**Uppingham’s Refreshed Neighbourhood Plan Next Steps.**

**Thank you to everyone who took the time to read and return the consultation documents.** The refreshed document is lengthy and contains some planning terms and policies, which can be a bit daunting. These are, however, necessary because the Neighbourhood Plan is a formal legal planning document, which must conform with Government legislation.

Neighbourhood plans are led by Town or Parish Councils, or where there is no such council, a specially set up Neighbourhood Forum. These are known as “Qualifying Bodies” and Uppingham Town Council is the qualifying body in this case. A neighbourhood plan must meet certain specified ‘basic conditions” These ensure plans contribute to the achievement of sustainable development, have regard to national policy and guidance and are in general conformity with adopted Local Plan policies.

I thought as Clerk to the council it would be useful for me at this stage to point out the next steps that will happen, in the legal process that needs to be followed. This is prescribed and not something that we have instigated. I hope that this is useful to you all.

**Where we are now:**

The recent pre-submission consultation was as prescribed in Neighbourhood Planning Regulations (Regulation 14) which require the draft neighbourhood plan proposal to be the subject of a pre-submission consultation for at least six weeks.

Neighbourhood Plan Action Group (NPAG) recommended to Uppingham Town Council(qualifying body) that a booklet should be produced of the draft plan and posted through every door in Uppingham together with a consultation document. This has now ended, and the responses are in. The draft plan was also sent to the statutory bodies again denoted by law.

Any comments received by the end of the consultation period must be considered formally by the Town Council as the Qualifying Body and a revised version of the Plan approved by it. The Neighbourhood Plan Advisory Group (NPAG), advised as necessary by our Planning Consultant, will look at all of the representations and refer them to the TC . They will recommend changes to the Draft NP where it is necessary/justified, **but it is legitimate** for NPAG and the Town Council to take a different view and not make changes where they are not considered to be necessary. Indeed, different representations may demonstrate opposing views. A planning judgement needs to be taken.

**The Next Steps**

Over the coming weeks,decisions 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. The Town Council will need to agree the modifications and approve the resulting “Submission Version” of the Neighbourhood Plan.

The consultation process and outcomes will be set out in a **Consultation Statement**. This is a formal document which will be submitted to the County Council alongside the revised Neighbourhood Plan and it will include: • details of people and organisations consulted about the proposed neighbourhood plan. • details of how they were consulted. • a summary of the main issues and concerns raised through the consultation process; • descriptions of how these issues and concerns were considered and addressed in the proposed neighbourhood plan

In addition to the Consultation Statement, a **Basic Conditions Statement** (BCS) has to be put together and form part of the “Submission Documents”.

* The area, formal technical/legal document which shows how the Neighbourhood Plan: has regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan), Contributes to the achievement of sustainable development, is in general conformity with the strategic policies contained in the development plan for the area,

Does not breach, and is otherwise compatible with, EU (or successor) obligations.

The Basic Conditions must be met for a Neighbourhood Plan to proceed to referendum.

**Submission and Examination**

The next version of the Neighbourhood Plan, taking account of consultation comments, must be submitted by Uppingham Town Council (qualifying body) to Rutland County Council. It is their job as the local planning authority, to ensure that the submitted refreshed neighbourhood plan has followed the proper legal process, such as the neighbourhood area being designated and the legal requirements for consultation and publicity having been followed.

The plan must be publicised by the local planning authority for a 6-week period called **Regulation 16**. The local planning authority will also notify anyone referred to in the consultation statement that the plan has been received. Any representations received will be passed to the independent examiner for consideration. Publicity under Regulation 16 should not be confused with the earlier pre-submission consultation (Regulation 14). **The two are quite different.** The Regulation 14 consultation carried out by the neighbourhood planning body (NPAG and Uppingham Town Council) would have allowed anyone to comment on any aspect of the plan and for modifications to be made, if necessary.

**Following the Regulation 16 publicity period, any representations made will be passed to the independent examiner. This means that they will only be considered within the remit of the examination (i.e. whether the neighbourhood plan proposal meets the basic conditions).**

Rutland County Council will appoint an appropriately qualified and experienced person to carry out the independent examination of the neighbourhood plan. This person is known as the ‘independent examiner’. The appointment has to be agreed with the neighbourhood planning body. Normally, the independent examination will be conducted by written representations. However, if necessary, the examiner may invite interested parties to a public hearing to present their comments.

Following the examination, the examiner will issue a report to Rutland County Council and the neighbourhood planning body. If the plan meets the basic conditions, the examiner will recommend that the plan proceed to referendum. However, they may and usually do, recommend modifications that need to be made to the plan in order to meet the basic conditions, before it can proceed to the referendum.

Rutland County Council can also make modifications to the plan at this point acting on the examiner’s recommendations. Modifications must, however, be discussed with the neighbourhood planning body, (NPAG and Uppingham Town Council) which has the option of withdrawing the plan if it is unhappy with the changes proposed by the local planning authority. As soon as possible after modifying the plan, the local planning authority must publicise details of the modification(s) and where they can be inspected on the Rutland County Council website.

**Referendum**

If the neighbourhood plan is found to be satisfactory, with modifications, if necessary, then the local authority will arrange for the referendum to take place. This will be organised by the local authority’s elections unit. Rutland County Council is required to publish information about the neighbourhood plan 28 working days before the date of the referendum. Then 25 working days before the date of the referendum, they are required to give notice that a referendum is taking place and the date of the poll.

If successful at referendum, a neighbourhood plan comes into force as part of the development plan for the area alongside the local plan ( this is known as the plan being made). Local planning authorities and planning inspectors considering planning applications or appeals must make their decisions in accordance with the policies of the development plan, unless material considerations indicate otherwise.

**Thank you for your interest in the Uppingham Neighbourhood Plan review**

I hope that this has clarified who is responsible for each step in law, together with the process that we are now following.

A useful link with a more in-depth explanation can be found by clicking the link below.

[NP\_Roadmap\_online\_full.pdf (neighbourhoodplanning.org)](https://neighbourhoodplanning.org/wp-content/uploads/NP_Roadmap_online_full.pdf)