NEIGHBOURHOOD PLAN WORKING GROUP

TERMS OF REFERENCE

1. Establishment

The Neighbourhood Plan Working Group ("the Working Group") is established by Seend to assist the Council in the preparation, review and implementation of a Neighbourhood Development Plan.

The Working Group is constituted as an advisory body and has no delegated powers.

The Council remains the qualifying body under the Neighbourhood Planning Regulations and retains responsibility for all decisions relating to the Neighbourhood Plan.

2. Legislative Framework

The Working Group shall operate in accordance with:

- Localism Act 2011;
- Town and Country Planning Act 1990 (as amended);
- Planning and Compulsory Purchase Act 2004 (as amended);
- Neighbourhood Planning (General) Regulations 2012 (as amended);
- National Planning Policy Framework (NPPF);
- National Planning Practice Guidance (PPG);
- Wiltshire Council planning policies and guidance;
- The Council's Standing Orders and Code of Conduct.

3. Purpose

The purpose of the Working Group is to:

- Gather and assess evidence relevant to the Neighbourhood Plan.
- Engage with residents, businesses and stakeholders.
- Identify local issues, opportunities and priorities.
- Draft policies and proposals for consideration by the Council.
- Make recommendations to the Council regarding the content and progress of the Neighbourhood Plan.
- Support statutory consultation and examination processes.

The Working Group shall not make decisions on behalf of the Council.

4. Status and Authority

The Working Group is advisory only.

The Working Group may consider matters and make recommendations to the Council but may not:

- Commit the Council to expenditure.
- Enter into contracts.
- Appoint consultants.
- Make planning policy decisions.
- Submit consultation responses on behalf of the Council.
- Issue statements on behalf of the Council.
- Represent its views as those of the Council.
- Bind the Council in any way.

All decisions shall be made by the Council at a properly convened meeting.

5. Membership

Membership shall be approved by the Council and may comprise:

- Councillors;
- Residents of the parish;
- Representatives of community organisations;
- Business representatives;
- Other individuals with relevant expertise.

The Council may appoint and remove members at any time.

Membership should seek to achieve a balance of local knowledge, technical expertise and community representation.

6. Chair

The Chair shall be elected by the Working Group and confirmed by the Council.

The Chair shall:

- Preside over meetings;
- Ensure meetings are conducted fairly;
- Encourage participation from all members;
- Report recommendations to the Council.

The Chair has no greater authority than any other member except in conducting meetings.

7. Meetings

Meetings shall be held as required.

A quorum shall be three members, including at least one councillor.

The Working Group shall seek to reach recommendations by consensus.

Where consensus cannot be achieved, recommendations may be determined by a simple majority of those present and voting.

All recommendations shall be reported to the Council for consideration.

8. Accountability to the Council

The Working Group is accountable to the Council at all times.

The Council may:

- Amend these Terms of Reference;
- Direct the work of the Group;
- Require reports;
- Reject or amend recommendations;
- Dissolve the Working Group.

No recommendation of the Working Group shall take effect until approved by the Council.

9. Communications and Representation

The Working Group is not authorised to speak on behalf of the Council.

No member shall:

- State or imply that they are representing the Council unless authorised to do so by the Council;
- Make commitments on behalf of the Council;
- Issue press releases on behalf of the Council;
- Submit responses or representations in the Council's name without prior Council approval.

Where members communicate externally regarding Neighbourhood Plan matters, they must make it clear that they are expressing personal views or the views of the Working Group and not those of the Council unless authorised.

Members who also act as representatives of other organisations must clearly distinguish between those roles.

10. Conflicts of Interest

All members shall act in the interests of the community as a whole.

Members must declare any personal, pecuniary, financial, property, professional or organisational interest that could reasonably be perceived as influencing their judgement.

This includes, but is not limited to:

- Ownership of land within or adjoining the plan area;
- Development interests;
- Business interests;
- Property interests;

- Directorships;
- Trusteeships;
- Membership of community organisations, charities, community land trusts or campaign groups;
- Any other role that may be affected by the Neighbourhood Plan.

Declarations shall be recorded in the minutes.

A register of interests shall be maintained by the Council.

11. Landowners and Development Interests

Landowners and persons with development interests shall not be excluded from participation solely because of those interests.

However, where matters directly affect:

- Land owned by a member;
- Land in which a member has a financial interest;
- A proposal from which a member could derive financial benefit;

the member must declare the interest.

The Chair may require the member to:

- Take no part in discussion;
- Take no part in formulating recommendations;
- Withdraw from that item.

The Council may determine any dispute regarding conflicts of interest.

12. Councillors

Councillors serving on the Working Group remain subject to:

- The Council's Code of Conduct;
- Statutory provisions relating to interests;
- Any requirements imposed by the Monitoring Officer.

Nothing within these Terms of Reference removes a councillor's legal obligations regarding declarations of interest.

13. Conduct of Members

Members shall:

- Treat others with courtesy and respect;
- Promote constructive discussion;
- Respect differing views;

- Act with honesty and integrity;
- Maintain public confidence in the neighbourhood planning process.

Bullying, harassment, discriminatory conduct or behaviour likely to bring the Council or the neighbourhood planning process into disrepute shall not be tolerated.

14. Public Participation

The Working Group may:

- Invite members of the public to attend meetings;
- Hold consultation events;
- Establish task and finish groups;
- Seek specialist advice.

The Working Group shall seek to engage the widest possible cross-section of the community.

15. Finance

The Working Group shall not incur expenditure unless specifically authorised by the Council.

All grants, funding and budgets shall remain under the control of the Council.

Financial decisions shall be approved in accordance with the Council's Financial Regulations.

16. Records and Reporting

Minutes or action notes shall be produced for each meeting.

Recommendations shall be reported to the Council as soon as reasonably practicable.

All records shall be retained in accordance with the Council's document retention policies.

17. Review

These Terms of Reference shall be reviewed annually by the Council or following any significant legislative or procedural change.

Any amendment shall require approval by resolution of the Council.

Adoption

Adopted by: Seend Parish Council

Date: August 2026