

# Model Service Level Agreement between a local authority and a parish council or neighbourhood forum for the purposes of producing a Neighbourhood Development Plan

*This agreement will need to be tailored to the individual circumstances of the Council/qualifying body*

*Please note: the text of this model agreement is a combination of a number of authorities existing agreements.*

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## Service Level Agreement between **XXXX local authority** and **XXXX Parish Council/Neighbourhood Forum** for the purpose of producing a Neighbourhood Development Plan

### 1. Purpose

The purpose of this agreement is to form a working relationship between **XXXXX parish/neighbourhood forum** and **XXXX local authority**, encompassing *insert relevant departments e.g. Planning and Regeneration Services, Electoral Services, etc.*

Under the provisions of the Localism Act 2011 **XXXX local authority** are responsible for:

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

This agreement confirms:

- a. how **XXXX local authority** will undertake its statutory duties
- b. the level and extent of the technical advice and assistance that **XXXX local authority** will provide
- c. how the **Parish Council/Neighbourhood Forum** will aim to progress the Neighbourhood Development Plan.

### 2. Memorandum of Agreement:

This Agreement is between:-

**XXXXX local authority** (namely the heads of .....*insert relevant departments e.g. Planning, Electoral services, Regeneration, Communities*

signature of Chief Planning Officer / Portfolio Holder

signature of officer/ PFH

date

and

xxxxx Parish Council/Neighbourhood Forum

signature of chairman of the parish or forum

date

### 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 *12/ 18/ 24* months, 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

#### 5a The statutory obligations of *XXXX local authority*

Following completion of the statutory procedures *XXXX local authority* will meet the following standards of service – the regulation numbers apply to the Neighbourhood Planning (General) Regulations 2012.

*This assumes that the Neighbourhood Development Plan Area (and Forum) where necessary will have been designated prior to this agreement being put in place*

Confirm that the draft plan meets the criteria in the Localism Act (Regulation 15) – *X (insert number)* weeks following submission to the Council.

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

Appoint a suitable examiner in agreement with the *Parish Council/Neighbourhood forum (delete as necessary)* and submit the draft plan, supporting documents to the Independent Examiner Regulation 17) – within *X weeks (insert number)* of close of pre-submission publicity period

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) – *X weeks (insert number)* following the receipt of the inspectors report

Make arrangements including the setting of a date for the holding of the referendum – within *X days (insert number)* of the publication of the decision statement

Making of the plan (Regulation 19/20) - at the first available meeting of *cabinet/ council/ delete as applicable* following a positive referendum vote

**5b *XXXX local authority* will make the following provision for advice and assistance:**

*(this should be amended as fits the local offer)*

### **Published advice**

Provide on its website www. ....

*Insert local offer:*

*A simple guide to procedures for Neighbourhood planning*

*A set of guidance notes*

*Templates for*

*An online forum for neighbourhood planning groups in the district*

### **Professional advice**

Provide a named officer as first point of contact for advice and technical support. In this case the support officer is.....

Contact details:

Telephone.....

Email.....

### **Initial Meeting**

At the request of the forum/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:

*edit as per local offer*

- *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 Council will make available:

- *Annual Monitoring report data for the last 5 years*
- *List of planning applications made in the last 5 years*
- *The Local Plan Evidence Base and access to base data*
- *Maps showing constraints data*
- *Up to date information on any grant funding available*

The Council will provide:

- *£X.00 grant money*
- *OS base maps for the area*
- *Digitising of final proposals maps*
- *Links to research data*

## **Professional advice and assistance**

The Council will provide advice and assistance on:

- *Methods of community engagement and consultation.*
- *Potential delivery partners*
- *Conformity matters*
- *Up to date information on the Local Plan*
- *Advice on any requirement for Environmental Assessment and Habitats Regulation Assessment*
- *Emerging drafts of the plan*

For the Draft Neighbourhood Development Plan the 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*

**XXXX local authority** 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*

## **6. Forum/Parish Responsibilities**

- a. Establish a steering group to develop the Neighbourhood Development Plan with clear terms of reference.
- b. Arrange an initial meeting to which the named Council support officer can attend and advise the steering group.
- c. Undertake to work towards preparation of a Neighbourhood Development Plan with a defined project management approach, work programme and timetable to delivery.
- d. Convene as a group on a regular basis throughout the period of preparation of the Neighbourhood Development Plan and its examination.
- e. Commit adequate resources to the task.
- f. Provide regular updates on progress against the project plan to the Council via the named officer.
- g. Provide to the Council the Draft Submission Plan in electronic format.
- h. Provide results of primary source data which would be helpful to the Council.

## **7. Progress and Review Process**

The progress on the Neighbourhood Development Plan and success of the support from *XXXX local authority* will be reviewed every *4/6/ ? months*, against this agreement and in a face to face meeting between the Council and the *Parish/ Forum* 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.

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