

Neighbourhood Plan protocol

Neighbourhood Plans are normally led by the Parish/Town Councils in local areas. The Local Planning Authority, East Staffordshire Borough Council, has a statutory duty to provide advice and assistance to those communities choosing to undertake a Neighbourhood Plan.

This protocol outlines the services that East Staffordshire Borough Council will offer in order to fulfil the duty to support and guide Neighbourhood Planning. This includes Neighbourhood Plans (and reviews), Neighbourhood Development Orders and Community Right to Build Orders.

Website

East Staffordshire Borough Council will maintain a Neighbourhood Planning page on its website that provides information about:

- The powers available and the key development stages
- Progress on current plans
- Details of formal consultation
- Links to best practice and sources of advice

Designating Neighbourhood Areas

East Staffordshire Borough Council will:

- Map neighbourhood area boundaries required for the designation of the Neighbourhood Plan Area.
- Carry out the statutory consultation and consider the boundary of the area proposed to be covered by the Neighbourhood Area. Where the boundary is not considered 'coherent, consistent and appropriate in planning terms,' East Staffordshire Borough Council will work with the Town/Parish Council to come to a suitable resolution.
- Publicise the application for a Neighbourhood Area in such a manner that is considered likely to bring the application to the attention of people who work or carry on business in the area to which the application relates. This includes through East Staffordshire Borough Council and Town/Parish Council's web pages, local and/ or parish newspapers, local notice boards and libraries.
- Designate the Neighbourhood Plan Area in line with the regulations.
- All adopted Neighbourhood Plan Areas will be published on East Staffordshire Borough Council's website and in local and/or parish newspapers as soon as practical after formal designation.

Supporting the Development of Neighbourhood Plans

East Staffordshire Borough Council will:

- Provide advice on which issues would be considered as relevant planning matters and would be suitable for Neighbourhood Planning.
- Provide information on any relevant European and National legislation and policies, and adopted Local Plan policies with which the Neighbourhood Plan will need to be in general conformity.
- Share existing information and evidence base work held by the Local Planning Authority, as appropriate and subject to any data protection or confidentiality issues.
- Provide constructive comments on the emerging Neighbourhood Plan and other supporting documents (e.g. Basic Condition Statement) prior to formal submission.
- Carry out screening/ scoping to identify any need for a Strategic Environmental Assessment, Sustainability Appraisal or Habitat Regulation Assessment
- Provide a GIS mapping service including electronic versions and up to five printed copies of key maps for use at consultation events and workshops and for inclusion within draft and final plan documents. Parish Councils will need to sign an Ordnance Survey agreement with the Council prior to this work.
- Provide the most up to date available evidence base, including the Strategic Housing Market Assessment (SHMA), Strategic Housing Land Availability Assessment (SHLAA), Strategic Flood Risk Assessment (SFRA). These are also available on the Council's website.
- Provide contact details for Statutory Consultees and other groups relevant to the plan process.

East Staffordshire Borough Council will not:

- Fund consultation exercises, distribute consultation questionnaires, collect, collate or analyse responses.
- Provide project management services for the production of the Neighbourhood Plan.
- Draft the Neighbourhood Plan or any policies, although we can advise where similar plans or policies might have been prepared.

- Undertake the Strategic Environmental Assessment, Sustainability Appraisal or Habitat Regulation Assessment, if these are required following screening/scoping.

Independent Examination

East Staffordshire Borough Council will:

- Validate a Neighbourhood Plan on receipt, checking that all of the necessary supporting documents have been submitted.
- Review the plan to ensure that it is in conformity and offer comments and suggestions as appropriate.
- Publicise the Neighbourhood Plan on the Council's website for a minimum of six weeks in line with the regulations.
- Appoint and fund the Independent Examiner, who will check that the plan meets the material considerations. The selection of examiner will need to be agreed on by the Town/Parish Council/Neighbourhood Forum.
- Provide an Examination venue, if a venue is required, and if no other suitable town/village venue can be provided.
- Following the recommendations of the Examiner, provide written confirmation of the Council's position. This will cover any amendments that may need to be made to the plan before it proceeds to referendum and any change to the referendum area.

Referendum

East Staffordshire Borough Council will:

- Fund and organise the public referendum.

Adoption

If the Neighbourhood Plan receives support from more than 50% of those that vote in the public Referendum then East Staffordshire Borough Council will formally adopt the Neighbourhood Plan as soon as possible following the referendum.

Once adopted the Neighbourhood Plan will form part of East Staffordshire Borough Council's Development Plan. It will be a significant consideration in determining the outcome of planning applications considered by the Local Planning Authority within the Neighbourhood Area.

Funding

The following sources are available to Neighbourhood Plan groups to assist with Neighbourhood Plans (both new plans and revising plans):

- a basic grant of up to £9,000
- additional grants for eligible groups with an extra £8,000
- technical support through expert partners AECOM and other specialists

These opportunities are also in place for those areas wishing to review or modify their plans.

Locality will continue to deliver the Neighbourhood Planning Support Programme over the next four years, from 2018-2022. The programme builds on the 2015-18 programme and any support that you have previously received will be taken in to account.

If you would like to apply for support please fill in an 'expression of interest' form online at:

<https://mycommunity.org.uk/funding-options/neighbourhood-planning/grants/>

Reviewing Neighbourhood Plans

Local Plan Strategic Policy 6 states that East Staffordshire Borough Council will review the Local Plan within five years of the adoption of the Local Plan, or sooner if evidence shows a significant change in the need for development. A number of Neighbourhood Plans have been in place for several years and it is also likely that over the Local Plan period, many communities will want to review and revise their plans. The duty to support Neighbourhood Plans also includes the review of Neighbourhood Plans.

The expected process for reviewing Neighbourhood Plans is similar to that of preparing the plan initially in that consultation with key stakeholders and the community is required before submission to East Staffordshire Borough Council.

For Neighbourhood Plan Reviews, East Staffordshire Borough Council will:

- Consider if further consultation is required and if an examination is required
- If examination is considered necessary, the Council will appoint an examiner, in line with the approach set out above

For those plans being reviewed, the examiners report is binding and will conclude whether a referendum on the changes is required.

Contact

Planning Policy

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The content of this protocol is subject to change as a result of new information, changes in process requirements and the availability of resources.