

Memorandum of Understanding

between

Stedham with Iping Parish Council and South Downs National Park Authority in relation to Neighbourhood Planning

1. Background

1.1 This Memorandum of Understanding outlines the key roles and responsibilities of the main parties involved in the development of a Neighbourhood Plan for the parish of Stedham with Iping. In doing so it confirms the willingness of all parties to work positively together and sets out the protocols and parameters by which the neighbourhood plan will be prepared.

1.2 The parties are: Stedham with Iping Parish Council (SIPC), Stedham & Iping Neighbourhood Steering Group¹ (SINSG) and the South Downs National Park Authority (SDNPA).

1.3 The Neighbourhood Plan will be produced for the designated neighbourhood area of Stedham with Iping as defined by the map in Annex I. The neighbourhood area is wholly/partly within the SDNP and the main centre of population is within the National Park. Therefore, SDNPA is the lead authority for neighbourhood planning for Stedham & Iping Parish Council.

1.4 The parties will work in cooperation to prepare a planning document for the local community that is suitable for adoption as a Neighbourhood (Development) Plan. Work on the plan and evidence produced for it could also contribute to future development plan documents and / or the Local Plan produced by SDNPA.

2. Roles and Responsibilities

2.1 SIPC, SINSG and SDNPA are committed to maintaining an open and transparent relationship to enable the effective development of the Stedham with Iping Neighbourhood Plan. The key roles of each party in the neighbourhood planning process are as follows:

Stedham with Iping Parish Council

2.2 SIPC is the “relevant body”², with legal authority to produce a neighbourhood plan under neighbourhood planning regulations. It is the properly elected democratic body representing the entire local community within the parish and is committed to ensuring that the community's views are fully reflected in all local planning decisions within the parish.

2.3 The Parish Council will be responsible for the overall content of the Neighbourhood Plan prepared and for its submission to SDNPA.

¹ Example Parish Council have delegated the production of the neighbourhood plan to Example Neighbourhood Plan Steering Group (ENSG). See Appendix 2 for ENSG Terms of Reference.

² for the purposes of section 61G of the 1990 Town and Country Planning Act being the parish council for the entire neighbourhood planning area, i.e. the whole Parish.

2.4 The Parish Council will formally agree the final draft Neighbourhood Plan at a Parish Council meeting prior to submission to SDNPA to ensure the neighbourhood plan is supported by the Parish Council.

2.5 The Parish Council will fulfil its duty to have regard for the National Park Purposes when preparing and agreeing a Neighbourhood Plan proposal for submission to SDNPA.

Stedham with Iping Neighbourhood Plan Steering Group

2.5 SINSG is a group formed of councillors and residents of Stedham with Iping Parish acting under terms of reference and recognised by Stedham with Iping Parish Council for the purpose of preparing a plan for the future development of the parish.

2.6 SINSG, on behalf of the Parish Council and the community of Stedham with Iping Parish, will be responsible for carrying out the work necessary to deliver the neighbourhood plan.

2.7 SINSG will:

- I. Seek to involve the whole community and gather the views and opinions of as many groups and organisations in the community as possible in the preparation of the Neighbourhood Plan. An extensive and inclusive programme of community participation and consultation will be carried out to help develop the plan;
- II. Project manage the preparation of the plan, prepare a project plan and budget and regularly report back to the Parish Council on details of progress against timetable and budget on (at least) a monthly basis, and share the project plan with the SDNPA;
- III. Act as the main conduit between the Parish Council, the local community, the SDNPA and the relevant district and county councils for neighbourhood planning matters;
- IV. Submit a description of the scope of the proposed neighbourhood plan to Stedham with Iping Parish Council for its consideration and approval as soon as is practicable;
- V. Liaise with relevant authorities and organisations to ensure that the Plan is as effective as possible, is fit for purpose and complies with the National Park Purposes and Duty³ and the strategic elements of the emerging SDNP Local Plan;
- VI. Ensure that the scope and content of the Neighbourhood Plan is appropriate to the issues raised by the local community, is prepared utilising robust and proportionate evidence and takes full account of Government policy set out in the National Planning Policy Framework (NPPF) and Regulations governing the production of a neighbourhood plan;

The SDNPA has statutory purposes and socio-economic responsibilities as specified in the Environment Act 1995:

Purpose 1: To conserve and enhance the natural beauty, wildlife and cultural heritage of the area. Purpose 2: To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

- VII. Seek a view from the SDNPA on the requirement or otherwise for Strategic Environmental Assessment (SEA) - known as a 'screening opinion', and provide sufficient key information in order for SDNPA to formulate a screening opinion. Should the screening opinion indicate that an SEA be required, the responsibility for meeting this requirement will be met by SIPC;
- VIII. Share an early draft (pre-submission neighbourhood plan proposal) with SDNPA to check the compatibility of the draft neighbourhood plan with the National Park Purposes and Duty, adopted Local Plan and emerging local policies;
- IX. Submit a final version of the neighbourhood plan proposal to Stedham & Iping Parish Council for its approval prior to the Plan being submitted to SDNPA for Independent Examination; and,
- X. Be responsible for the design, publication and maintenance of a neighbourhood plan webpage to ensure wider awareness of the neighbourhood plan production. The webpage should include an opportunity for people to volunteer to be part of the group.

South Downs National Park Authority

2.8 SDNPA has a number of legal duties in relation to the production of a neighbourhood plan.

These are:

- i. to publicise and designate a neighbourhood area for the purposes of neighbourhood planning within nationally set timescales.
- ii. to provide advice and assistance to SIPC and the SINSG on the preparation of a neighbourhood plan;
- iii. to validate, check and publicise a neighbourhood plan prior to submission for independent examination;
- iv. appoint an independent examiner in consultation with the Parish Council and meet the costs of performing independent examination;
- v. Bring the Neighbourhood Plan into force subject to the results of the referendum.

2.9 At the end of the Neighbourhood Plan process, the plan is made (adopted) by the National Park Authority and to that end it is in the interests of SDNPA to work with SIPC and SINSG to deliver a robust, fit for purpose and high-quality document for the local community. For these reasons and in the spirit of working together for the benefit of the local community and in accordance with Schedule 4B of the Town and Country Planning Act 1990⁴, SDNPA will provide the further following support to SIPC / SINSG for neighbourhood planning activities:

Duty: To seek to foster the social and economic wellbeing of the local communities within the National Park in pursuit of our purposes.

- i. Provide professional and timely advice on the Neighbourhood Plan preparation and other relevant planning matters particularly the Local Plan. The SDNPA will endeavour to acknowledge any request for advice within 5 days and provide a full response within 2 weeks. Where this is not achievable, SDNPA will indicate when a full response can be provided;
- ii. Provide a view on the requirement or otherwise for a Strategic Environmental Assessment (SEA) of the Neighbourhood Plan (known as a 'screening opinion'). Support and advise as necessary, on the scoping and development of a proportionate SEA including the appropriateness of this forming part of a wider Sustainability Appraisal and Habitats Regulations Assessment of the Plan, if required;
- iii. Endeavour to attend meetings and events where possible and useful to developing the Neighbourhood Plan;
- iv. Nominate a lead officer at the SDNPA who will be responsible for co-ordinating the input of other technical specialists from within the SDNPA as may be required to support the process. The lead officer will also liaise with the relevant District and County Council on technical matters such as highways and schools where necessary;
- v. Liaise with the Parish Council and SINSG to ensure that the neighbourhood plan is in conformity with the strategic policies of the adopted / emerging Local Plan;
- vi. Consult development management officers to assess the effectiveness and robustness of any potential policies;
- vii. Digitise any proposals or allocations maps included the neighbourhood plan to be incorporated into the SDNP development plan; and
- viii. Consider other reasonable requests for support based on the circumstances.
- ix. 2.10 SDNPA will apply to the Government for funding which has been made available for local authorities to provide support to the development of Neighbourhood Plans to help fulfil the support outlined above. The allocation of discretionary resources to the Qualifying Body, including the giving of grants will be decided by the Director of Planning and may be subject to revision according to circumstances.

⁴ *"give such advice or assistance to parish councils and designated Neighbourhood Forums as in all the circumstances, they consider appropriate for the purpose of or in connection with facilitating the preparation of Neighbourhood Development Plans."* [Schedule B of the 1990 Act] ('duty to support'). NB: there is no legal requirement to give financial assistance.

3. Reviewing the Memorandum of Understanding

3.1 This Memorandum of Understanding will be kept open to review during the development of the Neighbourhood Plan. Amendments may be made following agreement between SIPC, SINSG and SDNPA.

Signed:

Signed

Date

Annex I

Designated Stedham with Iping Neighbourhood Planning Area