

HORWICH NEIGHBOURHOOD PLAN ADVISORY GROUP

TERMS OF REFERENCE FOR A PERIOD OF SIX MONTHS COMMENCING 13 FEBRUARY 2017 ENDING 31 AUGUST 2017

(Approved by Horwich Town Council at the Meeting of the Finance and
General Purposes Committee held on 13 February 2017))

1. Background

Horwich Town Council has resolved to ask three Town Councillors to investigate the viability of developing an advisory group to support the development of a Neighbourhood Plan.

This activity has been completed and an initial advisory group has been set up. It is now the role of the Town Council to direct the advisory group and support its activities over the next six months with a view of bringing a proposal for ratification to Council for the adoption of a Neighbourhood Plan viability report and the formation of a Neighbourhood Plan Steering Group for Horwich tasked with leading the project to successful completion and the adoption, date of commencement to be agreed.

The Town Council, while retaining full responsibility for any future Plan, recognises that the content of The Plan must be driven by the community and draw on skills and expertise from outside the Council to ensure high levels of community engagement throughout the process.

2. Name

The name of the group shall be the **Horwich Neighbourhood Plan Advisory Group (NPAG)**

3. Purpose

The purpose of the NPAG is the preparation of a report on the feasibility of a Neighbourhood Plan and associated tasks leading to its adoption.

In undertaking this, its objectives will include:

- Consider the options and make recommendations as to the area to be covered by a plan.
- Consider any existing constraints including national policies, Local Plan and regional framework and identify how a Neighbourhood Plan could add to them. It is expected that this will require consultation with both statutory bodies and advisory groups.
- Consider the likely cost of producing a plan and make recommendations regarding the likely cost and benefits of production of a plan. Also to identify possible sources of funding.
- Determine the types of consultation and information gathering to be used to best obtain a wide-ranging response. Record details of consultations carried out and make them available to Council if required.

- Provide means by which the views of the community, statutory bodies and other consultees can be recorded either as public documents or as a private response to the Committee and the Council, should the consultee request it.

The NPAG will report back regularly to the Town Council on progress, significant issues and budgetary implications before any recommendation for the development of a full Neighbourhood plan will be considered.

4. Membership and Conduct

- The NPAG shall be formed from no more than three current town Councillors and local members of the community and shall include not fewer than 8 members (no more than 2 to be Town Councillors in any official capacity), to be ratified by Horwich Town Council.
- The Town Clerk, or a representative from the Town Council office, can be present in an *ex-officio*, non- voting capacity at meetings.
- The NPAG may co-opt additional support to carry out specific tasks for as short period as necessary.
- Membership is voluntary.
- All members of the NPAG, must abide by the Code of Conduct of Horwich Town Council and in doing so must submit a register of interests.
- All members of the NPAG 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 interest in land or business or any other matter likely to be relevant to the work undertaken by the NPAG.
- A person shall cease to be a member of the NPAG upon notifying the Chair in writing of their wish to resign.
- Up to two substitute members may be named (one Councillor and one other).
- The Chair and Vice-chair of the NPAG will be elected by the members of the NPAG at its first meeting after any nominations are seconded, and then 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 or Vice Chair, the NPAG will elect a Chair from the members present at the meeting.

5. Supporting Officers and Administration

- Administrative support for the group will involve appointing officers, as required, including a Secretary, which will be appointed by a simple majority of the NPAG.

6. Meetings

- The NPAG shall arrange its own meeting schedule and shall meet as required. At least 72 hours' notice of a meeting will be given to members by email and such notice shall detail the matters to be discussed. Shorter notice for urgent matters may be given if agreed by a majority of members.

- Matters requiring a vote shall be decided by a simple majority of votes of the NPAG members present. The Chair of the meeting has a casting vote.
- The NPAG is quorate provided all of the following apply:
 - a minimum of five members are present
 - there are no fewer than two Councillors
 - there are at least two community members
 - the meeting has been properly convened
- The Secretary shall keep a record of meetings and circulate minutes to NPAG members and the Town Clerk not more than 7 days after each meeting. In the absence of a Secretary, the NPAG shall elect a member present to keep the record.
- NPAG meetings and activities shall follow good practice. The NPAG may seek, and shall follow, the guidance of the Town Clerk in regard to any procedural matters.

7. Affiliations, Interests and Contributions

- The NPAG shall not itself be affiliated to any political party. It is recognised that Town Councillors and community members may have such affiliations which shall be declared where relevant.
- The Localism Act and Town Council's Code of Conduct will apply to all members of the NPAG. All members of the NPAG must declare any pecuniary interest that may be perceived as being relevant to a decision of the NPAG. This may include membership of an organisation, ownership of land or a business, or any other matter that may be considered to be relevant. Such declarations are to be recorded and publicly available. Having declared an interest, that member shall not take part in a discussion or vote on the related issue.

8. Reporting and Communication

- The Advisory Group is established having full-delegated authority from the Town Council to deliver a report of the viability of developing a steering group which will have a plan-making functions up to and including publication of a Preferred Options Consultation Draft Neighbourhood Development Plan. This Advisory Group will report to each meeting of the Town Council setting out progress on its work. The Town Council will consider recommendation in six months to progress the development of a Submission Draft Neighbourhood Development Plan to publish for consultation and independent examination.
- During this six months advisory group and process remains in the control of the Town Council as the qualifying body. All publications, consultation and community engagement exercises will be undertaken by or on behalf of the Town Council with appropriate recognition of the Town Council's position given in all communications associated with the project.

9. Freedom of Information and Access to Information

- As an extension of the Town Council, and in accordance with the Freedom of Information Act (2000), the NPAG will make available to the public: minutes of meetings, policies and procedures, details of its organisation and structure and information on budget, expenditure and allowances. The minutes and reports of the NPAG will be published on and only on the Town Councils website.
- Meetings will be informal and will usually be open to members of the public. However, formal minutes will be kept. It will be rare for meetings not to be open to members of the public and, when they are not so (for example when exempt information is discussed), an explanation will be given.

10. Finance

- The NPAG shall not have its own bank account. The Town Council shall be responsible for all budgetary matters, expenditure, monitoring and reporting.
- All items of expenditure shall be referred to Horwich Town Council for approval and action. The Clerk may approve expenditure on behalf of the Council at the request of NPAG up to a maximum amount of £500 within the six month period.
- The Town Council will provide a meeting room in Horwich Community Centre free of charge, subject to availability and photocopying will be provided free of charge by the Town Council, at the discretion of and by arrangement with the Town Clerk. NPAG will be required to sign a form agreeing to the terms and conditions of use of Horwich Community Centre, as a requirement for all groups using the Centre.

11. Changes to these Terms of Reference

- Should any amendments be required to these Terms of Reference, the changes must be ratified by the Town Council.

12. Dissolution of the NPAG

- The NPAG shall continue to operate for six months or until the adoption of the Neighbourhood Plan viability report is presented to Council, whichever is the sooner.
- Upon dissolution of the NPAG, any remaining resources will be passed to Town Council.
- If agreed by Council on the dissolution of the NPAG a Neighbourhood Steering Group will be formed and use these terms of references as a starting point to progress.