

2012 No. 2030

TOWN AND COUNTRY PLANNING, ENGLAND

**The Neighbourhood Planning (Prescribed Dates) Regulations
2012**

<i>Made</i>	- - - -	<i>2nd August 2012</i>
<i>Laid before Parliament</i>		<i>7th August 2012</i>
<i>Coming into force</i>	- -	<i>1st September 2012</i>

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by paragraphs 14(4) and (6) and 15(3) of Schedule 4B to the Town and Country Planning Act 1990(a), makes the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Neighbourhood Planning (Prescribed Dates) Regulations 2012 and come into force on 1st September 2012.

(2) In these regulations “the Act” means the Town and Country Planning Act 1990.

Prescribed dates

2.—(1) For the purposes of paragraph 14(4) and (6) of Schedule 4B to the Act, the prescribed date is the date on which the referendum is held.

(2) For the purposes of paragraph 15(3) of Schedule 4B to the Act, the prescribed date is the date on which the additional referendum is held.

Signed by authority of the Secretary of State for Communities and Local Government

Grant Shapps
Minister of State

2nd August 2012

Department for Communities and Local Government

(a) 1990 c.8. Schedule 4B was inserted into the Act by section 116 of, and Schedule 10 to, the Localism Act 2011 (c. 20). In the case of a referendum or additional referendum in respect of a neighbourhood development plan, Schedule 4B is applied with modifications by section 38A(3) of the Planning and Compulsory Purchase Act 2004 (c. 5). See section 336(1) of the Town and Country Planning Act 1990 for the definition of “prescribed”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Localism Act 2011 inserts provisions into the Town and Country Planning Act 1990 (“the Act”) in relation to neighbourhood development orders and into the Planning and Compulsory Purchase Act 2004 in relation to neighbourhood development plans. Before an order or plan can come into force a referendum, and in the case of a designated business area, an additional referendum, must be held.

A person is entitled to vote in a referendum under paragraph 14 of Schedule 4B to the Act if on the prescribed date the person would be entitled to vote in a local government election for the area (or in a Greater London Authority election if the area is in the City of London). A person is entitled to vote in an additional referendum under paragraph 15 of Schedule 4B to the Act if on the prescribed date the person is a non-domestic ratepayer in the referendum area.

Regulation 2 prescribes the date for the purposes of paragraphs 14(4) and (6) and 15(3) of Schedule 4B to the Act as the date on which the referendum or additional referendum is held.

An impact assessment has not been prepared in relation to these Regulations as no impact on the private or voluntary sectors is foreseen.

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