



Neighbourhood Planning Guide

July 2018



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1. Role of this note

The aim of the Tower Hamlets Neighbourhood Planning Guidance Note is to help communities by making Neighbourhood Planning, and the process of developing a Neighbourhood Plan, easy to understand.

The note brings together key pieces of guidance and information, provided by various government bodies and other organisations. It also provides information on the Council's responsibilities and how Tower Hamlets Council will be supporting and managing Neighbourhood Planning.

How to use this note

This is the interactive electronic version with web-links shown by [blue wording](#).

This is **Tower Hamlets Neighbourhood Planning Guidance Note (Stage 2)**, which addresses developing Neighbourhood Development Plans and Development Orders

[Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 1\)](#) addresses Neighbourhood Areas and Neighbourhood Forums.

Glossary

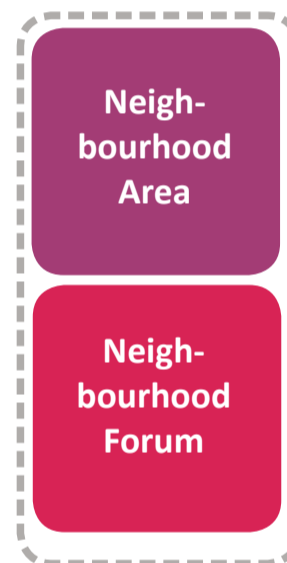
This guidance has been designed to be as accessible as possible, using as few technical terms and abbreviations as possible.

A useful glossary of Neighbourhood Planning terminology, produced by locality can be found here:

- [Neighbourhood Planning Glossary](#).

Tower Hamlets
Neighbourhood
Planning
Guidance Note
(Stage 1)

Tower Hamlets
Neighbourhood
Planning
Guidance Note
(Stage 2)



Service Offer:

In addition to this guidance note, the Council has also produce a Service Offer which outlines the Council's statutory duties and additional support it will provide to Neighbourhood Forums, in order to fulfill our legislative duty to:

“give ... advice or assistance to ... facilitate the making of proposals for Neighbourhood Development Orders [/ Plans] in relation to neighbourhood areas within their area.” (Town and Country Planning Act, 1990, Schedule 4B paragraph 3)

The [Service Offer](#) is designed to be read alongside this Guidance.

2. Understanding Neighbourhood Plans

What is a Neighbourhood Plan (also known as a Neighbourhood Development Plan)?

Neighbourhood Planning is a powerful tool to help communities have a say over their built environment. Neighbourhood Plans positively guide development within a Neighbourhood Planning Area in a manner similar to Local Planning Authority (LPA) planning documents. Like an LPA planning document, a neighbourhood plan must address the use of land and development and also be deliverable. They can assist to shape places through detailing what new buildings should look like, or what infrastructure is needed.

What relationship does a Neighbourhood Plan have with other Planning documents?

A Neighbourhood Plan forms part of the Council's statutory 'Development Plan' for the assessment of Planning applications. Where a Neighbourhood Planning Area has a Neighbourhood Plan, the Council will determine applications within the Area, with the Plan as a material consideration in the decision making process.

A Neighbourhood Plan sits beneath the National Planning Policy Framework (NPPF), the London Plan and alongside the Council's Local Plan (Core Strategy & Managing Development Document). This relationship is shown on the next page. The content of a Neighbourhood Plan needs to be in 'general conformity' with the Strategic Policies of the Local Plan and London Plan while being consistent with the guidance in the National Planning Policy Framework.

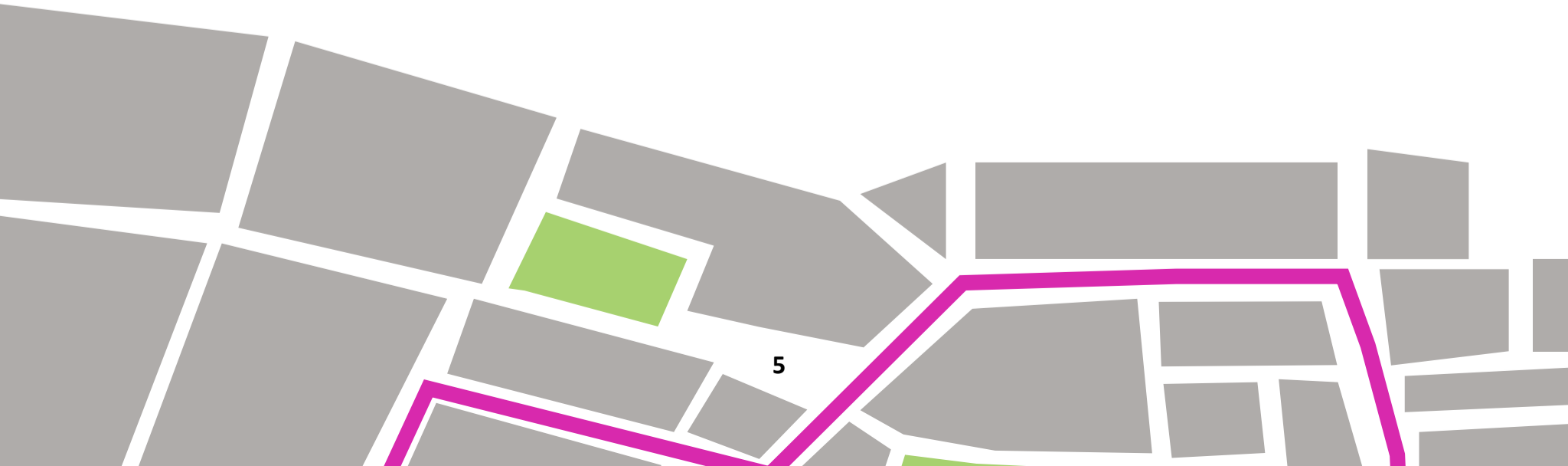
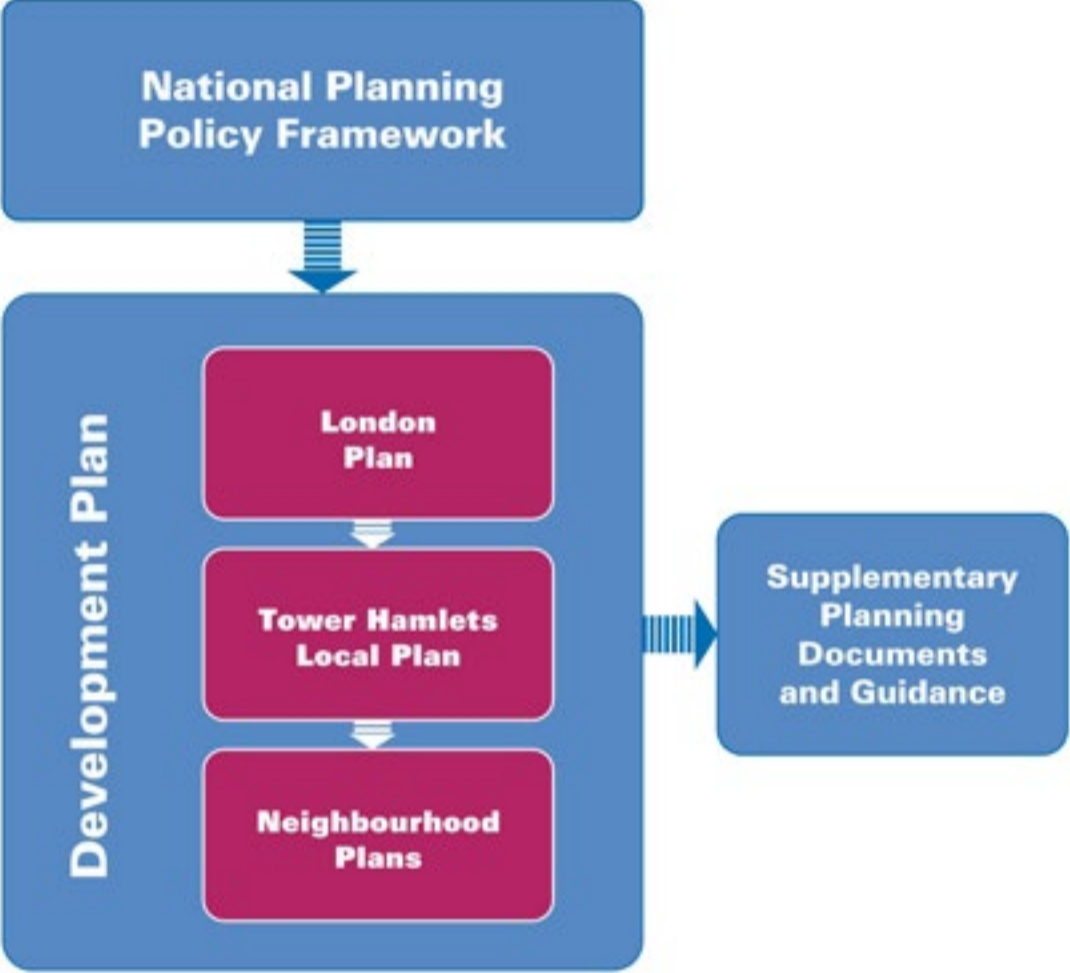


The Tower Hamlets Local Plan has been found to be in conformity with the NPPF. This means that Neighbourhood Plans should generally follow Strategic Policies identified in the Local Plan to ensure consistency with the NPPF. If Neighbourhood Plans develop policies and guidance that is contrary to the Strategic Policies, these policies and guidance need to be supported by a proportionate evidence base.

How will Neighbourhood Plans be used in determining planning applications?

As Neighbourhood Plans sit alongside the Council's Local Plan, planning application decisions will be made in accordance with relevant Neighbourhood Plans as well as the Council's Local Plan and the London Plan.

The Tower Hamlets Planning Policy Framework:



Who can produce a Neighbourhood Plan?

A Neighbourhood Planning Forum designated by the Council can produce a Neighbourhood Plan. For more information on Neighbourhood Forums, see [Tower Hamlets Neighbourhood Planning Guidance Note \(Stage 1\)](#)

What area can the Plan cover?

A Plan can develop policy and give guidance for all, or part, of its Neighbourhood Planning Area. However, a Plan cannot make policies for areas outside of its boundaries. The Neighbourhood Plan may provide recommendations for areas outside of its boundaries.



Example of areas guided by a Neighbourhood Plan (partial and full coverage of a Neighbourhood Planning Area)

How long does it take to develop a Plan?

The process for developing a Neighbourhood Development Plan is estimated to take between 1 and 3 years from the determination of a Neighbourhood Planning Forum, the subsequent preparation of the Plan, through to the 'making' or 'adoption' of the Plan.

What's the role of the Council?

Neighbourhood Planning is a community-led process. The Council has a number of statutory duties, including a broad duty to provide advice or assistance to Forums to help them to develop their Plans. The Council has produced a [Service Offer](#) which outlines the Council's statutory duties and additional support it will provide to Neighbourhood Forums at each stage of the process.

The [Service Offer](#) is designed to be read alongside this Guidance.

Neighbourhood Development Plan Roadmap



Start

1. Initiating Plan Making

2. Developing the Draft Plan

3. Pre-submission consultation on the Draft Plan

4. Submission of Draft Plan to the Council and consultation

5. Independent Examination

6. Consideration of Examiner's recommendations

7. Local Referendum

8. Making of the Plan

Finish

3. What is the process for developing a Neighbourhood Development Plan?

8 stages

The Council has developed a Neighbourhood Development Plan work programme, comprising 8 stages, to assist the development of a successful Plan. Please note this is guidance and the following represents advice based on local considerations. There are other guidance documents which may assist you to prepare your Plan such as the [Neighbourhood Planning Roadmap Guidance](#) by Locality which is particularly helpful on the topic of community engagement. Please see page 23 for more information on support.

This guidance provides advice for Neighbourhood Forums at each stage of plan-making.

It should be read alongside the [Service Offer](#), which outlines the Council's statutory duties and additional support it will provide, at each of the 8 stages.

1. Initiating Plan Making

A. Initial ideas:

Forums should start considering what they want their plan to cover, evidence base required and consultation strategy.

B. Publicising the aspirations for a Neighbourhood Development Plan

Forums should publicise their intent to develop a Neighbourhood Development Plan within their Neighbourhood Planning Area using similar methods to those used in establishing the Forum & Area.

C. Creating a work programme

Project management will be critical to the successful development of a Plan. The forum will need to develop a work programme detailing stages and key milestones.

This [Planning Aid guidance](#) provides more advice and templates for project planning.



2. Developing the 'Draft Plan'

Before starting the development of the Neighbourhood Development Plan, it is critical that Forums understand the implications for the Plan to meet the 'basic conditions' as defined by the Localism Act. These conditions are:

1. It has regard to national policies;
2. It contributes to delivering 'sustainable development', as defined by the NPPF, with more guidance provided in [Planning Guidance](#). Forums may also wish to refer to the [Development Management](#) Policy DMO, which outlines how the Council's policies contribute to delivering sustainable development;
3. It is in general conformity with the Strategic Policies of the statutory Development Plan (the London Plan and the Council's Local Plan); and
4. It is in accordance with EU obligations.

The following sections provide guidance on how to meet the above conditions.

A. Scoping the content

Idea development

Forums should identify initial ideas for policies and guidance that the Plan could provide. Consulting with residents, community groups, landowners, businesses and all other stakeholders in the Neighbourhood Planning Area will be particularly important. Ideas generated in consultation with these stakeholders should give an indication of topic areas and/or sites that will help to define the structure of the Plan.

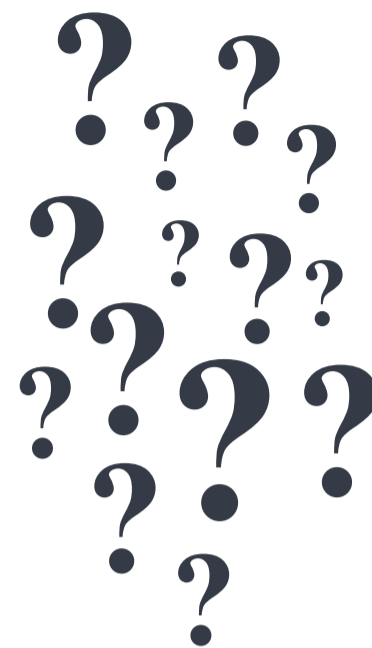
Aligning with the Strategic Policy framework and the National Planning Policy Framework

This will require an understanding of National, Regional and Local planning policy to gain an understanding of whether the envisaged Neighbourhood Plan guidance will be in 'general conformity' with the borough's Strategic Policy framework and 'consistent' with the National Planning Policy Framework.

Specifically, the proposed policy and guidance will need to demonstrate that it will deliver 'sustainable development' as defined by the National Planning Policy Framework.

Assessing evidence base requirements

Forums should begin to review the evidence base for the borough's Strategic Policy framework to identify elements that will support their ideas. This process



may also identify areas which need a new evidence base.

Mapping

The Council is able to provide Forums with access to OS Maps in a variety of formats for use in developing their Neighbourhood Plan - *please contact the Council for more information on accessing these maps and licencing.*

B. Structuring the Plan

This section provides guidance on how the Plan's content could be developed and structured. The advice given represents a view from the Council, however it is recognised that there are multiple methods of successfully writing a Plan and ultimately the Plan is the Forum's Plan.

For clarity and ease, it is suggested that the essence of the Plan should be similar to the Council's Core Strategy or Managing Development Document, or the Council's emerging new Local Plan. If Forums are considering an alternative structure it would be worthwhile discussing this with the Council before proceeding.

It is worth noting that a Neighbourhood Plan will be in place for the current 'Plan period' which is defined by the current Local Plan to be until 2025 and by the emerging Local Plan to be until 2031. This is a significant period of time and this should be considered when drafting the Plan.

Developing a document structure

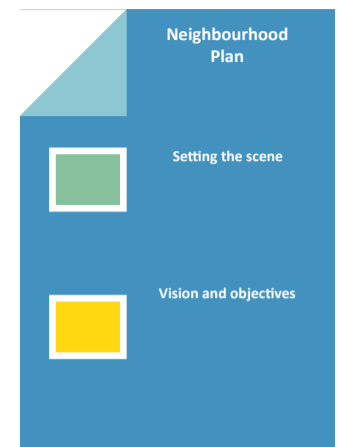
It is advised that the development of a document structure is carried out early on in the Plan drafting process to inform the work programme.

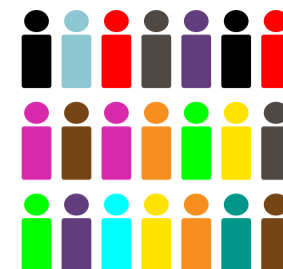
As a starting point, Forums may wish to review the structure of the Local Plan documents or new emerging Local Plan and use this as a template. Following the Local Plan structure, the initial Neighbourhood Plan structure could contain:

1. Setting the scene;
2. Vision and objectives;
3. Planning Policies and supplementary information;
4. Local site allocations;
5. Delivery and monitoring;
6. Appendices.

However, this structure may not be applicable for all plans and Forums are able to develop their own.

When developing the document, the goal should be to develop a concise and engaging document that is accessible and usable by the following key stakeholders:





- The community;
- Planning Officers;
- Elected Members;
- Developers and consultants;
- Statutory consultees.

Consultation could be undertaken on versions of the Draft Neighbourhood Plan, which could provide options for elements of its content (such as policies) and invite comments on each option to inform the direction of travel for the document. This will enable stakeholders to engage with the development of the Plan and express their views on it. For example developers may be keen to see infrastructure that is proposed in certain locations. The drafting of the document could then be updated to reflect the views expressed.

The Plan should be of a high design quality. As such, it is preferable that it is an electronic document, clear and visually interesting. Any mapping should be of high quality.

Setting the scene

This chapter should introduce the Forum and work carried out to date. It is an opportunity for the Forum to showcase their activities and indicate how the Plan will be developed.

This section needs to specify the period that their Plan will be in place and may not provide guidance for development identified as ‘excluded development’ (minerals, waste development, national infrastructure). Within Tower Hamlets, this period is expected to be the current Plan period of up to 2025 or the emerging Local Plan period of up to 2031.

Creating a vision and objectives

The vision should set out what the Forum wants to achieve in their Neighbourhood Planning Area by the end of the current Plan period. The vision should be specific to the Area and avoid generic aspirations that cannot be assessed for delivery. Specifically it should seek to contribute to the delivery of the Local Plan’s “Big Spatial Vision” and the individual visions for each of the twenty-four places within the borough as set out in the Council’s adopted Core Strategy. It is helpful to consider the Vision as a coordinating tool, providing an initial starting point for the rest of the content and guidance of the Plan.

Objectives can be used to structure how the vision will be delivered. Objectives should be more specific than the Vision, setting out the ways in which the Vision will be achieved during the Plan period.

Writing the Plan

The Plan needs to be written to be consistent with the National Planning Policy Framework. Specifically it needs to support the delivery of sustainable development.

Policy and guidance within the Plan cannot be used to block or restrict development and should be worded positively to support and deliver development and growth.

Policies, guidance and supporting text are required to be in 'general conformity' with the London Plan and Local Plan Strategic Policies (this includes policies and site allocations). This enables the Neighbourhood Plan policies to provide additional detailed guidance within the context of the Strategic Policy Framework. The Plan cannot go against the Strategic Policies unless there is sufficient proportionate evidence base in place. Policies should not seek to repeat the Strategic Policies to enable the Plan to remain concise and effective.

The Plan can cover the following elements:

- Neighbourhood Planning policies & supplementary information;
- Local site allocations & supplementary information.

Different Neighbourhood Plans may not need both elements.

The Plan can apply to all or part of its Neighbourhood Planning Area and cannot cover more than one Neighbourhood Planning Area.

Neighbourhood Planning Policies

It is suggested that Policies be grouped into themes that will help to deliver the objectives and ultimately the Plan's vision. The Local Plan themes offer a structure that could be replicated to help users navigate the levels of guidance. The Local Plan themes are:

1. Refocusing on our town centres;
2. Strengthening neighbourhood well-being;
3. Enabling prosperous communities;
4. Designing a high-quality city;
5. Delivering placemaking.

Policies should be numbered and named. They are also required to add value, be short and effective with appropriate use of numbering, bullet points and relevant punctuation. When being written, authors should consider the interrelated impacts of each policy on others and how the Plan will be used as a whole.



To help users of the document, Neighbourhood Planning Policies could be accompanied by references to the key Strategic Policies and evidence base that have informed the policy.

Supplementary information should be used to provide additional information for the policy regarding definition, implementation and justification. This can be in the form of text and/or images and visualisations.

Site allocations

Site allocations can be used to allocate sites for land uses to meet evidenced local needs. This may include (but not be limited to) open space, housing and infrastructure. This may provide an opportunity for Forums to demonstrate how their policies will be delivered.

As with Neighbourhood Planning Policies, it is suggested that site allocations should be numbered, named and comprise the following elements as a minimum:

- Site allocation;
- Site allocation map and key, please see page 22 for more mapping guidance;
- Contextual information;
- Design principles;
- Implementation considerations;
- Local Plan spatial designations references;
- Key evidence base references.

Is an evidence base needed?

The use of evidence base to support the guidance contained in the Plan is fundamental to the successful adoption and implementation of the Plan. Each piece of individual guidance needs to be supported by a proportionate evidence base.

The evidence base may be gathered from the existing London Plan and Local Plan evidence base or developed by the Forum (or on their behalf). Evidence can include (but not be limited to) pieces of technical research and/or consultation responses.

Will a Strategic Environmental Assessment and Appropriate Assessment be required?

As Neighbourhood Plans cannot breach EU and Human Rights obligations Strategic Environment Assessments, Habitats Assessments and Equalities Impact Assessment may be required if a Plan is ambitious and complex with the potential for significant impacts.

The guidance “A practical guide to the Strategic Environmental Assessment Directive” can be accessed [here](#).

Delivering the Neighbourhood Plan

Although Neighbourhood Plans need to be aspirational, Forums also need to demonstrate that they are economically viable and able to be delivered. Depending on the detail and extent of the guidance, economic viability assessments may be required as part of the Plan’s evidence base. This will likely require the procurement of specialist consultants.

In addition, the Plan could also provide a Neighbourhood Infrastructure Delivery Plan detailing the following:

- Delivery project/method;
- Priority;
- Responsible organisation;
- Delivery mechanism;
- Envisaged costs;
- Location;
- Timescales;
- Risks;
- Contingencies.

Monitoring the Neighbourhood Plan

Once adopted, the Neighbourhood Plan will be monitored by the Council’s Annual Monitoring Report. To ensure the Plan’s guidance is able to be monitored, the Forum should identify and develop appropriate indicators for each policy.

Using consultants

Locality grant and support can be used to procure expert advice to help develop an evidence base, undertake technical studies and provide advice on policy development. You may wish to procure consultants to help you as you develop your plan.

This [guidance note](#) provides you with more advice and information on procuring consultants.

3. Pre-submission consultation on the ‘Draft Plan’

The Forum is required to formally consult on the completed Draft Plan with the people in the Neighbourhood Planning Area to enable comments to be provided and inform further development of the Plan before submission.

This is in addition to any previous consultation undertaken to inform the plan’s development.

To ensure the consultation meets legislative requirements, the Forum must:

- Consult for a minimum of 6 weeks (more than one period can be carried out if appropriate);
- Notify other people, organisations, neighbouring councils, landowners, and bodies whose interest may be affected by the Draft Plan - these are listed in legislation and should include the statutory consultees;
- Publicise details in a manner that will bring the following items to the attention of people who live, work or carry on business in the Neighbourhood Planning Area:
 - * The Draft Plan;
 - * Details of where and when the Draft Plan can be viewed. This should include libraries and Idea Stores within and near to the Neighbourhood Planning Area and other accessible locations;
 - * Details of how to provide comments on the Draft Plan and when to provide them by.
- Send an electronic copy of the Draft Plan to the Council.

Following the end of the consultation period, the Forum needs to produce a Consultation Report for submission with the Plan. It is required to state:

- Details of consultees;
- Explanation of how consultation was undertaken with consultees;
- Summaries of the main issues and concerns;
- Description of main issues and concerns and how they have been addressed in the submission version of the Plan.

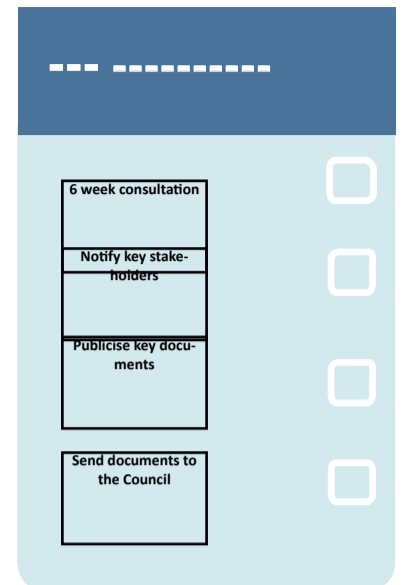
The Forum should consider whether the Draft Plan needs amending following consultation responses and other processes such as new information from the evidence base. This may involve the editing or amending of policy options, refining of text, graphics and maps.

Before submitting the Plan, its format and content should be finalised and should be subject to a thorough proof-reading.

4. Submission of the Plan to the Council and Second Consultation

A. Submission material

The Plan and associated material needs to be submitted by the Forum to the Council. This material needs to include:



- The submission version of the Neighbourhood Development Plan;
- A map of the area covered by the Neighbourhood Development Plan, please see page 22 for more mapping guidance;
- The Consultation Statement;
- A statement explaining how the Plan meets the ‘basic conditions stated within the Localism Act (Schedule 4B);
- Strategic Environmental Assessment (SEA) Report (if required following the SEA Screening process or if not required, a statement outlining the reasons for that decision);
- Habitat Regulations Assessment (if required).

B. Submission process

Two hard copies and an electronic copy of the Plan and associated material should be submitted to the Council at:

Strategic Planning – Plan Making
 Neighbourhood Planning
 London Borough of Tower Hamlets
 Town Hall
 Mulberry Place
 5 Clove Crescent
 London
 E14 2BG

neighbourhoodplanning@towerhamlets.gov.uk

Where electronic documents are very large, a dropbox folder will be made available to groups. Please contact the Plan Making Team to arrange this.

Cross-Borough applications

If the Neighbourhood Development Plan covers areas within both Tower Hamlets and a neighbouring authority the application should be sent to both planning departments:

London Borough of Hackney	ldf@hackney.gov.uk
London Borough of Newham	ldf@newham.gov.uk
London Legacy Development Corporation	planningpolicy@londonlegacy.co.uk
City of London	localplan@cityoflondon.gov.uk

Each authority the Neighbourhood Development plan covers will have to separately determine the plan.



C. Validation process

Once the application has been received by the Council it will carry out a validation check against the 'submission tick-list' to see whether it meets the legislative requirements: complies with the submission requirements, meets the definition and scope of a development plan / order; the Forum has followed the correct procedure and is compatible with EU conventions.

The final decision will be made by Cabinet.

The Council will inform the Forum whether or not the submission is valid. This will be stated in a 'Decision Statement'.

As soon as possible after validating the application, the Council will publish the following on its website (for a minimum of 6-weeks) to bring it to the attention to people in the Neighbourhood Planning Area and enable them to submit representations:

- The submission version of the Plan;
- Details of where and when the Plan may be viewed (Idea Stores, libraries and the Tower Hamlets Town Hall);
- Details of how to make representations;
- Date by which representations must be received.

The Council will also:

- Notify any of the relevant consultation bodies referred to in the consultation statement;
- Place a public notice;
- Notify respondents from previous related consultations.

5. Independent Examination

Following the end of the submission consultation, the Council will submit the submission version of the Neighbourhood Development Plan and supporting documents, including consultation responses, for an independent examination.

Examination arrangements

The Council will make arrangements for holding an examination. It will appoint an independent examiner with the agreement of the Forum. The examiner must:

- Be independent of the Council and Neighbourhood Planning Forum; and
- Not have any land interests within the Neighbourhood Planning Area; and

- Have appropriate qualifications and experience.

Once appointed, the Council will send the following to the examiner for consideration:

- The submission version of the Neighbourhood Development Plan;
- A map of the area covered by the Neighbourhood Development Plan;
- The Consultation Statement;
- Representations submitted during the submission publicity period
- A statement explaining how the Plan meets the 'basic conditions stated within the Localism Act (Schedule 4B) (including confirmation that it complies with the NPPF, contributes to sustainable development, is in general conformity with the Strategic Policy framework and is compatible with EU obligations);
- Strategic Environmental Assessment (SEA) Report (if required);
- Habitat Regulations Assessment (if required);
- Any other document submitted to the Council by the Neighbourhood Forum in relation to the draft plan.

Examination consideration

The examiner will only consider the following:

- Does the Plan meet the 'basic conditions'? (see below)
- Does it accord with the content guidance for the Plan set out in legislation ?
- Should the referendum area extend beyond the Neighbourhood Planning Area?
- Is it compatible with EU and Human Rights obligations?

A Plan meets the 'basic conditions' if:

- It has regard to national policies and other relevant advice;
- It has special regard to the desirability of preserving any listed building and its setting;
- It has special regard to the desirability of preserving or enhancing any conservation area;
- It contributes to the delivery of "sustainable development", as defined by the NPPF, with more guidance provided in [Planning Guidance](#). Forums may also wish to refer to the [Development Management](#) Policy DM0, which outlines how the Council's policies contribute to delivering sustainable development;
- It is in general conformity with the Local Plan Strategic Policies;
- It is in accordance with EU obligations of the EC Habitats Directive .

Examination hearings

It is expected that the general form of the examination is for the examiner to consider written representations submitted at the start of the examination. However, if the examiner considers that oral representations are required, the Council must hold a public hearing.

The examiner will decide how the hearing will be conducted, including:

- Whether representors can be questioned by other representors and on what topics; and
- How long representors have to speak.

The following stakeholders are entitled to make oral representations about the issue at the hearing:

- The Neighbourhood Planning Forum;
- The Council;
- The individual(s) or organisation(s) identified to be heard.

Examiner's Report

The examiner will publish a report with their recommendations. These recommendations must either:

- Approve the Plan for a referendum.
- Approve the Plan with specified modifications for a referendum.
- Refuse the Plan.

The only modifications which may be made to the Plan at this stage are to:

- a Ensure it meets the 'basic conditions';
- b Ensure it is compatible with the Convention Rights;
- c Ensure it accords with the content guidance set out in legislation;
- d Correct any errors.

The examiner cannot re-comment once the Plan goes to referendum.

If approved for a referendum, the examiner's report should also recommend whether the referendum area needs to extend beyond the Neighbourhood Planning Area and what this extension is. The report needs to give reasons for each of its recommendations and contain a summary of its main findings.

The examiner will send a copy of the report to the Neighbourhood Planning Forum and the Council. Following this, the Council will then publish the examiner's report.

6. Post-Examination

The Council will consider the examiner's recommendations. If the Council views the Plan to a) meet the 'basic conditions', b) be compatible with Convention Rights and c) accord with the content guidance for Plans set out in legislation, a referendum will be held on the 'making' or 'adoption' of the Plan.

If the Council considers modifications are required prior to the referendum, these must be limited to:

1. Modifications that the Council considers need to be made to ensure that the Plan meets the basic conditions, is compatible with the Convention rights, meets the basic conditions, and
2. Modifications for the purpose of correcting errors, and
3. Extend the area to which the referendum(s) are to take place.

If the Council make a decision that differs from the examiner's recommendations due to new evidence or a difference in view, the Council will notify the Neighbourhood Planning Forum, anyone whose representation was submitted to the examiner and any consultation body previously consulted, of their decision, its reasoning and invite representations to be made. The Council may refer the outstanding issue to an independent examination. If the Council is satisfied, then it publicises its decision statement and moves to a referendum.

The final decision will be made within 5 weeks and if statutory timeframes allow, in Cabinet.

Please note: Once the Plan has been examined, the Council must have regard to it in determining applications within the 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 does not make the Plan, the Council will no longer have to have regard to the Plan in determining applications.

Please note: After the Plan has been examined, the Neighbourhood Forum are entitled to be notified by the Council about relevant planning applications or alterations to planning applications within the Neighbourhood Area. This will apply unless the forum informs the Council in writing that it does not wish to be informed about applications, or only wants to be informed about specific types of application.

7. Local referendum

Who arranges the referendum?

The Council arranges the referendum. The Council will prepare an information statement which provides information about the referendum, neighbourhood planning and the neighbourhood plan being voted on.

What is the referendum area?

As a minimum, the referendum area needs to be the Neighbourhood Planning Area. The area can be extended by the Council or Examiner if it is considered to be appropriate.

Who can vote?

A person is entitled to vote in the referendum if the person's address, as per the electoral roll, is within the Referendum Area and is entitled to vote in an election of local Councillors within the Referendum Area.

If the Neighbourhood Planning Area is determined as a Neighbourhood Planning Business Area, two referendums will be held. One for residents and one for non domestic rate payers. Non domestic rate payers are only entitled to vote once, irrespective of the number of businesses they pay rates for. Businesses with more than one owner or trustee, only have one vote, via a named voter.

How is it decided?

If a majority votes in favour of it, the Council is required to make the Neighbourhood Plan part of the Local Development Plan.

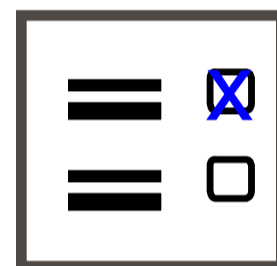
If the Neighbourhood Planning Area is determined as a Neighbourhood Planning Business Area and two referenda are held, if the results of the two referenda are not aligned, it is the Council's decision whether the Neighbourhood Development Plan is brought into force, or not.

Please Note: If after the referendum is held 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 to 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.

8. Making of the Neighbourhood Plan

Making of the Neighbourhood Plan will be carried out at Full Council and will be done within 8 weeks of the referendum (subject to Full Council timetabling). The Council can only refuse to make the Plan if the Plan would breach or be incompatible with any EU obligations or any of the convention rights (within the meaning of the Human Rights Act 1998).

Once adopted, the Council will publish the Neighbourhood Plan and an adoption statement.



Modifying a Neighbourhood Development Plan

Minor changes to the Neighbourhood Plan, which will not materially affect any of the policies within the Plan, can be made by the Council with the consent of the Neighbourhood Forum.

Modifications that would materially affect the policies within the Plan, but would not alter the overall nature of the Plan, can be proposed by the Neighbourhood Forum. For these changes to be implemented, consultation with the community, submission, and independent examination will need to be repeated. However, a referendum is not then needed for these modifications to be approved by the Council.

Modifications that would alter the overall nature of the Plan are considered as a replacement of the existing Plan.

Replacing a Neighbourhood Development Plan

A Neighbourhood Development Plan can be replaced by the Neighbourhood Planning Forum responsible for the relevant Neighbourhood Area. The process for replacement is the same for developing a new Plan.

Removing a Neighbourhood Development Plan

A Plan can be removed by the Secretary of State or by the Council with permission of the Secretary of State. Reasoning for removal must be given by either organisation. If a Plan is withdrawn but development granted using its guidance has been implemented, the development may still be completed. As soon as possible after removing a Neighbourhood Development Plan, the Council must publish the following on its website to bring it to the attention to people in the Neighbourhood Planning Area.

- The 'revocation document' (setting out details of the revocation);
- Where and when the revocation document may be viewed.

The Council must also notify the Neighbourhood Planning Forum of the revocation and any other person previously notified of the Plan, or persons the Council considers to be required to be notified, to bring the revocation to the attention of people within the Neighbourhood Planning Area.



Mapping Requirements and Support:

The Council has purchased a licence to enable Designated Neighbourhood Forums to have access to ONS mapping data. Forums can also have access to the Council's Spatial Policy Designations as GIS layers. Please contact the Council for more information on accessing these maps and licencing.

Where you are undertaking mapping, the Council requests that you follow these specifications:

- Data has to be projected to the following: OSGB36 in a shapefile format
- Data has to be captured at a scale minimum of 1:1250
- Data has to be captured by either snapping or tracing the underlying Ordnance Survey data

This ensures any spatial policy designations made in the Plan / Order can be added to the Council's systems.

4. Summary

Stage	Role of the Neighbourhood Planning Forum	Role of the Council	Timescale	
Neighbourhood Plans (NP) and Development Orders (NDO)				
1	Initiating Plan-making	<ul style="list-style-type: none"> Developing ideas Publicising aspirations for a Plan Creating a Work Programme 	<ul style="list-style-type: none"> Provide support via introductory meeting, guidance and evidence base 	Varied, response within 10 days
2	Developing the Draft Plan	<ul style="list-style-type: none"> Work towards meeting the 4 conditions Scoping content Structuring the Plan Developing an Evidence Base Writing the Plan Write the SEA (if required) 	<ul style="list-style-type: none"> Provide support via email or telephone advice Provide access to evidence base documents Provide written comments on pre-submission draft Undertake SEA screening 	Varied, response within 10 days 6 weeks for written comments and screening
3	Pre-Submission Consultation	<ul style="list-style-type: none"> Undertake Consultation 	<ul style="list-style-type: none"> Provide advice on consultation process and methods Provide formal council consultation response Provide additional comments on post-consultation plan, should it change significantly 	6 week consultation 6 weeks for additional written comments
4	Plan Submission to the Local Authority and Consultation	<ul style="list-style-type: none"> Submit to the Council: <ul style="list-style-type: none"> Draft Plan Map of Area Consultation Statement Basic Conditions Statement SEA (if required) HRA (if required) 	<ul style="list-style-type: none"> Validate and assess the draft Plan Receive sign-off via Cabinet Undertake Consultation 	Assessment: 4 weeks Key decision, made at Cabinet, around 10 weeks required. 6 week consultation
5	Examination	<ul style="list-style-type: none"> Provide oral representations, if required 	<ul style="list-style-type: none"> Appoint examiner Supply all documents Make oral representations, if required 	4 weeks to appoint
6	Post-Examination	<ul style="list-style-type: none"> No action required 	<ul style="list-style-type: none"> Consider and respond to Examiner's report Receive Cabinet approval Make decision public 	5 weeks, at Cabinet if statutory timeframes allow.
7	Referendum	<ul style="list-style-type: none"> Promote turn out in the referendum 	<ul style="list-style-type: none"> Organise the referendum 	10 or 14 weeks
8	Post referendum	<ul style="list-style-type: none"> No action required 	<ul style="list-style-type: none"> Publicise the result If positive result, make the plan at Full Council 	Within 8 weeks, depending on Full Council timetable

5. Funding and Support

Support is available to assist Neighbourhood Planning in the form of funding and advice to both Neighbourhood Forums, including prospective Forums, and funding for Councils.

Grant funding

DCLG have made available grant funding to support the development of Neighbourhood Forums and Neighbourhood Plans. Please visit www.mycommunity.org.uk to view current grant availability and eligibility criteria.

Supporting Communities in Neighbourhood Planning programme

In addition to funding, all neighbourhood forums are eligible to apply for technical support packages from Locality and their delivery partners AECOM. This free support will be delivered by a consultant working one to one with your group with a clearly defined brief, such as producing a design guide, a Strategic Environmental Assessment (SEA), evidence review or site assessment. You can apply for both grant and technical support on the [mycommunity website](http://mycommunity.org.uk). There are also detailed toolkits, templates and guidance on the resources section of the [mycommunity website](http://mycommunity.org.uk)

Locality also offer a free advice line to answer your Neighbourhood Planning questions. This service is available Monday to Thursday 9.30 -12.30. 0300 020 1864.

There are a number of other resources that can be used to inform the development of your Neighbourhood Planning Forum and Neighbourhood Area. These include:

- Neighbourhood Planning Community Knowledge Hub
- RTPi Planning Aid England's Forum for Neighbourhood Planning
- Planning Practice Guidance from DCLG

Service Offer:

In addition to this guidance note, the Council has also produced a Service Offer which outlines the Council's statutory duties and additional support it will provide to designated Neighbourhood Forums, in order to fulfill our duty to:

"give ... advice or assistance to ... facilitate the making of proposals for Neighbourhood Development Orders [/ Plans] in relation to neighbourhood areas within their area." (Town and Country Planning Act, 1990, Schedule 4B paragraph 3)

What funding does the Council receive?

The Council receives a small amount of funding when it determines an Area and a Forum (£5,000 for each designation, for up to five Areas and five Forums); and following a successful examination (£20,000 and an additional £10,000 if it is a Neighbourhood Business Area).

The funding covers the cost of meeting the statutory requirements, such as organising the referendum and statutory adverts, as well as contributing towards the cost of the officer time required to undertake the Council's legislative requirements.

6. Community Infrastructure Levy & Neighbourhood Planning

What is CIL?

The Community Infrastructure Levy (also known as 'CIL') is a source of funding charged as a levy on most new development to help support delivery of infrastructure in the borough. The levy can be used to address the impacts of development and support growth by funding much needed infrastructure including transport, parks, schools, community facilities, health facilities, leisure centres, etc.

Unlike Section 106 planning obligations, CIL is a standard tariff and is not negotiable. CIL is intended to replace most Section 106 planning obligations towards infrastructure. However, affordable housing and other non-infrastructure measures will continue to be required through Section 106. Therefore, Section 106 planning obligations may still be necessary and will operate alongside CIL.

For further information, please view the Government's Community Infrastructure Levy Guidance. The guidance is presented in a question/answer format and will help answer any further queries you may have regarding CIL.

London Borough of Tower Hamlets CIL:

The London Borough of Tower Hamlets CIL was adopted on 1 April 2015. The Council received approval at Full Council for the adoption of a borough level CIL Charging Schedule, following public examination.

LBTH CIL receipts will be used by the Council to deliver strategic infrastructure in line with its adopted Regulation 123 List. The Regulation 123 List sets out the projects or types of infrastructure the Council intends will, or may, be wholly or partly funded by the Borough's CIL.

How can Neighbourhood Planning Forums engage with the CIL process?

The spend of all S106 and CIL funding on infrastructure is a matter for the Mayor of Tower Hamlets to consider and determine. Under CIL Regulations, Local Authorities are required to allocate between 15% and 25% of CIL collected to the Neighbourhood Portion and must engage with local people to determine local priorities for its use.

CIL Neighbourhood Portion must be spent on:

- the provision, improvement, replacement, operation or maintenance of infrastructure; or
- anything else that is concerned with addressing the demands that development places on an area.

In December 2016 the Mayor, in Cabinet, approved the adoption of the Local Infrastructure Fund (the Council's terminology for the CIL Neighbourhood Portion). The Mayor of Tower Hamlets has decided to engage residents on 25% of CIL, whether or not a Neighbourhood Plan is in place.

This engagement will see all local people, including Neighbourhood Forums, regularly consulted on the priorities for spending of LIF. The first round of consultation, which gave the local people the opportunity to identify their infrastructure priorities and nominate specific projects, commenced in 2016 - 2017.