

Service Level Agreement between *West Berkshire District Council* and *Hungerford Town Council* for the purpose of producing a Neighbourhood Plan

1. Purpose

The purpose of this agreement is to form a working relationship between *Hungerford Town Council* and *West Berkshire District Council (Development and Planning)*.

Under the provisions of the Localism Act 2011 *West Berkshire District Council* are responsible for:

- a. fulfilling certain statutory requirements and
- b. the provision of advice and assistance

This agreement confirms:

- a. how *West Berkshire District Council* will undertake its statutory duties
- b. the level and extent of the technical advice and assistance that *West Berkshire District Council* will provide
- c. how *Hungerford Town Council* will aim to progress the Neighbourhood Plan.

2. Memorandum of Agreement:

This Agreement is between:-

West Berkshire District Council



signature Head of Development and Planning

date: 9th April 2018

and

Hungerford Town Council



signature of chairman of the parish

date: 8th May 2018.

3. Date and duration of agreement

This agreement will commence once the document has been signed and dated by the selected representatives of both parties.

It is expected that this agreement will run for 24 months, or until the parish council have an adopted Neighbourhood Plan (whichever is sooner), at which point there will be a review by both parties with respect to its continuation.

4. Working Relationships

The parties to this agreement seek:

- a. an open and constructive working relationship
- b. to work closely together at all levels, both in policy, and in strategic issues of importance
- c. to respect each others' views, and where different, after discussion to ensure proper understanding of the reasons for such differences
- d. to have a 'no surprises' policy, based on notifying each other well in advance, where possible, of significant announcements and developments in policy
- e. to minimise duplication of activity wherever possible
- f. to inform other stakeholders about our relationship so as to reduce uncertainty.

5. Service Roles and Responsibilities

5.1 The statutory obligations of West Berkshire District Council

Following completion of the statutory procedures *West Berkshire District Council* will meet the following standards of service – the regulation numbers apply to the Neighbourhood Planning (General) Regulations 2012, amended 2015.

Confirm that the draft plan meets the criteria in the Localism Act (Regulation 15) within 2 weeks of submission to the District Council.

Publicise, for 6 weeks, the submission plan and other relevant documentation (Regulation 16) within 4 weeks of receiving the submission documents which meet the criteria and pass on representations to the Independent Examiner within 4 weeks of the close of the consultation period (Regulation 17),

Consideration of the recommendations in the Examiners' Report that the draft plan meets the basic conditions and publication of a 'Decision Statement' (Regulation 18/19) within 4 weeks following the receipt of the inspectors report.

Take the proposed plan to the first available council meeting following the publication of the 'Decision Statement' to agree progression of the plan to referendum and adoption of the plan following a successful 'yes' vote.

Make arrangements including the setting of a date for the holding of the referendum – within 5 working days of the council meeting where the plan is agreed.

Hold the referendum within 10 weeks of making the decision to hold the referendum, unless it could be combined with another poll to be held within 3 months of the end of the 10 week period.

Changes to the above timescales can be made following written agreement between the Town Council and West Berkshire District Council.

Should new legislation be published that significantly changes the Neighbourhood Planning Process this agreement will be reviewed and updated as necessary.

5.2 West Berkshire District Council will make the following provision for advice and assistance:

Published advice

A simple guide to procedures for Neighbourhood Planning and a set of guidance notes.

Professional advice

Provide a named officer as first point of contact for advice and technical support.

In this case the support officer is:

Laila Bassett, Senior Planning Officer
Email: laila.bassett@westberks.gov.uk
Tel: 01635 519 540

Initial Meeting

At the request of the parish council and following designation of the Neighbourhood Area the support officer will attend and provide an overview on the procedures and issues. The advice will cover:

- *The legal procedures*
- *The preparation and content of a project plan*
- *Methods of consultation and engagement*
- *Consultation with the 'consultation bodies'*
- *The requirements of other legislation such as Human Rights Act, the Habitats regulations and Environmental Assessments*

Background Data and Evidence

The District Council will make available on request:

- *Annual Monitoring reports for the last 5 years*
- *Planning commitments for housing for the last 5 years (where available)*
- *Planning commitments for employment uses for the last 5 years (where available)*
- *Details of the SHLAA submissions for the parish*
- *List of planning applications made in the last 5 years*
- *The Local Plan Evidence Base and access to base data*
- *Maps showing constraints data*

The District Council will provide:

- *OS base maps for the area (District Council's OS licence number must be included on all maps provided by the District Council)*
- *Digitising of final proposals maps*
- *Links to research and demographic data*

Professional advice and assistance

The District Council will provide advice and assistance on:

- *Methods of community engagement and consultation*
- *Questionnaires*
- *Potential delivery partners*
- *Conformity matters*
- *Up to date information on the Local Plan*
- *Advice on any requirement for Environmental Assessment and Habitats Regulation Assessment (including screening as to whether SEA will be required)*
- *Emerging drafts of the plan*

For the Draft Neighbourhood Plan the District Council will provide advice and assistance on:

- *Conformity of the plan and whether in their view it meets the basic conditions*
- *Suitability of the Consultation Statement*
- *Suitability of any Environmental Assessment or Habitats Regulations Assessments undertaken*
- *Conformity with other legislative requirements*
- *OS mapping requirements*
- *Coordinate consultation with internal District Council consultees regarding the draft plan.*

West Berkshire District Council will provide formal comments on the Neighbourhood Plan as part of the pre-submission consultation (Regulation 14) including a steer on whether the plan is considered to meet the Basic Conditions.

West Berkshire District Council will not offer advice or assistance in the following areas:

- *Writing documents*
- *Undertaking survey work*
- *Attending every meeting*
- *Attending every consultation event*
- *Direct financial support*
- *Printing of documents for examination*

6. Parish Responsibilities

- a. Establish a steering group, made up of representatives of the local community, to develop the Neighbourhood Plan with clear terms of reference.
- b. Publish details of the steering group on the Parish Council's website (including details of the area where each member of the steering group lives)
- c. Arrange an initial meeting to which the named Council support officer can attend and advise the steering group.
- d. Undertake to work towards preparation of a Neighbourhood Plan with a defined project management approach, work programme and timetable to delivery (Project Plan).
- e. Convene as a group on a regular basis throughout the period of preparation of the Neighbourhood Plan and its examination.
- f. Commit adequate resources to the task.

- g. Provide regular updates on progress against the project plan to the Council via the named officer.
- h. Provide to the District Council the Draft Submission Plan in electronic format.
- i. Provide evidence base documents which would be helpful to the *District* Council.
- j. Provide at least one hard copy of all documents (including evidence base documents) to the District Council to pass on to the examiner.

7. Progress and Review Process

The progress on the Neighbourhood Plan and success of the support from West Berkshire District Council will be reviewed every *6 months*, against this agreement and in a face to face meeting between the District Council and the *Hungerford* Neighbourhood Plan steering group.

8. Dispute settlement

In the unlikely event of a dispute it is expected that these will be resolved at the working level at which they arise. If this is not possible then the relevant signatory to this agreement will discuss the matter and decide on the action to take.