

Neighbourhood Plan

Agenda

- ▶ Welcome and opening statement from the Parish Council Chairman
- ▶ Moving from a steering group to a constituted body
 - ▶ Neighbourhood plan - who is responsible?
 - ▶ Forming a constituted body
 - ▶ Who can be a member
 - ▶ What are the rules
 - ▶ Transparency
 - ▶ Pre determination
 - ▶ Listen to the evidence
 - ▶ Next steps
 - ▶ Closing statement from the Chairman



Welcome and opening statement from the Parish Council Chairman

From a steering group to a constituted body

▶ Neighbourhood plans who is responsible?

- ▶ *In a designated neighbourhood area which contains all or part of the administrative area of a town or parish council, the town or parish council is responsible for neighbourhood planning. <http://planningguidance.communities.gov.uk/>*

▶ Parish councils

- ▶ Request permission to create a plan from the Local Authority
- ▶ Are granted permission (or not)
- ▶ Request funding
- ▶ Hire assistance
- ▶ Pay out expenses occurred

- ▶ Must have standing orders in place (a set of rules on how council conducts business)
- ▶ Standing orders ensure that business transacted is done within the law.
- ▶ Standing orders prevent ad hoc meetings where business is transacted from taking place and ensures transparency.

Forming a constituted body

- ▶ *A parish or town council may choose to establish an advisory committee or sub-committee under section [102\(4\) of the Local Government Act 1972](#) and appoint local people (who need not be parish councillors) to those bodies. Members of such committees or sub-committees would have voting rights under section [13\(3\), \(4\)\(e\) or \(4\)\(h\) of the Local Government and Housing Act 1989](#). The terms of reference should be published and the minutes of meetings made available to the public.*
- ▶ Brown Edge Parish Council has already chosen to establish a committee and to open this up to local people to sit as full members (not councillors)
- ▶ This changes the informal steering group into a formal committee as required by funders and legislation guidance above
- ▶ Brown Edge Parish Councils standing orders do not allow meetings or actions to be carried out in its name unless it is properly constituted and arranged.

Who can be a member

- ▶ Anyone who qualifies to be a Parish Councillor
 - ▶ Lives on the parish, lives 3 miles from the border, owns land or property or attends business in the parish.
 - ▶ Must be over 18.
 - ▶ Must agree with the rules of the council.

What are the rules

▶ Members Must

- ▶ Follow councils standing orders
- ▶ Follow our code of conduct
- ▶ Disclose your interests and those of your spouse (make available to the public) on our website.
 - ▶ These any property or land you have an interest in
 - ▶ Where you and your spouse work
 - ▶ And business you are involved with where you own more than 5%
 - ▶ Any business that you are associated with that undertakes work on behalf of the council
 - ▶ Political parties, unions etc
- ▶ Declare interests where people might believe they could influence your decision such as friendships or where you live etc.

Transparency

- ▶ The code of conduct helps
- ▶ All meetings advertised anyone can attend (but not take part unless a member) People can be asked to attend to give expert advice also.
- ▶ 3 working days (minimum) notice given to members and public
- ▶ All decisions recorded and made public
- ▶ All evidence (the reasons why the decisions were made) also made public
- ▶ Meetings could also be electronically recorded

Pre determination - the dangers

- ▶ *A distinction can be drawn between pre-determination and pre-disposition. Members must not have a closed mind when they make a decision, as decisions taken by those with pre-determined views are vulnerable to successful legal challenge. <http://planningguidance.communities.gov.uk/>*
- ▶ It is vital that the public see that people making decisions are not pre-determined. We do not have a fixed mindset. If it can be shown that the evidence has not been determined fairly then this exposes the council to legal challenge where individual councillors can be recharged costs.
- ▶ At the last meeting I was approached by Mr Clewes. Some people saw this as a bias towards his proposed development and against other developments. This was because I have not pre-determined anything yet as no evidence or plans have yet been presented.
- ▶ If you felt my actions were inappropriate or wrong then you have to look at your own pre determination and bias.
- ▶ To sit on this committee you have to be able to vote for someone else's application over your own preferred choice or option if it is more suitable for the community or what the community is asking for.

Listen to the evidence

- ▶ All developers and landowners will be able to have their say and give “evidence” or reasons why their development is suitable
- ▶ We can also call on other experts say planners or wildlife experts to assist us
- ▶ However committee members will have to put aside any thoughts like “I will support this because its away from my house” or “It’s better that joe blogs gets to build because he has lived here all his life”
- ▶ These are not planning reasons
- ▶ Hannah will assist us in this process

Next steps

- ▶ Potential new members issued with all the necessary documents
- ▶ Hand in their register of interests which gets published when they become members.
- ▶ They then sign an acceptance of office in front of All committee members and become members at the start of the next meeting.
- ▶ In the mean time they will be offered training on the codes and standing orders etc so that they are not disadvantaged.

Now seeking members of the public to join the committee

- ▶ Existing committee consists of Councillors
 - ▶ Lea, Sherratt, Shufflebotham, Spooner & Turner.
 - ▶ Chairman and Vice Chairman are ex officio members
- ▶ Looking for volunteers to join us as full members to create our Neighbourhood plan.

Closing Statement From Chairman