



# Brixham Town Council

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Town Clerk: Mrs Tracy Hallett

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<b>Report Type</b>	Public	<b>Meeting</b>	Full Council
<b>Contact Officer</b>	Tracy Hallett	<b>Job Title</b>	Town Clerk
<b>Report Title</b>	Terms of Reference for the Brixham Peninsula Neighbourhood Plan Task and Finish Group		

## Summary

A small working group of the Town Council was formed to liaise with representatives of the Neighbourhood Forum. The Terms of Reference shown in this report is following these discussions and taking into consideration proposals made by the representatives of the Neighbourhood Forum.

## Recommendation

In accordance with its policy that all working groups of Brixham Town Council shall be redesignated as Task and Finish Groups, it is recommended that members revoke minute 11075, dated 23rd June 2011, that set up the Brixham Peninsula Neighbourhood Forum, rename it as the Brixham Peninsula Neighbourhood Plan Task and Finish Group and adopt the new Terms of Reference as shown in this report.

*Proposed by: Cllr D Giles; Seconded by: Cllr S Leech*

## General Terms of Reference

(Taken from the adopted Task and Finish Group Terms of Reference and not subject for discuss for this agenda item.)

### General

- In addition to the formal Committees, the Town Council has the option to form **Task and Finish Groups**. Each Task and Finish Group has its own Terms of Reference.
- Task and Finish Groups have **no power** to make decisions but will consider the relevant matters in detail and update / make recommendations to the Town Council where appropriate.
- Task and Finish Groups are more informal than Committees and have the opportunity of co-opting people from outside the Town Council who have the relevant skills for the task set by the Committee.
- Once the evidence has been gathered, the Task and Finish Groups will produce a report to be submitted to the relevant Committee outlining details of the review process, evidence gathered, conclusions and subsequent recommendations.
- The Committee can then refer the report to Full Council asking them to consider the recommendations arising from the review.
- Task and Finish Groups should take into consideration the Town Councils Climate and Environment Policy

The Task and Finish Group can gather evidence through a variety of ways, such as:

- written evidence
- oral evidence and interviews with external and internal witnesses
- site visits
- visiting other organisations - partners, user Groups, other councils
- research
- holding public meetings to seek views on an issue
- talking to people who are affected by the issue

#### Budget

- A Task and Finish Group does not have delegated powers to spend money or apply for funding from external sources
- Each Task and Finish Group can submit a budget request to the Finance and General Purposes Committee in October each year for consideration
- The Town Clerk to have delegated powers to liaise with Chair of the relevant committee or any other Councillor that is part of that committee for quick decision making to ensure that opportunities relating to funding are not unnecessarily delayed. The results of which will be reported to the relevant Committee at the next opportunity.

#### Review

These terms of reference are to be reviewed annually at the Annual Council meeting.

### **Brixham Peninsula Neighbourhood Plan Task and Finish Group Terms of Reference** (For consideration)

#### Membership

- The Group will ensure that in all of its actions and deliberations it considers the needs of all sections of our community
- Efforts will be made to seek representation from under-represented sections of the community.
- Membership of the Group will be open to the public.
- All Town Councillors will automatically be members of the group. However, the Town Council will appoint 2 Councillors at its annual meeting to ensure a core number of Town Councillors attend meetings.
- The quorum will be a minimum of 5 members with a maximum of 2 Town Councillors be considered as part of the quorum.
- Ward Councillors will automatically be members of the group, but will not be considered as part of the quorum.
- The group will be open and inclusive, allowing those living or working in the peninsula area to apply to become members.
- All members are expected to take an active role in the process.
- Any dispute within the group will be referred to the Town Council for arbitration.
- The group may establish smaller Working Groups to undertake work if required
- The group will appoint two representatives to be co-opted as non-voting members to the Town Council's Planning and Regeneration Committee. The representatives to be from across the community and should have a sound knowledge of the neighbourhood plan and its policies.

## Conduct

- It is expected that all group members abide by the principles and practice of the Town Council's Code of Conduct including declarations of interest.
- The Group as a whole is accountable to the wider community for ensuring that the Plan reflects their collective expectations.
- The Group will achieve this through applying the following principles:
  - Be clear and open when their individual roles or interests are in conflict. Pecuniary and Non-pecuniary interests relating to an agenda item must be declared at the beginning of a meeting;
  - Treat everyone with dignity, courtesy and respect regardless of their age, gender, sexual orientation, ethnicity, or religion and belief; and
  - Actively promote equality of access and opportunity.

## Aims

Brixham Town Council is the qualifying body and lead in Neighbourhood Planning for the Brixham Peninsula Neighbourhood Plan. As statutory consultees, the Town Council will continue to respond to planning applications within the plan area which will include two co-opted non-Councillor representatives from the Churston with Galmpton Ward on its Planning and Regeneration Committee.

The Group is to facilitate the Town Council as set out in the objectives below.

## Objectives

1. To monitor and assess how effective the neighbourhood plan is. To produce an annual report for the Town Council that includes results of the following assessments:
  - How the policies are being applied to shape decisions on planning applications by Torbay Council
  - Whether projects and / or actions identified are being achieved
  - The level of monies raised through the Community Infrastructure Levy (CIL) and how these monies are used
  - Whether the plan aims are being achieved
  - Any changes to national and local policies
  - Any changes in the local area
2. Once the above has been completed, subject to approval from the Town Council, it may be necessary to revise the plan and / or its policies and the following steps should be taken prior to making recommendations to the Town Council:
  - Engage with the community and stakeholders to publicise the proposed revision and invite feedback on what is required.
  - Update the evidence base for the neighbourhood plan, identifying the most recent data and evidence available.
  - Recommendation on amendments to the Town Council should include:
    - Updated sections of the plan describing community and stakeholder engagement to recognise the work undertaken to revise the plan.
    - Update the evidence section of the plan to reflect the most recent data and update all references to national and local policy, if necessary.
    - Review the policies and revise them as necessary, including their supporting rationale and evidence.
    - Consider the need for site allocations (existing allocations survive) and / or Local Green Space designations.
    - Undertake an overall edit of the plan to ensure it reflects current circumstances.

3. To consider local or national consultations that affect the plan and to advise the Town Council of a recommended response. This should be carried out in good time to ensure the Town Council has sufficient opportunity to consider the advice and submit a formal representation.
4. The neighbourhood plan includes projects and actions that fall out outside of the scope of the National Planning Policy. The group will be expected to assess the delivery of any projects or actions identified within the plan and where possible, bring forward proposals to the Town Council on the delivery by:
  - Developing and recommending options for the Town Council including the development and delivery of the successful proposal.
  - Developing effective strategies and a forward plan for delivering the project to support external funding applications.
  - Carrying out community consultations as / if required to progress the project and to gain views and opinions on individual elements of the project.
  - Advise the Town Council on budgetary and funding opportunities recognising that it is the Town Council that has the responsibility for setting budgets, to enter into contracts and apply for funding opportunities.
5. Any grant funding will be held by the Town Council as allocated monies in their earmarked reserves. The Town Council will provide a financial breakdown for each group meeting of monies spent on work related to the plan and its projects.

### Meetings

- Group meetings will take place regularly, but no less than four times a year..
- Where possible, all meetings should be held within the Peninsula area. The dates of future meetings will be made publicly available via the Town Council website.
- Agendas will be available to view on the Council's website, social media sites and noticeboards. Every effort will be made to circulate the agenda to suitable locations across the community.
- The Group will elect a Chairperson, Vice Chairperson and Secretary annually from its membership.
- The Chairperson and Vice Chairperson will help facilitate discussion at meetings and ensure that the process is inclusive, fair and non-confrontational.
- The Chairperson and Vice Chairperson must not have a conflict of interest.
- The Chairperson and Vice Chairperson, where possible, will be from different parts of the plan area with one from the parished area and one from the non-parished area.
- The Secretary shall keep a record of meetings and circulate notes to Group members and the Town Council in a timely fashion. Minutes shall be made publicly available on the Town Council website.
- At least 7 clear days' notice of meetings shall be sent to members via email.
- Decisions made by the Group should normally be by consensus. Where a vote is required each member shall have one vote.
- A simple majority vote will be required to support any motion.
- The Chairperson shall have the casting vote.

### Documentation

All group meetings will be minuted and copies sent to the Town Council for circulation to the Planning and Regeneration Committee and will be recorded in the minutes of the committee meeting.

### Accountability

The group is accountable to the Planning and Regeneration Committee.

### Scope

From time to time the Chairperson (or Vice Chairperson in their absence) may be asked to represent the Town Council at Torbay Planning Committees, meetings with developers, appeals, or any other meetings relating to the plan. If either of these are unable to attend, the Town Council may arrange to be represented by one of their own members. Any representation will be following a corporate decision by the Town Council, taking into consideration the Neighbourhood plans and policies. The representative will be expected to reflect the views of the Town Council at these meetings, referencing the plan and policies as supporting evidence.

These terms of reference have been taken from Locality guidance documents. It is recognised that these may change from time to time and it is expected that the Group will ensure that it follows up to date Locality guidance and advises the Town Council accordingly.

### Dissolution

It is considered that this group will work continuously to monitor, review and recommend amendments to the plan and policies during the lifetime of the plan. The group will be dissolved once its objectives have been attained or the Council chooses not to continue with a Task and Finish Group.