

## **Pre-submission (Regulation 14) consultation on the draft neighbourhood plan**

### **1. Introduction**

- 1.1. Parish and town councils must undertake a consultation on their draft plan (or Neighbourhood Development Order) before it is formally submitted to West Berkshire Council for independent examination. This stage is called the pre-submission consultation, and is a requirement of Regulation 14 of the Neighbourhood Planning Regulations 2012 (as amended). The consultation must run for at least 6 weeks.
- 1.2. Prior to the pre-submission consultation, it is sensible to discuss the draft plan with West Berkshire Council to check if there are any concerns over meeting the basic conditions. This would allow these to be addressed, prior to the consultation.
- 1.3. In terms of when to hold the pre-submission consultation, you should be satisfied that you have a complete draft of the plan. It is not appropriate to consult on individual policies. Where options have been considered as part of the neighbourhood planning process earlier engagement should have been used to narrow and refine options. The document that is consulted on at the pre-submission stage should contain only the preferred approach.

### **2. Strategic Environmental Assessment (SEA) / Habitat Regulations Assessment (HRA)**

- 2.1. Before you begin the pre-submission stage of the Neighbourhood Planning process, you need to ensure that a SEA/HRA screening has been undertaken by West Berkshire Council on the draft plan proposal. A screening can be carried out on an early draft as long as you have the draft plan content. If a SEA and/or HRA is required you can consult on these alongside your draft plan proposal and incorporate any recommendations into your final submission plan at the end of the consultation period. The independent examiner will need to see the screening opinion and report as part of the independent examination of the plan.

### **3. Parish and Town Council requirements for the pre-submission consultation**

- 3.1. There are several requirements of Parish and Town Councils for the pre-submission consultation. These are detailed below however there is also a summary of these points in a checklist that is included in Appendix 1:
  - (a) *Publicise the draft plan to people who live, work or carry out business in the neighbourhood plan area*
- 3.2. The neighbourhood plan steering group will need to have agreed how they will consult the local community including; residents, businesses, developers, land owners, statutory, voluntary and other organisations. You will only need to consult on the draft plan, the Strategic Environmental Assessment and Habitat Regulations Assessment (if required), and supporting documents such as a design guide if you have produced the documents as part of the neighbourhood plan process. You do not need to consult on the draft basic conditions or consultation statements but it is recommended that you draft the documents before the pre-submission consultation so you just need to make minor amendments to the documents once the pre-submission consultation period ends.

- 3.3. The publicity details on the consultation must set out where and when the plan may be viewed, and how to make comments on the plan and by what date.
- 3.4. Many people will not want to read through the whole document, so it is useful to produce a simple leaflet or display boards that set out the main aims and the focus of the policies in the plan. Drop-in centres may be a useful means of allowing people to ask questions or discuss the plan on a one-to-one basis. The draft plan proposal should be uploaded to the neighbourhood plan website. Printed copies should be made available at convenient locations, such as libraries, community centres, council offices and other key public buildings. Copies should be available to send to people who cannot access a digital or displayed copy.

*(b) Submit a copy of the draft plan to West Berkshire Council*

- 3.5. A copy of the draft plan will need to be submitted to West Berkshire Council at the beginning of the six week consultation. Once the Council receives a copy of the draft plan, the document is circulated to other Council services for comments. The responses are then collated and sent back to the parish or town council to review and make minor amendments.

*(c) Consult any adjoining parish and town councils and consultation bodies as set out in paragraph 1 of Schedule 1 of the Neighbourhood Planning Regulations 2012*

- 3.6. You will need to consult a number of organisations including any adjoining parish and town councils that may be affected by the neighbourhood plan proposals. The parish or town council need to consult any 'consultation body' referred to in paragraph 1 of schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan. Please contact the Planning Policy Team at West Berkshire Council for the consultation bodies contact details. A list of those organisations you will need to consult is set out in Neighbourhood Planning Advice Note 15 provides details of Statutory Consultees.

#### **4. Next steps**

- 4.1. Once the six week pre-submission consultation on the plan has ended, the comments received must be considered conscientiously by the neighbourhood planning body.
- 4.2. All representations need to be considered, but it is legitimate for the neighbourhood plan body to take a different view. Indeed, different representations may demonstrate opposing views. A planning judgement needs to be taken.
- 4.3. A decision will need to be made over whether or not to amend the neighbourhood plan in response to each representation. The decisions on whether or not to amend the plan, and the reasoning behind them, should be recorded, as this information will need to be incorporated into the consultation statement (see separate guidance note on this).
- 4.4. Please be aware of a couple of important considerations at this stage:

- Allow sufficient time in your timetable to consider and address the responses you received through the pre-submission consultation;
  - Be aware that if the policies of your plan change significantly at this stage (please speak to West Berkshire Council who can advise whether changes are likely to be considered significant) you may need to repeat the SEA/HRA Screening and pre-submission consultation elements of the process; and,
  - The outcomes of the pre-submission consultation and a summary of how the responses received have been considered needs to be included within your consultation statement.
- 4.5. Once the final submission neighbourhood plan is complete, this must be agreed by the neighbourhood plan steering group and town or parish council before the plan is submitted to West Berkshire Council under Part 5 (15) of the Neighbourhood Planning Regulations. When you submit the final plan proposal, you will need to include the following documents:-
- A map or statement which identifies the area to which the proposed neighbourhood development plan relates;
  - A consultation statement;
  - The proposed neighbourhood plan; and
  - A statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act (Basic Conditions Statement)
  - Strategic Environmental Assessment and other assessments, such as Habitat Regulation Assessment (if required)
  - Other supporting documents including evidence base documents (setting out the evidence base for your neighbourhood plan) and a design guide, if the steering group have agreed to develop the document for the parish.
- 4.6. Neighbourhood Planning Advice Note 18 (Submission Checklist) includes a checklist of the documents you will need to submit.
- 4.7. We would suggest that the steering group produce a spreadsheet containing the names of community groups and organisations that are consulted during the pre-submission consultation. This is because West Berkshire Council is required to consult these organisations when the plan is published for its submission consultation, when the plan will undergo independent examination, and when the plan will go to referendum.
- 4.8. Parish and town councils will need to advise in the consultation documentation that contact details will be passed on to West Berkshire Council, however individuals should be given the option of not having their contact details passed on.

**Appendix 1: pre-submission consultation checklist**

1	Advertise the proposals in your neighbourhood plan within the Neighbourhood Area to ensure that all residents, businesses or people that work in the area are aware of them	
2	Make clear where a copy of the plan can be seen	
3	Make clear how people can make comments on the plan	
4	Ensure that the consultation period is <u>at least</u> 6 weeks. Consideration should be given as to whether this period should be adjusted to a longer period if covering particular holidays such as summer holidays or Christmas.	
5	Highlight the closing date for when comments need to be received	
6	Consult with any relevant statutory bodies whose interests may be affected by proposals within your plan (see Neighbourhood Plan Advice Note 15 for a list of the statutory consultees).	
7	Send a copy of the draft plan to the Planning Policy Team at West Berkshire Council at the beginning of the six week consultation	
8	Send copies of any Strategic Environmental Assessment and Habitats Regulations Assessment (if required) to the Planning Policy Team at West Berkshire Council at the beginning of the six week consultation	