

**Halesworth Neighbourhood Plan Steering Group
Terms of Reference and Code of Conduct
Revised July 2019 (2nd Draft) – Approved HTC 02/09/19**

1. Introduction

Halesworth Neighbourhood Plan Steering Group (HNPSG) has been established by Halesworth Town Council (HTC) under section 102(4) of the Local Government Act 1972, section 13(3), (4)(e) or (4)(h) of the Local Government & Housing Act 1989, and the Localism Act 2011, for the specific task of delivering a Neighbourhood Plan for Halesworth. It has been granted full delegated powers to deliver its plan-making functions up to the point of publication of the Consultation Draft Plan, in accordance with these terms of reference. The HNPSG will be an independent community-led group. It will not be subject to HTC's Standing Orders or Financial Regulations but may be dissolved in accordance with section 13, below. It will be responsible for its own generated finances audited by the Responsible Financial Officer (RFO) of the Council and the Chair of HTC's Finance Committee. HNPSG independent funds will be held in HTC's bank account but accounted for entirely separately from the council's normal business. All accounts for payment from HNPSG's own funds must be approved by the HNPSG before the RFO presents the transaction for the Council's authorised signatories.

2. Purpose

- a. The purpose of the HNPSG is to develop and prepare a Neighbourhood Plan for Halesworth. The Plan must be developed in the context of East Suffolk Council's (ESC) Local Plan and comply with central Government legislation. Subject to a successful community referendum, it will have a statutory status, becoming planning policy for Halesworth and will be adopted by ESC, accordingly.

3. Principles

- a. That the HNPSG will undertake the development process in a democratic, transparent and fair fashion, encouraging widespread participation and giving consideration to opinions and ideas from all members of the community
- c. The Neighbourhood Plan must be developed in the context of ESC's Local Plan.

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4. Method

- a. The HNPSG will maximise support for the proposals in the Neighbourhood Plan through engagement with the wide range of people and organisations in Halesworth's, to ensure that the Plan is representative of their aspirations
- b. All HNPSG decisions made shall be evidenced and supported through consultation with the local community, working with the HNPSG's own consultants and consultants provided directly through central government's Neighbourhood Plan national scheme.
- c. The HNPSG will agree a final draft version of the Halesworth Neighbourhood Plan, subject to ratification by HTC.
- d. The agreed draft Plan will be submitted to ESC for review and the HNPSG will work closely with ESC to address any issues arising.
- e. In order to be formally adopted, the draft Plan must first satisfy independent scrutiny undertaken by a central government inspector and be approved through a successful community referendum

5. Roles and Responsibilities

The HNPSG will be required to undertake following:-

- a. Be accountable for managing, developing and preparing the Neighbourhood Plan for Halesworth, throughout the life of the project;
- b. Produce, monitor and updating a project timetable;
- c. Develop consultation exercises which engage with the community as widely and thoroughly as possible, to ensure that the draft and final Neighbourhood Plan is representative of the views of residents;
- d. Gather data from a wide range of sources to ensure that the conclusions reached are evidenced and that the aspirations and issues of residents are understood;
- e. Regularly report back to HTC's full Council meeting through HTC's nominated elected representative(s) to inform it of progress made;
- f. Publish minutes of meetings on HTC's website;
- g. Identify, and apply for, sources of funding;
- h. Liaise with relevant authorities, organisations and individuals to maximise the Plan's effectiveness.
- i. Provide a final version of the draft Halesworth Neighbourhood Plan;

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6. Membership

- a. The HNPSG will be made up of a cross-section of volunteers from the community, including Town Councillors, to maximise the range of experience, knowledge and expertise available. All reasonable efforts will be made to seek representation from under-represented sections of the community.
- b. Membership of the HNPSG will be open to the public indefinitely, up to a maximum of 12 members, unless a majority of the HNPSG identifies and agrees any need for further co-option.

7. Decision Making

- a. The HNPSG is a body set up to deliver a Neighbourhood Plan for Halesworth, under the auspices of the Localism Act 2011. Under the Act, HTC is the formal Qualifying Body. It is essential that the Plan is developed by the community and that this must be seen to be the case. Therefore, whilst reporting back progress regularly the HNPSG retains independence from the formal structures of HTC. It has full delegated authority to deliver its Plan-making functions up to the point of publication of the Consultation Draft Plan.
- b. While the HNPSG will exercise its delegated authority, in terms of developing the Neighbourhood Plan, and utilising its central government grant, HTC is the Qualifying Body and the HNPSG must submit its draft Neighbourhood Plan to HTC for approval, prior to any official publication, formal ESC review or submission to central government inspectors.

8. Meetings

- a. HNPSG meetings will take place monthly, with additional meetings as and when necessary.
- b. Specific work stream sub groups will meet as necessary, reporting progress to the full HNPSG in a timely fashion.
- c. Where possible, all meetings should be held within the Town. The dates of future meetings will be available via the HTC website although the meetings are not open to the public.
- d. The HNPSG will elect a Chair, Vice Chair, Treasurer, and Communications Officer from its membership to remain in those positions until the project is completed. If these positions should become vacant, the Group will elect a replacement.
- e. HTC will provide secretarial support on the basis of 5 hours per month.
- f. The Secretary shall keep a record of meetings and circulate minutes to HNPSG members and HTC's Clerk in a timely fashion. Minutes shall be made publicly available on the HTC website.

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- g. At least 5 clear days' notice of meetings and agendas shall be sent to members and HTC's Clerk via email [or an alternative agreed communication method].
- h. Wherever possible, decisions made by the HNPSG at meetings shall be by consensus. Where a vote is required, each member shall have one vote. A minimum of 3 members shall be present where matters are presented for decisions to be taken. A simple majority vote will be required to support any motion. The Chair shall have one casting vote in the event of a tied vote. The principle of collective responsibility will apply for all decisions taken.

9. Working Groups

- a. The HNPSG may establish working groups, made up of additional volunteers from the community to aid them in any Neighbourhood Plan related work.
- b. Each working group should have a lead person from the HNPSG.
- c. Members of the community will be encouraged to participate in the process at all stages.
- d. Working Groups and their members will be subject to these same terms of reference and code of conduct.

10. Finance

- a. All grants and funding from the central government agency (Locality) will be applied for by the HNPSG and held by HTC which, as the Plan's Qualifying Body, will ring-fence the funds solely for Neighbourhood Plan work.
- b. The HNPSG will use central government funding solely for the purpose of developing the Neighbourhood Plan. It will decide on how it is spent, in a manner it sees as appropriate, and in accordance with the criteria set out by Locality's funding agreement.
- c. Receipts and invoices, must be obtained for all purchases made against Locality funds in the name of HTC, and referenced "HNPSG", and will be forwarded to HTC for accounting purposes.
- d. Where the HNPSG seeks to use any precept budget set aside by HTC for the purposes of the Neighbourhood Plan, it must formally apply for it in writing, in advance. The HNPSG must provide reasons for the proposed use, the need and the cost (either specific or an estimate, depending on the circumstances). The HNPSG may not incur any expenditure from HTC allocated precept budgets without the Council's formal approval, which will be in accordance with whatever scheme of delegation HTC proposes.
- e. Individual HNPSG members and volunteers from any HNPSG working groups may claim back any previously agreed personal expenditure incurred during any Neighbourhood Plan related work, provided it has previously been agreed by the HNPSG. In cases where an HTC precept budget is involved, any such expenditure must be approved by HTC, in advance.

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11. Code of Conduct

- a. All HNPSG members must abide by the principles and practice of the HTC Code of Conduct including declarations of interest, both pecuniary and none pecuniary, a copy of which will be supplied to all HNPSG Members.
- b. The HNPSG will abide by the following principles:
 - i. Be clear and open when their individual roles or interests are relevant or in conflict with the matter under discussion
 - ii. Treat everyone with dignity, courtesy and respect regardless of their age, gender, sexual orientation, ethnicity, or religion and belief; and
 - iii. Actively promote equality of access and opportunity.
 - iv. Excepting discussions in public forums organised by the HNPSG, it will be the responsibility of the Communications Officer to issue information to the public, subject to the agreement of the HNPSG. Individuals in the HNPSG may not independently issue any information or personal views of any kind related to the HNPSG and its development of the Neighbourhood Plan, through the use of any kind of media.
 - v. Where individual members of the HNPSG are absent from HNPSG or relevant working group meetings on more than three occasions without good cause, then they will be assumed to have resigned.
 - vi. Breaches of the Code of Conduct will result in individuals being removed from the HNPSG

12. Changes to the Terms of Reference

- a. This constitution may be amended with the support of at least two-thirds of the current membership at a HNPSG Meeting and must be submitted to HTC for approval.

13. Dissolution

- a. The HNPSG will be dissolved once its objectives have been attained and/or when at least two-thirds of its members and HTC consider its services are no longer required.
- b. The HNPSG, in conjunction with HTC, will then dispose of any remaining central government funds held in accordance with the conditions set out by Locality's funding agreement.