. the neighbourhood forum has undertaken the correct procedures in relation to consultation and publicity as per stage 3 above.

Grounds for Refusal

The Council must notify the Forum whether the above matters have been satisfied or not. If not, it must refuse the proposal and notify the Forum of its reasons.

Note 1: the final decision to proceed to consultation rests with Cabinet.

Note 2: the Council can decline to consider a repeat proposal i.e. if (a) it has refused the same or a similar proposal in the previous two years; or (b) a referendum held in respect of the same or a similar proposal and 50% or less voted in favour of the proposal; and the Council considers that there has been no significant change in national policy or guidance or the strategic policies in the development plan.

Consultation

As soon as possible following receipt of a valid application containing all requisite documents, the Council must publicise on its website and in such other manner likely to bring for the attention of those who live, work or carry on business in the Neighbourhood Area:

- details of the Order/Plan proposal;
- where and when the Order/Plan proposal may be inspected;
- how to make representations;

- a statement that any representations may include a request to be notified of the Council's decision;
- the deadline for representations - at least six weeks from the date the proposal is first published; and
- notify any consultation body which is referred to in the Consultation Statement that the proposal has been received.

As soon as possible after receiving an Order proposal to which regulation 29A of the EIA Regulations applies, the Council must also publicise the Environmental Statement submitted in accordance with the EIA regulations by giving notice by site display in at least one place near the land to which the Order proposal relates for not less than 21 days and publication of a notice in a local newspaper for the area in which the related land is situated.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action required from the Neighbourhood Forum.**

Stage 5: Examination:

At this stage, the draft Plan / Order must be examined, by an independently appointed Planning Inspector.

STATUTORY DUTIES/REQUIREMENTS

Forum:

None, but they are entitled to:

- confirm consent to the Council's proposed person to appoint as an independent examiner;
- make any representations at any public hearing, if one is called for the examination.

Council:

Appointment of Examiner

The Council must appoint a person to carry out the examination, but only if the Forum consents to that appointment.

The Council must be satisfied that the examiner is: (a) independent of the Forum; (b) has no interest in the Area; and (c) has the appropriate level of qualification and experience.

If it appears to the Secretary of State that no person may be appointed by the Council (with the Forum's consent) and that it is expedient to do so, the Secretary of State may appoint the person to carry out the examination.

Submission to the Examiner

As soon as possible after appointment, the Council must send to the examiner:

- The proposed Plan/Order
- Map or statement identifying the area to which the Plan/Order relates
- the Consultation statement
- A copy of any representations received in response to the draft Plan/Order
- The qualifying bodies' statement as to how the Plan/Order meets the Basic Conditions

- The SEA of the Plan/Order (if required)
- A Habitat Regulations Assessment (if required)
- Any other document submitted to the Council by the Neighbourhood Forum in relation to the draft Plan/Order

Examination

The Council must make such arrangements as it considers appropriate in connection with the holding of the examination.

Note 1: the general rule is that the examination should take the form of written representations, but it must take the form of a public hearing either where: (a) the examiner considers oral representations necessary to ensure adequate examination of the issue or that a person has a fair chance to put in a case; or (b) in such other cases as may be prescribed.

Note 2: Both the Council and the Forum are entitled to make representations at the hearing.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action required from the Neighbourhood Forum.**

Stage 6: Post-examination:

At this stage, the Inspector must provide their report regarding the proposed Plan / Order to the Council, for the Council's consideration and action.

STATUTORY DUTIES/REQUIREMENTS

Forum:

None.

Council:

Consideration of Examiners Report

Upon receipt of the examiner's report, the Council must consider the examiner's recommendations and respond to each. It is also only at this point that the Council must come to a view whether the proposals meet the Basic Conditions.

The examiner's report must recommend either:

- that the draft Order/Plan is submitted to a referendum;
- that specified modifications are made to the draft Order/Plan and the modified Order/Plan is submitted to a referendum;
- that the proposed Order/Plan is refused.

Actions

The Council may:

- submit the draft Order/Plan for referendum; or
- make modifications; and/or
- extend the area to which the referendum(s) are to take place and, if so, publish a map of that area; or
- decide they are not satisfied that the proposal meets the Basic Requirements or relevant legislative criteria and refuse the Order/Plan.

The only modifications that may be recommended (and the Council may make) are those:

- to ensure the draft Order/Plan meets the Basic Conditions

- to ensure that it is compatible with Convention rights (within the meaning of the Human Rights Act 1998 (as amended));
- to correct errors;
- in the case of a draft Plan - to ensure it complies with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended);
- in the case of a draft Order - to ensure it complies with the provision made by or under sections 61E(2), 61J and 61L of the Town and Country Planning Act 1990 (as amended); and
- in the case of a draft Order - to specify a period under section 61L(2)(b) or (5) of the Town and Country Planning Act 1990 (as amended).

Note 2: By preference, if statutory timings allow, the final decision will be made by Cabinet.

Note 3: If it decides to make a decision that differs from that recommended by the examiner and that is as a result of new evidence or fact or a different interpretation of a fact, the Council must notify all those identified on the Consultation Statement and invite representations. If it considers it appropriate, the Council may refer the issue to independent examination.

Publication Post-Examination

As soon as possible after making a decision following the issuing of the examiner's report, it must publicise on its website and in such other manner as likely to bring to the attention of those who live, work or carry on business in the Neighbourhood Area:

1. the examiner's report;
2. the Council's decision in light of that report and reasons for it; and
3. details of where the decision may be inspected.

Notification of Planning Applications

After the Plan has been examined and if the Examiner recommended the plan should proceed to referendum (with or without amendment), the Council will notify the named point of contact for the Forum when any relevant applications for planning permission within the relevant Neighbourhood Area are submitted. This provision will apply unless the Forum informs the Council in writing that it does not wish to be informed of these applications or only wishes to be informed of certain types of applications.

To support the Forum's Plan/Order Development, the following **additional support will be provided by the Council**:

- Where the Inspector has made significant recommendations, the Council will meet with the Neighbourhood Forum to discuss the Inspector's report and its recommendations in advance of the decision making process.

Please Note: Once the Plan has been examined, the Council must have regard to it in determining applications within with Neighbourhood Area. If the examination proposed amendments, the Council must have regard to the Plan, as it would be if modified in accordance with recommendations. If the Plan does not receive a majority at referendum OR the Council decides not to make the Plan, the Council will no longer have to have regard to the Plan in determining applications.

No additional information or action is required from the Neighbourhood Forum.

Stage 7: Referendum:

At this stage, if the Council is satisfied that the proposed Plan / Order meets all legislative requirements, or it would do subject to modifications, it must put the Plan / Order to a referendum(s).

STATUTORY DUTIES/REQUIREMENTS

Forum:

None.

Council:

Weight of the Order/Plan

- Have regard to a 'post-examination', unmade neighbourhood plan as a material consideration in the determination of planning applications.

To organise and publicise the referendum(s).

- Publicise on its website the information statement and specified documents for at least 28 working days (56 working days when a business referendum is also to be held) and make available for inspection during the referendum period.
- The information statement must contain:
 - o That a referendum(s) will be held
 - o The date of the referendum(s)
 - o The question to be asked, as set out in legislation
 - o A map of the referendum area
 - o Where the referendum area and neighbourhood area are not identical, a map of the neighbourhood area
 - o A description of those entitled to vote in each referendum
 - o The referendum expenses limit applicable
 - o The number of people identified as entitled to vote
 - o That the referendum(s) will be conducted in accordance with procedures similar to those for local government elections,
 - o The address and times at which a copy of the specified documents can be inspected.
- The specified documents must contain:
 - o The Draft Plan/Order
 - o The examiner's report
 - o The summary of representations submitted to examiner
 - o A statement that the Council is satisfied that it meets the basic conditions and provisions as they apply
 - o A statement that sets out general information as to town and country planning (and neighbourhood planning) and the referendum

As this stage is solely managed by the Council there are **no Statutory Duties of the Neighbourhood Forum.**

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action is required from the Neighbourhood Forum**

Stage 8: Post –Referendum:

At this stage the Council must fulfil the outcome of the referendum(s).

STATUTORY DUTIES/REQUIREMENTS

Forum:

None.

Council:

Weight of the Order/Plan

If at the referendum more than half of those voting do so in favour of the Order/Plan, the Council must consider the Order/Plan to be part of the development plan and be used to assess and determine planning applications. The Plan ceases to form part of the development plan if the Council does not make the Plan.

Making the Order/Plan

If after the referendum is held if more than half of those voting do so in favour of the Order/Plan it must make the Order/Plan as soon as reasonably practicable, unless the Order/Plan would breach or be incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998).

Publication

As soon as possible after making the Order/Plan, it must publicise on its website and in such manner to bring to the attention of those who live, work and carry on business in the Neighbourhood Area:

- the decision and reasons;
- details of where the decision can be inspected;
- if made, the Plan/Order and details of where it can be inspected.

It must send a copy of the decision to the Forum and any person who has asked to be notified of it. It must also notify any person who has asked where and when the Plan/Order may be inspected.

Note 1: The Order/Plan will be made within 8 weeks and at the first possible Full Council meeting.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council.**

The following **additional information or action by the Neighbourhood Forum is requested:**

If the Neighbourhood Development Plan or Order included any spatial policy designations or site allocations, and the Forum produced GIS map layers of these as part of their plan making, the Forum is requested to provide these to the Council in order that they can be included in the Council's Policy Map.

Please note: the Council is able to provide access to OS Maps in a variety of formats - please contact the Council for more information on accessing these maps and licencing.

Stage 9: Modifications:

This stage introduces a new process through which modifications to the Neighbourhood Plan / Order can be made.

Minor modifications to a made Neighbourhood Plan/order can be made by the Council without further examination, with the consent of the relevant Forum, as long as the modifications do not materially affect any of the policies of the Plan or any planning permissions granted by the Order.

STATUTORY DUTIES/REQUIREMENTS

Forum:

Submission of a proposed minor modification must include:

- A draft of the modified plan;
- A statement summarising the proposals for modification and why the modifications should be made.

Council:

Consideration

On receipt of the proposal, the Council must consider whether:

- The proposal will materially affect the policies of the Plan or the planning permissions granted by the Order (in which case, the proposal is a major modification, discussed below)
- If the proposed modifications were made, the Plan or Order would still satisfy the Basic Conditions and relevant regulations and would not breach or be incompatible with any EU regulations or any

Notification

The Council must notify the Forum whether the above matters have been satisfied or not. If not, it must refuse to make the modifications until the relevant problems have been resolved.

Making the Modifications

If the above conditions are complied with, the Council will make the modifications to the Plan as soon as reasonably practicable.

Publication

As soon as possible after making the modifications, the Council will publicise on its website and in such manner to bring to the attention of those who live, work and carry on business in the Neighbourhood Area:

- the decision and reasons;
- details of where the decision can be inspected;
- the Plan/Order and details of where it can be inspected.

It must send a copy of the decision to the Forum and any person who has asked to be notified of it.

All requirements at this stage are covered by the statutory duties, so **no additional support is provided by the Council nor any additional information or action is required from the Neighbourhood Forum.**

Please note 1: Major modifications which would materially affect the policies of the Neighbourhood Plan, but without being so significant as to change the nature of the entire plan, must go to consultation and examination again, but do not need to be put to a referendum. In a situation where such a modification is proposed by a Forum, stages 3 to 6 of Part 2b of this Service Offer will apply again. Some of the information normally required under these stages may not be required when examining a modification, if the areas of the Plan it pertains to are not affected by the modification.

Please note 2: Proposals for modifications which are so significant as to alter the nature of the made Neighbourhood Plan will be considered as a replacement of the whole Plan, and must go through all the stages set out in Part 2b of this Service Offer.

Therefore, the following **additional support will be provided by the Council:**

- The Council can meet with the Forum to discuss their proposed modification and confirm the process, whether the modification will be considered minor, major, or so significant as to constitute a new Plan, and the information that will need to be submitted in proposing the modification.

The following **additional information or action by the Neighbourhood Forum is requested** in order for the Council to provide this additional support:

- Two weeks in advance of meeting the Neighbourhood Planning Officer, the Neighbourhood Forum is asked to provide a draft summary of the proposed modifications and the reasons for proposing them.

3. Process Summary:

Please note that the following timescales are indicative and provide a target for the Council. Every endeavour will be made to meet these timescales, however the unique nature of each Forum Area and Plan may mean that it will not be possible to meet the proposed target timescales. This may be due to complexity, level of detail, the need to consult a wider range of stakeholders or any other delaying factor. The Council's primary duty is to undertake its statutory duties as thoroughly as possible, as well as provide as thorough a level of support as possible, especially at key decision making stages. This may require additional time, however this should ensure that the Neighbourhood Plan can progress more easily through examination and reduce the risk of it being subject to a later challenge.

If the target timescale cannot be met, the Forum will be informed as soon as possible of the delay and proposed new deadline.

Stage	Statutory Duties of Neighbourhood Forum	Information/action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale
During Area and Forum Designation					
Stage 1: Developing an Area Application	None	Project management and organisation	None	Initial Meeting	Within 4 weeks of request
				Area Meeting(s)	Within 4 weeks of request
				Cross-boundary meeting	Within 4-6 weeks of request
				Mapping	Within 3 weeks of request

Stage	Statutory Duties of Neighbourhood Forum	Information/action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale
Stage 2: Applying to be designated as a Neighbourhood Area	Submit application	None	Validate Application	None	4 weeks
			Undertake consultation		6 weeks consultation
			Determine application		Assessment: 4 weeks Decision making: this is a key decision, made at Cabinet, therefore cannot be made before a minimum of 28 days from the day the application is submitted and will need to proceed through the Council's decision making cycle (around 10 weeks) Statutory 13 or 20 week deadline for determination.
Stage 3: Developing a Forum Application	None	None	None	None	None

Stage	Statutory Duties of Neighbourhood Forum	Information/action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale
Stage 4: Applying to be designated as a Neighbourhood Forum	Submit application	None	Validate application	None	4 weeks
			Undertake consultation	None	6 weeks Consultation
			Determine application	None	Assessment: 4 weeks Decision making: this is a key decision, made at Cabinet, therefore cannot be made before a minimum of 28 days from the day the application is submitted and will need to proceed through the Council's decision making cycle (around 10 weeks) Statutory 13 week deadline for determination

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
During Neighbourhood Plan-making					
Stage 1: Initiating Plan-making	None	Project management and organisation	Provide advice and assistance as considered appropriate.	Post-designation meeting	Within 4 weeks of request
				Guidance	Varied, at Forum's request
Stage 2: Developing the Draft Plan	None	Project management and organisational Provide documents in suitable formats If required, undertake screening	Provide advice and assistance as considered appropriate	Email or Telephone Advice	Response within 10 days
				Written Evidence	Any additional information not publicly available: response within 10 days
				Written comments on pre-submission consultation draft Plan	6 weeks
				SEA/ HRA /EQIA Screening	6 weeks (concurrent with above)

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
Stage 3: Pre-Submission Consultation	Undertake Consultation	Project management and organisation	Provide advice and assistance as considered appropriate	Meeting to discuss consultation plans	6 weeks consultation period.
		Provide documents in suitable formats		Consultation response	Within consultation period
		Additional comments on post consultation draft Plan (if significant changes)		6 weeks to comment on draft	

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
Stage 4: Plan Submission to the Local Authority and Consultation	Provide draft Plan	None	Assess the Plan and determine whether it meets the relevant criteria	None	Assessment: 4 weeks Decision making: this is a key decision, made at Cabinet, therefore cannot be made before a minimum of 28 days from the day the plan is submitted and will need to proceed through the Council's decision making cycle (around 10 weeks)
			Notify the forum and public		Decision notice: within 2 weeks
			Undertake Consultation on the draft Plan		6 weeks consultation period

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
Stage 5: Examination	Make oral representations if required	None	Appoint Examiner	None	4 weeks
			Supply all documents		On appointment
			Make oral representations if required		At requirement of Inspector
Stage 6: Post-examination	None	None	Publish Examiner's report	None	Within 2 weeks of receipt

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
			Consider and respond to Inspector's report		Assessment: 4 weeks
				Meet with the Neighbourhood Forum to discuss the report and its recommendations	Between 2 to 4 weeks of receipt of report
			In the case of a decision which differs from the Inspector's recommendations, notify all those identified on the Neighbourhood Forum's consultation statement and invite representations / refer issue to independent examination if appropriate.		The Council will require authorisation to seek representations and/ or refer to independent examination. The final decision will be made by Cabinet. 6 weeks consultation

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
			Final decision		<p>Decision making: this is a key decision therefore should not be made before a minimum of 28 days from the day the plan is submitted and:</p> <p>The final decision should be made by Cabinet if possible with the statutory timeframe (within 5 weeks statutory timeframe).</p>
			Notify the forum and public		Decision notice: within 2 weeks

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
			Notify the Forum of applications for planning permission within the Neighbourhood Area		Minimum 21 day consultation period
Stage 7: Referendum	None	None	Organise the referendum	None	Within 10 weeks of decision notice being printed (14 weeks if also a business referendum). NB may be varied to allow referendum to be held on the same date as an upcoming election
Stage 8: Post Referendum		Provide any GIS mapping layers produced	Publicise the result If positive, make the Plan	None	Within 8 weeks of the referendum. This is a key decision, made at Full Council, therefore cannot be made before a minimum of 28 days from the day the referendum.
Stage 9a: Minor	Submit proposed	None	Consider proposed modifications	None	Within 6 weeks

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
Modifications	modification and reason		If positive, make the modifications Publicise the result		Modifications will be signed off at an appropriate level
Stage 9b: Preparation for Major Modifications	None	Submit proposed modifications and reasons before meeting the Council	None	Initial meeting with Forum to discuss modification process and required information	Within 4 weeks of request

4. Information Sharing:

In order to support Neighbourhood Forums as they develop their plans, the Council and partners may share information with the forum. In some circumstances, due to sensitivity, data protection or the draft nature of the information, the Council and partners may ask Forums not to circulate the information more widely.

It is expected that the Forums will respect these requests, as not doing so will likely result in further such information not being shared.

5. Dispute Resolution:

In the unlikely event of a dispute regarding the Council's fulfilment of this Service Offer, it is expected that these will be resolved at the working level at which they arise.

If this is not possible then the issue will be escalated through the Strategic Planning Services' management procedure. The final decision, regarding the level of additional support the Council will offer, will rest with the Service Head of Planning and Building Control.

6. Contact Details:

For further information regarding this Service Offer or Neighbourhood Planning more generally, please contact:

Email: neighbourhoodplanning@towerhamlets.gov.uk

Tel: 020 7364 5009

Website:

<http://www.towerhamlets.gov.uk/neighbourhoodplanning>

Appendix 1: Model Template Memorandum of Understanding:

Model Template for Memorandum of Understanding between London Borough of Tower Hamlets and XXXX Neighbourhood Forum for the purpose of Neighbourhood Planning.

1. Agreement

This Agreement is between:-

The London Borough of Tower Hamlets and xxxxx Neighbourhood Forum

2. Purpose and Legal Status

The purpose of this agreement is to form a positive and constructive working relationship between XXXXX Neighbourhood Forum and London Borough of Tower Hamlets, encompassing Planning and Building Control.

Under the provisions of the Localism Act 2011 and as required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) (as applied by applied by section 38A of the Planning and Compulsory Purchase Act 2004 (as amended)), the London Borough of Tower Hamlets are responsible for:

1. fulfilling certain statutory requirements and
2. the provision of appropriate advice and assistance

This agreement confirms at each key stage of Neighbourhood Development Plan/Order Making:

1. the statutory duties of the Council;
2. the statutory duties of the Neighbourhood Forum;
3. the additional support provided by the Council, under the duty to assist; and,
4. the information or action required from the Neighbourhood Forum, in order for the Council to provide this additional support,

and sets tailored target timeframes, at each key stage, for both the London Borough of Tower Hamlets and the Neighbourhood Planning Forum, to complete their statutory duties, provide the additional support offered and supply the information or undertake the action required.

This Memorandum of Understanding is not intended to be a legally binding document between the parties

3. Memorandum of Agreement:

This Agreement is between:	
The London Borough of Tower Hamlets	Signature of Head of Planning and Building Control
	Date

and	
xxxxx Neighbourhood Forum	Signature of chair of the Forum
	Date

4. Date and duration of agreement

This agreement will commence once the document has been signed and dated by the selected representatives of both parties.

It is expected that this agreement will run for 12 months, at which point there will be a review by both parties with respect to its continuation.

5. Working Relationships

The parties to this agreement seek:

1. an open and constructive working relationship
2. to respect each other's views, and where different, after discussion to ensure proper understanding of the reasons for such differences
3. to have a 'no surprises' policy, based on notifying each other well in advance, where possible, of significant announcements and developments in policy
4. to minimise duplication of activity wherever possible
5. to inform other stakeholders about our relationship so as to reduce uncertainty.

5. Process Summary:

The following table outlines at each key stage of Neighbourhood Development Plan/Order Making:

1. the statutory duties of the Council;
2. the statutory duties of the Neighbourhood Forum;
3. the additional support provided by the Council, under the duty to assist; and,
4. the information or action required from the Neighbourhood Forum, in order for the Council to provide this additional support,

It follows the same order and stages as the Service Offer. For the full details of the statutory duties, additional support and information or action required, at each stage of plan making, please refer to the Service Offer.

Please note that the following timescales are indicative and provide a target for the Council. Every endeavour will be made to meet these timescales, however the unique nature of each Forum Area and Plan may mean that it will not be possible to meet the proposed target timescales. This may be due to complexity, level of detail, the need to consult a wider range of stakeholders or any other delaying factor. The Council's primary duty is to undertake its statutory duties as thoroughly as possible, as well as provide as thorough a level of support as possible, especially at key decision making stages. This may require additional time, however this should ensure that the

Neighbourhood Plan can progress more easily through examination and reduce the risk of it being subject to a later challenge.

If the target timescale cannot be met, the Forum will be informed as soon as possible of the delay and proposed new deadline.

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
During Neighbourhood Plan-making						
Stage 1: Initiating Plan-making	None	Project management and organisation		Provide advice and assistance as considered appropriate.	Post-designation meeting	Within 4 weeks of request
					Guidance	Varied, at Forum's request
Stage 2: Developing the Draft Plan	None	Project management and organisational Provide documents in suitable formats If required, undertake screening		Provide advice and assistance as considered appropriate	Email or Telephone Advice	Response within 10 days
					Written Evidence	Any additional information not publicly available: response within 10 days

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
					Written comments on pre-submission consultation draft Plan	6 weeks
					SEA/ HRA / EQIA Screening	6 weeks (concurrent with above)
Stage 3: Pre-Submission Consultation	Undertake Consultation	Project management and organisation	6 weeks consultation period.	Provide advice and assistance as considered appropriate	Meeting to discuss consultation plans	6 weeks consultation period.
		Provide documents in suitable formats			Consultation response	

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
					Additional comments on post consultation draft Plan (if significant changes)	6 weeks to comment on draft
Stage 4: Plan Submission to the Local Authority and Consultation	Provide draft Plan	None		Assess the Plan and determine whether it meets the relevant criteria	None	Assessment: 4 weeks Decision making: this is a key decision, made at Cabinet, therefore cannot be made before a minimum of 28 days from the day the plan is submitted and will need to proceed through the Council's decision making cycle (around 10 weeks)

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
				Notify the forum and public		Decision notice: within 2 weeks
				Undertake Consultation on the draft Plan		6 weeks consultation period
Stage 5: Examination	Make oral representations if required	None		Appoint Examiner	None	4 weeks
				Supply all documents		On appointment
				Make oral representations if required		At requirement of Inspector

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
Stage 6: Post-examination	None	None		Publish Examiner's report	None	Within 2 weeks of receipt
				Consider and respond to Inspector's report	None	Assessment: 4 weeks
					Meet with the Neighbourhood Forum to discuss the report and its recommendations	Between 2 to 4 weeks of receipt of report

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
				In the case of a decision which differs from the Inspector's recommendation, notify all those identified on the Neighbourhood Forum's consultation statement and invite representations / refer issue to independent examination if appropriate.		The Council will require authorisation to seek representations and/ or refer to independent examination. The final decision will be made by Cabinet. 6 weeks consultation

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
				Final decision		<p>Decision making: this is a key decision therefore should not be made before a minimum of 28 days from the day the plan is submitted and:</p> <p>The final decision should be made by Cabinet if possible with the statutory timeframe (within 5 weeks statutory timeframe).</p>

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
				Notify the forum and public		Decision notice: within 2 weeks
				Start to notify the Forum of applications for planning permission within the Neighbourhood Area		Minimum 21 day consultation period
Stage 7: Referendum	None	None		Organise the referendum	None	Within 10 weeks of decision notice being printed (14 weeks if also a business referendum). NB may be varied to allow referendum to be held on the same date as an upcoming election
Stage 8: Post Referendum		Provide any GIS mapping layers produced		Publicise the result If positive, make the Plan	None	Within 8 weeks of the referendum. This is a key decision, made at Full Council,

Stage	Statutory Duties of Neighbourhood Forum	Information/ action required from the Neighbourhood Forum	<i>Indicative timescale for the Neighbourhood Forum (month/year)</i>	Statutory Duties of Council	Additional Support by the Council	Indicative timescale for the Council
						therefore cannot be made before a minimum of 28 days from the day of the referendum.
Stage 9a: Minor Modifications	Submit proposed modification and reason	None		Consider proposed modifications If positive, make the modifications Publicise the result	None	Within 6 weeks Modifications will be signed off at an appropriate level
Stage 9b: Preparation for Major Modifications	None	Submit proposed modifications and reasons before meeting the Council		None	Initial meeting with Forum to discuss modification process and required information	Within 4 weeks of request

6. Information Sharing:

In order to support Neighbourhood Forums as they develop their plans, the Council and partners may share information with the forum. In some circumstances, due to sensitivity, data protection or the draft nature of the information, the Council and partners may ask Forums not to circulate the information more widely.

It is expected that the Forums will respect these requests, as not doing so will likely result in further such information not being shared.

7. Progress and Review Process:

The progress on the Neighbourhood Plan and success of the support from London Borough of Tower Hamlets will be reviewed every 6 months, against this agreement and in a face to face meeting between the Council; and Neighbourhood Forum Steering group.

8. Dispute Resolution:

In the unlikely event of a dispute regarding the Council's fulfilment of this Memorandum of Understanding, it is expected that these will be resolved at the working level at which they arise.

If this is not possible then the issue will be escalated through the Strategic Planning Services' management procedure. The final decision, regarding the level of additional support the Council will offer, will rest with the Service Head of Planning and Building Control.

9. Contact Details:

For further information regarding this Memorandum of Understanding or Neighbourhood Planning more generally, please contact:

Email: neighbourhoodplanning@towerhamlets.gov.uk

Tel: 020 7364 5009

Website:

<http://www.towerhamlets.gov.uk/neighbourhoodplanning>