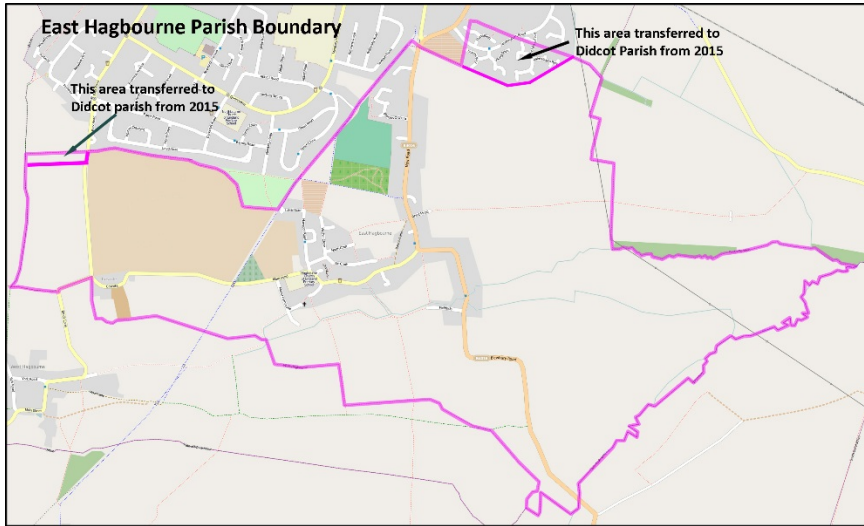


East Hagbourne Neighbourhood Plan: Outline

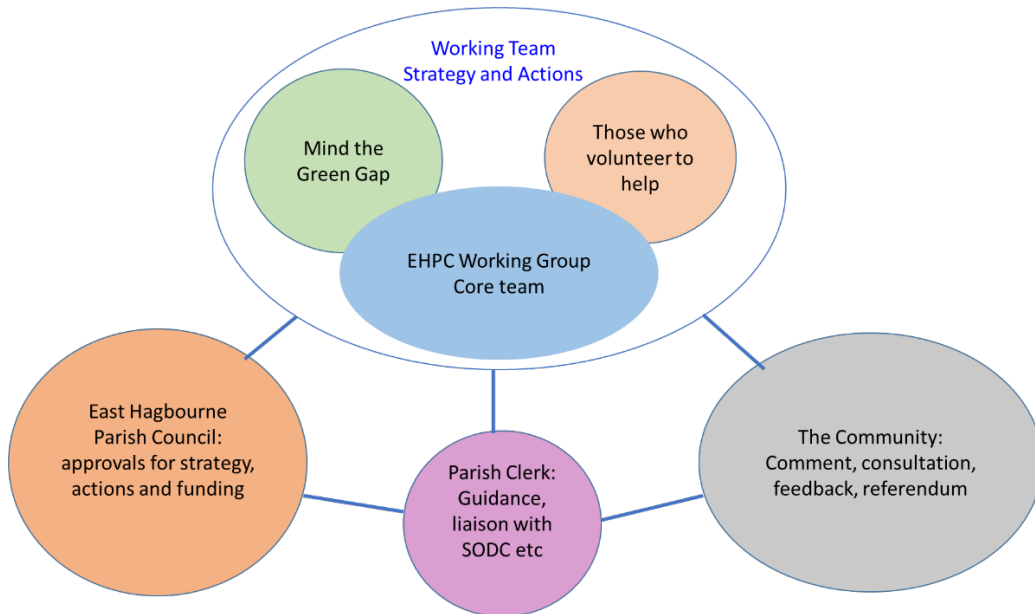
EHPC decided at its meeting on 8th October 2015 to proceed with a Neighbourhood Plan and appointed a Working Group to progress.

The boundary is the civil Parish of East Hagbourne



Govt guidance 2012 says: "In areas with a parish or town council, the parish or town council will take the lead on neighbourhood planning". However, the whole community needs to be involved at the appropriate stage.

Outline organisation chart (schematic only):



EHPC Neighbourhood Plan Steering Group¹ will be responsible for developing recommendations for the strategy which must then be approved by full Council.

¹ See Attachment 1 for draft Terms of Reference for the Steering Group

Any expenditure must be approved by the full Council in advance.

The WG will then lead action to implement the strategy, working with those who have volunteered to help and in liaison with Mind The Green Gap.

The Parish Clerk will provide professional guidance on the steps needed to develop a Neighbourhood Plan and will also be the contact for liaison with SODC (who administer the NP), and our District and County Councillors and any other outside bodies.

Guidance on the process of developing a Neighbourhood Plan can be found here:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

The provisions are complex and a presentation is planned for us to be better informed of the process. However, key steps from the link above are shown in Attachment 2 and some key points noted below:

- National planning policy states that the NP should support the strategic development needs set out in the (South Oxfordshire) Local Plan, plan positively to support local development and should not promote less development than set out in the Local Plan or undermine its strategic policies.
- As a 'qualifying body' preparing a NP we have a duty to be inclusive and open in the preparation of our neighbourhood plan and ensure that the wider community:
 - is kept fully informed of what is being proposed
 - is able to make their views known throughout the process
 - has opportunities to be actively involved in shaping the emerging neighbourhood plan
 - is made aware of how their views have informed the draft neighbourhood plan.
- Before a formal submission is made a consultation of the whole community is required. This step is performed when the plan has been developed to a final draft stage. Any differences of opinion or choice of options should be resolved through consultation in the development stage.
- After submission the NP will be tested by an independent examiner. If it meets the requirements it will be referred to a referendum (which is organised by the District Council and may extend beyond the immediate NP area).
- The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public.

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ATTACHMENT 1: Draft Terms of Reference for the East Hagbourne Neighbourhood Plan Steering Group

Name

The name of the organisation shall be the **East Hagbourne Neighbourhood Plan Steering Group** (NPSG)

Objectives

The purpose of the NPSG shall be to drawing up a Draft Neighbourhood Plan and any revisions as a result of the on-going consultation process.

The Neighbourhood Plan Steering Group shall not have the power to exercise, on behalf of the Parish Council, any authority, nor to incur expenditure without prior authority from the Parish Council.

The NPSG will undertake, inter alia, the following specific responsibilities:

- To make recommendations for planning, budgeting and expenditure, obtain approval from the full Council for these plan and then implement the plans.
- Identify ways of involving the whole community and gather the views and opinions of as many groups and organisations in the community as possible.
- Determine the types of survey and information gathering to be used.
- Be responsible for the analysis of surveys, the production and distribution of the final report.
- Work together with the Parish Council such that the Final Plan meets the needs of the community as seen from on-going consultation process.
- Regularly report back to the parish council on progress, issues arising and outcomes from the exercise.
- Follow the guidance of the Parish Clerk with regard to the procedures for development of a Neighbourhood Plan and ensure that she is closely involved in any communications with the District Council and other outside bodies.

Membership

- The NPSG will be made up from a good cross-section of the community, including Parish Councillors nominated by the Parish Council and others who have volunteered to help.
- The NPSG may co-opt local members of the community who can bring value to the project.
- The NPSG may also co-opt further members, or take advice from, any other person or organisation that is likely to bring additional benefit to the project. Details of any assistance offered by such parties must be declared publicly and should not be seen to compromise the integrity of the direction of the plan.

Roles

- The NPSG will elect a chairman and assign roles for key functions including
 - Secretary, finance co-ordinator, communications, volunteer co-ordination and liaison with the Parish Council

Operations

- As a working group of the Parish Council, NPSG is empowered to make recommendations to the Parish Council for actions and expenditure, but these must be approved by the full Council before being implemented.

- Parish Council insurance will cover the previously agreed activities of the NPSG and volunteers, but steering group officers, in liaison with the parish clerk, need to ensure that terms of the insurance are not breached.
- It is expected and required that all Steering Group members will abide by the principles and practice of the Parish Council Code of Conduct including declarations of interest.
- These Terms of Reference will be made publicly available on the village web site.

Community Involvement

- All members of the community should have the opportunity to input and contribute to development of the Neighbourhood Plan.
- The NPSG shall communicate progress to the general public at each stage of the Plan development and provide opportunities for public comment and input.

Meetings and Reporting

- The NPSG will present a progress report at each meeting of the Parish Council
- It is expected that members of the NPSG will meet informally as needed to further the tasks agreed by the full WG.
- Formal meetings of the NPSG shall be convened as required (but every two months as a guideline). At least three clear days' notice of meetings shall be sent to members via the communication method agreed with, and appropriate to, each individual member.
- The notice of meetings should include an Agenda detailing the matters to be discussed.
- Minutes shall be kept of all meetings and made available the Parish Council and the public via the web site.
- Copies of the Parish Council's Code of Conduct will be made available to all members and be available at all NPSG meetings.

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ATTACHMENT 2: key stages in neighbourhood planning

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/key-stages-in-neighbourhood-planning/>

Step 1: Designating neighbourhood area and if appropriate neighbourhood forum

- Relevant body (parish / town council, prospective neighbourhood forum or community organisation) submits an application to the local planning authority (LPA) to designate a neighbourhood area
- local planning authority publicises and consults on the area application for minimum 6 weeks (or minimum of 4 weeks where the area to which the application relates is the whole of the area of a parish council and is wholly within the area of one local planning authority)
- local planning authority designates a neighbourhood area within the statutory timescales
- In an area without a town or parish council a prospective neighbourhood forum submits an application to be the designated neighbourhood forum for a neighbourhood area
- local planning authority publicises and consults on the forum application for minimum 6 weeks
- local planning authority takes decision on whether to designate the neighbourhood forum

Step 2: Preparing a draft neighbourhood plan or Order

Qualifying body develops proposals (advised or assisted by the local planning authority)

- gather baseline information and evidence
- engage and consult those living and working in the neighbourhood area and those with an interest in or affected by the proposals (e.g. service providers)
- talk to land owners and the development industry
- identify and assess options
- determine whether a plan or an Order is likely to have significant environmental effect
- start to prepare proposals documents e.g. basic conditions statement

Step 3: Pre-submission publicity & consultation

The qualifying body:

- publicises the draft plan or Order and invites representations
- consults the consultation bodies as appropriate
- sends a copy of the draft plan or Order to the local planning authority
- where European Obligations apply, complies with relevant publicity and consultation requirements
- considers consultation responses and amends plan / Order if appropriate
- prepares consultation statement and other proposal documents

Step 4: Submission of a neighbourhood plan or Order proposal to the local planning authority

- Qualifying body submits the plan or Order proposal to the local planning authority
- Local planning authority checks that submitted proposal complies with all relevant legislation
- If the local planning authority finds that the plan or order meets the legal requirements it:
 - publicises the proposal for minimum 6 weeks and invites representations
 - notifies consultation bodies referred to in the consultation statement
 - appoints an independent examiner (with the agreement of the qualifying body)

Step 5: Independent Examination

- local planning authority sends plan / Order proposal and representation to the independent examiner
- independent examiner undertakes examination
- independent examiner issues a report to the local planning authority and qualifying body
- local planning authority publishes report

- local planning authority considers report and reaches own view (save in respect of community right to build orders where the report is binding)
- local planning authority takes the decision on whether to send the plan / Order to referendum

Steps 6 and 7: Referendum and Making the neighbourhood plan or Order (bringing it into force)

- relevant council publishes information statement
- relevant council publishes notice of referendum/s
- polling takes place (in a business area an additional referendum is held)
- results declared
- subject to results local planning authority considers plan / order in relation to EU obligations and Convention rights
- If the plan / Order is compatible with EU obligations and does not breach Convention rights – local planning authority makes the plan or Order.

ATTACHMENT 3: East Hagbourne Parish Council Code of Conduct

Adopted July 2012

1. This code of conduct is adopted pursuant to the council's duty to promote and maintain high standards of conduct by members and co-opted members² of the council.
2. This code applies to you as a member or co-opted member of this council when you act in that role and it is your responsibility to comply with the provisions of this code.

SELFLESSNESS

3. You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself.

OBJECTIVITY

4. In carrying out public business you must make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

ACCOUNTABILITY

5. You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

OPENNESS

6. You must be as open as possible about your actions and those of your council, and must be prepared to give reasons for those actions.

HONESTY AND INTEGRITY

7. You must not place yourself in situations where your honesty and integrity may be questioned, must not behave improperly and must on all occasions avoid the appearance of such behaviour.

LEADERSHIP

8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example in a way that secures or preserves public confidence.

GENERAL OBLIGATIONS

9. You must treat others with respect and ensure that you are aware of and comply with all legal obligations that apply to you as a member or co-opted member of the council and act within the law;
10. You must not bully any person.
11. You must not do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of the council.

² A "co-opted member" for the purpose of this code is, as defined in the Localism Act section 27 (4) "a person who is not a member of the council but who

a) is a member of any committee or sub-committee of the council, or

b) is a member of, and represents the council on, any joint committee or joint sub-committee of the council;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

12. You must not disclose information given to you in confidence by anyone, or information acquired by you of which you are aware, or ought reasonably to be aware, is of a confidential nature except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person, or
 - (iv) the disclosure is:
 - a) reasonable and in the public interest;
 - b) made in good faith and in compliance with the reasonable requirements of the council.
13. You must not improperly use knowledge gained solely as a result of your role as a member for your own personal advantage.
14. When making decisions on behalf of or as part of the council you must have regard to any professional advice provided to you by the council's officers.
15. When using or authorising the use by others of the resources of the council:
 - (i) you must act in accordance with the council's reasonable requirements;
 - (ii) you must make sure that you do not use resources improperly for political purposes and do not use them at all for party political purposes.

REGISTERING AND DECLARING INTERESTS

16. You must, within 28 days of taking office as a member or co-opted member, notify the council's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
17. You must disclose the interest at any meeting of the council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'³.
18. Following any disclosure of an interest not on the council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
19. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. You must withdraw from the room or chamber when the meeting discusses and votes on the matter.

³ A "sensitive interest" is described in the Localism Act 2011 as a member or co-opted member of a council having an interest, and the nature of the interest being such that the member or co-opted member, and the council's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.