

SLEAFORD TOWN COUNCIL

**SLEAFORD NEIGHBOURHOOD DEVELOPMENT PLAN WORKING GROUP
- TERMS OF REFERENCE (TOR)**

1 Background

The Sleaford Neighbourhood Development Plan Working Group has researched Terms of Reference for its work. We have assessed a range of TORs used by Neighbourhood Development Plan Working Groups in other areas and have produced the attached version as being most appropriate for our town.

2 Recommendation

That Sleaford Town Council approve the attached TORs to be used by the Neighbourhood Development Plan Working Group.

Cllr Robert Oates
Chairman, Sleaford Neighbourhood Plan Working Group
July 2020

SLEAFORD NEIGHBOURHOOD PLAN WORKING GROUP

- TERMS OF REFERENCE

1. Introduction

1.1 Sleaford Town Council (STC) is the qualifying body for the preparation of a Neighbourhood Development Plan (NDP) for their area and has chosen to establish a working group under section 102(4) of the Local Government Act 1972. STC has also chosen to appoint local people (who do not need to be town councillors) to this working group. Members of this working group will have voting rights under section 13(3), (4)(e) or (4)(h) of the Local Government and Housing Act 1989. This group will be known as the Sleaford Neighbourhood Plan Working Group.

2. Objective

2.1 The objective of the Working Group is to produce a sound Neighbourhood Development Plan for Sleaford. The NDP defines the spatial planning policy priorities having taken account of all representations made during the plan-making process and having regard to all relevant existing plans and evidence. The NDP will include or be supported by an appropriate delivery plan setting out, where relevant, the means by which these policy priorities may be implemented.

3. Purpose

3.1 STC by agreement to these TORs has granted delegated authority to the Sleaford Neighbourhood Plan Working Group. The Working Group sits as the Project Board for project management and decision-making purposes and will lead the preparation of the Sleaford Neighbourhood Development Plan. The Working Group will guide and agree the content of the Plan and all associated evidence and analysis up to the stage of a draft plan being submitted to North Kesteven District Council (NKDC) as the local planning authority. The final draft Neighbourhood Plan will be approved by STC prior to submission to the local planning authority.

3.2 The Group will:

- Identify and secure the resources required for the production of the NDP
- agree the project timetable, processes, and procedures
- agree a project communication, consultation, and engagement strategy
- agree the initial scope of the Plan prior to early public engagement
 - Direct the work of consultants or other specialists engaged to develop the plan
- approve all background and evidence-based reports prior to publication
- agree all consultation documents prior to publication
- agree, subject to ratification by the Town Council, a final version of the Sleaford NDP to be submitted to NKDC as the local planning authority
- actively support and promote the preparation of the Sleaford NDP throughout the duration of the project

The group will also liaise with all necessary statutory and other relevant authorities and organisations in the production of the NDP.

4. Plan Area

4.1 STC has determined that the Plan Area shall be the area covered by the Wards of Sleaford Town Council. STC has submitted this Plan Area to NKDC as the local planning authority for public consultation. The Working Group shall produce a draft NDP for the area approved by public consultation.

5. Membership and conduct

5.1 The Working Group shall be formed from six current parish councillors and six local members of the community. The Town Clerk can be present in an ex-officio, non-voting capacity at all meetings

5.2 The Working Group may co-opt additional support to carry out specific tasks for as short or long a period as necessary

5.3 Membership of the Working Group is voluntary, and no remuneration or expenses are payable.

5.4 All members of the Working Group have agreed to abide by the Code of Conduct of Sleaford Town Council. The Steering Group will achieve this through applying the following principles:

- Work with mutual trust and respect, and combine their expertise
- Be clear when their individual roles or interests are in conflict
- Inform the Working Group when they are unable to deliver agreed actions
- Treat everyone with dignity, courtesy, and respect regardless of their age, gender, sexual orientation, ethnicity, ability, or religion and belief
- Actively promote equality of access and opportunity

5.5 All members of the Working Group must declare any personal interest that may be perceived as being relevant to the decisions or recommendations made by it. This may include membership of an organisation, ownership of or interest in land or business or any other matter likely to be relevant to the project.

5.6 A person shall cease to be a member of the Working Group upon notifying the Chairman in writing of their wish to resign.

5.7 The Chairman will be appointed by the members of the Working Group at its first meeting and annually thereafter. Nominations to be seconded and then voted by show of hands only if more than one candidate is nominated. If only one candidate is nominated and seconded, then they are automatically appointed. In the absence of the Chair the Working Group shall elect a Chair from the members present.

5.8 The Working Group shall be quorate when any four members are present.

5.9 Decisions made by the Working Group should normally be by consensus. Where a vote is required each member shall have one vote. A minimum of four members plus the chairman shall be present where matters are presented for decisions to be taken. A simple majority will be required to support any motion. The Chairman shall have one casting vote.

6. Support

6.1 The Working Group will request support from Sleaford Town Council, via the Town Clerk for administrative or other tasks such as workshops as needed.

6.2 The Working Group may seek the support of consultants or specialists for any task to assist in the development of the NDP.

7. Finance and funding

7.1 The Working Group will identify and secure the funding for the production of the NDP, including the funding required for any consultants or specialists.

7.2 The Working Group will prepare and submit regular finance reports as required to any funders of the NDP including STC.

7.3 Organisations and businesses may make donations toward the cost of producing the NDP. Details of any such donations must be made public and must not influence the recommendations of the NDP.

7.4 The Working Group shall not have its own bank account. STC shall hold all funds for the NDP and be responsible for all expenditure, monitoring and reporting.

7.5 All items of expenditure for the NDP require approval by STC.

8. Freedom of Information and Access to Information

8.1 As an extension of the Town Council, and in accordance with the Freedom of Information Act (2000), the Working Group will make available to the public via the Town Council website the minutes of meetings, policies and procedures, details of its organisation and structure and information on budget and expenditure.

8.2 Meetings of the Working Group will usually be open to members of the public to observe. It will be rare for meetings not to be open to members of the public. Where the Working Group votes for members of the public to be excluded from all or part of a meeting (for example when exempt information is to be discussed) an explanation will be given.

9. Data Protection

9.1 Sleaford Town Council operates within the Data Protection Act 2018 (GDPR) and the general Data Protection Regulations (GDPR) as data processors. Any data provided to the Sleaford Neighbourhood Plan Working Group or OpenPlan with Community Lincs for the purpose of the Sleaford Neighbourhood Plan will be obtained under consent and processed lawfully and accurately in accordance with the GDPR and in accordance with the rights of the individual whose personal information is being processed. When completing forms, clients will be informed by letter or electronically as to how the Data Processor will use any data collected. Neither STC nor OpenPlan with Community Lincs will use the information provided in any other way, without first notifying the individual concerned to get their permission.

All data and information collected for the NDP is owned by Sleaford Town Council as the Data Controller, unless otherwise agreed.

10. Communications

10.1 The plan-making process remains in the control of Sleaford Town Council as local authority and qualifying body. All publications, consultation and community engagement exercises will be undertaken by or on behalf of Sleaford Town Council with appropriate recognition of the Town Council's position given in all communications associated with the project.

11. Changes to these Terms of Reference

11.1 Any amendments to these Terms of Reference must be first agreed by the Working Group and then ratified by Sleaford Town Council.

12. Dissolution

12.1 The Working Group shall operate until a final agreed NDP is in place.

12.2 Once a final agreed NDP is in place, the Working Group will be dissolved, and any remaining resources will belong to Sleaford Town Council.

Approved by Sleaford Neighbourhood Plan Working Group on 24th June 2020

Recommended for approval to Sleaford Town Council at its meeting on 1 July 2020.

End