Changes to legislation: There are currently no known outstanding effects for the 'The Neighbourhood Planning (General) Regulations 2012. Part 3. (See end of Document for details)'

STATUTORY INSTRUMENTS

2012 No. 637

The Neighbourhood Planning (General) Regulations 2012

PART 3

Neighbourhood forums

<table>
<thead>
<tr>
<th>F1</th>
<th>1990 c.8. Sections 61E to 61G, 61L and 61M and Schedules 4B and 4C were inserted by section 116 of, and Schedules 9, 10 and 11 to, the Localism Act 2011 (c.20). Section 71A was inserted by section 15 of the Planning and Compensation Act 1991 (c.34). See section 336(1) for definition of “prescribed”.</th>
</tr>
</thead>
<tbody>
<tr>
<td>F1</td>
<td>2004 c.5. Section 38A was inserted by section 116 of, and paragraph 7 of Schedule 9 to, the Localism Act 2011 (c.20).</td>
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<tr>
<td>F1</td>
<td>The Secretary of State is so designated by S.I. 2008/301.</td>
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<tr>
<td>F1</td>
<td>1972 c.68. Section 2(2) includes power to make certain provisions in relation to the European Economic Area by virtue of section 2(5) of the European Economic Area Act 1993 (c.51).</td>
</tr>
</tbody>
</table>

Application for designation of a neighbourhood forum

8. Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—

(a) the name of the proposed neighbourhood forum;
(b) a copy of the written constitution of the proposed neighbourhood forum;
(c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
(d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
(e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

Publicising a neighbourhood forum application

9. As soon as possible after receiving a neighbourhood forum application, which the local planning authority do not decline to consider under regulation 11, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the application to the attention of people who live, work or carry on business in the area to which the application relates—

(a) a copy of the application;
(b) a statement that if a designation is made no other organisation or body may be designated for that neighbourhood area until that designation expires or is withdrawn;
(c) details of how to make representations; and
(d) the date by which those representations must be received, being not less than 6 weeks from the date on which the application is first publicised.

**Prescribed date for determination of a neighbourhood forum application**

**9A.**—(1) Where a local planning authority receive a neighbourhood forum application, which they do not decline to consider under regulation 11, the authority must determine the application by the date prescribed in paragraph (2).

(2) The date prescribed in this paragraph is—

(a) in a case where the neighbourhood area to which the application relates falls within the areas of two or more local planning authorities, the date which is the last day of the period of 20 weeks beginning with the day immediately following that on which the application is first publicised in accordance with regulation 9;

(b) in all other cases, the date which is the last day of the period of 13 weeks beginning with the day immediately following that on which the application is first publicised in accordance with regulation 9.

(3) The date prescribed in paragraph (2) does not apply where, on that date, the authority are considering another neighbourhood forum application and that other application relates to an area which consists of or includes some or all of the neighbourhood area to which the application mentioned in paragraph (1) relates.

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F1 Reg. 9A inserted (1.10.2016) by The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016 (S.I. 2016/873), regs. 1(1), 2(5) (with reg. 4(2))

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**Publicising a designation of a neighbourhood forum**

**10.**—(1) As soon as possible after designating a neighbourhood forum, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the designation to the attention of people who live, work or carry on business in the neighbourhood area—

(a) the name of the neighbourhood forum;

(b) a copy of the written constitution of the neighbourhood forum;

(c) the name of the neighbourhood area to which the designation relates; and

(d) contact details for at least one member of the neighbourhood forum.

(2) As soon as possible after deciding to refuse to designate a neighbourhood forum, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the decision to the attention of people who live, work or carry on business in the neighbourhood area—

(a) a statement setting out the decision and their reasons for making that decision (“the refusal statement”); and

(b) details of where and when the refusal statement may be inspected.

**Subsequent applications**

**11.** Where a neighbourhood forum has been designated in relation to a neighbourhood area under section 61F of the 1990 Act, and that designation has not expired or been withdrawn, a local planning authority may decline to consider any neighbourhood forum application made in relation to that neighbourhood area.
Voluntary withdrawal of designation

12.—(1) Where a neighbourhood forum gives notice to a local planning authority that it no longer wishes to be designated as the neighbourhood forum for a neighbourhood area, the local planning authority must withdraw the designation of the neighbourhood forum.

(2) As soon as possible after withdrawing the designation of a neighbourhood forum under paragraph (1) or under section 61F(9) of the 1990 Act, a local planning authority must publish the following on their website and in such other manner as they consider is likely to bring the withdrawal of the designation to the attention of people who live, work or carry on business in the neighbourhood area—

(a) a statement setting out details of the withdrawal (“the withdrawal statement”); and

(b) details of where and when the withdrawal statement may be inspected.
Changes to legislation:
There are currently no known outstanding effects for the The Neighbourhood Planning (General) Regulations 2012, PART 3.