

## Appendix 3

### Criteria for the designation of a Neighbourhood Area and Neighbourhood Forum

- 1.1 Neighbourhood plans must have a designated neighbourhood area to which they relate. A proposed area should be considered appropriate except where it overlaps with another neighbourhood area or has been submitted by a non-qualifying body.
- 1.2 An application for an area designation must be submitted to the local planning authority by a relevant body (a parish council or neighbourhood forum). The neighbourhood area and forum must be designated in accordance with the relevant legislation<sup>1</sup>.
- 1.3 In order for a local planning authority to designate a neighbourhood forum the authority must be satisfied that the neighbourhood forum meets all the statutory criteria set out in section 61F(5) of the Town and Country Planning Act 1990. These are:
  - i) that the forum is established for the express purpose of promoting or improving the social, economic and environmental wellbeing of an area that consists of or includes the neighbourhood area concerned;
  - ii) the forum's membership must be open to individuals who live or work in the neighbourhood area and to councillors any of whose ward falls within the area;
  - iii) the forum must have at least 21 members each of whom lives, works or is a councillor in the area; and
  - iv) the forum must have a written constitution.
- 1.4 In addition, the local planning authority must have regard to the desirability of designating a forum that:
  - i) has taken reasonable steps to secure membership that includes at least one person from each of the three aforementioned groups;
  - ii) has membership drawn from different places in the area and from different sections of the community in the area; and
  - iii) whose purpose reflects the character of the area.
- 1.5 The legislation states that only one forum can be designated for a neighbourhood area and that a forum designation lasts for 5 years.

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<sup>1</sup> Statutory requirements regarding the designation of neighbourhood areas and neighbourhood forums are set out in the Town and Country Planning Act 1990 as applied to Neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. Specific procedures that the local planning authority is required to undertake in designating a neighbourhood area or neighbourhood forum are set out in the Neighbourhood Planning (General) Regulations 2012, Neighbourhood Planning (General) (Amendment) Regulations 2015 and Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.