**Central Ealing Neighbourhood Forum Management Committee meeting Thursday 27 April 2017
Agenda item 4**

**Neighbourhood Plan examination & referendum**

**Introduction**

This paper sets out the position reached on the CENDP following the last meeting, together with proposals for the conduct of the referendum. It covers:

a the Examiner’s report

b LBE’s response

c the referendum process and estimated timings

d work required for a campaign plan.

**Examiner’s report**

The report from John Parmiter, the Examiner jointly appointed by LBE and the Forum to conduct the statutory public examination of the CENDP was received on Monday 20 March. It was posted on the Forum web site ([www.centralealingforum.com/public-examination.html](http://www.centralealingforum.com/public-examination.html)) the next day. Mr Parmiter considered each of the policy proposals in the submitted plan, the Statement of Common Ground (SoCG) agreed by LBE and the Forum beforehand, and the comments made in the final public consultation. These included items made by Make It Ealing, responses to which were also taken into account in the SoCG.

The Examiner decided that the CENDP met the necessary statutory tests and recommended that it should proceed to separate referendums of local residents and businesses, subject to acceptance of the changes in the SoCG and deletions of parts of some of the policies. These included HBE2 (key views policy), HBE3 (set-back for Conservation Area building frontages), HBE4 (Haven Green buffer zone) and the whole of CENP2 (BBC car park). He also suggested the omission of the background papers in the Appendix as no longer being of relevance to the final plan. Finally, he recommended that the larger area for the referendum area proposed by the Forum should be adopted.

**LBE response**

LBE is required under Regulations to consider the Examiner’s recommendations and issue its ‘decision statement’ within five weeks of receipt of the report. LBE planners discussed with representatives from the Forum the wording changes needed to implement the report, but rejected our request to compete this earlier so as to allow the possibility of holding the referendums before the summer holidays. They also decided that the decision statement needed to be ratified by the Cabinet on 25 April, which is just one day after the deadline.

Unfortunately agreement on the final wording was not reached in time for the final text to be included in the Cabinet papers, and at the time of writing one issue remains to be settled. This means that the decision statement cannot be issued until the next Cabinet on 17 May. This part of the procedure therefore remains to be completed.

**Referendum process and timing**

Regulations also lay down that in a business area the referendums must be held within 84 working days of the decision statement, unless there is an agreement between the local authority and the ‘qualifying body’ (in this case, the Forum). LBE felt that the arrangements for a votes, including compilation of the necessary registers, could not be completed any faster. Following the collection of views from members of the management committee the Council was informed that the alternative date they had suggested of 28 September was accepted by us, albeit reluctantly. (In the event, the subsequent declaration of the General Election would have made any earlier date practically impossible anyway.)

The Council’s Electoral Registration Officer (Ross Jackson) had earlier provided a detailed timetable, which is attached. On the assumption that P-day is confirmed as Thursday 28 September, the process on the timetable will start from Friday 2 June, though no deadline would be earlier than 12 July, the last date for the ‘Information Statement’ for business voters to be published by LBE. The referendum notice would be published in mid-August, with a six-week period before the vote.

It may be thought that this provides rather a short period after the holidays to conduct an adequate information campaign, so t**he committee is asked to confirm its agreement to 28 September, or whether to ask for a date in October (5 or 12).**

**Referendum campaign**

The CENDP needs to receive 50% of the votes cast in both referendums to be approved. Whilst there is no minimum size of vote stipulated, the target set we set ourselves in 2014 was for to match the turnout at local elections (30% - 35%) and achieve at least 85% of the votes in favour. For the business vote, it will be difficult to get as high a turnout as achieved in November last in the vote for the renewal of the BID (58%), as for the CENDP there is not the same level of financial or other engagement. Nevertheless we might aim to get a similar majority on a turnout as close as possible to that of the residents.

One difficulty we face is that the Forum is not entitled to receive a copy of the register of electors. This will be a particular problem for the business register in the expanded referendum area, as this has not yet been compiled. Moreover, as Make It Ealing BID levy payers only include those businesses with a rateable value of £10,000 and over, even this is only part of the total eligible number of voters. Discussion will be needed with MiE to agree how best to contact these people, and to reach beyond them to the smaller business community.

In respect of residents, the information campaign will probably be similar to a normal local election, where encouragement to vote is usually a key factor.

 LBE will issue an Information Statement to all registered voters at the start of the referendum period, but this will be limited to information about the purpose of the vote, the practical arrangements and where the CENDP can be inspected. All other information about the content of the plan will be for the Forum to prepare and distribute as best it can. Finance for this will also have to be obtained. Although there is the possibility of a further grant through Locality, a detailed and costed campaign will need to be prepared and submitted with a request for support.

**It is proposed that a small working group should be set up to review the options and prepare a plan for the next management committee, including costings and suggestions for exploring sources of funding.**

 AHJM
24/4/17