

Paddock Wood Town Council

Paddock Wood Neighbourhood Plan

Governance Framework

November 2015

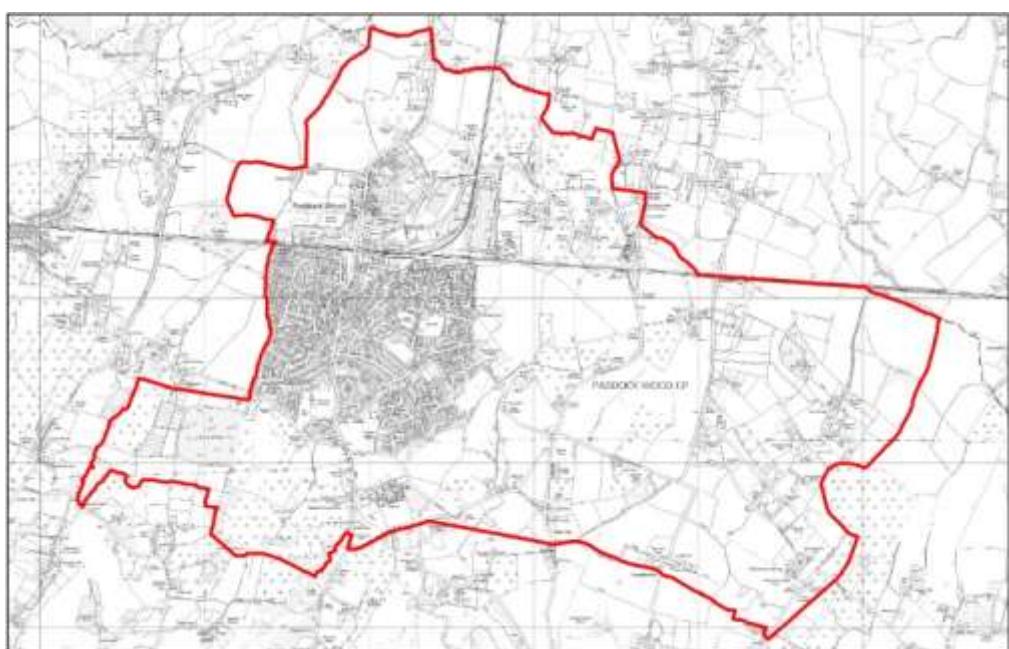
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Appendix A (Draft) Terms of Reference

1 INTRODUCTION

- 1.1 Paddock Wood Town Council is in the process of developing a Neighbourhood Plan for the parish. The Neighbourhood Plan will give the community direct power to develop a shared vision for the parish, shaping development and growth. This will include considering where future housing might be delivered and what sort of housing this might be, protecting green spaces or creating new ones, and setting out new or enhanced community facilities.
- 1.2 The entire parish of Paddock Wood, comprising the town and surrounding areas, was formally designated by Tunbridge Wells Borough Council in July 2013 and a Neighbourhood Plan Steering Group was established in May 2014.



Map of the Paddock Wood Neighbourhood Plan boundary

- 1.3 As per the Localism Act legislation, because Paddock Wood is a parish, the Town Council is the body formally responsible for neighbourhood planning within the parish.
- 1.4 The Neighbourhood Planning process must be open and transparent. It is important that the roles and responsibilities of those involved, as well as the relationships between them, are clearly understood. Decisions taken must be recorded and trackable.
- 1.5 This document sets out the framework within which the Paddock Wood Neighbourhood Plan will be governed and covers:
 - The steps involved in developing a Neighbourhood Plan;
 - The roles of, and relationship between, the key bodies: Tunbridge Wells Borough Council, Paddock Wood Town Council and the Paddock Wood Neighbourhood Plan Steering Group and its sub-groups;
 - The financial arrangements for the neighbourhood plan process; and
 - Professional support for the emerging Neighbourhood Plan.

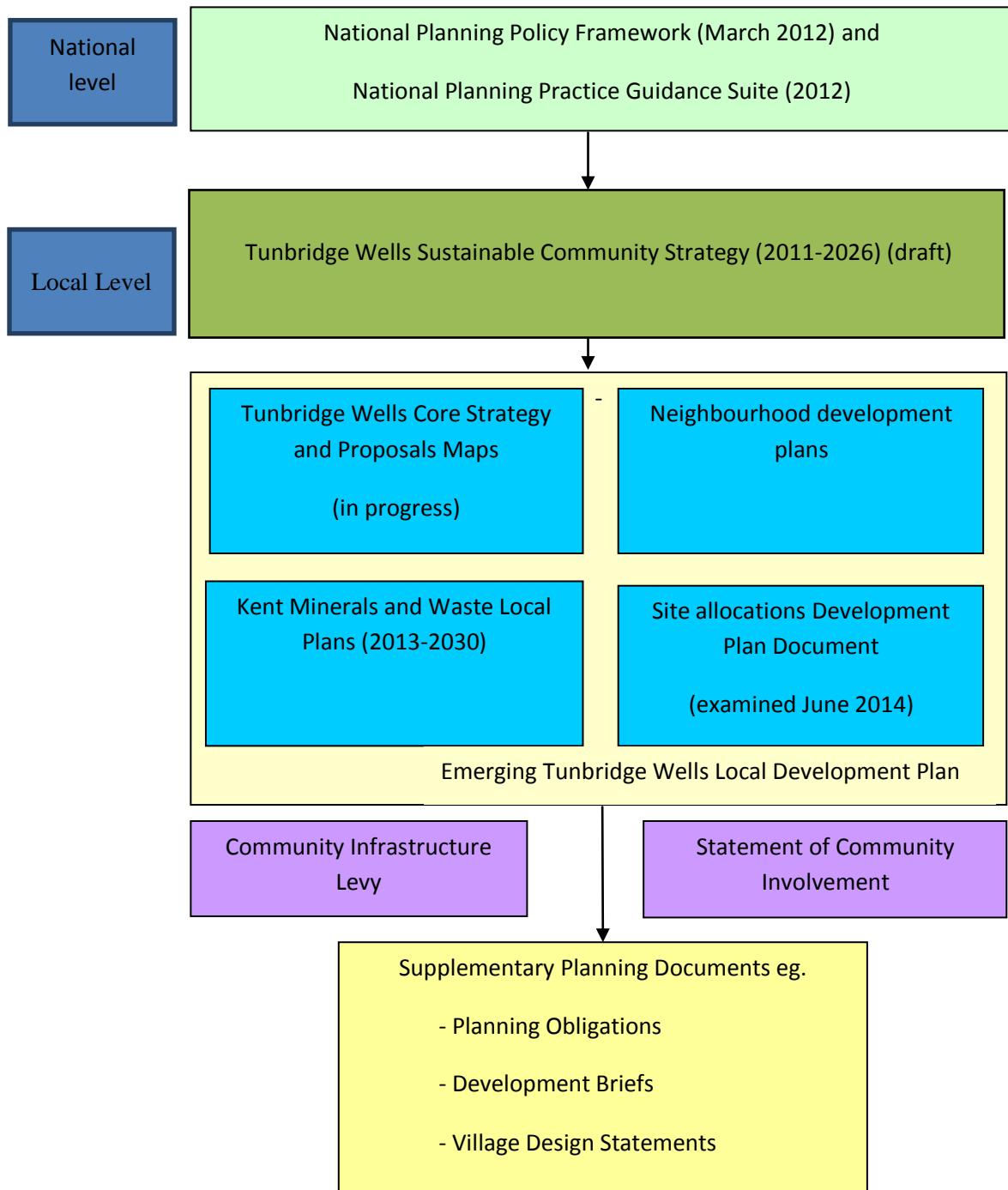
2 STEPS INVOLVED IN DEVELOPING A NEIGHBOURHOOD PLAN

There are a number of legislative steps that the Neighbourhood Plan must go through. During this process it must meet particular Regulations as set out in the Localism Act. The key stages are set out below.

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| <p>Stage 1 Defining the Neighbourhood Area</p> | <p>Regulation 5: The qualifying body, Paddock Wood Town Council, submits the proposed area, with justifications, to the Borough Council.</p> |
| <p>Stage 2 Preparing the Neighbourhood Plan</p> | <p>The Town Council ensures that everyone locally has a chance to engage on the content of the plan, considering various options and building a sound evidence base.</p> |
| <p>Stage 3 Pre-submission consultation and publicity of draft plan</p> | <p>Regulation 14: A minimum 6 weeks consultation (including with Statutory Consultees) undertaken by the Town Council, prior to the plan being formally submitted to the Borough</p> |
| <p>Stage 4 Submission of the final plan</p> | <p>Final plan submitted to the Borough Council including map, the plan itself, Consultation Statement, Basic Conditions Statement, Strategic Environmental Assessment and/or Habitat Regulation Assessment as needed. The Borough Council will then organise a minimum 6 week consultation including statutory bodies (as per Regulation 16)</p> |
| <p>Stage 5 Independent Examination</p> | <p>Organised and paid for by the Borough Council who will supply relevant documents to the examiner (Regulation 17). The examiner is checking that the 'basic conditions' have been met.</p> |
| <p>Stage 6 Referendum</p> | <p>Once the plan has been finalised, the Borough Council will organise and pay for the referendum for all those on the electoral roll in the neighbourhood plan area. The referendum requires a 50% majority of voters to move to the final stage.</p> |
| <p>Stage 7 Adoption of the plan</p> | <p>Cabinet at the Borough Council will adopt/ 'make' the final plan and it will form part of the Local Development Plan Framework</p> |

3 ROLES AND RESPONSIBILITIES OF THE KEY BODIES

- 3.1 The following diagram illustrates the planning policy landscape in relation to Paddock Wood. Once it has passed referendum, the Neighbourhood Plan will form part of the Local Development Plan for Tunbridge Wells Borough Council and as such, will carry the same weight in planning decisions as the Core Strategy.



3.2 It is useful to set out the core functions and responsibilities of the key players:

Tunbridge Wells Borough Council

3.3 Tunbridge Wells Borough Council is the local planning authority which has responsibility for developing the Local Plan Framework for the entire Borough. It has a duty to support its local town and parish councils in the development of Neighbourhood Plans. Namely it must:

- Provide advice and assistance to the town council. The exact nature of this advice is not set out in the legislation, and therefore is something that should be agreed between the Steering Group and the Planning Policy Manager at Tonbridge Wells Borough Council;
- Ensure that decisions relating to the neighbourhood plan are taken within the statutory time periods where these apply;
- Set out a clear and transparent decision making timetable to be shared with those producing a neighbourhood plan;
- Organise aspects of the Neighbourhood Plan stages, such as the Submission Consultation, the Examination and the Referendum; and
- Make (adopt) the Neighbourhood Plan once it has passed referendum.

3.4 It is the Council's Executive which is responsible for taking decisions on neighbourhood planning at the local planning authority level. A named officer would provide a useful link with the Steering Group.

Paddock Wood Town Council

3.5 Paddock Wood Town Council is the qualifying body, leading on the development of the neighbourhood plan, as set out in the legislation. It must:

- Work with members of the community who are interested in, or affected by, the neighbourhood planning proposals to allow them to play an active role in preparing the neighbourhood plan;
- Be transparent about the relationship between the Paddock Wood Neighbourhood Plan Steering Group and the formal functions of the Town Council. The Terms of Reference for the Steering Group or other body should be published and the minutes of meetings made available to the public;
- Be responsible for the six-week pre-submission consultation; and
- Be the body that formally signs off and submits the completed plan to the Borough Council.

3.6 The Town Council will have responsibility for budgets pertaining to the Neighbourhood Plan.

Paddock Wood Neighbourhood Plan Steering Group

3.7 Whilst the Town Council is the formal lead on the Neighbourhood Plan, a separate Steering Group was established in May 2014 to lead on day-to-day activities. The Town Council however retains responsibility for the plan and all final decisions.

- 3.8 The Steering Group exists to: determine the scope and objectives of the plan, oversee the production of the plan including monitoring progress, ensure that the wider community is effectively engaged, collate a robust evidence base and prepare the final document.
- 3.9 In order to maintain transparency between the Steering Group and the Town Council, the following will take place:
 - Terms of Reference for the Steering Group has been agreed by the Town Council, to include a member of the Steering Group having the role of liaising with the Town Council to ensure that communications are effective and ongoing.
 - There will be a standing Neighbourhood Planning item on the monthly Town Council agenda with an update report from the Steering Group and an opportunity to discuss any queries or financial aspects;
 - The Town Council will publicise minutes pertaining to the Steering Group and the Neighbourhood Plan to ensure public visibility.
 - The Town Council will retain overall responsibility for the budget.
 - The Steering Group will present the Neighbourhood Plan to the Town Council who will ultimately sign off the document.
 - The Town Council will submit the final document to Tunbridge Wells Borough Council.
 - All communications for and on behalf of the Steering Group (including those by volunteers) will be subject to the Town Council's existing rules on communication.
- 3.10 Terms of Reference for the Steering Group has been produced to set out the purpose and remit of the group as well as the reporting and decision making procedures. These have been approved by the Town Council and can be found in **Appendix A**.

4 FINANCIAL ARRANGEMENTS

4.1 The Town Council is responsible for all financial aspects of the Neighbourhood Plan. The Steering Group will not make financial decisions on behalf of the Town Council. The following points will be adhered to during the Neighbourhood Plan period:

- An overall budget of £10,000 for the year 2015-16 for the Neighbourhood Plan has been agreed by the Town Council which can be amended through agreement at the monthly Town Council meeting.
- The Town Council has delegated authority to the Town Clerk to approve payments up to £500 as set out in the Steering Group Terms of Reference. Any larger items of expenditure will be discussed and decided upon at monthly Town Council meeting agenda including, for example, the employment of professional support. Commissioning is the responsibility of the Town Council.
- Any grant or funding applications to support the neighbourhood planning process can be identified by the Steering Group but must be made by the Town Council who will ring-fence the funds for use on Neighbourhood Planning only.
- A Financial Co-ordinator role has been allocated within the Steering Group. This person has responsibility for liaising with the Town Clerk on the budget and providing updates both to the Town Clerk and for the Town Council standing item on neighbourhood planning.
- Notification of all planned expenditure must be given to the Town Council before actual costs are incurred.
- Invoices will be made out to the Town Council and will be paid in accordance with the Town Council's financial regulations at the next monthly meeting:
<http://www.paddockwoodtc.kentparishes.gov.uk/UserFiles/file/Policies/Financial%20regulations.pdf>. The accounts relating to the Neighbourhood Plan process will be audited and open to the public.
- The Steering Group, and sub-groups, are covered by Paddock Wood Town Council's insurance.

5 RECORD KEEPING AND GENERAL COMMUNICATIONS

- 5.1 Any decisions or actions made by the Steering Group and Sub-groups must be appropriately minuted so that they can be tracked as necessary, for example at the examination stage. The following points will be adhered to in order to maintain a robust paper trail:
- All Steering Group agendas and minutes will be dated and published publicly on the website and in a uniform format for ease of reading
 - An online cloud will be used to store reference and working documents with access given to members of the Steering Group and Sub-groups as necessary. Users should date work and make notes of any changes to documents using the system
 - Sensitive information will be stored as per the 1998 Data Protection Act
 - Records of engagement activities and feedback should be collated and stored so that it can be easily accessed when developing the Consultation Statement
 - Decisions made by the Steering Group should normally be by consensus at Steering Group meetings. Where a vote is required each member shall have one vote. A simple majority will be required to support any motion and the Chairman shall have one casting vote
- 5.2 Formal communications – including press releases and website updates - will need to be agreed by the Town Clerk prior to publishing. Informal communications, such as responding to twitter messages and Facebook posts, will be undertaken by the Steering Group Communications Officer. All Communications will adhere to the guidelines as set out in the Town Council Press and Social Media Policies, with the following principles adopted:
- Integrity and honesty
 - Clarity
 - Openness and accessibility
 - Inclusiveness
 - Listening and responding
 - Accountability
 - Consistency
 - Accuracy
- 5.3 A Steering Group member will be allocated the role of Communications Officer and will provide the lead on all neighbourhood plan related external communications, liaising with the Town Clerk as necessary to arrange sign-off.

6 PROFESSIONAL SUPPORT FOR THE EMERGING NEIGHBOURHOOD PLAN

- 6.1 Paddock Wood Town Council has engaged the services of Feria Urbanism and Alison Eardley Consulting to assist on the development of the neighbourhood plan.

Appendix A Steering Group Terms of Reference

Name

The name of the organisation shall be the Paddock Wood Neighbourhood Plan Steering Group

Purpose

The purpose of the Steering Group shall be to support Paddock Wood Town Council in the development of a Neighbourhood Plan for the parish that encompasses the needs and aspirations of the community for the period up to 2026. It will carry out the following tasks:

- Investigate and identify support for the Neighbourhood Plan
- Prepare and oversee a project plan for the development of the Neighbourhood Plan
- Identify sources of funding
- Take responsibility for planning, budgeting and monitoring expenditure on the Neighbourhood Plan and report back to the Town Council on these matters
- Liaise with relevant authorities and organisations to ensure the plan is as effective as possible
- Encourage involvement from the whole community, recording and analysing views and opinions, through a range of mechanisms
- Collate a base of evidence identifying existing and new sources
- Be responsible for producing the pre-submission plan and distributing this once it has Town Council sign-off.
- Make amendments to the plan as necessary and preparing the final submission document.
- Provide regular progress reports to the Town Council at its monthly meetings

Overarching principles

- The Steering Group will undertake the process in a democratic, transparent and fair fashion, allowing opinions and ideas to be put forward by all.
- The Steering Group will give or encourage those who live in the parish and its immediate surrounding area the opportunity to inform and shape the process e.g. through taking part in the consultation process.
- The Steering Group will make this a positive and constructive process.
- Ultimately it is intended to take a holistic approach that will improve quality of life and strengthen the community.
- These Terms of Reference may be reviewed and any changes must be approved by the Town Council.

Membership

- The Steering Group will be made up from a good cross-section of the community, including at least one Town Councillors nominated by the Town Council.
- The Steering Group should consist of no more than 10 to 12 members with a maximum of 50% councillors.
- Members must be resident in the parish of Paddock Wood however a person living outside the parish but running an established local business may be invited to join, subject to there being no conflict of interest.
- The Steering Group shall be quorate when at least half of the members attend.

- Other stakeholders or interested parties may be invited to attend a specific Steering Group meeting to give a presentation and/or discuss their interest in the proposed NDP.

Roles

- The Steering Group shall elect a Chairperson, Secretary, Finance Co-ordinator, Communications Officer and Council Liaison Officer.
- The Chairperson will take an overall management role for the group. If the Chair is unable to attend a meeting a temporary Chair (selected from Steering Group members present) will be elected for that meeting.
- The Secretary will be responsible for recording minutes.
- The Finance Co-ordinator will be responsible for tracking expenditure (see Finance section), liaising with the Town Clerk as necessary
- The Communications Officer will be responsible for publicity and communications on behalf of the Steering Group
- The Council Liaison Officer, ideally a Town Councillor, will be responsible for liaising between the Steering Group and the Town Council to ensure that communications are effective

Meetings

- The Steering Group shall normally meet monthly (but every two months as a minimum)
- A minimum of three days' notice (excluding weekends) of meetings will be given to members via an agreed notification method.
- Notice of meetings should include, where possible, detail of items to be discussed
- The Secretary will keep a record of meetings, recording main decisions and action points, and circulate these to the Steering Group members and the Town Council in a timely fashion. Notes will also be made available to the public.
- Where possible, a schedule of forthcoming meetings will be decided and made available to the public.
- All meetings should be open to the public.
- Copies of the Town Council's Code of Conduct will be available at all meetings and should be adhered to.

Sub-groups

- The Steering Group may establish sub-groups to carry out functions specified by the Steering Group such as: data gathering, consultations, making recommendations
- Each Sub-group should have a Chairperson elected from the Steering Group, or co-opted onto the Steering Group. Other members of the Sub-groups do not need to sit on the Steering Group, however they should abide by the Town Council's Code of Conduct including declarations of interest
- Sub-groups may development their own Terms of Reference which must be agreed by the Steering Group.

Finance

- All grants and funding will be applied for and held by the Town Council, who will ring-fence the funds for Neighbourhood Plan purposes only
- Notification of all planned expenditure will be given to the Town Council before actual costs are incurred. The Town Clerk can authorise payments up to £500.

- The Finance Co-ordinator will keep a clear record of expenditure supported by receipted invoices and will regularly review and update the budget in liaison with the Town Clerk
- The Finance Co-ordinator, in partnership with the Town Clerk will draw up and agree with the Steering Group procedures for volunteers who wish to claim expenses
- The Finance Co-ordinator will report back to the Steering Group and the Town Council on planned and actual expenditure for the project.
- Invoices will be made out in the name of the Town Council who authorise them at its meetings.
- Members of the community who are involved as volunteers with the Steering Group and/or Sub-groups are to claim back any previously agreed expenses that were necessarily incurred during the process of producing the Neighbourhood Plan. This includes, but is not limited to, postage, stationery, printing, telephone calls and travel costs.
- The Steering Group and Sub-group activities will be covered by Town Council insurance.

Data protection

- The Steering Group and any Sub-groups will store any data in accordance with the Data Protection Act 1998 under the registration of Paddock Wood Town Council.

Dissolving the Steering Group

The Steering Group will be active for the duration of the neighbourhood plan project, after which the future of the group should be discussed with Paddock Wood Town Council.

These Terms of Reference were adopted at a Paddock Wood Neighbourhood Development Plan Steering Group meeting held on