

Neighbourhood Development Plans

Memorandum of Understanding between Town
and Parish Councils and East Riding of Yorkshire
Council

Version 1 - November 2015



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Introduction

Neighbourhood Planning enables local communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. In the East Riding, Town and Parish Councils lead on Neighbourhood Planning and can prepare *Neighbourhood Development Plans*.

With a *Neighbourhood Development Plan* (or Neighbourhood Plan), Town and Parish Councils can shape and direct sustainable development by defining a vision and planning policies for the use and development of land in their local area.

Further information on Neighbourhood Planning, including a step by step guide to preparing a Neighbourhood Plan, can be found in the East Riding Neighbourhood Planning Topic Notes, available here:

www.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/neighbourhood-planning

Key terms in this memorandum are italicised. A glossary of key terms is provided in East Riding Neighbourhood Planning Topic Note I.

East Riding of Yorkshire Council actively supports Neighbourhood Planning and has a duty to support to Town and Parish Councils preparing Neighbourhood Plans. If Neighbourhood Planning is to be successful East Riding of Yorkshire Council and Town and Parish Councils will need to work together.

Purpose of the memorandum

The purpose of this Memorandum of Understanding is to establish an effective and productive working relationship between Town and Parish Councils and East Riding of Yorkshire Council. Within East Riding of Yorkshire Council the Forward Planning Service

leads on Neighbourhood Planning, but other services including Planning and Development Management and Legal and Democratic Services also have important roles to play.

This memorandum confirms:

- ! How East Riding of Yorkshire Council will undertake its statutory duties;
- ! The level and extent of the technical advice and assistance that East Riding of Yorkshire Council will provide;
- ! How Town and Parish Councils should aim to progress their Neighbourhood Plans; and
- ! How Town and Parish Councils should engage with East Riding of Yorkshire Council.

The memorandum

This memorandum is between:-

East Riding of Yorkshire Council and ****Insert name of Town or Parish Council****

Designation of *Neighbourhood Area*

Date *Area Application* submitted by ****Insert name of Town or Parish Council****:

Date *Area Application* received by East Riding of Yorkshire Council:

Signatories

a)

Name:

Interim Planning Policy Manager, On behalf of East Riding of Yorkshire Council

b)

Name:

Position:

On behalf of ****Insert name of Town and Parish Council****

Date and duration of the memorandum

This memorandum will commence from the date on which the *Area Application* is received by East Riding of Yorkshire Council (noted above).

This memorandum will continue in force from the commencement date until the Neighbourhood Plan is made (adopted) by East Riding of Yorkshire Council.

Working Relationships

The parties to this memorandum seek:

- ! An open and constructive working relationship;
- ! To work closely together at all levels, both in policy, and in strategic issues of importance;
- ! To respect each others' views and, where these differ, after discussion ensure proper understanding of the reasons for such differences;
- ! To have a 'no surprises' policy, based on notifying each other well in advance, where possible, of significant announcements and developments in policy;
- ! To minimise duplication of activity wherever possible; and
- ! To inform other relevant stakeholders about our relationship so as to reduce uncertainty.

East Riding of Yorkshire Council - Statutory Roles and Responsibilities

Under the provisions of the *Localism Act* (2011), East Riding of Yorkshire Council is responsible for fulfilling certain statutory requirements in relation to Neighbourhood Planning and providing advice and assistance to Town and Parish Councils.

Table I (below) sets out how East Riding of Yorkshire Council will meet its statutory obligations in relation to Neighbourhood Plans. It also provides details of the timescales in which the Council will report Neighbourhood Plans through Cabinet and Full Council for formal member endorsement.

Table I - East Riding of Yorkshire Council - Statutory Roles and Responsibilities

Stage	East Riding of Yorkshire Council will...
Designating the Neighbourhood Area	
Receipt of <i>Area</i>	Sign up to the Memorandum of Understanding on receipt of a valid <i>Area Application</i> .

Stage	East Riding of Yorkshire Council will...
<p><i>Application</i></p> <p>Publicise the <i>Area Application</i></p>	<p>Publicise on its website:</p> <ul style="list-style-type: none"> ! The <i>Area Application</i>; ! Details of how to make comments; and ! Details of the deadline for comments to be made. <p>Should the proposed <i>Neighbourhood Area</i> follow existing parish boundaries, there is a 4 week consultation period.</p> <p>Should the proposed <i>Neighbourhood Area</i> not follow existing parish boundaries, there is a 6 week consultation period. The consultation period commences from the date the <i>Area Application</i> is first publicised by East Riding of Yorkshire Council.</p> <p>Make Ward Councillors and the Portfolio Holders for Asset Management, Environment and Housing and Planning, Highways and Transportation aware the Council has received an <i>Area Application</i>.</p> <p>Include the receipt of the <i>Area Application</i> as an item in the Corporate Management Team / Cabinet briefing.</p>
<p>Determine the <i>Area Application</i></p>	<p>Consider:</p> <ul style="list-style-type: none"> ! The reasons why the Town or Parish Council consider the proposed area to be an appropriate <i>Neighbourhood Area</i>; ! The desirability of maintaining the existing boundaries of areas already designated as <i>Neighbourhood Areas</i> (designated areas must not overlap); and ! Whether the area should be designated as a <i>Business Area</i>. <p>Determine the <i>Area Application</i> within the following timescales:</p> <ul style="list-style-type: none"> ! 8 weeks - where the proposed <i>Neighbourhood Area</i> is the whole of the area of the Town or Parish Council. ! 20 weeks - where the proposed <i>Neighbourhood Area</i> falls within the areas of two or more local planning authorities. ! 13 weeks - in all other cases (for example, where the proposed <i>Neighbourhood Area</i> falls within two or more parishes). <p>The above timescales commence from the date the <i>Area Application</i> is first publicised for consultation by East Riding of Yorkshire Council.</p>
<p>Publicise</p>	<p>Within 2 weeks of approving the <i>Area Application</i>, publicise on its</p>

Stage	East Riding of Yorkshire Council will...
approval of an <i>Area Application</i>	<p>website, and by other means as appropriate:</p> <ul style="list-style-type: none"> ! The name of the <i>Neighbourhood Area</i>; ! A map identifying the <i>Neighbourhood Area</i>; and <p>! The name of the Town or Parish Council that applied for the designation.</p> <p>Notify the following people/organisations of the decision:</p> <ul style="list-style-type: none"> ! The Town or Parish Council responsible for the <i>Area Application</i>, Ward Councillors and Neighbouring Town and Parish Councils; ! Statutory consultees; ! Residents in the area or individuals who are registered on the <i>East Riding Local Plan</i> database; and ! Individuals with land interests in the <i>Neighbourhood Area</i>.
Publicise refusal of an <i>Area Application</i>	<p>Within 2 weeks of refusing the <i>Area Application</i>, publicise on its website, and by other means as appropriate:</p> <ul style="list-style-type: none"> ! The decision and the reasons for making the decision (the <i>decision document</i>); and ! Details of when and where the <i>decision document</i> can be viewed. <p>Notify the following of the decision:</p> <ul style="list-style-type: none"> ! The Town or Parish Council responsible for the <i>Area Application</i>, Ward Councillors and Neighbouring Town and Parish Councils; ! Statutory consultees; ! Residents in the area or individuals who are registered on the <i>East Riding Local Plan</i> database; and ! Individuals with land interests in the Neighbourhood Area.
Preparation of the Plan	
Environmental Assessment	<p>Within 7 weeks of receipt of a valid screening opinion request form from the Town or Parish Council, issue a <i>Strategic Environmental Assessment (SEA) Screening Opinion</i>.</p> <p>Issue an Initial Screening Opinion in relation to the <i>Habitats Regulation Assessment (HRA)</i> alongside the SEA Screening Opinion.</p> <p>Within 28 days of issuing the Screening Opinion:</p> <ul style="list-style-type: none"> ! Publish the Screening Opinion on its website;

Stage	East Riding of Yorkshire Council will...
	<ul style="list-style-type: none"> ! Ensure a copy of the Screening Opinion is available for public inspection at County Hall; and ! Send a copy of the Screening Opinion to the Town or Parish Council, Historic England, The Environment Agency and Natural England.
Draft Neighbourhood Plan	Confirm whether a response to the Draft Plan would be reported through Cabinet. This is only likely to be required if there are key issues, politically contentious and/or significant concerns with the Draft Plan.
<i>Pre-submission</i> Neighbourhood Plan	Confirm whether the <i>Pre-submission</i> Plan would be reported through Cabinet. This is only likely to be required if there are key issues, politically contentious and/or significant concerns with the <i>Pre-submission</i> Plan .
Submission Plan	
Check the <i>Submission</i> Plan	<p>On receipt of a <i>Submission</i> Plan, check the following:</p> <ul style="list-style-type: none"> ! Whether the Town or Parish Council is authorised to act in relation to the Plan; ! Whether the Plan meets the definition and scope of what can be included in a Plan; ! Whether the correct documents have been submitted; ! Whether the Town or Parish Council has undertaken the correct procedures in relation to consultation and publicity; and ! Whether or not the Plan complies with paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended)¹. <p>The <i>Submission</i> Plan will be reported to Cabinet at this stage only if there are key issues, potentially contentious and/or significant concerns with the Plan.</p>
Issue a <i>Decision Statement</i>	<p>Publish a <i>Decision Statement</i> setting out whether or not the <i>Submission</i> Plan complies with paragraph 6 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).</p> <p>Notify the Town or Parish Council of this decision.</p>
Publicise the <i>Submission</i> Plan	<p>Publicise the <i>Submission</i> Plan on its website and by other means as appropriate. This will set out:</p> <ul style="list-style-type: none"> ! The Plan; ! Where and when it can be inspected;

¹ Available from: <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted>

Stage	East Riding of Yorkshire Council will...
	<ul style="list-style-type: none"> ! How to make comments on the Plan; ! How to request notification of the decision taken by East Riding of Yorkshire Council in relation to the Plan; and ! The deadline for the receipt of comments (not less than 6 weeks from the first day the Plan is publicised). <p>Notify the bodies referred to in the Town or Parish Council <i>Consultation Statement</i> as soon as possible.</p>
Examination of Plan	
Appoint an examiner	Within 6 weeks (where practicable) of the close of the consultation period, and in agreement with the Town or Parish Council, appoint an <i>Independent Examiner</i> .
Submit the <i>Submission Plan</i> to the Examiner	<p>Within 2 weeks of appointment send the following documents to the <i>Independent Examiner</i>:</p> <ul style="list-style-type: none"> ! Map identifying the area to which the Plan relates; ! The <i>Submission Plan</i>; ! The <i>Consultation Statement</i>; ! The <i>Basic Conditions Statement</i>; ! The <i>Strategic Environmental Assessment (SEA) Screening Opinion and Environmental Report</i>, or reasons why one is not required; ! The Habitats Regulations Screening Assessment, and if required the <i>Appropriate Assessment</i>; ! Any other relevant evidence or documentation submitted to East Riding of Yorkshire Council by the Town or Parish Council in relation to the Plan; and ! A copy of the comments received in response to the <i>Submission Plan Consultation</i>.
Arrange the <i>Examination</i>	<p>Make appropriate arrangements to hold the <i>Examination</i> (should there be a need for hearing sessions).</p> <p>Finance the <i>Examination</i>, including the appointment of the <i>Independent Examiner</i>.</p>
During the <i>Examination</i>	Support the <i>Neighbourhood Plan</i> if it meets the <i>Basic Conditions</i> .
After the Examination	
Publicise the Examiner's Report	Within 2 weeks of receiving the <i>Independent Examiner's</i> report, publicise the report on its website, and by other means as appropriate.

Stage	East Riding of Yorkshire Council will...
Action following Examiner's Report	<p>On receipt of the <i>Independent Examiner's</i> report consider each of the Examiner's recommendations, the reasons for them and what actions may be required; and</p> <p>! Come to a formal view on whether the Plan meets the <i>Basic Conditions</i>.</p> <p>Or,</p> <p>! Determine if any modifications should be made to ensure the Plan:</p> <ul style="list-style-type: none"> o meets the <i>Basic Conditions</i>; o complies with the Human Rights Act 1998; and o complies with the definition of a Plan and the provisions that can be made by a Plan. <p>Or,</p> <p>! Determine the Plan is unsatisfactory as it does not meet one or more of the aforementioned points.</p> <p>The <i>Independent Examiner's</i> report will be reported to Cabinet at this stage only if there are key issues, potentially contentious, significant concerns with the Plan, and/or the Council propose to make a decision that differs from the Examiner's recommendation.</p>
Decision on the Plan	<p>Publish the following information on its website and by other means as appropriate:</p> <p>! The decision made on the Plan and the reasons for that decision (the <i>Decision Statement</i>);</p> <p>! Details of where and when the <i>Decision Statement</i> can be inspected; and</p> <p>! The <i>Independent Examiner's</i> report.</p> <p>Send a written notice of the decision to the Town or Parish Council and any person asked to be notified of the decision.</p>
Plan Referendum	
Make arrangements for the referendum	<p>Organise and finance the <i>referendum</i> to take place within 60 days of the publication of the <i>Decision Statement</i>.</p> <p>Publish notice of a <i>referendum</i> for at least 28 working days prior to a <i>referendum</i> being held.</p>
Designated Business	Should an additional business <i>referendum</i> be held, publish notice of the residential and business referendums for at least 56 working days

Stage	East Riding of Yorkshire Council will...
Areas Only (delete if not applicable)	prior to a <i>referendum</i> being held.
Make specified documentation available	<p>Within at least 28 working days before the <i>referendum</i> publish the Information Statement and specified documents (see below) on its website and make them available at County Hall, Beverley and at least one other public premise local to the <i>Neighbourhood Area</i>.</p> <p>Ensure documentation is available throughout the <i>referendum</i> period.</p> <p>Include the following in the Information Statement:</p> <ul style="list-style-type: none"> ! The date of the <i>referendum</i>; ! The question to be asked; ! A map of the <i>referendum</i> area; ! Where the <i>referendum</i> area and <i>Neighbourhood Area</i> are not identical, a map of the <i>Neighbourhood Area</i>; ! A description of those entitled to vote in each <i>referendum</i>; ! The <i>referendum expenses limit application</i> and the number of people identified as entitled to vote on which the limit was calculated; ! That the <i>referendum</i> will be conducted in accordance with procedures similar to those for local government elections; and ! The address and times at which a copy of the specific documents can be inspected. <p>Publish the following specified documents:</p> <ul style="list-style-type: none"> ! <i>Submission Plan</i>; ! <i>Independent Examiner's</i> report; ! Summary of comments submitted to the <i>Independent Examiner</i>; ! Statement confirming East Riding of Yorkshire Council is satisfied the Plan meets the <i>Basic Conditions</i>; and ! General information on the Plan and the <i>referendum</i>.
Designated Business Areas Only (delete if not applicable)	Within at least 56 working days before a business <i>referendum</i> publish the Information Statement and specified documents on its website and make them available at County Hall, Beverley and at least one other public premise local to the <i>Neighbourhood Area</i> .

Stage	East Riding of Yorkshire Council will...
After the Referendum(s)	
<i>Referendum</i> results	Make (adopt) the Plan should the <i>referendum</i> result in more than half of those voting (i.e. 50% plus 1) in favour of the Plan.
Designated Business Areas Only (delete if not applicable)	Where there are two applicable referendums East Riding of Yorkshire Council will not be obliged to make (adopt) the Plan unless both referendums are in support of it.
Making the Plan	
Making (adopting) Plan	At the first available ordinary meeting of Full Council (where practicable) following a positive <i>referendum</i> and the six week challenge period, make (adopt) the Plan as part of the <i>development plan</i> for the East Riding.
Final <i>Decision Statement</i>	Within 2 weeks of the Full Council meeting, publish a final <i>Decision Statement</i> , including reasons why the Plan has been made (adopted). Send a copy of the final <i>Decision Statement</i> to the Town or Parish Council and any person who asked to be notified of the decision.
Publicising the made (adopted) Plan	Within 2 weeks of the Full Council meeting, publish: ! Details of the made Plan including where the Plan can be viewed; and ! The <i>Environmental Report</i> , where the Plan has been subject to the <i>Strategic Environmental Assessment</i> Directive.

East Riding of Yorkshire Council - Technical Advice and Support

At the request of the Town or Parish Council, and prior to the submission of the *Area Application*, officers from East Riding of Yorkshire's Forward Planning Team and/or other relevant Service areas can attend an initial meeting to provide an overview on Neighbourhood Planning. This would cover:

- ! The process for preparing a *Neighbourhood Plan*;
- ! The potential content of a *Neighbourhood Plan*;
- ! The requirements of other legislation such as the Habitats Regulations and Environmental Assessments; and
- ! Advice on the suitability of a proposed *Neighbourhood Area*.

As part of the memorandum, table 2 (below) sets out the level of technical advice and support East Riding of Yorkshire Council will offer to Town and Parish Councils preparing a *Neighbourhood Plan*.

Table 2 - East Riding of Yorkshire Council - technical advice and support

Nature of advice / support	East Riding of Yorkshire Council will...
Published advice	<p>Provide on its Neighbourhood Planning webpage a series of topic notes for Town and Parish Council's. These will include up to date information in respect of the legislation and procedures involved in preparing a <i>Neighbourhood Plan</i> and details of the funding available:</p> <p>http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/neighbourhood-planning/what-is-neighbourhood-planning/</p>
Professional advice	<p>Provide a named officer as first point of contact for advice and technical support. In this case the officer is: ** Name**</p> <p>Contact details: **Details**</p>
<i>Area Application Support</i>	<p>On request by the Town and Parish Council, provide digitised maps of the proposed <i>Neighbourhood Area</i>.</p>
Background Data and Evidence	<p>Make relevant elements of the <i>East Riding Local Plan Evidence Base</i> available.</p> <p>On request by the Town and Parish Council, subject to a licensing agreement, provide the OS base maps for the area and digitised maps for the Plan.</p>
Professional advice and assistance	<p>Provide advice and assistance in relation to:</p> <ul style="list-style-type: none"> ! The <i>East Riding Local Plan</i> and conformity matters; ! Other work areas, for example, trees and landscape, conservation and highways management; ! Evidence likely to be required; ! Drafting a vision, objectives, policies, including support from the Development Management section of East Riding of Yorkshire Council to ensure policies can be successfully implemented; ! Structuring the document; ! Community engagement and consultation; ! Potential delivery partners; ! <i>Strategic Environmental Assessment</i>; and

Nature of advice / support	East Riding of Yorkshire Council will...
	<ul style="list-style-type: none"> ! Providing comments on emerging drafts of the Plan, prior to formal consultation.
Draft <i>Neighbourhood Plan</i>	Provide advice and assistance on: <ul style="list-style-type: none"> ! Conformity of the Plan and whether it meets the Basic Conditions (see East Riding Neighbourhood Planning Topic Note 3); ! Suitability of the <i>Consultation Statement</i>; ! Suitability of any Environmental Assessment or Habitats Regulations Assessments undertaken; ! Conformity with other legislative requirements; and ! OS mapping requirements.

East Riding of Yorkshire Council will finance the *Examination* and *Referendum* of a *Neighbourhood Plan* but will not provide direct financial support in relation to other stages in the *Neighbourhood Plan*.

Notwithstanding the advice and assistance set out in Table 2 above, East Riding of Yorkshire Council will not, unless specifically commissioned to do so at a rate agreed with the Town or Parish Council, undertake to:

- ! Write the *Neighbourhood Plan*;
- ! Prepare primary survey work or research; or
- ! Attend all meetings/consultation events.

East Riding of Yorkshire Council takes no responsibility for costs incurred by a Town and Parish Councils during the preparation of their *Neighbourhood Plan*. However, East Riding of Yorkshire Council will assist Town and Parish Councils early in the process to explore opportunities that seek to minimise the cost of preparing a *Neighbourhood Plan*.

Town or Parish Council - Roles and Responsibilities

Table 3 (below) of the memorandum sets out the roles and responsibilities of Town and Parish Councils in preparing their *Neighbourhood Plan*.

Table 3 - Town and Parish Council - roles and responsibilities

Stage	**Insert name of Town or Parish Council** will:-
Submit <i>Area Application</i>	<p>Following initial consultation with East Riding of Yorkshire Council, submit an application for the designation of a <i>Neighbourhood Area</i> using the <i>Area Application</i> Form, available here:</p> <p>http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/neighbourhood-planning/what-is-neighbourhood-planning/</p> <p>Request a map showing the proposed <i>Neighbourhood Area</i> from East Riding of Yorkshire Council. Sign up to the Memorandum of Understanding.</p>
Publicise the proposed <i>Neighbourhood Area</i>	<p>Promote the proposed <i>Neighbourhood Area</i> and the intention to prepare a <i>Neighbourhood Plan</i> on their website (where possible) and any other means available (for example, notice boards and local/householder newsletters).</p>
Preparing a <i>Neighbourhood Plan</i> - the initial stages	<p>Establish a <i>steering group</i> to develop the <i>Neighbourhood Plan</i> a clear reporting link to the Parish Council via an agreed terms of reference.</p> <p>Publish the <i>terms of reference</i>.</p> <p>Involve a range of people (not just the Town or Parish council) in the <i>steering group</i> to ensure the wider community is involved and best use is made of all skills available in the local community.</p> <p>Commit adequate resources to the task.</p> <p>Consider applying for funding and other external support (see East Riding Neighbourhood Planning Topic Note 6).</p> <p>Consider setting up a dedicated webpage for the <i>Neighbourhood Plan</i>.</p> <p>Prepare a <i>Project Plan</i> setting the stages and timetable in completing the Plan.</p>
Request a Screening Opinion	<p>Request a <i>Strategic Environmental Assessment</i> Screening Opinion by completing the screening opinion request form, available here:</p> <p>http://www2.eastriding.gov.uk/environment/planning-and-building-control/east-riding-local-plan/neighbourhood-planning/what-is-neighbourhood-planning/</p> <p>Send the completed screening opinion request form to East</p>

Stage	**Insert name of Town or Parish Council** will:-
	Riding of Yorkshire Council.
Preparing a <i>Neighbourhood Plan</i>	<p>Convene on a regular basis throughout the period of preparation of the <i>Neighbourhood Plan</i> and the <i>Examination</i>.</p> <p>Make the minutes of all meetings publically available.</p> <p>Have regard to the relevant provisions of their <i>Code of Conduct</i> to avoid those with land interests steering the preparation of the Plan.</p> <p>Undertake work towards preparation of a <i>Neighbourhood Plan</i> or in accordance with the <i>project plan</i>.</p> <p>Provide regular updates on progress against the <i>project plan</i> to East Riding of Yorkshire Council via the named support officer.</p> <p>Lead and resource the preparation of the Plan, including the following tasks:</p> <ul style="list-style-type: none"> ! Engage and consult those living and working in the <i>Neighbourhood Area</i> and those with an interest or affected by the proposals; ! Maintain an ongoing record of consultation events associated with the preparation of the Plan; ! Gather baseline information and evidence; ! Develop and decide on the vision and objectives; ! Draft planning policies and proposals; ! Identify and assess options; ! Carry out any necessary environmental assessment to ensure compliance with European Union directives and national policy/Local Plan (carrying out a <i>Strategic Environmental Assessment</i> and <i>Habitats Regulation Assessment</i> as necessary). (See East Riding Neighbourhood Planning Topic Note 4); and ! Write the Plan.
Prior to commencing the <i>Pre-submission</i> consultation	<p>Before the formal <i>Pre-submission</i> consultation takes place, be satisfied that:</p> <ul style="list-style-type: none"> ! A complete draft <i>Neighbourhood Plan</i> has been prepared that satisfies the <i>basic conditions</i>;

Stage	**Insert name of Town or Parish Council** will:-
	<p>! All development proposals involving landowners are deliverable and realistic; and</p> <p>! There is general support from the community and other stakeholders.</p> <p>Seek the views of East Riding of Yorkshire Council on the documents intended to be used for the <i>Pre-submission</i> consultation.</p>
<i>Pre-submission</i> consultation	<p>Hold a 6 week period of consultation on the <i>Pre-submission Neighbourhood Plan</i> prior to submitting it East Riding of Yorkshire Council. This involves publicising the following information:</p> <p>! Details of the <i>Pre-submission Neighbourhood Plan</i>;</p> <p>! Details of where and when the <i>Pre-submission Plan</i> may be inspected; and</p> <p>! Details of how residents, businesses and statutory consultees can make comments. Consultation must take place for a <u>minimum</u> of 6 weeks.</p> <p>Ensure the correct people and organisations are consulted, requesting advice from East Riding of Yorkshire Council where necessary.</p> <p>Provide East Riding of Yorkshire Council with the following:</p> <p>! The <i>Pre-submission Plan</i> in an electronic format;</p> <p>! Copies of any Environmental Assessment undertaken; and</p> <p>! A list of the statutory bodies consulted on the <i>Pre-submission Plan</i>.</p> <p>Consider submitting the <i>Pre-submission Plan</i> for an independent and impartial health check. This is a service for Town and Parish Councils who feel their draft Plans are ready for the final formal consultation. Further information on this service is available here:</p> <p>http://www.rics.org/us/join/member-accreditations-list/dispute-resolution-service/neighbourhood-planning-independent-examiner-referral-service-npiers/</p>

Stage	**Insert name of Town or Parish Council** will:-
Consider changes to the <i>Pre-submission Plan</i>	Consider making changes to their <i>Neighbourhood Plan</i> before submitting it to East Riding of Yorkshire Council. This might be necessary depending on the issues raised in response to the consultation or in light of advice flowing from the health check.
Prior to submission of Plan	Seek the views of East Riding of Yorkshire Council on the documents the Parish or Town Council intend to submit. East Riding of Yorkshire Council can provide advice on the preparation of the <i>Consultation Statement</i> and <i>Basic Conditions Statement</i> .
<i>Submission Plan</i>	<p>Submit the <i>Submission Plan</i> to East Riding of Yorkshire Council in an electronic format with:</p> <ul style="list-style-type: none"> ! A map identifying the <i>Neighbourhood Area</i>; ! A <i>Consultation Statement</i> stating who was consulted, how they were consulted, the main issues raised, and how these were considered and, where relevant, addressed in the Plan; ! A <i>Basic Conditions Statement</i> explaining how the Plan meets the <i>Basic Conditions</i>; and ! Where required, an <i>Environmental Report</i>.
Examination	<p>Work with East Riding of Yorkshire Council to agree the appointment of an <i>Independent Examiner</i>.</p> <p>Keep the local community up to date with the progress of the <i>Neighbourhood Plan</i> through the <i>Examination</i> process.</p> <p>If significant changes are needed to the <i>Neighbourhood Plan</i> following the <i>Independent Examiner's</i> report, discuss these with East Riding of Yorkshire Council and consider the need to carry out further consultation before proceeding to the referendum(s).</p>
Referendum	If the <i>referendum</i> result is a 'no' vote for the <i>Neighbourhood Plan</i> , repeat the Plan making process. This is because East Riding of Yorkshire Council cannot make (adopt) a <i>Neighbourhood Plan</i> without a successful <i>referendum</i> . It may include further consultation and the same <i>Neighbourhood Plan</i> cannot be re-submitted for <i>Examination</i> .
Making (adoption) of the Plan	Consider preparing a <i>monitoring/implementation plan</i> setting out how the <i>Neighbourhood Plan</i> will be monitored and reviewed.

Progress Review

The progress on the *Neighbourhood Plan* and success of the support from East Riding of Yorkshire Council will be reviewed every 12 months. This will be considered against the memorandum and as part of any meetings between East Riding of Yorkshire Council and the Neighbourhood Planning *steering group*.

Dispute Settlement

In the unlikely event of a dispute it is expected these will be resolved as they arise.

General Provisions

Nothing in this memorandum shall fetter either party in exercising their statutory duties and powers. Nor does it prevent either party from exceeding the minimum level of service stated, either voluntarily or by the specific agreement of both parties.