

# Botley Parish Council

## Botley Neighbourhood Plan Committee Terms of Reference

### 1. Purpose

- a) The primary purpose of the Botley Neighbourhood Plan Committee is to oversee the preparation of a sound Neighbourhood Plan which can progress to Independent Examination, a successful Community Referendum and subsequent adoption by Eastleigh Borough Council as planning policy;
- b) The Committee will engage the local community to ensure that the Plan is truly representative of the ambitions of the community as a whole. The Committee will aim to maximise support for the approach taken in the Neighbourhood Plan by ensuring high levels of community engagement throughout the plan-making process.

### 2. Principles

- a) The Parish Council remains the responsible body for the Botley Neighbourhood Plan. The Neighbourhood Plan Committee is a committee of Botley Parish Council acting under the auspices of and reporting to the Parish Council;
- b) The Committee will undertake the preparation of the Neighbourhood Plan in a democratic, transparent manner, encouraging widespread participation and giving equal consideration to opinions and ideas from all members of the community;
- c) All decisions and recommendations made shall be fully evidenced and supported through consultation with the local community;
- d) The plan-making process remains the responsibility of the Parish Council as the qualifying body. All publications, surveys, consultation and community engagement exercises will require the direct approval of the Parish Council before distribution. The Committee will comply with the Parish Council's Data Protection Policy and all current Data Protection legislation.

### 3. Roles and Responsibilities

In order to achieve this, the Committee will carry out the following roles:

- a) Be accountable for steering and providing strategic management of the Botley Neighbourhood Plan;
- b) Produce a Project Plan and timetable for preparation of the Botley Neighbourhood Plan to include indication of the costs associated with delivery of the project;
- c) Produce a consultation and engagement strategy, showing how the public will be involved throughout the project to ensure the Plan is truly representative of the ambitions of the community as a whole;
- d) Undertake comprehensive data collection and analysis ensuring that the conclusions reached are fully evidenced and that the aspirations and issues of all residents are understood;
- e) Develop policies to inform the future development and use of land in the area including infrastructure policies and non-land orientated projects identified such as Transport, Heritage, Medical, Education and others identified by Community Engagement;
- f) Consultation with Eastleigh Borough Council, Hampshire County Council, other statutory and non-statutory organisations, land owners, developers, adjoining parishes and other key third parties will be carried out by the Neighbourhood Plan Committee with the oversight of the Parish Council;
- g) In conjunction with the Parish Council, have regard to relevant national policies and be in general conformity with the strategic policies of relevant statutory authorities;
- h) If deemed necessary, conduct a sustainability assessment to support the Neighbourhood Plan, including Strategic Environmental Assessments (SEA) or Habitat Regulation Assessments;
- i) Provide a monthly progress and current status report to the Parish Council for discussion and/or for the Council to raise any reservations for further debate;
- j) To present an agreed final submission version of the Botley Neighbourhood Development Plan for ratification by the Parish Council.

### 4. Membership

- a) The Committee shall consist of a cross-section of volunteers from the community and a number of Parish Councillors, agreed by the Parish Council;

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- b) The Chairman and Vice Chairman of the Parish Council shall be ex officio members of the Committee;
- c) The Committee shall have 12 voting members with at least 6 Parish Councillors. Initially during the set-up phase of the Committee there may be more than 6 voting Parish Councillors and less than 6 voting non-Councillors. As additional voting non-Councillors join the Committee the number and names of Councillors required to give up their vote shall be decided by the Committee;
- d) The Committee Chair and Vice Chair shall be Parish Councillors and they shall be elected by the Committee members;
- e) All voting members of the Committee, who must be residents of the Parish, shall be appointed individually by the Parish Council. The Committee may suggest suitable members for the Parish Council to consider. Each voting Committee member has an equal vote on all issues, subject to any restrictions associated with the declaration of personal interests;
- f) All voting, non-councillor members of the Committee must sign a Declaration of Disclosable Pecuniary Interests (Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 to declare any personal interest that may be perceived as being relevant to the decisions or recommendations made by the group. This may include membership of an organisation, ownership of an interest in land or business likely to be relevant to the work undertaken by the Committee. The declaration will be held by the Parish Clerk and open to public inspection. Failure to complete a declaration will be considered a resignation matter;
- g) The Committee may appoint directly non-voting non-Councillor members, to either the Committee or one of the Working Groups, who do not have to be residents of the Parish if their expertise will assist the Committee in its work. The Parish Council shall be informed of these appointments and can over-rule the appointment by a vote of the full Council;
- h) Any non-voting non-Councillor member attending meetings of the Committee or of a Working Group must make a personal declaration of any interest that may be perceived as being relevant to the decisions or recommendations being made at each meeting. Any member who attends more than 3 meetings must sign a Declaration of Disclosable Pecuniary Interests;
- i) Letters of resignation from the committee must be directed to the Parish Clerk who will notify the Council accordingly;
- j) Members of the Committee have a responsibility to act in the best interests of the Neighbourhood Plan area as a whole and to contribute to the preparation of a long-term plan/strategy that will work to enhance the economic, social and environmental interests of the Parish.

## 5. Decision Making

The Committee has delegated authority from the Parish Council to prepare a Submission Draft Neighbourhood Plan. The Parish Council will approve the Submission Draft Neighbourhood Plan prior to publication for consultation and independent examination, not the Neighbourhood Plan Committee alone.

## 6. Meetings

- a) The Committee will arrange meetings as and when required. At least three clear days' notice of meetings shall be sent to all members via the communication method agreed;
- b) The Secretary shall keep a record of meetings and circulate the meeting minutes to all Committee members and the Parish Council in a timely fashion;
- c) Committee agendas, minutes, documents and emails to be copied to the Parish Clerk for retention;
- d) Agendas and minutes shall be made publicly available on the Parish Council website;
- e) All Neighbourhood Plan documents are to be made available to all Parish Council members even in draft form;
- f) Decisions made by the Committee should normally be by consensus at meetings. A minimum of 7 (seven) 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 Chairman shall have one casting vote;
- g) Virtual attendance using conferencing technology will be permitted but virtual attendees may not vote. (LGA 1972, Sch 12, para 39(1));

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- h) Any matter where there is no majority decision within the Committee shall be referred to the Parish Council for resolution.

## 7. Working Groups/Working Parties

- a) The Committee may establish Working Groups to aid any Neighbourhood Plan related work;
- b) Members of Working Groups do not necessarily have to be members of the Committee. However, members of Working Groups will have the right to attend meetings for the period that they are on the Working Group;
- c) Members of Working Groups have the right to vote on any issue within their Working Group;
- d) Each Working Group shall have a lead person from the Committee.

## 8. Finance

- a) All grants and funding will be applied for and held by the Parish Council which will ring-fence the funds for the Botley Neighbourhood Plan work;
- b) All decisions to spend are to be clearly recorded within the Committee meeting notes. No individual member of the Committee has authority to make financial decisions on behalf of the Committee;
- c) Substantial financial decisions, such as contracting a consultant, must be approved by the Parish Council. The Council will also need to approve the terms and conditions of the contract;
- d) Committee members and volunteers from any working groups may claim back minor expenses, previously agreed by the Committee, and incurred during Neighbourhood Plan related work. Agreement for the repayment is to be clearly recorded in the Committee meeting notes;
- e) The Parish Council will establish an expenditure budget for minor items from which the Committee may authorise expenditure without further recourse to the Parish Council. Any such expenditure must be authorised at a meeting of the Committee and recorded in its Minutes. The Secretary will advise the Parish Clerk in writing of the requirements. For audit and accountancy purposes any order will be placed by the Parish Clerk.

## 9. Conduct

- a) Committee members will abide by the principles and practice of the Parish Council Code of Conduct. The Committee will achieve this through applying the following principles:
  - i. By being clear and open when their individual roles or interests are in conflict;
  - ii. Treating everyone with dignity, courtesy and respect regardless of their age, gender, sexual orientation, ethnicity, religion or belief; and
  - iii. Actively promote equality of access and opportunity;
- b) Details of the Parish Council's Complaints Procedure may be obtained from the Parish Clerk.

## 10. Changes to the Terms of Reference

Recommendations for changes to the Terms of Reference may be proposed by a simple majority of the voting membership present at an Committee meeting for approval by the Parish Council.

## 11. Dissolution

The Committee will be dissolved once its objectives have been attained or when the Parish Council consider its services are no longer require;  
The Parish Council will then recommend disposal of any remaining funds in accordance with any conditions imposed by the grant funders and in the best interests of Botley Parish.

## 12. Botley Parish Council Standing Orders

The Botley Parish Council Standing Orders apply to the Neighbourhood Plan Committee except in relation to the agreed number of committee members, meeting quorum and the permission of virtual attendance.