

**NETHER WALLOP PARISH COUNCIL**

**To review the terms of reference for Committees.**

The Neighbourhood Development Plan Steering Group has a constitution which is listed below. The Clerk has made some recommendations for change and councillors are asked to vote on amendments 1-7 separately.

Suggested amendments in yellow.

<p style="text-align: center;"><b>Nether Wallop Parish Neighbourhood Plan</b></p> <p style="text-align: center;"><b>Our Parish - Our Future - Our Say</b></p> <p style="text-align: center;"><b>Steering Group Constitution and Terms of Reference.</b></p> <p style="text-align: center;"><b>Nether Wallop Parish Neighbourhood Plan Steering Group</b></p> <p><b>Background</b></p> <p>The Localism Act 2012 gives communities the legal right to prepare a Neighbourhood Plan that will set out policies to direct development and the use of land in a parish or neighbourhood area.</p> <p>At the Nether Wallop Village Meeting on 23<sup>rd</sup> May 2019 an overwhelming majority of the residents attending voted in favour of the production of a neighbourhood plan.</p> <p>A Steering Group *1 was formed consisting of a Chairman, Vice Chairman and a Parish Council representative, Clerk and three further members, representing the 3 working groups – Village History and Background, Green Spaces and Survey. *2</p> <p><b>Purpose and Aims</b></p> <p>This document provides a framework by which the nominated Steering Group can prepare and take forward a Neighbourhood Plan for Nether Wallop Parish *3</p> <p>The name of the group shall be Nether Wallop Parish Neighbourhood *4 Plan Steering Group.</p> <p>The Neighbourhood Plan will be produced with consideration to the needs of all residents and businesses in the Parish of Nether Wallop, now and in the future.</p> <p>The Neighbourhood Plan will seek to improve the social, economic and environmental well-being of the area and all those residing and working in it.</p>	<p>*1 = Insert “(Advisory Committee)” after Steering Group.</p> <p>*2 = At end insert “The Chairman and Vice-Chairman are not required to be councillors.”</p> <p>*3 = Insert “on behalf of the Parish Council.”</p> <p>*4 = Insert “Development”</p>
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## The Vision for Nether Wallop Parish

Nether Wallop Parish thrives socially, economically and environmentally as a safe, tranquil, rural community where any development should be sustainable and of good and intelligent design to enhance its distinctive character. The heritage, biodiversity and position in the landscape should be respected and enhanced.

## Steering Group Constitution

### Objectives

1. Manage and co-ordinate the production of the Neighbourhood Plan.
2. Identify ways of involving the whole community and gather the views and opinions of as many individuals, groups and organisations in the community as possible on all aspects relating to the Neighbourhood Plan.
3. Communicate all findings and ideas to the Nether Wallop Parish Council and the wider community, using a diversity of mechanisms, including the Parish magazine, local noticeboards, websites and relevant social media groups.
4. Identify support, resources and funding.
5. Manage decision making processes in an open, transparent and accessible way.
6. Prepare policy documents consistent with delivery of the Neighbourhood Plan.
7. Produce a project plan containing appropriate timescales and delivery mechanisms.
8. Produce the Neighbourhood Plan consistent with National and Local policies.
9. Take the Neighbourhood Plan through to adoption by TVBC.

### Steering Group Membership

1. The Steering Group shall consist of no fewer than 5 members. No upper limit shall be imposed in this constitution; however the aim is to maintain a small agile team. Hence additional members may be recruited temporarily for the duration of a working group or transitory workload.
2. A quorum for a meeting shall be a minimum of 3 members.
3. The Steering Group may co-opt for specialist help when required.
4. All personal interests must be declared if being perceived as relevant to a decision of the group. This shall be recorded and be made publicly available. \*5

\*5 = insert "All members, are expected to comply with the Council's Code of Conduct in force at the time."

### Steering Group Meetings

1. The Steering Group will hold initially hold a public meeting every month, and then at timings which are agreed to be appropriate. Minutes of each meeting will be made available on the parish council website.
2. Any matters of disagreement at a meeting shall be decided upon by a majority vote by the Steering Group members present.
3. A record of formal meetings of the Steering Group shall be kept with all relevant documents made available on the parish council website.
4. There shall be an opportunity for public participation of 15 minutes at the beginning of each formal Steering Group meeting for members of the community to raise issues.
5. At the end of each meeting the date and time of the next meeting shall be agreed. Any change must be agreed through the chairperson or their elected representative and at least 3 clear days notice given by email or telephone.
6. The agenda shall be distributed at least 3 clear days prior to the meeting.

### Working Groups

1. The Steering Group may appoint Working Groups as it considers necessary to carry out the functions specified by the Steering Group.
2. Each Working Group should have a nominated chairperson but they do not have to be a member of the Steering Group.
3. Working Groups do not have the power to authorise expenditure on behalf of the Steering Group.
4. Working groups will be bound by the terms of reference set out for them by the Steering Group.

### Finance

1. The Clerk shall keep an accurate record of income and expenditure where necessary supported by receipted invoices. \*6
2. The Clerk will report to the Steering Group on planned and actual expenditure.
3. Funds will be held by Nether Wallop Parish Council on behalf of the Steering Group.

\*6 = Insert "all expenditure shall be approved by the PC prior to payment being made."

### Changes to the Constitution

1. This constitution may be altered and clauses added or deleted with the consent of a quorum of the Steering Group (to include a representative of the Parish Council) present at the meeting. No change will be implemented without final approval from the parish Council.
2. There must be a minimum notice period of 7 clear days to Steering Group members of any proposed change.

## Dissolution of the Steering Group

1. The dissolution of the Steering Group shall be considered following the successful adoption of the Neighbourhood Plan or its rejection.
2. Upon dissolution of the Steering Group any outstanding expenses shall be settled as funds permit after which any remaining funds shall \*7 be returned to the Nether Wallop Parish Council.

\*7 = Delete "be returned to" and insert "remain with"

The Constitution for the **Wallops Parish Hall Management Committee** is publicized on the WPH website as per below.

### Constitution of the Wallops Parish Hall Management Committee

#### 1. Name

The Committee shall be called The Wallops Parish Hall Management Committee (the 'Committee').

#### 2. Objects

The objects of the Committee shall be to administer and maintain the Wallops Parish Hall (the 'Hall') as a facility for the benefit of the residents of the two parishes of Nether Wallop and Over Wallop and to make it available for hire at reasonable rates that cover the costs of running, maintaining and improving the hall as necessary in accordance with the Licence granted by the Parish Councils of Over Wallop and Nether Wallop to the Committee.

#### 3. Composition of the Committee

a. The Committee shall be formed of eight Parish Councillors from the Parish Councils of Over Wallop and Nether Wallop. The members of the Committee shall be nominated and voted in at Over Wallop and Nether Wallop Annual Parish Meetings each year. In the event of a Parish Councillor resigning or leaving the Parish Council the appropriate Parish Council may elect a replacement committee member to fill the vacant position until the next Annual Parish Meeting.

b. The Committee shall consist of the following officers:

- (1) A Chairman, who shall be the Chairman of Over Wallop Parish Council.
- (2) A Vice-Chairman, who shall be the Chairman of Nether Wallop Parish Council.
- (3) A Treasurer from Over Wallop Parish Council
- (4) Five other members, 2 from Over Wallop Parish Council and 3 from Nether Wallop Parish Council.

c. The Committee has the power to recruit and form specialist volunteer sub-committees to fulfil specific tasks, such as fundraising, maintenance and refurbishment. The sub-committees may co-opt where appropriate other members including non-elected members.

d. The Committee may appoint and employ a person to take bookings, clean and maintain the Hall under terms and conditions specified by the Committee, which may be varied by agreement from time to time.

e. Parish Councillors when appointed to their parish councils agree to follow a Code of Conduct which is overseen by the Standards Board for England. The same code of conduct applies when councillors serve on this management committee.

#### 4. Duties and Workings of the Committee

a. Each Committee Member shall hold office from the date of appointment until the next Annual Parish Meeting ('APM') unless otherwise resolved at an Extraordinary General Meeting ('EGM').

b. The Committee shall be responsible for the management of all the affairs of the Hall. Decisions of the Committee shall be made by a simple majority of those attending the Committee meeting. Committee meetings will be advertised in advance and will normally be held in Public under the same rules as Parish Council meetings.

c. The Chairman of the Committee meeting shall have a casting vote in the event of a tie.

d. Meetings of the Committee shall be chaired by the Chairman or in their absence the Vice Chairman, or in the absence of both a person elected to Chair the meeting as the first item on the agenda. The quorum for the transaction of business of the Committee shall be three.

e. Decisions of the Committee at meetings shall be entered into the Minute Book of the Wallops Parish Hall Management Committee to be maintained by a person appointed by the Committee ('Nominated Person'). A summary of the minutes of each meeting will be published in the Parish Magazine in draft form before the next meeting if time permits.

f. Any member of the Committee may call a meeting of the Committee by giving not less than seven days' notice to all members of the Committee. The Committee shall hold not less than four meetings a year.

#### 5. Annual and Extraordinary General Meetings

a. An AGM shall be held in each year to:

- (1) Receive reports on the activities of the Hall over the previous year.
- (2) Receive reports on proposed activities for the next year in the Wallops Parish Hall.
- (3) Receive a report on maintenance issues and costs of running the Wallops Parish Hall.
- (4) Receive a report on the finances over the previous year of Wallops Parish Hall.
- (5) Agree the budget for the next year.

b. An EGM may be called at any time by the Committee and shall be called within 21 days of the receipt by any Committee member of a requisition in writing, signed by not less than 9 parishioners of the Parishes of Over Wallop and Nether Wallop stating the purposes for which the meeting is required and the resolutions proposed. Business at an EGM may be any business that may be transacted at an AGM.

c. The Nominated Person or any Committee member shall send to each member at their last known address or email a written notice of the date of a General Meeting (whether an AGM or an EGM) together with the resolutions to be proposed at least 14 days before the meeting.

d. The quorum for a General Meeting shall be 4 members of the Committee.

e. The Chairman or in their absence the Vice Chairman, or in the absence of both a person selected to Chair the meeting by Committee members in the first item on the agenda shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. In the event of an equality of votes the Chairman of the Meeting shall have a casting vote.

f. The Nominated Person, or in their absence a member of the Committee, shall enter Minutes of General Meetings into the Minute Book of the Wallops Parish Hall Management Committee which will also be published in the Wallops Parish Magazine as soon as possible after the meeting in draft form.

#### 6. Committee Finances

a. A bank account shall be opened and maintained in the name of the Wallops Parish Hall. The Committee Chairman and the Committee Treasurer shall be designated signatories.

b. No sum shall be drawn from the Committee Account except by cheque signed by the two designated account signatories. All monies payable to the Hall shall be received by the Treasurer and deposited in the Hall Account.

c. The Committee shall have the power to authorise the payment of remuneration and expenses to any member of the Committee and to any other person or persons for services rendered to the Committee.

d. The Committee shall keep accounting records for recording the fact and nature of all payments and receipts so as to disclose, with reasonable accuracy, at any time, the financial position, including the assets and liabilities of the Hall. The Committee must retain its accounting records for a minimum of six years.

e. The Committee shall prepare an annual financial statement which will undergo an annual independent audit by an appropriately qualified and approved accountant and shall be approved by members at the general meeting. A copy of any financial statement shall be available for public scrutiny.

#### 7. Dissolution

a. A resolution to dissolve the Committee shall only be proposed at a General Meeting and shall be carried by a majority of at least three-quarters of the parish councillors present.

b. The dissolution shall take effect from the date of the resolution and the members of the parish councils shall be responsible for the winding up of the assets and liabilities of the Committee. Any assets should return proportionately to the two parish councils for the benefit of the communities of Over Wallop and Nether Wallop.

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#### Explanatory Background Notes (Not forming part of the Constitution)

The hall is owned by Over Wallop Parish Council and Nether Wallop Parish Council as tenants in common. The agreed proportions of ownership upon purchase of the property on 29<sup>th</sup> March 1979 was Over Wallop Parish Council 67.8% and Nether Wallop Parish Council 32.2%.

The management committee is a Joint Committee established under the terms of the Local Government Act 1972 s101(5). This allows two or more local authorities to discharge their functions jointly by a joint committee. A joint committee does not have the legal status of a corporate body and therefore cannot own property. It is also not allowed to levy a precept.

The Committee is considered to be a Smaller Authority under the Local Audit (Smaller Authorities) Regulations 2015 as the higher of its gross income or gross expenditure does not normally exceed £25,000 annually. This means that it may be able to claim exemption from a limited audit review by an external auditor each year.

This constitution was approved by both Over Wallop Parish Council and Nether Wallop Parish Council in September 2009.

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### **The Clerk brings the following items to Councillors attention:**

1. All references to Annual Parish Meeting should be replaced by Annual Meeting.
2. Extraordinary General Meetings should be replaced with Extraordinary Meeting.
3. It was agreed at the meeting of 18<sup>th</sup> June 2019 (minute no. 19/20 8.4) that the publication of minutes would be effected within 30 days of the meeting. The Constitution on the website has not been amended, and as at 6<sup>th</sup> May 2020 the draft minutes of the January 2020 meeting are not published.