



Hinckley & Bosworth
Borough Council

Guidance note – A guide to Regulation 14 Pre-Submission Consultation – March 2025

Introduction

The neighbourhood planning regulations¹ (Regulation 14²) require the draft neighbourhood plan proposal to be the subject of a pre-submission consultation before it is submitted to the local authority for independent examination. This guide runs through the process on the lead-up to the Regulation 14 pre-submission consultation, and the requirements of the consultation itself.

Preparation for pre-submission consultation

There are many things the neighbourhood plan group will want to make sure are ‘checked off the to-do list’ before proceeding to the first formal consultation on the plan:

- The Strategic Environmental Assessment (SEA) process has been completed from start to finish.
 - The neighbourhood plan will either have just a SEA Screening accompanying the plan, or a full SEA Environmental Report will have been undertaken. These have to be completed before proceeding to Regulation 14.
 - Ensure that process has fully satisfied any consultation requirements, i.e. the three statutory bodies need to be consulted: Natural England, Historic England and the Environment Agency
 - If a full SEA Environmental Report has been undertaken, ensure there has been enough time planned into the process to take account of any recommendations or outcomes included in that report. The neighbourhood plan is required to be amended as per the recommendations that come out of the SEA process.
- The plan is in its ‘final’ state, i.e. the plan is fully formed, all necessary amendments have been made, there are no gaps in the document itself or the evidence base etc.
- The Qualifying Body have a list of people to consult (see Consultees section below)
- The Qualifying Body have a plan of how they are going to consult, i.e. write letters, do leaflet drops, hold drop-in events, post on social media. The regulations state that the Qualifying Body must “*publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area*” (see How To Consult section below)

Once the Qualifying Body is satisfied that everything is prepared, it is encouraged that the neighbourhood plan group notifies the LPA that the plan is going out for consultation, giving as much notice as possible. Please note that it’s not just the Planning Policy team that contribute to the response to the Regulation 14 consultation; invited to comment are also a Development Management officer, the Affordable Housing officer, the Conservation Officer and an Economic Development officer, to comment where appropriate. This is why the LPA requires as much

¹ <https://www.legislation.gov.uk/ukxi/2012/637/contents/made>

² <https://www.legislation.gov.uk/ukxi/2012/637/regulation/14/made>

notice as possible to ensure that there is enough officer resources to dedicate to responding to the consultation.

Consultees

During the initial stages of writing the plan, the neighbourhood plan group will begin to get a good idea of the main objectives and vision for the plan. During this stage, it is good practice to keep a list of the organisations and stakeholders which may have expertise or advice on certain topic areas and/or policies. These could include the National Forest, Sport England, Canal & River Trust, the NHS, for example.

Once the group has decided on the policies and the subjects that will be covered in the plan, it's important to have an open dialogue with the organisations identified to make sure that the detail of the policies have appropriate consideration of the organisation's requirements.

Whilst it may take some time to develop a list of stakeholders and consultees and start an open dialogue with them, having done it means there is a much greater chance that the policies and content in the first draft of the neighbourhood plan will meet with the consulted organisations expectations. This can save considerable time later on in the process and could potentially prevent objections from certain stakeholders.

As the Regulation 14 pre-submission consultation is the responsibility of the Qualifying Body, not the LPA, it's important to keep track of everyone the group want to consult. This will include Statutory Bodies as well as the general stakeholders.

Statutory Bodies can include (but not limited to):

- The Local Planning Authority
- The County Council
- The Environment Agency
- Natural England
- Historic England
- The Highways Authority

In addition the Qualifying Body have a statutory responsibility to consult with any adjoining Parish Council or Local Authority, if any part of their area is in or is adjacent to the boundary of the designated area.

It is also advisable to consult any significant landowners, local businesses and local community organisations, such as chambers of commerce, civic societies and local trusts.

Anyone on the neighbourhood plan stakeholder database/list that has previously been involved in the preparation of the plan, or may have contributed at earlier (non-statutory) consultations or workshops should also be consulted.

If there is any doubt about who to consult please contact the LPA.

Who, when and how you consult will be critical, as the independent examiner will be looking at the Consultation Statement during examination. The engagement with consultees and concerns have been addressed will be of critical importance to the examiner who has to ensure the plan meets the basic conditions and all regulatory requirements in order to proceed.

How to consult

Pre-submission consultation requirements include publicising the draft plan to people who live, work or run businesses in the area. The publicity must include details of the proposed neighbourhood plan, where and when it may be viewed, how to make comments on the plan and by what date. The consultation must run for at least six weeks.

Please note that many people may not want to read through the whole document if they are only interested in certain topics, so it is useful to produce a simple leaflet or display boards for the local area that set out the main aims and the focus of the policies in the plan, or potentially provide an executive summary at the beginning of the plan or as a separate document.

Drop-in sessions for members of the public with the neighbourhood plan group during the consultation may be a useful means of allowing people to ask questions or discuss the plan on a one-to-one basis.

The following documents need to be provided on the Parish Council website for the duration of the consultation (and after the close of the consultation for audit trail purposes when it comes to Examination):

- The draft plan
- All supporting documents and all evidence bases
- A response/comments form
- SEA Screening results and/or the final SEA Environmental Report

If there are any other documents that the group think will be beneficial for the consultees to see before they respond it would be in the Qualifying Body's interest to provide these for transparency and openness. For example, some groups provide the minutes of the neighbourhood plan group meetings and/or Parish Council meetings where the plan has been discussed. Other examples of useful consultation documents include any outcomes of community surveys or drop-in events, site assessment work, methodologies etc.

Hard copies of the plan should be made available at convenient locations in the plan area, such as libraries, community centres, council offices and other key public buildings. Copies should be available to send/loan to people who can't access a digital or displayed copy for whatever reason. If there is not a publicly accessible building in the plan area, contact the Borough Council for advise on where to hold copies of the plan during the consultation.

Next steps

Following the close of the Regulation 14 consultation, **all** responses must be recorded by the Qualifying Body, and they should be considered and responded to appropriately. Ultimately, the consultee responses to the Regulation 14 consultation will form part of the Consultation Statement, one of the required documents for Regulation 15 Submission and Examination. The Consultation Statement will showcase how the plan has been consulted on throughout the preparation of the plan, how the neighbourhood plan group responded to consultees comments and what changes have been made to the plan as a result.

The Regulation 14 consultation responses will give an insight to the extent of changes needed before progressing to Regulation 15 Submission. Make sure to keep a log of all the changes made following the Regulation 14 consultation, and the reasons why those changes were made. Likewise, if there are particular comments that are disagreed with, and/or it is inappropriate or a change is not needed, make sure to state clearly why it has not been actioned. The best way to keep a track of all the responses to comments is in an excel spreadsheet or table format. The Borough Council can advise further if required.

Once all changes have been made to the document and the group are happy that it is the final version of the neighbourhood plan, the documents that are required for Regulation 15 Submission should now be finalised ready for submission to the LPA.