

Ordinary Meeting of Harberton Parish Council
Tuesday 9th July 2025

Item 9 Neighbourhood Plan Terms of Reference *To consider a revised terms of reference*

Cllrs are reminded that at the Annual Meeting of the Parish Council in May the following resolution was made:

RESOLVED

- i) to task to Clerk to liaise with the Chair of the Harberton Parish Neighbourhood Plan Steering Group reviewing the terms of reference.
- ii) The purpose of the review would be to clarify as to what point individuals who have influence over the direction of the plan are required to declare interests.

Cllrs are also advised that there have been discussions amongst members of the Neighbourhood Plan Steering Group and residents willing to join working groups about changes to the Terms of Reference, to improve matters relating to time/efficiency savings, and dealing with the difficulties of quoracy.

One of the suggestions made was to explore if it would be possible or desirable to disassociate the Neighbourhood Plan Steering Group from the Parish Council (i.e. for it not to be a committee of the Parish Council). Having received advice from Devon Association of Local Councils, this suggestion of disassociation is not considered the way forward.

Instead, the proposed updates to the Terms of Reference seek to:

- make the relationship between a Steering Group and Working Groups that might be formed much clearer
- to make clear the lines of communication and processes for decision making
- to expand the criteria at which Steering Group members can have a vote, which are now more inline with the criteria that applies to anyone wishing to become a Parish Councillor
- to clarify that Working Groups can meet informally so to manage delegated tasks more efficiently
- to clarify that all individuals participating in preparing the Neighbourhood Plan are required to declare interests.

Harberton Parish Neighbourhood Plan Steering Group Terms of Reference

The steering group is an advisory committee of Harberton Parish Council and as such is subject to the Parish Council's Standing Orders.

1) Purpose of the Steering Group

The purpose of the ~~Ge~~group is to oversee the preparation of a Neighbourhood Plan for the Parish. The task will include ~~the~~ consultation with the community and other interested parties through public meetings, workshops and contact through village websites and newsletters.

2) Objectives of the Group

To create a Neighbourhood Plan that presents evidence of the needs and aspirations of the Parish residents in order to:

- a) Articulate and celebrate the unique character of the Harberton Parish;
- b) Stimulate and guide appropriate sustainable development in the Parish, in line with existing planning regulations and guidance; and
- c) Identify initiatives that the community may wish to take forward.

3) Outputs

The Steering Group will be responsible for the work programme and for producing the Draft Plan for consideration by the Parish Council. In doing so it may establish "~~W~~working ~~Ge~~groups" to undertake research and proposals for specific topics in the Neighbourhood Plan specifying the work to be done, the timescales for production and the appointment of working group members as needed to enable the production of the Plan.

4) Membership and Governance

a) ~~Steering Group~~ Membership

Membership of the ~~Steering Ge~~group will include Parish Councillors and volunteer members of the Parish.

Membership is limited to ~~24-7~~ people, preferably with a mix from both Harberton and Harbertonford wards.

Steering Group meetings should take place monthly, except in August. Members will be expected to attend on a regular basis. Members who fail to attend 2 consecutive meetings without notifying the Chair will be assumed to have resigned.

New members may be appointed from time to time by the Steering Group by a simple majority vote. The Steering Group may request that those wishing to become members set out their reasons for standing and any particular skill set they believe to be relevant, before a vote is taken.

b) Working Group Membership

The Steering Group may establish Working Groups, made up of volunteers from the community to aid them in any Neighbourhood Plan related work.

Each Working Group established should include at least one member of the Steering Group. Working Groups may meet informally in order to progress tasks delegated to them but should provide regular verbal and/or written reports to the Steering Group. Recommendations made by Working Groups and/or any delegated tasks that have reached completion, should be formally received and approved by the Steering Group. Those decisions should be recorded in Steering Group meeting minutes.

~~b) Appointment of new Members~~

~~Those wishing to become Members of the Steering Group must write to the Clerk to the Parish Council setting out their reasons for standing and any particular skill set they believe to be relevant.~~

~~The Clerk will put their application forward at the next available meeting of the Steering Group. Approval of an applicant will be by show of hands.~~

~~c) Powers of co-option~~

~~Additional volunteers may be co-opted to replace any members who are unable to continue their involvement and to strengthen the group in respect of particular issues or opportunities identified in the course of the plan preparation, co-opting individuals for limited periods as required to provide expert input on a particular topic.~~

~~Co-opted Members will have the same voting rights as if they were permanent members of the Steering Group. Their co-option will terminate by decision of the Steering Group.~~

d) Appointment of Chair

The Steering Group will elect a Chair to manage meetings of the Steering Group. The Chair will remain in post until the Committee elects a new Chair. If the Chair is unable to attend a meeting, those Steering Group members present, will elect a Chair for the purposes of that meeting.

e) Voting Making Decisions

Decisions made by the Steering Group should normally be by consensus at Steering Group meetings. Working Group members who are not also Steering Group members may contribute to discussion but will not have a vote. Voting at meetings will be by a show of hands. A simple majority of those eligible to vote will pass any proposal. In the event of a tie the Chair will have a casting vote.

[Only members who are on the electoral roll in the Neighbourhood Plan area are eligible to vote in the steering group. However this exclusion does not apply to Harberton Parish Councillors.]

Option1: To remove this paragraph entirely, or

Option 2: To replace this paragraph with the following criteria:

Commented [JP1]: I do think this clause should be removed entirely.

To be eligible to vote, Steering Group members should meet one or more of the following criteria:

- Registered elector: Be registered to vote in the Neighbourhood Plan area
- Landowner/Tenant: Have occupied land or other premises in the Neighbourhood Plan area as an owner or tenant for the 12 months preceding nomination to the Steering Group
- Employed in the Neighbourhood Plan area: The member's principal or only place of work during those 12 months has been in the Neighbourhood Plan area;
- Reside in the area: have, during the whole of the preceding 12 months resided in the Neighbourhood Plan area;
- Pay Council Tax: have paid council tax in the Neighbourhood Plan area for the preceding 12 months.

4e) Declarations of interests

Members of the Steering Group and of its Working Groups will be asked to declare any personal and/or pecuniary interests in particular issues pertinent to matters under consideration or ownership/interest in land as a condition of their participation in the plan preparation. If the Chair has reason to believe that a member of either the ~~committee~~ Steering Group or any of its Working Groups is concealing a declarable interest, the Chair may, at their absolute discretion, challenge the member to declare the relevant interest. If the Chair remains dissatisfied, they may recommend to the Parish Council that the member be excluded from participating in Plan preparation. ~~from the Steering Group.~~

4f) Parish Council Role

The Parish Council will be asked to confirm and agree the work programme for the preparation of the Plan; agree any interim proposals put forward for consultation with the public; the Draft Plan prior to community consultation and the Final Draft Prior to submission to South Hams District Council.

4g) Resolution of disagreements

Disagreements which cannot be resolved within the Steering Group will be put to the Parish Council for discussion and decision.

4j) Reporting and Feedback

Information will be shared with the community through public consultation meetings, a Parish Council controlled website.

Minutes of Steering Group meetings and of workshops and consultations will be recorded and displayed on the Parish Council's website. Copies will also be kept available for public inspection by the Parish Clerk and the Chair and Secretary of the Steering Group.

4k) Resources and Finance

Project costs are likely to arise for a paid Clerk, for hiring venues for public meetings and workshops, and for the preparation and circulation of printed materials. The Steering Group will draw on the expertise and

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knowledge of appropriate officers at South Hams District Council and Devon County Council, and use relevant information held by those Councils.

It is assumed that the District Council will meet the costs of the Independent Review of the plan and the Community Referendum before formal adoption.

5.7) Monitoring and review

The preparation of the Plan will be regularly monitored by the Parish Council through monthly reports from the Steering Group. Ongoing arrangements for the review and monitoring of progress on the Plan's implementation after adoption will be set out in the Plan.