



Barrow Borough Council

Neighbourhood Planning Protocol

Statement of Borough Council Support to Town and Parish Councils

Purpose of this Protocol

Neighbourhood Plans are normally led by the Parish/Town Council or, outside of parished areas, Neighbourhood Forums (Qualifying Bodies).

Under the Localism Act, Barrow Borough Council (BBC) as the Local Planning Authority has a statutory duty to provide advice and assistance to communities choosing to undertake a Neighbourhood Plan.

This protocol outlines the services that BBC will offer to Town and Parish Councils (or Neighbourhood Forums where relevant) in Barrow Borough, in order to fulfil this statutory duty and support and guide the preparation of Neighbourhood Plans. It also sets out what BBC expects from Town or Parish Councils (or Neighbourhood Forums where relevant) in the process.

Of particular importance is the need for any community that is considering taking steps toward preparing a Neighbourhood Plan to get in touch with our Planning Policy Team as early as possible so that we can assist in deciding whether this is the right way forward for that community or whether other options might be more appropriate.

General Support

BBC will:

1.1 Maintain a Neighbourhood Planning page on its website that identifies and provides links to key information and guidance about Neighbourhood Planning, including Neighbourhood Development Orders and other provisions of the Localism Act.

1.2 Provide advice and information to help communities understand the Neighbourhood Planning process and the funding, resources and skills that are available to support the process.

1.3 Offer advice on alternative options available to communities, such as Parish or Community Plans, to help local people decide which approach is right for their area. We recommend that communities interested in undertaking Neighbourhood Planning get in touch with BBC's Planning Policy Team at the earliest opportunity and prior to any Neighbourhood Area designation application being made, to discuss the issues and approach being considered.

1.4 Provide advice relating to effective consultation, including on questionnaire design and how to maximise responses from all groups in the community. We will, where resources permit, attend consultation events, if requested.

1.5 Provide a GIS mapping service and the provision of 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 be aware of the Ordnance Survey user agreement prior to this work.

1.6 Provide the most up-to-date available evidence base, including the Strategic Housing Market Assessment (SHMA) and other evidence information supporting the Barrow Borough Local Plan, by making them available on the Council's website.

1.7 Provide contact details of Statutory Consultees and other relevant groups.

1.8 Seek to foster a positive and ongoing relationship with Town and Parish Councils (or Neighbourhood Forums where relevant) throughout the Neighbourhood Planning process.

Supporting the Designation of Neighbourhood Areas/Business Areas

BBC will:

2.1 Meet local communities who contact us expressing an interest in neighbourhood planning, in order to provide initial advice and information and discuss options. Wherever possible, this should take place in advance of a Neighbourhood Area application being submitted.

2.2 Check and confirm receipt of any Neighbourhood Area application it receives and advise the applying qualifying body of any requirements omitted.

2.3 Map Neighbourhood Area boundaries required for the designation of the Neighbourhood Area or Business Area.

2.4 Publicise, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the application for a Neighbourhood Area or Business Area in a manner considered likely to bring the application to the attention of people who live, work or carry on business in the area to which the application relates. This includes through BBC's website, local and social media, local libraries and by writing to relevant organisations, businesses and individuals.

2.5 Carry out statutory consultation on the proposed Neighbourhood Area in accordance with the Regulations. This means we will consult for 4 weeks where the relevant body is a parish council and the area to which the application relates is the whole of the area of the parish council, and for 6 weeks in all other cases.

2.6 Consider, in accordance with the Regulations, the boundary of the proposed Neighbourhood Area. Where the boundary is not considered 'coherent, consistent and appropriate in planning terms', as set out in the Regulations, BBC will work with the Town/Parish Council to come to a suitable resolution and a decision will be made at a scheduled meeting of the Council's Executive Committee.

2.7 Determine the application within eight weeks where the application falls entirely within one planning authority area and relates to the whole area of the parish council, twenty weeks where the area straddles two local planning authorities and thirteen weeks in all other cases.

2.8 Publish details of all adopted Neighbourhood Plan Areas or Business Areas on the Council's website and through other appropriate means as soon as practicable following formal designation.

Supporting the Preparation of Neighbourhood Plans

BBC will:

3.1 Provide advice on which issues are considered to be relevant planning matters and suitable for inclusion in Neighbourhood Plans.

3.2 Provide information on relevant European and National legislation and policies, and adopted and emerging Local Plan policies with which any Neighbourhood Plan will need to be in general conformity.

3.3 Share existing information and evidence base work held by the Local Planning Authority as appropriate (subject to any data protection or confidentiality issues) and provide advice on any areas where new evidence may be required or beneficial to support the preparation of the Plan.

3.4 Help communities communicate with local partners and/or organisations where required.

3.5 Provide constructive comments on the emerging plan and other supporting documents prior to formal submission.

3.6 Carry out screening / scoping to identify and provide an opinion and advice on the need for a Strategic Environmental Assessment, Sustainability Appraisal or Habitats Regulations Assessment.

BBC will not:

3.7 Undertake consultation exercises, distribute consultation questionnaires, collect, collate or analyse responses on behalf of communities for consultation arising from requirements placed on qualifying bodies in the Regulations.

3.8 Provide project management services for the production of the Neighbourhood Plan.

3.9 Draft the Neighbourhood Plan or any part or policy therein, although we can identify examples in which similar plans or policies have been prepared and which may be helpful points of reference and can provide advice on wording.

3.10 Undertake the Strategic Environmental Assessment, Sustainability Appraisal, Habitats Regulations Assessment or Appropriate Assessment, even if these are required. Communities will be expected to make appropriate arrangements for undertaking these, which may include hiring consultants.

Independent Examination

BBC will:

4.1 Validate a Neighbourhood Plan on receipt, checking that all of the necessary supporting documents have been submitted.

4.2 Review the Plan to ensure that it is in general conformity with the Local Plan and offer comments and suggestions as appropriate.

4.3 Publicise the Neighbourhood Plan on the Council's website for a minimum of six weeks in line with the regulations.

4.4 Appoint and fund the Independent Examiner, who will check that the plan meets the basic conditions. The selection of examiner will be agreed with the relevant Town or Parish Council or Neighbourhood Forum.

4.5 Provide an Examination venue, if a venue is required and if no suitable parish venue can be provided.

4.6 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 Neighbourhood Plan before it proceeds to referendum and any extension of the referendum area beyond the designated Neighbourhood Area boundaries.

Referendum

BBC will:

5.1 Fund and organise the public referendum (two referendums will be required for Business Areas – one for residents and one for businesses).

Adoption

BBC will:

6.1 If the Neighbourhood Plan receives support at referendum from more than 50% of those that vote, then BBC will formally 'make' (adopt) the Neighbourhood Plan and publish it on its website in accordance with the Regulations.

6.2 Once made the Plan will form part of Barrow Borough Council's Development Plan. It will be a material consideration in determining the outcome of planning applications relating to the Neighbourhood or Business Area.

Obligations for Town and Parish Councils

In order to receive the support from BBC outlined above, Town and Parish Councils should:

7.1 Ensure that they get in touch with the Planning Policy Team at the earliest opportunity (for instance, as soon as any decision is made that Neighbourhood Planning might be considered for the area) and prior to any Neighbourhood Area application being submitted, to discuss the issues and approach being considered. This will enable BBC to programme and plan their support work and help the qualifying body come to a decision on whether Neighbourhood Planning is for them or whether another option might be more effective and appropriate.

7.2 Establish a steering group to develop the Neighbourhood Plan with a clear link to the Parish Council (or Neighbourhood Forum) by way of an agreed Terms of Reference.

7.3 Arrange an initial meeting of the parish council and/or steering group and invite relevant BBC officers to attend.

7.4 Prepare a project plan for the preparation of the Neighbourhood Plan, including an indicative timetable.

7.5 Provide BBC with regular progress updates, especially at any key stages and when any decisions are made that will influence the content, aims and objectives of the plan.

7.6 Seek to foster a positive and ongoing relationship with BBC throughout the Neighbourhood Planning Process, including discussions at key stages such as preparation of the draft plan.

7.7 Provide BBC with the Final Plan in electronic and paper format.

7.8 Provide BBC with the results of any primary research and evidence gathered that would be beneficial to them.

7.9 Seek to accord fully at all times with the requirements in the relevant regulations and guidance for Neighbourhood Planning.

Please note: The content of this statement is subject to change as a result of experience, new information, changes in regulations and other process requirements and the availability of resources.

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Working together to support sustainable development within the Borough of Barrow-in-Furness

