

<b>Local Development Plan - Sustainability Appraisal (Inc Strategic Environmental Assessment): Revised Service Level Agreement</b>	<b>16<sup>th</sup> December 2020</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	<b>Outcome</b>
Leader and Champion	<ul style="list-style-type: none"> <li>Our Elected Members will provide civic leadership to our citizens working to promote the Borough as an attractive place to live, work, invest and visit.</li> </ul>
Protect the environment in which we live	<ul style="list-style-type: none"> <li>All environments in the area will benefit from pro-active decision making which protects the natural features, characteristics and integrity of the Borough.</li> </ul>
<b>Lead Officer</b>	Principal Planning Officer/Local Development Plan Manager
<b>Cost:</b> (If applicable)	N/A

## **For Noting**

### **1.0 Background**

- 1.1 Members will be aware that Mid & East Antrim Borough Council (M&EA) took on the Shared Environmental Services (SES) provision on the transfer of planning powers to Local Government on 1<sup>st</sup> April 2015. The provision of this service was to be 'cost neutral'.
- 1.2 The Council also entered into a Service Level Agreement (SLA) with SES for additional services required to support the production of its Local Development Plan (LDP). Members will also be aware, from previous LDP verbal updates, that the cost of this additional service has risen, with M&EA now requesting additional payments.
- 1.3 This is an interim paper to update Members on the topic. A further paper will be brought in due course.

### **2.0 Detail**

- 2.1 The Planning Act (Northern Ireland) 2011 places a statutory duty on councils producing an LDP to undertake a Sustainability Appraisal (SA) incorporating Strategic Environmental Assessment (SEA). This appraisal examines the social, economic and environmental impacts of the LDP. It must be carried out on each of the Development Plan Documents - the Plan Strategy and Local Policies Plan. This is an iterative process.

- 2.2 As each document will incorporate an assessment of environmental effects of the LDP, they must also comply with the requirements set down in the European Directive 2001/42/EC - on the assessment of effects of certain plans and programmes on the environment (SEA Directive).
- 2.3 SES was originally established in line with the transfer of planning functions, to provide support to local councils in meeting their environmental responsibilities, particularly in relation to the Habitats Regulation Assessment (HRA). SES proposed to extend its service to provide assistance to a range of councils in the full preparation of their LDP SA/SEA.
- 2.4 At that time, SES advised that it did not seek to make a profit, but to provide a 'good value' service, reflected in its pricing. On that basis, and following agreement by Members at the 22nd June 2016 Planning Committee, an SLA was signed with SES to undertake the SA/SEA of the LDP (see Appendix 1).
- 2.5 At that time SES had indicated that it operated its service on a, "not for profit" basis and given that the SES team had also been engaged in undertaking the SA on behalf of seven of the other NI Councils, it was understood that we would benefit from refined working processes and experience gained.
- 2.6 Members will also be aware, from the verbal updates given at Committee, that SES wrote to the Council in June 2020 regarding a Revised Service Level Agreement (see Appendix 2). Members will note that at that time no detailed breakdown or accompanying cost was provided, as per the Original SLA. The revised draft SLA for 2020 sets out an hourly rate across a range of grades of staff but does not detail the staged payments per stage of the LDP progress as per the original SLA.
- 2.7 In his cover letter, the Head of Planning from Mid and East Antrim Borough Council (the hosting Council for the SES) states: *"Following an independent review of the services provided by Shared Environmental Service, it has now become apparent that the original SLA underestimated the amount of work required to carry out the Sustainability Appraisal of your Preferred Options Paper. The Consultants recommended that all work carried out by SES in the future should be charged at an hourly rate and that the rates should be reviewed to reflect the full cost to council"*.
- 2.8 Council planning officers wrote to M&EA Council on a number of occasions seeking further clarification and justification on the revision so that we could establish a ceiling cost for the LDP SA/SEA services.
- 2.9 However, SES has been unable to provide a ceiling cost as the new costing will be hourly based.
- 2.10 We are currently establishing further details pertaining to the pricing review and the amounts now indicated on the revised SLA. Officers are also engaging with counterparts in the other affected councils and are reviewing the proposal in terms of procurement implications. We are also considering the impact that this will have on the delivery of our LDPs.

2.11 No new SLA has been signed to date. A further report will be brought before Members in due course to discuss how this matter can be progressed.

### **3.0 Recommendation**

3.1 It is recommended that Members note the content of this report.

#### **Appendices:**

**Appendix 1:** Original Service Level Agreement (Nov 2016)

**Appendix 2:** M&EA Cover Letter to CC&GBC re Revised SLA

**Appendix 3:** Revised Service Level Agreement

# **Delivery of Additional Services by Shared Environmental Service**

**Service Level Agreement**

**Between**

**Mid and East Antrim Borough Council**

**and**

**Causeway Coast and Glens Borough Council**

**22<sup>nd</sup> November 2016**

## Revision History

Issue	Date	Description of Changes
0.1	12/02/2016	Draft to Councils
0.2	10/05/2016	Amended by SES
0.3	19/08/2016	Amended by SES at Schedule 2 to allow for increase in staff costs for additional work and refer to VAT

## Operational Contacts

### Mid and East Antrim Borough Council

Gwyneth Evans

Shared Environmental Service Business Manager

 [@midandeastantrim.gov.uk](mailto: @midandeastantrim.gov.uk)

Tel: 02825633254

County Hall

182 Galgorm Road

Ballymena

BT42 1QF

### Name of Council

Sharon Mulhern

Development Planning Principal

[Sharon.Mulhern@causewaycoastandglens.gov.uk](mailto: Sharon.Mulhern@causewaycoastandglens.gov.uk)

Tel: 028 7034 7244

County Hall

Castlerock Road

Coleraine

BT51 3HS

**The agreement**

This agreement is effective from the date of signing and is jointly owned by –

Name: Anne Donaghy

Position: Chief Executive

Mid and East Antrim Borough Council

Signed: 

Date:

Name: Denise Dickson

Position: Head of Planning

Causeway Coast and Glens Borough Council

Signed: 

Date: 22/11/2016

## Purpose

1. This Service Level Agreement details additional Sustainability Appraisal (incorporating Strategic Environmental Assessment) services to be provided by Shared Environmental Service to Causeway Coast and Glens Borough Council in support of its Local Development Plan making functions and sets out the costs and working arrangements for delivery of these services.

## Overview

2. Shared Environmental Service was established in April 2015 to support Councils to meet their environmental responsibilities in connection with their role as planning authorities. Its centrally-funded role is to carry out Habitats Regulations Assessments on behalf of Councils for development management and during the preparation of Local Development Plans to assess and advise on impacts on European sites (Special Areas of Conservation and Special Protection Areas) and Ramsar sites. The service is employed by Mid and East Antrim Council and based in County Hall, Ballymena.
3. Shared Environmental Service has developed a number of additional hard-charged services to support Councils in the process of Sustainability Appraisal (incorporating Strategic Environmental Assessment). In carrying out this function Shared Environmental Service will assist Causeway Coast and Glens Borough Council to comply with the requirements of the Planning Act (Northern Ireland) 2011, subordinate planning legislation and the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 as they relate to Sustainability Appraisal and Strategic Environmental Assessment. These requirements are set out in the DOE Development Plan Practice Note 04 Sustainability Appraisal incorporating Strategic Environmental Assessment.

## Objectives

4. Shared Environmental Service will have the following objectives:
  - Support Causeway Coast and Glens Borough Council to comply with legislation requirements in relation to Sustainability Appraisal incorporating Strategic Environmental Assessment for Local Development Plan preparation.
  - Support Causeway Coast and Glens Borough Council by providing advice and reports in an agreed timescale to support Local Development Plan preparation.

## Principles

### 5. Shared Environmental Service will follow a number of principles to ensure the provision of high quality services:

- **Dedicated Staff** - Causeway Coast and Glens Borough Council will have a Client Manager to oversee this agreement and a Client Officer to carry out appraisals.
- **Skills** - Shared Environmental Service will employ additional staff with environmental planning knowledge and experience, and will provide them with specialist training as required.
- **Early and regular contact** - Advice will be available from the timetable planning stage and there will be regular contact throughout.
- **Flexible approach**- Shared Environmental Service will work with Causeway Coast and Glens Borough Council to deliver services that integrate with the Council's approach to Local Development Plan preparation.
- **Responding within deadlines** - Shared Environmental Service will work within an agreed timetable to provide input at each plan stage.
- **Quality** - All outputs will be subject to internal quality assurance.
- **Consistency** - Shared Environmental Service will provide consistent advice to Councils.
- **Confidentiality** - Shared Environmental Service will respect confidentiality and be independent and impartial.
- **Evidence** - Reports will be evidence based using the most current datasets with sources referenced appropriately.
- **Access** - Causeway Coast and Glens Borough Council will have secure online access to all data collected and work carried out by Shared Environmental Service on its behalf.
- **Build capacity** - The approach will enable Causeway Coast and Glens Borough Council to build capacity ensuring that skills developed by the project team will be retained in-house.
- **Integrated assessment** - Habitats Regulations Assessment, which will not be charged for, will be aligned with the Sustainability Appraisal (incorporating Strategic Environmental Assessment).
- **Information** - Shared Environmental Service will support Causeway Coast and Glens Borough Council to comply with the terms of the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- **Cross-boundary working** - Where a Council has a land border with the Republic of Ireland, Shared Environmental Service will support consultation with the relevant Councils and the Department of Housing, Planning and Local Government.



- **Neighbouring Council working** – Shared Environmental Service will assist Causeway Coast and Glens Borough Council to identify common issues with neighbouring Councils and provide relevant support at consultation in relation to Sustainability Appraisal and Strategic Environmental Assessment as required.
- **Representation** - Shared Environmental Service will be available to provide limited support at independent examination on the Sustainability Appraisal (incorporating Strategic Environmental Assessment) as required.

## **Charging**

6. An overview of the work to be carried out at each plan stage is provided in Schedule 1. The services on Schedule 2 will be provided to Causeway Coast and Glens Borough Council by Shared Environmental Service in accordance with the stated terms.
7. All Councils will be able to use the following services for no charge:
  - SA/SEA Resource hub
  - Support through Development Plan Working Group Meetings.

## **Additional Services**

8. The following additional services may be available on request. Prices for these, and any future services which Shared Environmental Service offers, will be quoted at the time of request.
  - Facilitation of public engagement and consultation.
  - Where the Council requires it, Rural Proofing and Equality Impact Assessment may be integrated into the Sustainability Appraisal (incorporating Strategic Environmental Assessment) process.

## **Working relationship and responsibilities**

9. Causeway Coast and Glens Borough Council will:
  - Engage with Shared Environmental Service as early as possible to assess the current position and agree a realistic timetable for delivery.
  - Confirm by the 1st March each year the estimated timing of input to the preparation of Local Development Plans in the following year.
  - Allow access to appropriate development plan meetings, and associated documentation. This includes any baseline or State of the Environment data previously collected and collated by the Council or its previous legacy Councils and any relevant GIS base map layers that the Council holds.
10. All outputs will be provided in electronic format. Shared Environmental Service will include all tables, maps and figures required to illustrate reports but will not carry out graphic design.
11. The ownership of any data or report provided for appraisal of the Local Development Plan by Shared Environmental Service will rest with Causeway Coast and Glens Borough Council. The ownership of any general guidance to Councils will rest with Shared Environmental Service. Responsibility for decision making regarding a Local Development Plan lies with Causeway Coast and Glens Borough Council.

12. Shared Environmental Service will endeavour to ensure that all guidance and advice it provides is consistent with the Directives, Regulations and case law. In the event of any uncertainty about the application of these to a given situation Shared Environmental Service will outline that situation, any relevant case law and its interpretation and questions so that the Council concerned may seek legal opinion. Shared Environmental Service would advise that in any matter of law it is the responsibility of Causeway Coast and Glens Borough Council to seek appropriate legal advice.
13. Shared Environmental Service will provide a record of all meetings held with Causeway Coast and Glens Borough Council which will indicate agreed actions.
14. Shared Environmental Service cannot guarantee that legal challenges will not be taken to include reasons relating to Sustainability Appraisal (incorporating Strategic Environmental Assessment). It may provide Causeway Coast and Glens Borough Council with reasonable assistance in the defence of any challenges in relation to Sustainability Appraisal (incorporating Strategic Environmental Assessment)
15. The Council may terminate the arrangement with Shared Environmental Service at the end of each Plan Stage. This must be communicated to Shared Environmental Service at least three months before the beginning of the next plan stage to facilitate reallocation of staff.

#### **Performance Monitoring and review**

16. If any performance issues arise regarding service delivery they should normally be resolved between the Local Development Plan Principal Officer in Causeway Coast and Glens Borough Council and the Head of Shared Environmental Service. If this is not successful, the issue will be escalated to the Head of Service for Planning in both Councils and finally to the Chief Executives of both Councils. In each case a meeting will be held, issues discussed, actions agreed and monitored.
17. Delivery of this service level agreement will be monitored and an annual report provided to Causeway Coast and Glens Borough Council Chief Executive and the Area Planning Manager by 30 April each year.

## Schedule 1

### Staff input for each stage of plan preparation

Plan Stage	Estimated Time (months)	SA/SEA Stage	Service	HEPO Days	SEPO Days	Total Cost
Throughout Plan Preparation	On going	Through out	SA/SEA Resource hub Support through Development Plan Working Group			
STAGE1 Preferred Options Paper	6	Stage A (I)	SA Scoping Report	104	31	20,505
		Stage A (II)	SA Interim Report			
STAGE 2 Plan Strategy	18	Stage B	Assessment of alternatives and any likely significant effects of the draft Plan Strategy against SA objectives.	75	22	14,725
		Stage C	Preparation of the SA Report			
		Stage D	Consulting on the SA Report The SA report will be published for consultation along with the draft Plan Strategy.			
		Stage E	SA Adoption Statement			
		Stage F	Design and implement monitoring for implementation of the Plan Strategy.			
STAGE 3 Local Policies Plan	18	Stage A	Update SA Scoping Report for and consult Consultation Body as required.	75	22	14,725
		Stage B	Assessment of alternatives and any likely significant effects of the draft Local Policies Plan against SA objectives.			
		Stage C	Preparation of the SA Report for the draft Local Policies Plan.			
		Stage D	Consultation on the SA Report for the draft Local Policies Plan.			
		Stage E	SA Adoption Statement for Local Policies Plan.			
		Monitoring and Review	Design monitoring for implementation of the Local Development Plan.			
STAGE 4 Monitoring	On going	Post LPP	Service to be agreed			
<b>Total</b>						<b>49,955</b>

## Schedule 2

### Agreed Costs

The charging model is based on the given number of days for a Senior Environmental Planning Officer, and a Higher Environmental Planning Officer, with 22% allowance for all overheads. VAT will be charged at 20% additional to the costs below. VAT for this service is understood to be recoverable by councils.

Daily equivalent rates are:

Senior Environmental Planning Officer (PO5 equivalent):	£175
Higher Environmental Planning Officer (SO2 equivalent):	£145

1. The service to be delivered and charges agreed with Causeway Coast and Glens Borough Council are:

Service	Start Date	End Date	Total Charge
Preferred Options Paper	Winter 2016	Winter 2017	£20,505
Plan Strategy	Winter 2017	Autumn 2018	£14,725
Local Policies Plan	Winter 2020	Winter 2021	£14,725
Monitoring	n/a	n/a	n/a
Other - specify	n/a	n/a	n/a

2. These costs include up to twelve visits per year to include Project Management Team, stakeholder or other meetings. Additional meetings will be charged in accordance with daily rates above and Mid and East Antrim mileage rates. These daily rates may be revised to reflect changes in staff costs. Causeway Coast and Glens Borough Council will be advised of any proposed changes. Mid and East Antrim Council will agree in advance of attending any additional meetings at the costs set out above.
3. The charge for these services will be based on financial years running from 1 April to 31 March.
4. Shared Environmental Service will work with Causeway Coast and Glens Borough Council to accommodate changes to the plan timetable where possible. If there is an overrun of more than three months, an additional cost may be agreed and charged to contribute to the cost of retaining staff. This cost will be agreed between Shared Environmental Service and the Council and will apply only where Shared Environmental Service is unable to arrange reallocation of staff resources. This additional cost will not apply if the over-run is due to the service provided by Mid and East Antrim Council.
5. This cost includes limited support at Independent Examination.

Sharon Mulhern  
Causeway Coast and Glens Borough Council  
66 Portstewart Road  
Coleraine  
BT52 1EY

1 June 2020

Dear Sharon

Causeway Coast and Glens Borough Council agreed a Service Level Agreement (SLA) with Mid and East Antrim Borough Council to secure the services of Shared Environmental Service (SES) in support of your Local Development Plan in November 2016.

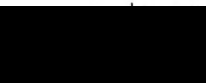
The section on charging indicated that the service would be charged on a total sum for each stage of plan preparation as set out in Schedule 1. SES completed work on this basis to provide a Sustainability Appraisal Scoping Report and Interim Report in support of your Preferred Options Paper.

Following an independent review of the services provided by Shared Environmental Service, it has now become apparent that the original SLA underestimated the amount of work required to carry out the Sustainability Appraisal of your Preferred Options Paper. The Consultants recommended that all work carried out by SES in the future should be charged at an hourly rate and that the rates should be reviewed to reflect the full cost to council.

Please find enclosed a revised SLA and pricing policy which will ensure that going forward the full cost of this service can be adequately recovered. I would be grateful for your confirmation of agreement with the revised SLA to enable ongoing delivery of services. On confirmation by email, two hard copies signed on behalf of Mid and East Antrim Borough Council will be forwarded for signature so that you can return one and retain one.

Please note paragraph 10 relating to the timetabling of work for your council. To enable SES to ensure that it has sufficient resources to carry out all work for clients, it is important that early notice is provided of required delivery dates. I appreciate there is some uncertainty about timetables at present. Please confirm revised timetables as soon as you are in a position to do so and keep SES updated in the event of any changes in accordance with the SLA. SES is happy to discuss or provide an approximate estimate of costs to assist with budgeting.

Yours sincerely



**Paul Duffy**

Head of Planning and Building Control (Mid and East Antrim Borough Council)

**Cc Denise Dickson, Head of Planning, Causeway Coast and Glens Borough Council**

Please reply to:

**Head Office**  
The Braid  
1-29 Bridge Street  
Ballymena BT43 5EJ

**Ballymena Office**  
Ardeevin  
80 Galgorm Road  
Ballymena BT42 1AB

**Carrickfergus Office**  
Museum & Civic Centre  
11 Antrim Street  
Carrickfergus BT38 7DG

**Larne Office**  
Smiley Buildings  
Victoria Road  
Larne BT40 1RU

**Planning Office**  
County Hall  
182 Galgorm Road  
Ballymena BT42 1QL

**Chief Executive  
Anne Donaghy**

# Delivery of Services by Shared Environmental Service

Service Level Agreement

Between

Mid and East Antrim Borough Council

and

Causeway Coast and Glens Borough Council

## **Operational Contacts**

### Mid and East Antrim Borough Council

Susanna Allen  
Principal Environmental Planning Officer  
County Hall  
182 Galgorm Road  
Ballymena  
BT42 1QF

### Causeway Coast and Glens Borough Council

Sharon Mulhern  
Principal Planning Officer  
66 Portstewart Road  
Coleraine  
BT52 1EY



**This Agreement is dated 1 June 2020**

**PARTIES TO THE AGREEMENT**

The parties to the agreement are Mid and East Antrim Borough Council, ( hereinafter called the 'Shared Environmental Service' ) and the user ( hereinafter called 'the user' )

Name: Paul Duffy

Position: Head of Planning and Building Control

Mid and East Antrim Borough Council

Signed: \_\_\_\_\_

Date:

Name: Denise Dickson

Position: Head of Planning

Causeway Coast and Glens Borough Council

Signed: \_\_\_\_\_

Date:

## Purpose

1. This Service Level Agreement details additional Sustainability Appraisal (incorporating Strategic Environmental Assessment) services to be provided by Shared Environmental Service to the user in support of its Local Development Plan making functions and sets out the costs and working arrangements for delivery of these services.

## Overview

2. Shared Environmental Service was established in April 2015 to support Councils to meet their environmental responsibilities in connection with their role as planning authorities and is employed by Mid and East Antrim Council. Its centrally-funded role is to carry out Habitats Regulations Assessments on behalf of Councils for development management and during the preparation of Local Development Plans to assess and advise on impacts on European sites (Special Areas of Conservation and Special Protection Areas) and Ramsar sites.
3. Shared Environmental Service has developed additional services to support Councils in the process of Sustainability Appraisal (incorporating Strategic Environmental Assessment). In carrying out this function Shared Environmental Service will assist the user to comply with the requirements of the Planning Act (Northern Ireland) 2011, subordinate planning legislation and the Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 as they relate to Sustainability Appraisal and Strategic Environmental Assessment. These requirements are set out in the DOE Development Plan Practice Note 04 Sustainability Appraisal incorporating Strategic Environmental Assessment.

## Objectives

4. Shared Environmental Service will have the following objectives:
  - Support the user to comply with legislation requirements in relation to Sustainability Appraisal incorporating Strategic Environmental Assessment for Local Development Plan preparation.
  - Support the user by providing advice and reports in an agreed timescale to support Local Development Plan preparation.
  - Deliver additional services, if required and agreed with the user, charged at the rates in Schedule 2.

## Principles

5. Shared Environmental Service will follow a number of principles to ensure the provision of high quality services:
  - **Dedicated Staff** - the user will have a Client Manager to oversee this agreement and a Client Officer to oversee delivery of the service.
  - **Skills** - Shared Environmental Service will employ staff with environmental planning knowledge and experience, and will provide them with specialist training as required.
  - **Early and regular contact** - Advice will be available from the timetable planning stage and there will be regular contact throughout.
  - **Flexible approach** - Shared Environmental Service will work with the user to deliver services that integrate with the Council's approach to Local Development Plan preparation.
  - **Responding within deadlines** - Shared Environmental Service will work within an agreed timetable to provide input at each plan stage.
  - **Quality** - All outputs will be subject to internal quality assurance.
  - **Consistency** - Shared Environmental Service will provide consistent advice to users.
  - **Confidentiality** - Shared Environmental Service will respect confidentiality and be independent and impartial.
  - **Evidence** - Reports will be evidence based using the most current datasets with sources referenced appropriately.
  - **Access** - The user will have secure online access to all data collected and work carried out by Shared Environmental Service on its behalf.
  - **Build capacity** - The approach will enable the user to build capacity ensuring that skills developed by the project team will be retained in-house.
  - **Integrated assessment** - Habitats Regulations Assessment, which will not be charged for, will be aligned with the Sustainability Appraisal (incorporating Strategic Environmental Assessment).
  - **Information** - Shared Environmental Service will support the user to comply with the terms of the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
  - **Cross-boundary working** - Where a council has a land border with another council or the Republic of Ireland, Shared Environmental Service will reflect relevant policies and strategies in the Sustainability Appraisal and support any cross-boundary consultation by the user.

- **Representation** - Shared Environmental Service will be available to provide support at independent examination on the Sustainability Appraisal as required.

## Charging

6. An overview of the work to be carried out at each plan stage is provided in Schedule 1. Charging by SES will operate on a full cost recovery basis in accordance with Schedule 2. Schedule 2 will be subject to regular review and update where agreed by both parties.
7. If any third party services or external training are required these will be agreed in advance and invoiced through SES.
8. SES will invoice the client at quarterly intervals, within 20 working days of the end of each quarter. Each invoice will be supported by a breakdown of the costs incurred.
9. Additional services in support of Local Development Plan preparation, review and monitoring may be available on request. Such agreed additional services will be charged at the rates set out in Schedule 2.

## Working relationship and responsibilities

10. The user will:

- Engage with Shared Environmental Service to agree a realistic timetable for delivery and update Shared Environmental Service, as early as possible, on any change to that timetable of four weeks or more.
- Allow access to appropriate development plan meetings, and associated documentation. This includes evidence papers, baseline or State of the Environment data and any relevant GIS base map layers that the Council holds.

11. Shared Environmental Service will:

- Demonstrate how all feedback from the Consultation Body, other stakeholders and public consultation has been addressed.
- Provide all outputs at an agreed date that allows the Council to review and comment on papers and amend those outputs to address Council feedback.
- Attend any part of Independent Examination as expert witness or to provide advice and input to any papers relating to Independent Examination and soundness where relevant to Sustainability Appraisal.

12. All outputs will be provided in electronic format. Shared Environmental Service will include tables, maps and figures required to illustrate reports but will not carry out graphic design.

13. The ownership of any data or report provided for appraisal of the Local Development Plan by Shared Environmental Service will rest with the user. The

ownership of any general guidance to Councils will rest with Shared Environmental Service. Responsibility for decision making regarding a Local Development Plan lies with the user.

14. The parties commit to taking measures so that all staff members carrying out the work respect the confidential nature of this information, and do not disseminate it, pass it on to third parties or issue it without prior written consent of the party that provided the information. The parties commit to taking the same measures to maintain the confidential natures of the information, as they would do should it concern their own confidential information.
15. Shared Environmental Service will endeavour to ensure that all guidance and advice it provides is consistent with the current Directives, Regulations, guidance and case law. However, in the event of any uncertainty about the application of these, Shared Environmental Service will inform the Council so that it may seek legal opinion. Shared Environmental Service would advise that in any matter of law it is the responsibility of the user to seek appropriate legal advice.
16. Shared Environmental Service will, if required, provide a record of all meetings held with the user to include agreed actions.
17. Shared Environmental Service cannot guarantee that legal challenges will not be taken to include reasons relating to Sustainability Appraisal (incorporating Strategic Environmental Assessment). It may provide the user with reasonable assistance, in the form of advice and evidence, in the defence of any challenges in relation to Sustainability Appraisal (incorporating Strategic Environmental Assessment).
18. The user may terminate the arrangement with Shared Environmental Service at the end of each Plan Stage. This must be communicated to Shared Environmental Service at least three months before the beginning of the next plan stage to facilitate reallocation of staff.

### **Performance Monitoring and review**

19. If any performance issues arise regarding service delivery they should normally be resolved between the Local Development Plan Principal Officer in the user and the Head of Shared Environmental Service. The Parties will use their best efforts to negotiate disputes arising from this SLA in order to obtain mutual acceptable settlements. If this is not successful, the issue will be escalated to the Head of Planning in both Councils and finally to the Chief Executives of both Councils. In each case a meeting will be held, issues discussed, actions agreed and monitored.
20. Delivery of this Service Level Agreement will be monitored and a short Annual Report provided to the user's Head of Planning by 30th April each year.

Staff input for each stage of plan preparation

Plan Stage	SA/SEA Stage	Service
Throughout Plan Preparation	Throughout	Support through Development Plan Working Group
STAGE 1 Preferred Options Paper	Stage A (I)	SA Scoping Report
	Stage A (II)	SA Interim Report
STAGE 2 Plan Strategy	Stage B	Review and update of the SA Scoping Report. Assessment of alternatives and any likely significant effects of the draft Plan Strategy against SA objectives.
	Stage C	Preparation of the SA Report
	Stage D	Consulting on the SA Report The SA Report and updated Scoping Report will be published for consultation along with the draft Plan Strategy.
	Stage E	SA Adoption Statement
	Stage F	Design and implement monitoring for implementation of the Plan Strategy.
STAGE 3 Local Policies Plan	Stage A	Update SA Scoping Report for and consult Consultation Body as required.
	Stage B	Assessment of alternatives and any likely significant effects of the draft Local Policies Plan against SA objectives.
	Stage C	Preparation of the SA Report for the draft Local Policies Plan.
	Stage D	Consultation on the SA Report for the draft Local Policies Plan.
	Stage E	SA Adoption Statement for Local Policies Plan.
	Monitoring and Review	Design monitoring for implementation of the Local Development Plan.
STAGE 4 Monitoring	Post LPP	Service to be agreed

## Schedule 2

Staff costs are based on salary and contributions and overheads. VAT at 20% will be charged. Hourly charges will be applied to travel time. Third party or training costs will be charged according to actual cost to SES.

<b>OFFICER</b>	<b>HOURLY RATE</b>
Principal Environmental Planning Officer	£80.00
Senior Environmental Planning Officer	£65.00
Higher Environmental Planning Officer	£50.00
Environmental Planning Officer	£40.00
Administrative Assistant	£30.00
<b>EXPENSES</b>	<b>RATE</b>
Mileage	£0.65
Subsistence	£13.50