

## RYE NEIGHBOURHOOD DEVELOPMENT PLAN STEERING GROUP

### TERMS OF REFERENCE

#### 1. Purpose of the Steering Group

1.1 Rye Town Council is the qualifying body for the preparation of a Neighbourhood Development Plan for their civil parish area with contribution from all sectors, including private, commercial & public within the Neighbourhood Plan boundaries. The Town Council has agreed to establish separate project management arrangements to facilitate the delivery of this plan-making function. The Town Council has granted delegated authority in exercise of all relevant plan-making functions to the Rye Neighbourhood Planning Steering Group. The Steering Group sits as the Project Board for project management and decision making purposes and will lead the preparation of the Rye Neighbourhood Development Plan. The Group will guide and agree the content of the Plan and all associated evidence and analysis up to Preferred Option Consultation Draft stage.

#### 1.2 The Group will:

- provide a locally accountable and representative lead for plan-making;
- agree a project timetable and endeavour to secure compliance;
- facilitate the forming of sub groups to develop each of the priority areas within the Plan;
- agree a project communication, consultation and engagement strategy;
- agree the initial scope of the Plan prior to early public engagement;
- confirm, subject to consultation with the Town Council, the scope of the Plan following *analysis of early and subsequent community engagement*;
- approve all background and evidence based reports prior to publication;
- agree all consultation documents prior to publication;
- agree, subject to ratification by the Town Council, a final submission version of the Rye Neighbourhood Development Plan; and
- actively support and promote the preparation of the Rye Neighbourhood Development Plan throughout the duration of the project.

1.3 The Steering Group will be established for a time-limited period. The project is intended to run until a Plan has been presented for independent examination. The Steering Group will remain active until the independent examiners report is published.

#### 2. Steering Group Objective

2.1 The objective of the Steering Group is to produce a sound Neighbourhood Development Plan for the Town of Rye, that defines the spatial planning policy priorities identified by the community taking into account all representations made during the plan-making process and having regard to all relevant existing plans and evidence. The Plan will include or be supported by an appropriate delivery plan setting out, where relevant, the means by which these policy priorities may be implemented.

#### 3. Steering Group Membership

3.1 The Steering Group will comprise the following members:

- Chair of Rye Town Council;
- Five additional Members of Rye Town Council; and
- Five members of the community.

3.2 Membership will be reviewed and confirmed quarterly by the Town Council.

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The main purpose of this agenda item is to invite the Council to consider – with a view to adopting – the Steering Group’s suggested Terms of Reference for itself.

However, it provides a useful opportunity also to consider the SG’s relationship with the Council and the issues of delegated responsibility and financial accountability.

In a parished area it is expected that the parish/town council leads the neighbourhood planning process.

The Rye Steering Group – chaired by the Mayor – consists currently of 5 elected Members and 5 members of the community. Neale East provides secretarial support gratis.

The Council’s 2013-14 budget includes provision of £10,000 towards the development of a Rye Neighbourhood Plan. Additionally, a grant of up to £7,000 is available from Central Government. (A further £30,000 is available but is intended for Local Planning Authority’s providing a Neighbourhood Plan with technical support.)

Thus far, the expenditure incurred by the Steering Group has been insignificant – comprising bookings of the St Mary’s. However, if the Group decides to ‘buy in’ assistance – for example, to ensure that consultation methods used are inclusive, non-discriminatory and worthwhile (in order to provide robust evidence to support the Draft Plan) – there is the potential for the expenditure associated with the Plan to reach £20,000.

Legally, a parish/town council may delegate decision making to an officer, committee, sub-committee or another council. The Steering Group is more akin to a working group and, additionally, consists of non-Councillors. The Steering Group does not have the legal authority necessary to make decisions (including incurring expenditure) on the Council’s behalf.

Obviously, placing too many constraints on the Steering Group could result quickly in frustration and rather cumbersome decision-making machinery.

I have identified two possible ways to address this (mindful that the Council has to be the lead organisation). Common to both would be the need for the Steering Group to present a costed work programme for the Council's consideration and for a budget to be agreed.

**1** Establish the Steering Group as a separate entity (but still consisting of a majority of Elected Members). This would entail the Group setting up its own bank account. Agreed funding could be applied for in stages after a number of agreed milestones had been reached.

An obvious disadvantage with this option is that the Group would not be in a position to reclaim any VAT.

**2** Delegate decision-making - (especially the authority to commit expenditure on the Council's behalf) to the Clerk. The Clerk would be responsible for ensuring the Plan remained within budget – if further monies were required the Steering Group would need to re-present to Council. If the Clerk took the view that a proposed course of action on the part of the Steering Group was unlawful, exposed the Council to unacceptable risk etc, he would have the authority not to sanction it (and, if necessary, refer the matter to Council).

Under this option it would be highly desirable for the Clerk to attend Steering Group meetings.