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STATUTORY INSTRUMENTS

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**2015 No. 595**

**The Town and Country Planning (Development Management Procedure) (England) Order 2015**

**Part 9**

**Monitoring**

**Register of neighbourhood development orders**

**42.**—(1) The register kept by each local planning register authority under article 40 must also include as Part 4 a Part with two sections relating to neighbourhood development orders.

(2) The first section of Part 4 must contain copies of draft neighbourhood development orders which have been submitted to the authority by a qualifying body and not finally disposed of and such of the following as have been submitted with each such order—

- (a) a copy of any plan or statement identifying the land to which the proposal relates;
- (b) copies of any other accompanying plans or drawings;
- (c) copies of any planning obligation or section 278 agreement entered into, or proposed to be entered into, in connection with any planning permission proposed to be granted by the draft neighbourhood development order; and
- (d) in the case of a draft community right to build order, details of any enfranchisement rights which the qualifying body proposes are not exercisable, and the properties, or types of properties, in relation to which those rights are not exercisable.

(3) For the purposes of paragraph (2), a draft neighbourhood development order is not finally disposed of unless and until—

- (a) the proposal for the order has been withdrawn before the authority have made a decision under paragraph 12 of Schedule 4B (consideration by authority of recommendations made by examiner etc)(1) or paragraph 10 of Schedule 4C (examination of proposals for community right to build orders etc) to the 1990 Act;
- (b) the authority have refused the proposal for the order in accordance with paragraph 6(4) of Schedule 4B to the 1990 Act (consideration of proposals by authority);
- (c) the order has not been made following a referendum because a majority of persons voting have not voted in favour of it, or as a result of a decision made under section 61E(5) or (8) of the 1990 Act (neighbourhood development orders)(2); or
- (d) the order has been made (with or without modifications).

(4) The second section of Part 4 must contain copies of neighbourhood development orders which have been made by the authority and with respect to each such order—

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(1) Schedule 4B was inserted by section 116 of, and Schedule 10 to, the Localism Act 2011 (c. 20) (“the 2011 Act”) and has been amended by S.I. 2013/2597.

(2) Section 61E was inserted by section 116 of, and Schedule 9 to, the 2011 Act.

- (a) a copy of any accompanying plan or statement identifying the land to which the order relates;
  - (b) copies of any other accompanying plans or drawings;
  - (c) if the order is revoked, particulars of the revocation, including the date on which the revocation took effect;
  - (d) the date on which any subsequent approval is given which the order specifies is required;
  - (e) a copy of any planning obligation or section 278 agreement entered into in connection with any planning permission granted by the order; and
  - (f) in the case of a community right to build order, details of any enfranchisement rights which are not exercisable and the properties, or types of properties, in relation to which those rights are not exercisable.
- (5) A reference in this article to a copy includes a reference to a copy in photographic or electronic form.