

Falmouth Neighbourhood Plan

Stakeholders Group - Draft Terms of Reference

Introduction

Falmouth Town Council is the Qualifying Body entitled under the Localism Act 2011 to initiate, lead the production and the adoption of a Falmouth Neighbourhood Plan. On 8th September 2014 the Council's Finance and General Purposes Committee RESOLVED to prepare such a plan for Falmouth (Minute reference F4478 of 8/09/2014).

On 29th September 2014 the Falmouth Town Council APPROVED minute F4478 in minute C4429.

This document sets out the Terms of Reference for the working group.

Name. The name of the group shall be the Falmouth Neighbourhood Plan Stakeholder Group

Objectives

Falmouth Town Council is developing the Neighbourhood Plan to:

- support an Article 4 Direction to be made by Cornwall Council that will enable the Local Planning Authority to manage the spread of Houses of Multiple Occupation (HMO);
- create sustainable development policies that will expand upon the policies and proposals of the Cornwall Local Plan where necessary to take into account local circumstances or assist with the delivery of initiatives from the Falmouth Community Plan.

Sustainable Development

The Neighbourhood Plan will embrace the principles of sustainable development by aiming to meet the present needs of the people who live, work, and visit and learn in Falmouth without harming the ability of future generations to meet their needs.

The guiding principles of sustainable development that the Falmouth Neighbourhood Plan will follow are:

- Living within the planet's environmental limits - by protecting and enhancing our natural and man-made environment, and responding to climate change.
- Ensuring a strong, healthy and just society - by meeting present and future needs for the housing, work and services that support the wellbeing of all our community.
- Achieving a sustainable economy - by supporting actions that build prosperity for all and use resources wisely.
- Promoting good governance - by ensuring that all the community's creativity, energy and diversity is involved in creating the Falmouth Neighbourhood Plan.

Membership.

The Stakeholder Group shall consist of representation from the following groups representing the different interests:

Falmouth Town Council - Councillor Atherton

Falmouth Civic Society - Mike Jenks / Angela Beale

Falmouth & Exeter Universities - Jill Easterby

Falmouth Town Forum - Andy Coote

Falmouth Town Manager - Richard Gates

Falmouth BID - Richard Thomas / Richard Wilcox

Falmouth Bay Residents - David Yelland

Lambs Lane Residents Association - Sheila Rollinson

Beacon Regeneration - Grenville Chappel

Falmouth Churches Together - Reverend Mesley

FDHA - Rosemary Ridette Gregory

Representatives of other groups may be recruited at the Falmouth Neighbourhood Plan Stakeholder Group's discretion. Such members will be invited to reflect different sectors of the community and the range of skills, knowledge and experience that will be required to develop the Neighbourhood Plan.

The Falmouth Neighbourhood Plan Stakeholder Group may appoint working-parties to tackle specific themes and issues. Each of these will be convened by a Stakeholder Group member, but may include representatives of other bodies, and enthusiastic volunteers from the wider community who wish to assist.

The Falmouth Neighbourhood Plan Stakeholders Group shall be advised by the Town Clerk (Mark Williams), Cornwall Council (Planning - Sarah Arden, and Localism - Mark James).

Chairperson

Falmouth Town Councillor Candy Atherton will be the Chairperson of the Stakeholder Group.

Tasks.

The Falmouth Neighbourhood Plan Stakeholder Group shall carry out the following tasks on behalf of Falmouth Town Council:

1. Undertake the preparation of a Neighbourhood Plan on behalf of the Town Council
2. Assist Cornwall Council in establishing and operating an Article 4 Direction for appropriate areas of the town.
3. Identify sources of funding, and apply for them as appropriate
4. Take responsibility for planning, budgeting and controlling expenditure on the production of the Neighbourhood Plan
5. Liaise with local organisations, Cornwall Council, and other bodies
6. Identify effective methods of engagement, consultation and information gathering that ensure the plan is as inclusive as possible.
7. Be responsible for the analysis arising from such engagement, consultation and information gathering
8. To report back regularly to the Town Council on progress and major issues arising and outcomes from the exercise
9. Present the draft Neighbourhood Plan for the formal approval of the Town Council
10. Subsequently to assist the Independent Assessor, and assist in arrangements for the Referendum.

Meetings.

These will be held bi-monthly or as may be required to get through the tasks involved. At its first meeting of the year the Team will set a calendar of meetings for that year.

There will be no restrictions on the tabling of information or proposals at the meetings, although it will be expected that they will have been circulated within the Team as far in advance as possible.

Wherever possible the Team will reach agreement on decisions through discussion and consensus. However, where this is not possible, the matter shall be determined by a majority of votes of the Team present. In the case of equality of votes the Chairman of the meeting shall have a casting vote.

The quorum necessary to transact business but shall be a minimum of 50% of members.

Agenda.

Although the content of each meeting will vary as the NP process evolves, each shall always have the following Standing Items:-

- Notes of last meeting
- Declarations of Interest
- Project Plan Review
- Budget position
- Reports from Sub-Groups
- Note of actions agreed
- Recommendations to Town Council

Reporting.

The Neighbourhood Plan Team will report to the Town Council at every significant stage of the Plan process, as identified in the Project Plan, before advancing to the next stage. Such reports must include a note on progress (from the Project Plan), budget updates, and where appropriate recommendations on policy content, next steps etc.

Budget Management.

The approved budget for the Neighbourhood Plan will be the responsibility of the Town Council to manage. It will be administered by the Town Clerk through the Town Council's financial management system and in accordance with Standing Orders.

The Stakeholder Group will advise the Town Council as to how the budget might best be used to achieve the objectives.

The Town Clerk will report to the Steering Group on budget management so that it can monitor expenditure, commitments and income and plan ahead.

Volunteer Expenses.

Individual members of the community, who are involved as volunteers on the Steering Group and/or any of the working teams, may claim back any expenditure properly and necessarily incurred during the process of producing the Neighbourhood Plan. This could include printing, postage, stationery and travel outside the Plan area. Volunteer expenses will only be paid if approved in advance and accompanied with receipts.

Such expenses will not be paid if they are also claimable from the organisation the volunteer represents.

General conduct of members of the Stakeholder Group.

Members and community volunteers are expected to conduct themselves in a manner consistent with the principles of conduct for those in public life which are:

- selflessness;
- integrity;
- objectivity;
- accountability;
- openness;
- honesty and leadership.

Equalities.

The Team will at all times pay regard to the requirements of the Equality Act 2010. It will prepare the Plan in a way that recognizes, respects, and values equality and diversity, so as to ensure that none of the Plan's provisions are discriminatory. To achieve this the Team will carry out Community Impact Assessments at appropriate stages of the Plan development.

Interests.

All members of the Team must declare any pecuniary interest that may be perceived as being relevant to a decision of the Team. This may include the pecuniary interest of an organisation represented by the member, personal ownership of land or a business, or any other matter that may be considered to be relevant. Such declarations shall be recorded and be publicly available.

Organisations and businesses may assist in the production of the Neighbourhood Plan and may contribute to the cost of producing it. Details of any donations or assistance must be made publicly available and must not influence the recommendations of the Plan.

Changes to the Terms of Reference.

The ToR may be altered and additional clauses may be added by a majority vote of the Team. Any such changes must then be ratified by the Town Council.

Freedom of Information.

In accordance with the Freedom of Information Act, as an extension of the Town Council, the Team will make available to the public, minutes of meetings, policies and procedures, its organisation and structure and information on budget, expenditure and allowances, via either the Neighbourhood Plan website or the Town Council's website

Period of Operation.

The duration of the Falmouth Neighbourhood Plan Stakeholder Group will be two years from 15th September 2014, subject to renewal.

Appendix.

Copy of Minute F4478 of Finance and and General Purposes Committee held in the Council Chamber, Municipal Buildings, The Moor, Falmouth on Monday 8th September 2014 at 7.00pm

F4478 NEIGHBOURHOOD PLAN AND ARTICLE 4 DIRECTION

The Chair updated on progress with the Steering Group.

It was proposed by Councillor Evans, seconded by Councillor Body and

RESOLVED that the Steering Group be established, a Project Manager be engaged and a Neighbourhood Plan and Article 4 Direction be created on the Town Boundary.