

Status: Point in time view as at 12/10/2018.

Changes to legislation: Town and Country Planning Act 1990, Paragraph 14 is up to date with all changes known to be in force on or before 08 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 4B

PROCESS FOR MAKING OF NEIGHBOURHOOD DEVELOPMENT ORDERS

Textual Amendments

- F1** Sch. 4B inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), ss. 116(2), 240(5)(j), [Sch. 10](#); [S.I. 2012/57](#), art. 4(1)(h) (with arts. 6, 7, 9-11); [S.I. 2012/628](#), art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4); [S.I. 2012/2029](#), arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4); [S.I. 2013/797](#), arts. 1(2), 2

Modifications etc. (not altering text)

- C1** Sch. 4B applied (with modifications) by 2004 c. 5, s. 38A(3) 38C(5) (as inserted (15.11.2011 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes, 6.4.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), s. 240(5)(j), [Sch. 9 para. 7](#); [S.I. 2012/628](#), art. 8(a) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by [S.I. 2012/2029](#), arts. 2, 4); [S.I. 2012/2029](#), arts. 2, 3(a) (with art. 5) (as amended (6.4.2013) by [S.I. 2013/797](#), art. 4); [S.I. 2013/797](#), arts. 1(2), 2)

Referendum

- 14 (1) This paragraph makes provision in relation to a referendum that, as a result of paragraph 12(4) [^{F2}or a direction under paragraph 13B(2)(a)], must be held on the making of a neighbourhood development order.
- (2) A relevant council must make arrangements for the referendum to take place in so much of their area as falls within the area (“the referendum area”) in which the referendum is to take place (as determined under paragraph 12(7) and (8)).
- (3) A “relevant council” means—
- a district council,
 - a London borough council,
 - a metropolitan district council, or
 - a county council in relation to any area in England for which there is no district council.
- (4) A person is entitled to vote in the referendum if on the prescribed date—
- the person is entitled to vote in an election of any councillors of a relevant council any of whose area is in the referendum area, and
 - the person's qualifying address for the election is in the referendum area.
- (5) Sub-paragraph (4) does not apply in relation to so much of the referendum area as falls within the City of London.

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- (6) In that case a person is entitled to vote in the referendum if on the prescribed date—
- (a) the person is entitled to vote in an Authority election, and
 - (b) the person's qualifying address for the election is in the City of London.
- (7) For the purposes of this paragraph—
- (a) “ Authority election ” has the same meaning as in the Representation of the People Act 1983 (see section 203(1)),
 - (b) the Inner Temple and the Middle Temple are to be treated as forming part of the City of London, and
 - (c) “ qualifying address ” has the same meaning as in the Representation of the People Act 1983 (see section 9).]

Textual Amendments

- F2** Words in Sch. 4B para. 14(1) inserted (1.10.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), **ss. 141(2), 216(3)**; [S.I. 2016/733](#), **reg. 4(1)(b)**

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