

Memorandum of Agreement between Teignbridge District Council, Abbotskerswell Parish Council and Newton Abbot Town Council in relation to Neighbourhood Planning and the strategic allocation NA3 Wolborough

**This Memorandum of Agreement (MoA) is made on day of April 2014
and is between:**

- (1) Teignbridge District Council of Forde House, Brunel Road, Newton Abbot, TQ12 4XX (TDC)**

- (2) Newton Abbot Town Council of Great Western House, 9 Devon Square, Newton Abbot, TQ12 2HN (NATC)**

- (3) Abbotskerswell Parish Council c/o 34 Balland Park, Ashburton TQ13 7BT (APC)**

1. Background

- 1.1 Policy NA3 Wolborough is the third largest allocation within the Teignbridge Local Plan 2013-2033 and plays a significant role in helping to deliver many of the key objectives of the Local Plan, including homes, jobs, infrastructure and green infrastructure. The allocation falls within the parishes of Newton Abbot and Abbotskerswell, who both propose to prepare a Neighbourhood Plan.
- 1.2 The overlap of NA3 Wolborough in relation to the Proposed Neighbourhood Plan boundaries is set out in **Appendix 1**.
- 1.3 It is therefore possible that development proposals related to the NA3 allocation will be covered by three separate planning policy documents. It is critical that policies relating to development within the Neighbourhood Plans for Abbotskerswell and Newton Abbot are consistent where there are potential implications, directly or indirectly, to the successful delivery of the requirements of policy NA3 Wolborough.
- 1.4 This Memorandum of Agreement (MoA) outlines the key roles, responsibilities and commitments of the main parties involved in the development of Neighbourhood Plans which include the area covered by strategic allocation NA3 Wolborough, as set out in the Teignbridge Local Plan 2013-2033. 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 Plans will be prepared in relation to the strategic allocation.

- 1.5 The parties are: Abbotskerswell Parish Council (APC), Newton Abbot Town Council (NATC) and Teignbridge District Council (TDC). APC and NATC have set up Neighbourhood Plan Groups, but as the groups are not the 'qualifying body' to prepare a Neighbourhood Plan as defined by the Planning Act 1990 (61E(6)) as amended by the Localism Act 2011 (paragraph 2). They are not, therefore, a part of this MoA.

2. Purpose of the Memorandum

- 2.1 The purpose of this MoA is to promote an effective working relationship between the parties who are committed in principle to ensuring that the neighbourhood plans for each parish do not undermine the delivery of the requirements of policy NA3 Wolborough in the Teignbridge Local Plan 2013-2033.
- 2.2 This MoA is a statement of intent and is not intended to be a legally binding contract. It sets out the parties' commitment to the agreement and specifies the parties' responsibilities to the agreement and to each other. This MoA is subject to any necessary committee or Member approval that may be required.

3. Roles and Responsibilities

- 3.1 APC, NATC and TDC are committed to maintaining an open, three-way and transparent relationship to enable effective development of the Neighbourhood Plans in relation to any proposals that could have direct or indirect implications in relation to NA3 Wolborough. The key roles of each party in the neighbourhood planning process are set out below.

Abbotskerswell Parish Council and Newton Abbot Town Council

- 3.2 APC and NATC are the relevant bodies with legal authority to produce a Neighbourhood Plan under neighbourhood planning regulations. They are the properly elected democratic bodies representing their entire local communities within their parishes and are committed to ensuring that the community's views are fully reflected in future local planning decisions within their parishes.
- 3.3 APC and NATC will be responsible for the overall content of the Neighbourhood Plans prepared and for their submission to Teignbridge District Council.

Teignbridge District Council

- 3.4 TDC has a number of legal duties in relation to the production of a Neighbourhood Plan. These are: to provide advice and assistance; to confirm the formal designation of a Neighbourhood Area for the purposes of neighbourhood planning; to validate and check a plan prior to submission to

an independent examination of the Neighbourhood Plan; to hold and pay for an independent examination of the Plan; and, to make arrangements and pay for a referendum. At the end of the Neighbourhood Plan process, the Plan is adopted by the local planning authority and to that end it is in the interests of TDC to work with APC and NATC to deliver a robust, fit for purpose and high quality document.

4. Neighbourhood Plans and NA3 Wolborough

4.1 APC and NATC agree to:

- i. Work with TDC on the wording of the Neighbourhood Plan policies to make sure that they do not, directly or indirectly, affect the viability or deliverability of NA3 Wolborough;
- ii. Work together on policies relating to development to ensure there is consistency for decision makers when considering applications relating to NA3 Wolborough; and
- iii. Engage positively and proactively in work to deliver the NA3 allocation, including masterplanning work and other technical studies.

4.2 TDC agrees to:

- i. Liaise with the APC and NATC to ensure that the Neighbourhood Plans are in conformity with the strategic policies of its own Local Plan;
- ii. 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; and
- iii. Ensure that APC and NATC are involved in the masterplan work for NA3 and share relevant information and data that can help in the preparation of the Neighbourhood Plans.

5. Reviewing the Memorandum of Agreement

- 5.1 This Memorandum of Agreement will be kept open to review during the development of the Neighbourhood Plan. Amendments may be made following agreement between APC, NATC and TDC.

Signed for and on behalf of

Abbotskerswell Parish Council by:

Name *Kevin Gales*
Position Chairman, Abbotskerswell Parish Council
Date 25th April 2014

Signed for and on behalf of

Newton Abbot Town Council by:

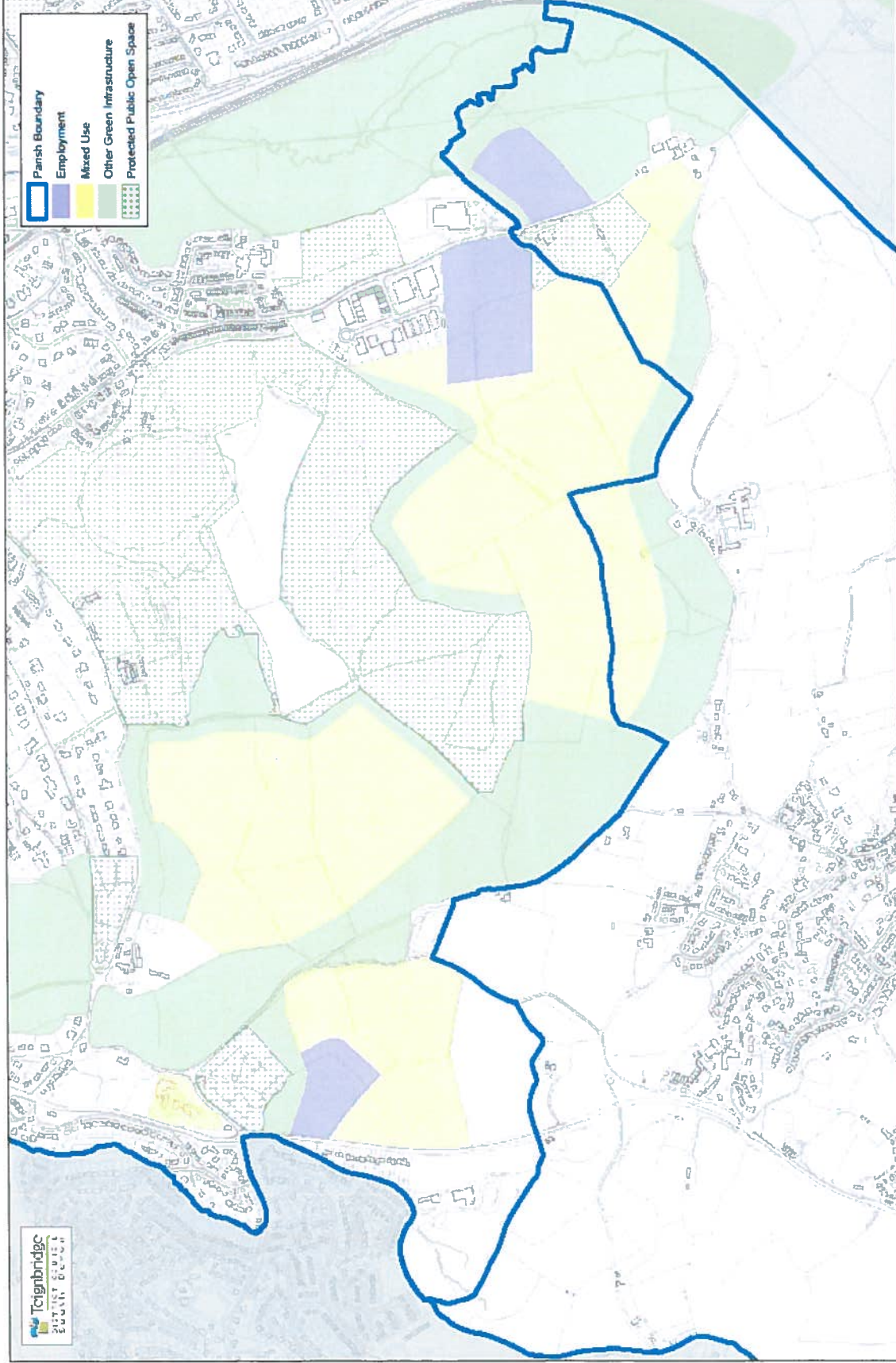
Name..... *Liz Roberts* *Liz Roberts*.....
Position..... *Mayor*.....
Date..... *25/01/2017*.....

Signed for and on behalf of

Teignbridge District Council by:

Name..... *SIMON THORNLEY* *S Thornley*.....
Position..... *BUSINESS MANAGER*.....
Date..... *2/2/2017*.....

Appendix 1: Allocation NA3 Wolborough in relation to the Parish boundaries for Abbotskerswell Parish Council and Newton Abbot Town Council



NA3 - Newton Abbot / Abbotskerswell

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