

**Neighbourhood planning service level agreement between
Purbeck District Council and
Lytchett Matravers Parish Council
June 2014**

Introduction

1. Neighbourhood Planning was introduced by the Localism Act 2011. The associated Regulations (The Neighbourhood Planning (General) Regulations 2012) require the District Council to undertake certain provisions. In addition the District Council is also required to provide such advice and assistance as it considers appropriate. In this case, the District Council is mindful of the importance of a Neighbourhood Plan in this area in support of the key objectives of the Purbeck Local Plan Part 1 and the emerging Partial Review.
2. This agreement sets out how the District Council will meet its statutory obligations and the level of assistance it will offer to the Parish Council.

The Agreement

3. This is a Service Level Agreement between Purbeck District Council ('the District Council') and Lytchett Matravers Parish Council ('the Parish Council').

Purpose of the Agreement

4. The Localism Act 2011 includes the following provisions for Neighbourhood Planning:
 - Neighbourhood Development Plans
 - Neighbourhood Development Orders
 - Community Right to Build Orders
5. In Purbeck District, Neighbourhood Development Plans and Neighbourhood Development Orders can only be undertaken by a Parish/Town Council.
6. The purpose of this Agreement is to form a working relationship between the Parish Council and the District Council, which sets out:
 - how the District Council will undertake its statutory duties; and
 - how the Parish Council will undertake its statutory duties.

Purbeck District Council's obligations

7. To help to produce the pre-submission draft neighbourhood plan, the District Council's support officer will:
 - (i) arrange a workshop, early in the process, for representatives of the neighbourhood plan steering group, to provide initial advice and technical support (this may be a joint workshop with other groups at a similar stage), and,
 - (ii) attend the meetings of the Parish Council's steering group and provide officer time of one day per month to help ensure the plan is fit for pre-submission consultation.
8. The support officer will assist the steering group in drawing up a project plan which addresses:

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- Key stages of producing a neighbourhood plan – including milestones and key tasks
 - The scope of the neighbourhood plan and meeting the 'basic conditions'
 - The relationship with the National Planning Policy Framework, the adopted Purbeck Local Plan and emerging plans
 - The legal processes to be followed
 - The requirements of other legislation and national policy such as: Human Rights Act, the Habitats Regulations, Strategic Environmental Assessments (SEA), Sustainability Appraisal (SA) - including SEA, heathland and nitrates mitigation
 - Methods of consultation and engagement – including:
 - i. Consultation with the consultation bodies specified in Section 14 of the Neighbourhood Planning (General) Regulations 2012
 - ii. Public consultation and engagement specified in Section 14 of the Neighbourhood Planning (General) Regulations 2012
9. At the request of the Parish Council, the Council will either provide or direct the steering group to the appropriate source for the following:
- Planning data relevant to the Neighbourhood Plan area for the past 5 years
 - A list of planning applications made in the Plan area in the last 5 years
 - Links to external research data
 - Access to the Local Plan evidence base data
 - Maps showing constraints data relevant to Habitats Regulations Assessment and Strategic Environmental Assessment
 - Other maps as requested. The Council will need at least 3 weeks notice to timetable in production of maps.
 - Other appropriate data held by the Council
10. The Council will provide advice on the draft Neighbourhood Plan prior to the pre-submission stage, on the:
- suitability of the Plan in meeting the basic conditions
 - conformity of the Plan
 - suitability of the Consultation Statement
 - suitability of any Environmental Assessment or Habitats Regulations Assessment undertaken
 - conformity with other legislative requirements, and
 - conformity with OS mapping requirements (including copyright issues).

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11. Within four weeks of receiving submission documents, Purbeck District Council will confirm whether the submitted Neighbourhood Plan meets the criteria set out in the Neighbourhood Planning (General) Regulations 2012. This allows time for Purbeck District Council to seek external advice if required.
12. If the submitted Neighbourhood Plan meets the criteria set out in the Neighbourhood Planning (General) Regulations, Purbeck District Council will:
 - publicise the Neighbourhood Plan and other relevant documents (for a six-week consultation period) - within three weeks of confirming that the plan meets the criteria set out in the Neighbourhood Planning (General) Regulations 2012;
 - appoint an examiner in consultation with the Parish Council - within three weeks of confirming that the plan meets the criteria set out in the Neighbourhood Planning General Regulations 2012;
 - send the examiner any comments received during the consultation - within four weeks of the end of the consultation;
 - consider the examiner's report and publish a decision statement - within four weeks of receipt of the examiner's report (this allows time for Purbeck District Council to seek external advice if required);
 - arrange for a referendum to take place – where possible within eight weeks¹ of the publication of the decision statement (provided that the plan is found sound); and
 - adopt the plan at the first available Council meeting following a positive referendum.

Lytchett Matravers Parish Council's obligations

13. Invite the District Council's support officer (as named below) to steering group meetings to help produce a draft neighbourhood plan fit for pre-submission
14. Attend the District Council's initial workshop
15. Work with the District Council to develop and implement a Project Plan (to be agreed as set out in Section 8)
16. Sign up to the Council's mapping protocol to enable the Council to provide licenced maps
17. Publicise the pre-submission draft Neighbourhood Plan and other relevant documents (for a six-week consultation period) - as specified in the Neighbourhood Planning (General) Regulations 2012
18. The Parish Council will then consider the consultation responses and make any amendments to the plan (if required).

¹ A longer lead-in time may occasionally be required to avoid pre-election periods.

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19. The Parish Council will include with its submission of the final draft Neighbourhood (Development) Plan to the District Council ahead of consultation prior to the Examination:
- A map identifying the Neighbourhood Development Plan area
 - The consultation statement including the information - as set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012
 - Any Strategic Environmental Assessment, Habitat Regulations Assessment or other required assessment - as may be applicable
 - A Statement that the "basic conditions" have been complied with.
 - Any additional evidence/information to support the plan
20. Documents should be provided electronically as well as hard copy, to facilitate the final consultation and examination.
21. Following a successful Examination, the Parish Council will provide the District Council's Support Officer (Diane Bemand) with:
- The final Neighbourhood Development Plan in an electronic format
 - All supporting documents in an electronic format
 - All survey information that may assist future research for the Council

General Provisions

22. Nothing in this Service Level Agreement shall fetter either party in exercising their statutory duties and powers, or in exceeding the minimum level of service stated here neither voluntarily nor by the specific agreement of both parties. This SLA is not intended to be legally binding on either party.
23. In the event of a dispute, the matter shall be referred to the Chair of the Parish Council and the Chief Executive of the District Council together for a resolution.
24. This agreement will continue in force from the Commencement Date until the adoption of the neighbourhood plan unless either party to the agreement gives written notice at any time to end the Service Level Agreement.

Signatories

	General Manager Planning and Community Services, Purbeck District Council
 15.12.2014	Chairman, Lytchett Matravers Parish Council

This Agreement will commence on: [Insert commencement date]