

Setting up a Neighbourhood Plan Steering Group Guidance

Introduction

This guidance note provides advice on the process of setting up a neighbourhood plan steering group. It aims to simplify the process and identify the key considerations.

Due to the work involved in producing your Neighbourhood Development Plan, you will likely require additional people to those who are on the existing parish council. The establishment of a steering group will allow you to delegate the day to day tasks of organising consultation events, information gathering, editing drafts and producing the final plan to others, whilst the parish council continues to focus on existing parish matters.

Steering groups are invaluable in the preparation of a neighbourhood plan, however it is important to remember that the parish or town council still has responsibility for the plan and all final decisions made. The steering group will be responsible for ensuring links between the parish council, the community and professionals involved are maintained and everyone has the opportunity to be engaged within the project.

The First Step

The first step is identifying the 'qualifying body' that will be responsible for submitting the Neighbourhood Plan. The qualifying body is either a parish/town council or neighbourhood forum. Communities covered by a parish meeting need to set up a neighbourhood planning forum if they wish to prepare a neighbourhood plan. More information on setting up a neighbourhood planning forum can be found [here](#).

The role of the parish or town council (or neighbourhood planning forum where one is required) is to work with the community to produce a plan that will sit within the development plan, containing policies that the community have helped to develop.

The parish or town council will then need to submit an area application to the local planning authority. The process has been simplified for town and parish councils where the neighbourhood area will be the same as the parish boundary. However, this is not a requirement and if there is clear planning reasoning why a smaller and more focused area is more appropriate, this can be done. Similarly, if adjacent parish or town councils want to work together on a joint neighbourhood plan this is possible.

Once the neighbourhood area has been formally designated by the local planning authority the qualifying body needs to decide how they are going to progress with the Neighbourhood Plan. The guidance is clear that where a parish or town council chooses to produce a neighbourhood plan it should work with other members of the community who are interested in, or affected by, the neighbourhood plan.

To enable the preparation of the plan, we recommend that town and parish councils establish a neighbourhood planning steering group that will be responsible for leading the process and developing the plan.

Forming a Neighbourhood Planning Steering Group

A parish or town council can choose to establish an advisory committee, steering group, working party, committee or sub-committee under section 102(4) of the Local Government Act 1972 and appoint local people to those bodies. There are subtle but important differences between advisory committees/steering groups/working parties and committees/sub-committees. Members of committees or sub-committees would have voting rights under section 13(3), (4)(h) of the Local Government and Housing Act 1989. The establishment of a steering group, working party or advisory committee would allow the town or parish council to delegate the day-to-day tasks associated with producing the plan to other members of the community, however as an advisory committee they can only advise, and not make decisions.

The relationship between any group and the town or parish council should be transparent to the wider public, publishing meeting agendas, minutes and publishing relevant documents.

It is good practice to try and make sure that the membership of the steering group reflects the character and diversity of the local population, with people from different places in the area and different sections of the community.

Steering Group Membership

All members of the steering group need to be aware from the beginning that they are there to represent the community. The Localism Act 2011 gives statutory effect to the Nolan Principles which are: selflessness, integrity, objectivity, accountability, honesty, openness and leadership. Therefore, all members of the steering group need to have regard to these (the Nolan Principles can be found at the end of this document).

The decisions made by the steering group should be taken solely in terms of the public interest, and it is important that personal factors do not affect decisions. If it is found that members of the steering group have acted inappropriately it could jeopardise the whole neighbourhood plan.

To ensure the process is as transparent as possible the agenda and the minutes of meetings should be made available to the public without delay. Members of the steering group must register any interests they have with the parish clerk within 28 days of being appointed to the steering group. This is to alert the steering group and parish or town council to any interests which might give rise to a conflict of interest in the steering group. The steering group/parish council should keep a register of interests and update the register when necessary.

The steering group should take all steps necessary to ensure no biased decisions are made. It is generally agreed that the general test for bias is 'a fair-minded and informed observer is neither unduly suspicious, nor complacent'. The Localism Act 2011 also adds clarification in s25, subsection (2): '*A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision just because –*

- a) The decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and*
- b) The matter was relevant to the decision.*

If any member of the steering group does not have a genuinely open mind, this could potentially lead to the rejection of a Neighbourhood Plan or to a successful judicial review.

Therefore, it is in the Steering Group's best interest that from the beginning the process there is transparency, the proper procedures are followed, and that conflicts of interests are dealt with as soon as they arise.

When undertaking a task associated with the production of the Neighbourhood Plan, the steering group should ask themselves:

Would a fair minded and informed
observer find there to be bias?

If the answer is yes, the steering group should stop the task until the bias has been addressed, for example by leaving the room and abstaining from voting and discussions, however if the answer is no, the steering group should continue with the task.

Dealing with conflicts of interest?

As soon as possible after a conflict is identified the steering group should deal with the matter in accordance with either their own code of conduct or the town or parish councils code of conduct. This will usually involve the person or persons with the conflict not discussing, voting, or dealing with matters associated with the conflict on the steering group.

Wording for 'Terms of Reference Guidance'

Early on in the process Terms of Reference should be established for the Steering Group and approved by the Town or Parish Council. The Terms of Reference should provide details on the structure of the steering group and the members within it. A suggested Terms of Reference template can be found on our website.

It is important that the Terms of Reference cover the following matters:

Purpose of the Steering Group

The Terms of Reference should set out the purpose of the steering group. You should use this section to set out how the steering group will lead on the creation of the neighbourhood plan.

Membership and responsibilities

The Terms of Reference should set out membership of the steering group, including the approach to any substitutes. It is important that the members of the group are representative of the wider local community and that a range of skills, knowledge and experience can be pooled from the local community.

Typical membership might include:

- *Parish councillors;*
- *Local residents;*

- *Representatives of local community organisations; and*
- *Local business owners.*

You will need to identify a chair, deputy chair, and secretary early on in the process to help with the running of the steering group. There will be other members of the steering group but it is likely that these will have the greatest level of responsibility progressing the plan.

You want your neighbourhood plan steering group to be as representative as possible, to ensure the views of all sectors of the community influence the plan. You should try to use existing skills and knowledge in the community.

Relevant skills and experience that may be useful to the steering group include:

- Project management;
- Familiarity with the planning system;
- Community engagement;
- Marketing, promotion and consultation;
- Writing, editorial, graphic design;
- Expertise in specific topic areas, e.g. housing, transport, the historic environment.

There is no limit to the number of people that can be in the steering group, however it is important to recognise that a larger group may be difficult to manage effectively and if the group is too small there will be a high workload on individuals. We would suggest a steering group of around 10-15 people.

Over the course of producing the plan it is likely that you will have new members join and members leave, therefore a certain level of flexibility is required. During the process you will probably find it useful to have project groups within the steering group focusing on certain topics so that the work can be distributed (e.g. housing, landscape, ecology, policy writing, etc.)

Role of the Steering Group

You should set out the roles of the steering group. We suggest you start from the beginning and think of all the tasks that will be necessary up until the final submission of your plan. We appreciate that during the process tasks are going to change/evolve/be added, however setting them out from the beginning in your Terms of Reference might help to focus the steering group. The Neighbourhood Plans Roadmap produced by locality provides a good overview of the process and should give parish and town councils a good overview of the process – link [here](#).

Meeting Arrangements

You can set out in the Terms of Reference the frequency that steering group meetings will be occurring and the expected attendance from the steering group members.

The relationship between the steering group and the town or parish council should be transparent and throughout the process there should be a standing 'Neighbourhood Planning' item on the parish or town council agenda.

To ensure the process is as transparent as possible the agenda and the minutes of meetings should be made available to the public, preferably on a website, without delay.

Decision Making

It is important that the Terms of Reference set out how decisions will be made and the relationship the steering group has with the town or parish council.

Finance

The Terms of Reference should clearly set out the responsibilities and processes involved with the finances surrounding the neighbourhood plan. Budget responsibilities lie with the parish or town council (or neighbourhood forums where one is required), the steering group cannot make any financial decisions on behalf of the parish council, but the steering group can have processes in place to help the parish or town council.

The parish or town council may delegate authority to the clerk to approve payments up to a certain amount, this process should be clearly set out and minuted.

Conduct and Conflicts of Interest

The Terms of Reference can introduce a Code of Conduct for the steering group, building on the Nolan Principles. We advise that the Terms of Reference follow the parish or town councils' code of conduct.

Steering group members should declare an interest where there is a potential financial or pecuniary benefit to themselves, or their company/organisation arising from the decisions or recommendations of the group.

Data Protection

The Terms of Reference should set out how the requirements of the Data Protection Act are to be met. It should be clear who is responsible for overall data control for the neighbourhood plan process.

Further advice may be available from Oxfordshire Association of Local Councils.

We recommend that parish or town councils set up separate neighbourhood planning email accounts to facilitate the communications between volunteers. This would help the town or parish council when dealing with any requests for data or freedom of information requests. Please note that the District Council cannot advise town or parish councils on freedom of information requests.

Steering Group Review

You should include in your Terms of Reference the circumstances whereby a review of the Terms of Reference is required.

Moving Forward

If the Terms of Reference are implemented successfully at the start of the process they can be used as a guide to the processes and procedures that the steering group need to have regard to as they progress the neighbourhood plan. Key to the success of the steering group is the relationship it has with the parish or town council and maintaining a transparent relationship with the community. The terms of reference should be referred back to at all stages of the plan preparation process, to check that it is always being complied with.

APPENDIX A

Nolan Principles

1. Selflessness – Holders of public office should act solely in terms of the public interest.
2. Integrity – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
3. Objectivity – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
4. Accountability – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
5. Openness – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
6. Honesty – Holders of public office should be truthful.
7. Leadership – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.