

The Neighbourhood Planning processes have been prepared in accordance with the Regulatory Stages of the Neighbourhood Planning (General) Regulations 2012 (as amended) and refers to The Neighbourhood Planning (Referendums) Regulations 2012 (as amended).

Plan Stage	Regulatory Stage	Tasks	Responsibility	Member Decision / Delegated Authority	Outcome
Neighbourhood Area Designation Application made by a Town or Parish (T/P) Council where the area follows the T/P boundary.	5, 5A and 7	<ol style="list-style-type: none"> <li>1. Check the application meets statutory requirements and that the proposed area does not conflict with other designated areas.</li> <li>2. Acknowledge receipt of the application.</li> <li>3. Prepare a Portfolio Holder Decision</li> <li>4. Notify the local and adjacent Town/Parish councils, neighbourhood forums and ward councillors of the decision (by email).</li> <li>5. Publish details on the SDC website</li> <li>6. Place a public notice in the local newspaper</li> </ol>	SDC Strategic Planning Team	Member Decision via Portfolio Holder Decision	Publicity requirements are met and the neighbourhood area is designated.
Neighbourhood Forum application made by a qualifying body (e.g. Residents Association)	8, 9, 9A and 10	<ol style="list-style-type: none"> <li>1. Check the application meets statutory requirements</li> <li>2. Acknowledge receipt of the application</li> <li>3. Arrange local consultation to run for a <b>minimum of 6 weeks:</b> <ol style="list-style-type: none"> <li>a. Notify the local and adjacent Town/Parish Councils, Neighbourhood Forums and Ward Councillors of the consultation (by email)</li> <li>b. Publish details on the SDC website (to include a statement that no other body</li> </ol> </li> </ol>	<p>Tasks 1-3 and 5-9 – SDC Strategic Planning Team</p> <p>Task 4 – Parish Council or Neighbourhood Forum</p>	Member Decision via Advisory Committee and Cabinet	<p>Consultation, publicity and notification requirements are met and the Neighbourhood Area is designated</p> <p>OR</p> <p>Consultation, publicity and notification requirements are met and the Neighbourhood</p>

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		<p>may be designated for the same neighbourhood area)</p> <p>c. Place a public notice in the Local Newspaper (to include a statement that no other body may be designated for the same Neighbourhood Area).</p> <p>4. The Neighbourhood Forum to publicise the consultation through its website and other means such as posters, meetings and newsletters.</p> <p>5. Manage representations received and acknowledge receipt</p> <p>6. Prepare Advisory Committee and Cabinet reports – <b>a decision must be made within 13 weeks of the start of the consultation.</b></p> <p>7. Notify the local and adjacent Town/Parish Councils, Neighbourhood Forums and Ward Councillors of the decision (by email).</p> <p>8. Notify those who submitted representations of the decision.</p> <p>9. Publish details on the SDC website.</p>			Area application is refused.
General	N/A	<p>In addition to the support and assistance given to Town/Parish Councils and Neighbourhood Forums, as set out in SDCs Statement of Community Involvement (2020):</p> <p>1. Meetings with Town and Parish Councils or Neighbourhood Forums, where appropriate</p>	SDC Strategic Planning Team	N/A	Neighbourhood Plans meet statutory requirements and move forward to a successful examination and referendum

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		<p>2. If requested by the Town/Parish Council or Neighbourhood Forums, submission of informal general comments on pre-Regulation 14 and pre-Regulation 15 draft Neighbourhood Plans.</p>			
<p>Consultation on a pre-submission draft Neighbourhood Plan or Modification Proposal</p>	14	<p>Pre-Consultation on a pre-submission draft Neighbourhood Plan or Modification Proposal.</p> <ol style="list-style-type: none"> <li>1. Prior to consultation on a pre-submission draft Neighbourhood Plan or Modification Proposal, the Town/Parish Council or Neighbourhood Forum to submit a draft plan or modification proposal</li> <li>2. SDC to prepare an SEA/HRA Screening Report. Forward the Screening Report and draft Neighbourhood Plan to Historic England, Natural England and the Environment Agency for their views. <b>The bodies have a minimum 5 weeks to respond, unless agreed otherwise.</b> Update the Screening Report and forward to the Town/Parish Council or Neighbourhood Forum (refer to Annex A).</li> <li>3. If an SEA/HRA is required, the Town/Parish Council or Neighbourhood Forum is responsible for preparing a Scoping Opinion and an SEA/HRA prior to the formal submission of its plan to SDC.</li> </ol> <p>Consultation on a pre-submission draft Neighbourhood Plan or Modification Proposal. At this stage SDC is a consultee.</p>	<p>Tasks 1, 3, 4 and 7 – Town/Parish Council or Neighbourhood Forum</p> <p>Tasks 2, 5, 6 &amp; 8 – SDC Strategic Planning Team</p>	<p>Member Decision via Portfolio Holder Decision</p>	<p>Submission draft Neighbourhood Plan or Modification Proposal, and if required an SEA/HRA</p>

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		<ol style="list-style-type: none"> <li>4. The Town/Parish Council or Neighbourhood Forum to undertake a <b>minimum 6-week local consultation exercise</b> on the draft plan or modification proposal, in accordance with regulatory requirements, and to publicise the consultation through its website and other means such as posters, meetings and newsletters.</li> <li>5. Update the SDC website</li> <li>6. Assess whether the Neighbourhood Plan or Modification Proposal conforms to national and local planning policies, and provide written representations to the consultation.</li> <li>7. If a modification is proposed, then the Neighbourhood Planning Group needs to state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons.</li> <li>8. SDC to prepare a Regulation 14 Response and to agree via Portfolio Holder Decision.</li> </ol>			
Submission of a draft Neighbourhood Plan or Modification Proposal to SDC	15	<ol style="list-style-type: none"> <li>1. Acknowledge receipt of submitted documents, i.e. Neighbourhood Plan or Modification Proposal with a map of the Neighbourhood Area, Basic Conditions Statement, Consultation Statement and an Environmental Report (SEA/HRA) or a statement explaining why this is not required (refer to Annex A). In the case of a Modification Proposal, a statement as to why the modification proposal is so significant or substantial as to change the nature of the</li> </ol>	<p>All Tasks – SDC Strategic Planning Team</p> <p>Task 1 – Town/Parish Council or Neighbourhood Forum</p>	Appointment of Examiner	Draft Neighbourhood Plan or Modification Proposal with supporting documentation is ready for consultation and examination.

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		<p>Neighbourhood Plan must form part of the submission.</p> <ol style="list-style-type: none"> <li data-bbox="598 280 1265 416">2. Check that Statutory Requirements were met at Regulation 14 Consultation Stage (including consultation with statutory consultees) and at Regulation 15 Submission Stage.</li> <li data-bbox="598 456 1265 1018">3. A significant change to a Neighbourhood Plan between Regulations 14 and 15 that results in a 'likely significant effect' on the environment will require an amended SEA/HRA Screening Report and re-consultation with Historic England, Natural England and the Environment Agency. <b>The bodies have a minimum 5 weeks to respond unless otherwise agreed.</b> Forward the final Screening Report to the Tow/Parish Council or Neighbourhood Forum. (Note: Where an SEA/HRA has been prepared, it is the responsibility of the Town/Parish Council or Neighbourhood Forum to re-consult the bodies if there has been a significant change that results in a further 'likely significant effect' on the environment). Refer to Annex A.</li> <li data-bbox="598 1058 1265 1193">4. Agree suitable consultation dates with the Town/Parish Council or Neighbourhood Forum, and prepare for public consultation (Refer to Annex B).</li> <li data-bbox="598 1233 1265 1369">5. Contact IPE and request candidates for the Examiner, and agree a preferred Examiner with the Town/Parish Council or Neighbourhood Forum</li> </ol>			

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		6. Appoint the Examiner			
Consultation on a Submission Draft Neighbourhood Plan or Modification Proposal	16	<ol style="list-style-type: none"> <li>1. Arrange a <b>local consultation to run for a minimum of 6 weeks:</b> <ol style="list-style-type: none"> <li>a. Publicise documents on the SDC Website (refer to Annex B).</li> <li>b. Notify the local and adjacent Town/Parish Councils, Neighbourhood Forums and ward councillors of the consultation (by email).</li> <li>c. Notify the consultation bodies referred to in the Regulation 15 Consultation Statement</li> <li>d. Place a public notice in the local newspaper</li> <li>e. Press release (optional)</li> </ol> </li> <li>2. The Town/Parish Council or Neighbourhood Forum to publicise the consultation through its website</li> <li>3. Manage the representations received by email or post, and acknowledge receipt</li> <li>4. Prepare Committee and Cabinet reports seeking approval of SDCs response to the Regulation 16 Consultation</li> </ol>	<p>Tasks 1 and 3-4 – SDC Strategic Planning Team</p> <p>Task 2 – Town/Parish Council or Neighbourhood Forum</p>	Member Decision via Advisory Committee and Cabinet	<p>Consultation, publicity and notification requirements are met.</p> <p>SDCs formal representations on the draft Neighbourhood Plan or Modification Proposal are submitted.</p> <p>The draft Neighbourhood Plan or Modification Proposal with supporting documentation is ready for examination.</p>
Submission of a draft Neighbourhood Plan or Modification Proposal for Examination	17	<ol style="list-style-type: none"> <li>1. Send the following documents prepared by the Town/Parish Council or Neighbourhood Forum to the Examiner: <ol style="list-style-type: none"> <li>a. Neighbourhood Plan or Modification Proposal with a map of the Neighbourhood Area</li> <li>b. Basic Conditions Statement</li> </ol> </li> </ol>	SDC Strategic Planning Team	N/A	<p>Completion of the examination.</p> <p>Receipt of the Examiners Report</p>

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		<ul style="list-style-type: none"> <li>c. Consultation Statement</li> <li>d. An environmental report (SEA/HRA) or a statement explaining why this is not required</li> <li>e. In the case of a modification proposal, two statements are prepared independently by both the LPA and the NPG as to why the modification proposal is so significant as to change the nature of the Neighbourhood Plan.</li> <li>f. Copies of the representations submitted during the Regulation 16 Consultation.</li> </ul> <p>2. Liaise as required with the Examiner and the Town/Parish Council or Neighbourhood Forum:</p> <ul style="list-style-type: none"> <li>a. Where a modification is proposed the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan.</li> </ul> <p>3. If a Fact Check report is produced by the Examiner, arrange for checking with the Town/Parish Council or Neighbourhood Forum to enable submission of a joint response.</p>			<p><b>Note: Neighbourhood Plan examinations are usually dealt with by written representations, but the Examiner may arrange a Hearing where plans or the issues arising from representations are complex.</b></p>
SDC Decision on the Examiners Recommendation	17A	<p>1. On receipt of the Examiner's final report, prepare DCAC/Cabinet Report recommending the course of action to be taken (accept report / decline report / accept and make modifications).</p> <p>2. If DCAC/Cabinet accepts the Examiner's recommendations (with or without</p>	SDC Strategic Planning Team	Member Decision via Advisory Committee and Cabinet	<p>SDC Decision to accept (with or without modifications) or decline to accept the Examiner's report.</p> <p><b>Note: Following a decision to move a plan</b></p>

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		<p>modifications) to hold a referendum, then the next step is to arrange the referendum:</p> <ol style="list-style-type: none"> <li>a. Where a modification is proposed that would not change the nature of the Plan (and the examiner finds the proposal meets the basic conditions or would with further modifications) a referendum is not required. Executive accepts the Examiners recommendation and proceeds to Regulation 19.</li> </ol> <ol style="list-style-type: none"> <li>3. If DCAC/Cabinet accepts the Examiner's recommendation that a Neighbourhood Plan or Modification Proposal does not pass examination, the plan will not proceed to referendum.</li> <li>4. If DCAC/Cabinet declines to accept the Examiner's recommendations, then SDC must undertake a 6-week consultation on its decision in accordance with the provisions of Regulation 17A.</li> <li>5. Prepare a decision statement within <b>5 weeks of receipt of the Examiners report, or by a later date agreed in writing with the Town/Parish Council or Neighbourhood Forum</b></li> </ol>			<p>to referendum, the 'post-examination draft Neighbourhood Plan' (as modified by the Examiner) gains more weight as a material consideration in decisions on planning applications.</p>
<p>Publication of the Examiner's report and SDC's decision statement on whether the proceed to referendum</p>	<p>18</p>	<ol style="list-style-type: none"> <li>1. Publish the Examiner's report and SDC's decision statement on the SDC website</li> <li>2. Notify the Town/Parish Council or Neighbourhood Forum of the outcome (by email).</li> </ol>	<p>Tasks 1-3 – SDC Strategic Planning Team, liaising with SDC Electoral</p>	<p>N/A</p>	<p>The draft Neighbourhood Plan or Modification Proposal with supporting documentation is ready for referendum.</p>



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		3. If, following a successful examination, the Examiner's recommendations (with or without modifications) have been agreed by Executive, organise the referendum (refer to Annex C).	Services Team for Task 3		
Prescribed dates for making a Neighbourhood Plan	18A	<p>1. SDC's decision on the Examiner's report (together with any minor modifications proposed by SDC and agreed with the Parish Council or Neighbourhood Forum) must be made <b>within 5 weeks of receipt of the report, or a later date agreed in writing with Town/Parish Council or Neighbourhood Forum</b></p> <p>2. Following a successful Referendum, the Neighbourhood Plan must be made (i.e. adopted by Full Council) <b>within 8 weeks</b> of the date of referendum</p>	SDC Strategic Planning Team	N/A	Prescribed dates for making a Neighbourhood Plan are met
Referendum	Separate Regulations	Hold Referendum (refer to Annex C).	SDC Electoral Services Team	N/A	<p>Completion of Referendum</p> <p><b>Note: Following a successful referendum, unless material considerations indicate otherwise, the neighbourhood plan becomes part of Sevenoaks District Development Plan.</b></p>
Decision to make a Neighbourhood Plan	19	1. Following an unsuccessful referendum ('NO' result) prepare a statement and publish on SDC	SDC Strategic Planning Team	Member Decision via Advisory Committee, Cabinet	Decision to make, or otherwise, a Neighbourhood Plan.

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		<p>website. Prepare a DCAC/Cabinet Report for information</p> <p>2. Following a successful referendum, prepare a DCAC/Cabinet report with a recommendation that Full Council makes the Neighbourhood Plan. <b>The Plan must be made within 8 weeks of the Referendum date.</b></p> <p>3. Publish SDC's decision statement on the SDC website, together with details of where the decision statement may be inspected</p> <p>4. Notify the Town/Parish Council or Neighbourhood Forum of the decision (by email).</p> <p>5. Notify persons who asked to be notified of the decision</p>		and Full Council to make a Neighbourhood Plan	Publicity and notification requirements are met.
Publicising the making of a Neighbourhood Plan	20	<p>1. Publish the Neighbourhood Plan on the SDC website, together with details of where the Plan may be inspected.</p> <p>2. Notify the Town/Parish Council or Neighbourhood Forum (by email).</p> <p>3. Notify persons who asked to be notified of the making of the Neighbourhood Plan.</p> <p>4. Place a public notice in the local newspaper.</p>	SDC Strategic Planning Team	N/A	Publicity requirements are met.
Publishing a modification	30	<p>1. Publish the modified Neighbourhood Plan on the SDC website, together with the details of where the plan may be inspected.</p>	SDC Strategic Planning Team	N/A	Publicity requirements are met.

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		<ol style="list-style-type: none"> <li data-bbox="595 209 1267 312">2. Notify the Town/Parish Council or Neighbourhood Forum of the decision (by email).</li> <li data-bbox="595 352 1267 456">3. Notify persons who asked to be notified if the making of the Neighbourhood Plan that it has been modified.</li> <li data-bbox="595 496 1267 520">4. Place a public notice in the local newspaper.</li> </ol>			

## Annex A: SEA/HRA Process

1. Upon receipt of a draft plan or modification proposal prior to Regulation 14 Consultation, SDC to prepare an SEA/HRA Screening Report to determine whether the Neighbourhood Plan is likely to have significant environmental effects.
2. Forward the Screening Report and draft Neighbourhood Plan to: Historic England, Natural England and the Environment Agency for their views. **The bodies have a minimum of 5 weeks to respond unless otherwise agreed.**
3. Update the Screening Report and forward to the Town/Parish Council or Neighbourhood Forum.
4. If an SEA/HRA is **required**, the Town/Parish council or neighbourhood forum is responsible for preparing a Scoping Opinion and an SEA/HRA prior to the formal submission of its plan to SDC:
  - a. Identify other relevant policies, plans and programmes and sustainability objectives
  - b. Collect baseline information
  - c. Identify sustainability issues and problems
  - d. Develop the strategic environmental assessment framework
  - e. Consult Historic England, Natural England and the Environment Agency on the scope
  - f. Test the Neighbourhood Plan objectives against the strategic environmental assessment framework
  - g. Develop the Neighbourhood Plan options including reasonable alternatives
  - h. Evaluate the likely effects of the Neighbourhood Plan and alternatives
  - i. Consider ways of mitigating adverse effects and maximising beneficial effects
  - j. Propose measures to monitor the significant effects of implementing the Neighbourhood Plan
  - k. Prepare the Environmental Report.
5. If an SEA/HRA is not required, the Town/Parish Council or Neighbourhood Forum responsible for preparing a statement setting out why an SEA/HRA is not required prior to formal submission of its plan to SDC.
6. Regulation 14 to take place and include consultation on the environmental report
7. Town/Parish Council or Neighbourhood Forum to submit their submission Neighbourhood Plan to SDC (Regulation 15).
8. A significant change to a Neighbourhood Plan between Regulations 14 and 15 that results in a 'likely significant effect' on the environment will require an amended SEA/HRA Screening Report and re-consultation with Historic England, Natural England and the Environmental Agency. **The bodies have a minimum of 5 weeks to respond unless otherwise agreed.** Forward the final Screening Report to the Town/Parish Council or Neighbourhood Forum. (Note: Where an SEA/HRA has been prepared, it is the responsibility of the Town/Parish Council or Neighbourhood Forum to re-consult the bodies if there has been a significant change that results in a further 'likely significant effect' on the environment).
9. Formal submission is confirmed by SDC.

## Annex B: Regulation 16 Consultation Tasks

1. Agree dates for the consultation with the Town/Parish Council or Neighbourhood Forum (**minimum 6 weeks excluding bank holidays**).
2. Agree local deposit points for the documents to be viewed during the consultation (SDC Offices, Town/Parish Council Offices, Local Library if applicable).
3. Write and send public notice to SDC Communications Team for print in Sevenoaks Chronicle.
4. Use the public notice text to draft a press release and send to SDC Communications Team
5. Identify all neighbouring wards, parishes and forums (both inside and outside the Borough).
6. Draft an email to local and neighbouring ward councillors and Town/Parish/Forums advising of the consultation (can use the Public Notice text). **Send out the day before consultation opens.**
7. Liaise with the Town/Parish Council or Neighbourhood Forum in producing publicity posters, if required, and request that the Neighbourhood Plan and supporting documents are uploaded to the qualifying bodies website, together with consultation details.
8. Arrange the printing and delivery of a copy of the Neighbourhood Plan and relevant supporting documents for every deposit point. **Make sure these are in place prior to start of consultation.**
9. Advise Customer Solutions and Reception team of the start of the consultation
10. Update the SDC Neighbourhood Planning website pages
11. Create a written notification for postal consultees and arrange a mail merge to Strategic Planning Mailing List (**letters to go out at least two working days prior to start of consultation**).
12. Prepare SDC Response to Regulation 16 Consultation and organise Portfolio Holder Decision sign off.

## Annex C: Referendum Planning

1. Liaise with Electoral Services team
2. Ensure approval to hold Referendum is in place
3. Provide a copy of the Neighbourhood Plan area as designated
4. There is a **minimum 'referendum period' of 28 working days**, when specified documents for the referendum must be published on the website and made available for inspection. The referendum period cannot commence before a decision to move to referendum made by Cabinet has come into effect.
5. Once the decision has been made to hold the Referendum by the Local Planning Authority, the Neighbourhood Planning Referendum must be held within a certain number of days – excluding dies non – from the day of that decision:
  - a) 56 days; or
  - b) 65 days, in order to combine it with an already scheduled election; or
  - c) 84 days if the Neighbourhood Plan area is cross boundary, not arranged by a Local Planning Authority or a business Neighbourhood Plan Referendum.
6. A detailed timetable will be provided by the Electoral Services team, in consultation with the Strategic Planning Team, and the Town/Parish Council or Neighbourhood Forum.
7. Assistance from the Strategic Planning Team will be required to complete the 'Information for Voters'.