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## **Neighbourhood Planning: Protocol for Support to Communities**

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## **1. Purpose of this Protocol**

Neighbourhood Plans are normally led by the Parish/Town Councils in local areas. Where an area is not parished, a Neighbourhood Forum may be formed to take a lead (Qualifying Bodies under the Localism Act). The Local Planning Authority, Eden District 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 Eden District Council and its partner organisation, ACTion with Communities in Cumbria can offer in order to fulfil the duty and to support and guide Neighbourhood Planning. This includes Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders. The level of support available for Neighbourhood Plans referred to in this document is also available for Neighbourhood Development Orders and Community Right to Build Orders.

## **2. General Support**

### **ACTion with Communities in Cumbria will:**

- 2.1 Provide initial advice and information to help understand the Neighbourhood Planning process and what funding, resources and skills may be available to support the process.
- 2.2 Offer advice on other options available to communities, such as Community Plans, Design Statements etc, to help local people decide which approach is right for their area.
- 2.3 Provide consultation advice, including on questionnaire design and how to maximise responses from all groups in the community and where resources permit, attend consultation events/meetings if requested.

### **Eden District Council will:**

- 2.4 Maintain a Neighbourhood Planning page on its website that provides information about:
  - The powers available and the key development stages
  - Progress on current plans and orders
  - Details of formal consultation and committee stages
  - Links to best practice and sources of advice
- 2.5 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.

- 2.7 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 available on the Council's website.
- 2.8 Provide contact details for Statutory Consultees and other groups relevant to the plan process.

### **3. Designating Neighbourhood Areas/Business Areas and Forums**

#### **Eden District Council will:**

- 3.1 Map neighbourhood area boundaries required for the designation of the Neighbourhood Plan Area or Business Area.
- 3.2 Carry out the statutory consultation and consider the boundary of the area proposed to be covered by the Neighbourhood Area or Business Area at the Council's Executive. Where the boundary is not considered 'coherent, consistent and appropriate in planning terms,' Eden District Council will work with the Town/Parish Council to come to a suitable resolution.
- 3.3 Publicise the application for a Neighbourhood Area or Business 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 Eden District Council and Town/Parish Council's web pages, local and/ or parish newspapers, local notice boards and libraries.
- 3.4 All adopted Neighbourhood Plan Areas, Business Areas or Neighbourhood Fora will be published on Eden District Council's website and in local and/or parish newspapers as soon as practical after formal designation.

### **4. Supporting the Development of Neighbourhood Plans**

#### **Eden District Council will:**

- 4.1 Provide advice on which issues would be considered as relevant planning matters and would be suitable for Neighbourhood Planning.
- 4.2 Provide information on any relevant European and National legislation and policies, and adopted and emerging Local Plan policies with which the Neighbourhood Plan will need to be in general conformity.
- 4.3 Share existing information and evidence base work held by the Local Planning Authority, as appropriate and subject to any data protection or confidentiality issues.
- 4.5 Provide constructive comments on the emerging plan and other supporting documents (eg Basic Condition Statement) prior to formal submission.
- 4.6 Carry out screening/ scoping to identify any need for a Strategic Environmental Assessment, Sustainability Appraisal or Habitat Regulation Assessment (note: where consultants have been employed to prepare the Neighbourhood Plan they will be expected to undertake these).

### **Eden District Council will not:**

- 4.7 Fund consultation exercises, distribute consultation questionnaires, collect, collate or analyse responses.
- 4.8 Provide project management services for the production of the Neighbourhood Plan.
- 4.9 Draft the Neighbourhood Plan or any policies, although we can advise where similar plans or policies might have been prepared.
- 4.10 Undertake the Strategic Environmental Assessment, Sustainability Appraisal or Habitat Regulation Assessment, if these are required following screening/scoping.

## **5. Independent Examination**

### **Eden District Council will:**

- 5.1 Validate a Neighbourhood Plan on receipt, checking that all of the necessary supporting documents have been submitted.
- 5.2 Review the plan to ensure that it is in conformity and offer comments and suggestions as appropriate.
- 5.3 Publicise the Neighbourhood Plan on the Council's website for a minimum of six weeks in line with the regulations.
- 5.4 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.
- 5.5 Provide an Examination venue, if a venue is required, and if no other suitable town/village venue can be provided.
- 5.6 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 enlargement of the referendum area.

## **6. Referendum**

### **Eden District Council will:**

- 6.1 Fund and organise the public referendum (it must be noted that two referendums will be required for Business Areas - one for residents and one for businesses).

## **7. Adoption**

- 7.1 If the Neighbourhood Plan receives support from more than 50% of those that vote in the public Referendum then Eden District Council will formally adopt the Neighbourhood Plan.

- 7.2 Once adopted the Plan will form part of Eden District 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 or Business Area.

## **8. Plans in the National Park**

- 8.1 If the proposed Neighbourhood Planning Area is intended to cover an area that is wholly in a National Park, the support for the work will be provided by the National Park Authority. Completed Plans will be adopted by the National Park and not the District Council.
- 8.2 A Neighbourhood Planning Area may cover an area partially within a National Park and partially outside the Park boundary. In these circumstances the District Council and the National Park Authority shall agree how the process will be supported. Unless there are other overriding considerations, the location of the largest settlement will determine which authority will support the community in the neighbourhood planning process. Both Authorities will publicise the proposed neighbourhood area and the draft plan. Following a positive referendum result they will also each adopt the plan in as far as it relates to their own part of the area.

## **9. Obligations for Qualifying Bodies**

In order to receive the support from the District Council outlined, qualifying bodies must agree to:

- 9.1 Establish a steering group to develop the neighbourhood development plan with a clear link to the Parish Council by way of an agreed Terms of Reference.
- 9.2 Arrange an initial meeting of the parish council or steering group and invite the Eden District Council's support officer to attend.
- 9.3 Prepare a project plan for the preparation of the neighbourhood development plan. This should include an indicative timetable.
- 9.4 Provide regular updates on progress to the Council.
- 9.5 Programme discussions with Eden District Council's support officer at the stage of preparation of the draft plan.
- 9.6 Provide to the Council the Final Plan in electronic format.
- 9.7 Provide the results of primary research which would be helpful to the District Council's planning team.

## **10. General**

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

## 11. Contact

For further information please contact:

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## Accessible Information

If you have any concerns or queries contact Eden District Council's Communication Officer  
tel: 01768 817817 or email: [communication@eden.gov.uk](mailto:communication@eden.gov.uk)

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### Urdu

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