

**THE TOWN COUNCIL
OF
ROYAL LEAMINGTON SPA**
TOWN HALL, THE PARADE,
ROYAL LEAMINGTON SPA
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ROBERT NASH ACIS DMS
Clerk to the Town Council

Our Ref: RN/

Your Ref:

16TH June 2016

Dear Councillor,

A meeting of the **NEIGHBOURHOOD PLAN COMMITTEE** will be held in Meeting Room 5A, Town Hall, Parade, Royal Leamington Spa on **TUESDAY 21ST JUNE, 2016 at 6.00 PM.**

The business will be as set out below.

Yours faithfully,

CLERK TO THE TOWN COUNCIL

To: Councillors: Janet Alty, Cllr Sarah Boad, Cllr Judith Clarke, Cllr Daniel Howe, Ann Morrison and Andrew Thompson.

(All other Members of the Town Council – Agenda for information only)

AGENDA

1. APOLOGIES FOR ABSENCE
2. APPOINTMENT OF CHAIRMAN
3. DECLARATIONS OF INTEREST

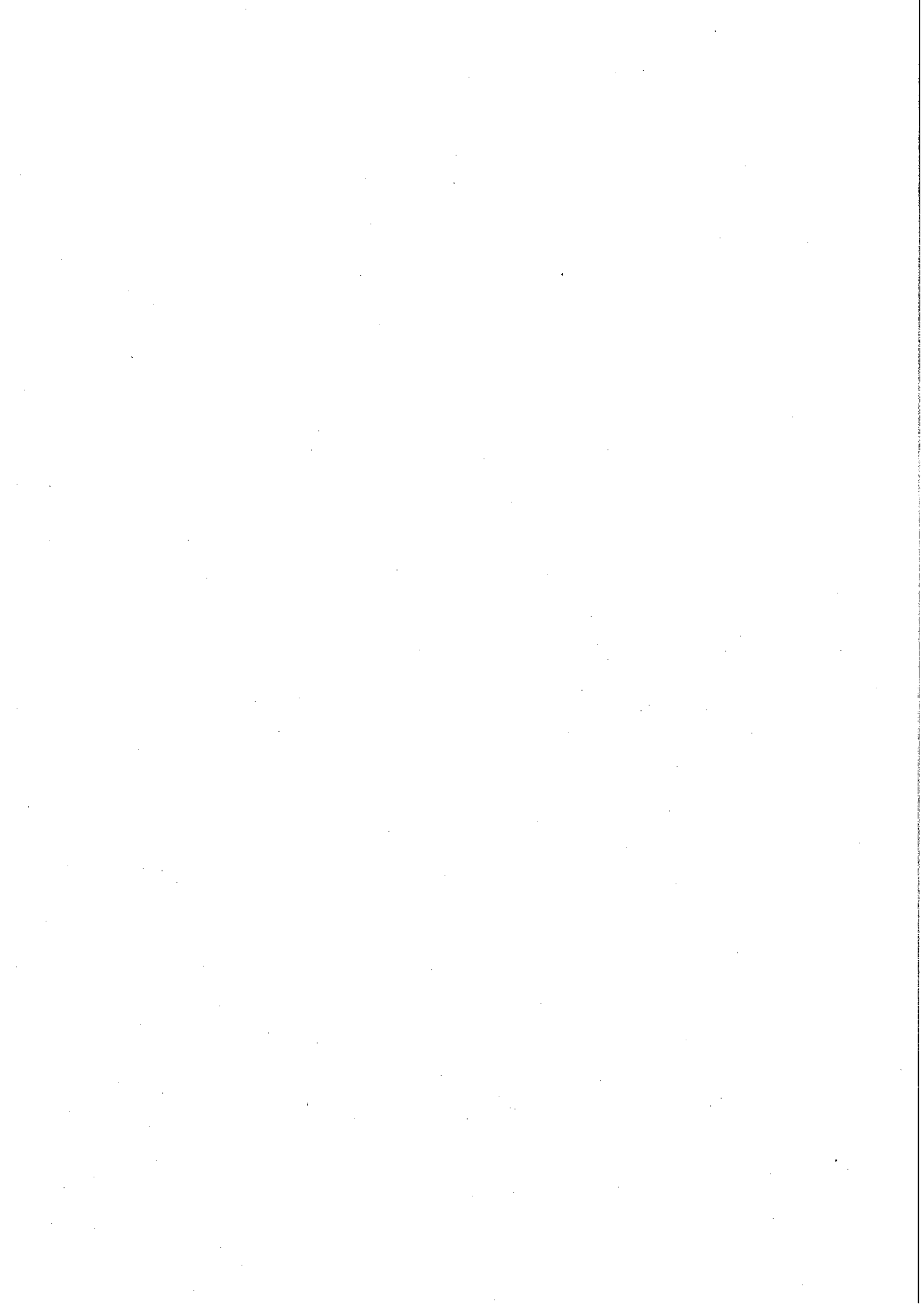
Members of the Committee are invited to declare any interest they may have in items identified for discussion at the Meeting.

4. MINUTES

To confirm as a correct record the Minutes of the last meeting held on 18th March 2016 (Report No. 4)

5. NEIGHBOURHOOD PLAN PROCESS

To consider the attached Report (Report No. 5)



MINUTES OF A MEETING OF THE NEIGHBOURHOOD PLAN COMMITTEE HELD ON 18th MARCH 2016 AT THE TOWN HALL, PARADE, LEAMINGTON SPA

PRESENT: Councillors: Janet Alty, Sarah Boad and Ann Morrison.

Apologies for absence were received from Councillors Judith Clarke, Daniel Howe and Andrew Thompson

7. **DECLARATIONS OF INTEREST**

There were no declarations of interest at this time.

8. **MINUTES**

It was noted that the suggestion at the last meeting that the announcement of the Neighbourhood Plan process might be raised at a joint meeting of the North and South Leamington Community Forums, could not be implemented. The reasons for this had been set out in correspondence from the Community Partnership Team.

The next meetings of the North and South Community Forums were due to be held on 8th and 30th June respectively and represented good opportunities to engage with the community on this matter.

RESOLVED that the Minutes of the Meeting of the Neighbourhood Plan Committee, held on 15th October 2015, are confirmed and signed as a correct record.

9. **NEIGHBOURHOOD PLAN PROCESS**

The Committee was circulated with a draft project plan which itemised the various activities associated with developing a Neighbourhood Plan. Within the various aspects of the process, it was

RESOLVED that the following actions are agreed and commenced as the first steps in the Neighbourhood Plan process:-

Task	Actions	Implemented by
Formal Announcement of Plan	1. Advise Warwick District Council of decision to commence Plan and the geographic remit, being the Parish of Leamington Spa	Town Clerk
Initial Publicity/engagement	1. Engage with Public and stakeholders through Forums (Annual Assembly, Community Forum meetings, etc) 2. Develop linkages with partners having potential input to key areas – i.e. Town Centre Forum, BID etc	Town Clerk/Council Town Clerk

Neighbourhood Plan Committee – 18th March 2016

Obtaining external assistance	1. Invite expressions of interest to support key stages of Neighbourhood Plan.	Town Clerk/ NP Committee
	2. Interview potential candidates	NP Committee
Training/Skilling	1. Assess training needs for Members of the Committee/Steering Group.	Town Clerk
	2. Assess relevance of “Planning for Real” training exercise	Policy and Resources Committee (allocation of funds)
Steering Group	1 Define Terms of Reference	Town Clerk – approval of full Council
	2. Establish constitution and invite representation of appropriate stakeholders	Town Clerk/NP Committee
	3. Agree responsibilities and remit of representatives	NP Committee
External Funding	1. Assess external funding options and timescales	Town Clerk

The meeting commenced at 7.25 pm and ended at 7.30 pm.

REPORT TO A MEETING OF THE NEIGHBOURHOOD PLAN COMMITTEE TO BE HELD ON 21ST JUNE 2016

NEIGHBOURHOOD PLAN STEERING GROUP

1. **PURPOSE OF THE REPORT**

To agree the terms of reference for a Steering Group to lead the process for delivering a Neighbourhood Plan for Leamington Spa.

2. **STEERING GROUP**

- 2.1 The Town Council is the body responsible for initiating and leading the production of a Neighbourhood Plan. The process for developing a Plan is however dependent on gaining support from across the community, both in terms of ensuring that all voices are heard and also that the Plan is able to achieve the approval of the electorate via a referendum at the end of the process.
- 2.2 The Neighbourhood Plans produced to date have all embraced this concept via the establishment of a Planning Team or Steering Group. This is endorsed via guidance from the Department of Communities and Local Government and various agencies engaged in supporting communities in the Neighbourhood Plan process.
- 2.3 Each community will develop its own appropriate form of Governance for managing the Neighbourhood Plan process. Whilst the objective is to encourage input from across the community through engaging across a spectrum of Stakeholders, appropriate rules need to apply to ensure that the activities of the Steering Group are lawful and financially accountable.
- 2.4 A draft Terms of Reference for the Leamington Spa Neighbourhood Plan Steering Group is set out at Appendix 1.

3. **MEMBERSHIP**

- 3.1 Early engagement with the community is essential in developing consensus, avoiding misconceptions and creating confidence in the process. This is especially important for Neighbourhood Plans which are subject to a public referendum.
- 3.2. The possibility of a 'no' vote is greatly reduced if people are aware of the plan, understand its scope and limitations and have had the opportunity to participate in its production. Good community engagement helps to create a sense of ownership by the public.
- 3.3 In developing a vision for the Town, reference will be made to the Town Council's previously agreed Objectives which form a useful starting point for a Neighbourhood Plan. The direct engagement of interest groups, representative bodies and the general public in the development of an agreed vision and accompanying objectives will help to add reassurance that the objectives are broadly based and sound.

- 3.4 A useful checklist of relevant skills and experience for those participating in work of the Neighbourhood Plan is contained in the guidance document produced by Cornwall County Council (see Appendix 3)
- 3.5 An initial list of potential stakeholders is enclosed at Appendix 2.
- 3.6 Maintaining a cohesive and focused Group can conflict with ensuring the representation of a wide spectrum of opinion, especially in a community as large and diverse as that of Leamington Spa. This conflict can be overcome by co-opting people with specific skills into the process at a point when they are likely to have the greatest impact and through the use of Task Groups to explore key aspects of the Plan.

4. CONCLUSION/RECOMMENDATION

- 4.1 A neighbourhood plan is an important document with real legal force. This means it has to be clear, well prepared, and deliverable. There also needs to be an opportunity for everyone with an interest in the area to get involved.
- 4.2 The establishment of an independent Steering Group to manage the process of developing a Plan for approval of the Town Council is an important step forward in the process. The agreement of Terms of Reference is a means of ensuring that the Town Council can allow the process to flourish whilst retaining appropriate safeguards as the qualifying body and responsible financial authority.
- 4.3 The Committee is recommended to:-
- (i) approve the Terms of Reference (Appendix 1)
 - (ii) approve the composition of the Steering Group from among the Stakeholders identified (Appendix 2)
 - (iii) recommend Council that the Steering Group is formally established and that the Council's Standing Orders are amended accordingly.

**ROYAL LEAMINGTON SPA
NEIGHBOURHOOD PLAN STEERING GROUP**

TERMS OF REFERENCE

1. PURPOSE

Under the Localism Act 2011, (Section 38A) Royal Leamington Spa Town Council is defined as a Qualifying body for the purpose of initiating and leading the production of a Neighbourhood Plan. For this purpose the Town Council has established a Steering Group to oversee the process of preparing a Neighbourhood Plan for the Parish of Royal Leamington Spa.

2. TASKS

The Steering Group will be responsible for leading the Neighbourhood Plan process and developing to conclusion, in collaboration with other partners, a Plan to inform the development of the Town of Royal Leamington Spa. Its primary tasks will be:-

- (1) Develop and oversee a process for the production of a Neighbourhood Development Plan
- (2) Generate support for the Plan through identifying ways of involving the community including obtaining the contribution of residents, community organisations, the voluntary sector, and representative forums.
- (3) Arrange meetings and organise task groups as appropriate
- (4) In conjunction with the Town Council, investigate and secure external sources of funding
- (5) Ensure timely and effective dialogue with the Principal Local Authorities to ensure that the Plan is legally sound and effective
- (6) To submit regular reports to the Town Council Neighbourhood Plan Committee on all matters relating to the progress of the Plan and expenditure within the allocated budget
- (7) Determine appropriate information gathering techniques
- (8) Develop and implement a Project Plan including timetable
- (9) Ensure liaison with Warwick District Council in relation to submission of the Plan for independent examination and preparation for the referendum

3. MEMBERSHIP

- (1) The Steering Group shall initially comprise up to **11** Members.
- (2) Up to **3** Members shall be members of the Town Council
- (3) Other members may be appointed on invitation of the Town Council. Membership shall not be conditional on residing within the Parish of Royal Leamington Spa.
- (4) Additional Members may be co-opted to the Steering Group to enhance the available expertise or representation.
- (5) Membership shall cease on written notification to the Secretary.

- (6) The Group may invite individuals to attend its meetings in roles such as advisers, witnesses and observers. Persons attending in these capacities will not be counted as Group Members and will not have voting rights.

4. CHAIRMAN

- (1) The Group shall elect a Chairman and Vice-Chairman from their number.
- (2) If the Chairman is not present, the Vice-Chairman shall take the meeting. If neither is present, the members shall elect a Chairman for the meeting from among their number.
- (3) In the event of an equality of votes on any matter, the Chairman shall have a casting vote.

5. OFFICERS

- (1) The non-voting advisory Officers shall be the Town Clerk, or any officer of the Town Council representing him/her. The Town Clerk will ensure that all arrangements for the proper convening of a meeting, the preparation of meeting papers, and the recording of proceedings are conducted in a timely manner.
- (2) The Steering Group may appoint other Officers as necessary. ***{As a minimum it is suggested that this would include a Secretary and Treasurer}***.

6. MEETINGS

- (1) The Steering Group shall hold meetings as required (***every month as a minimum***) and at such other times as it considers convenient.
- (2) The quorum at any meeting shall be **5** Members
- (3) At least 5 days' notice of meetings shall normally be given to Members, either in writing or email, to the address notified to the Town Clerk.
- (4) All records of meetings, including Agenda, Reports and Minutes shall be maintained by the Town Clerk and are available to any member on request.
- (5) At the discretion of the Steering Group, meetings shall be open to the public. Notice of such meetings will be published at the same time as being notified to Members.
- (6) The Steering Group shall observe rules for the disclosure of interest and conduct that apply to meetings of Royal Leamington Spa Town Council. Conflicts shall be recorded in the minutes and the Chair shall exclude members from participating in parts of the meeting where a conflict has been declared. All members are expected to show courtesy and respect to each other.

7. TASK GROUPS

- (1) The Steering Group may appoint such working or "task" groups as it considers necessary to carry out its functions. Each group should be formed to consider a specific aspect of the Neighbourhood Development Plan.

- (2) Each Group should appoint a Chair. This person must be a member of the steering group. Groups may consist of volunteers from the wider community with an interest in the subject matter of the Group.
- (3) Task Groups shall not have authority to authorise expenditure on behalf of the Group.

8. FINANCIAL ARRANGEMENTS

- (1) The Steering Group may appoint a Treasurer to keep a record of all expenditure incurred by it.
- (2) The Town Council shall be responsible for all expenditure incurred by the Group with specified financial limits. The Council's Financial Regulations shall apply namely:-

Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the Council for all items over £5,000;
- a duly delegated Committee of the Council for items up to £5,000; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the Policy and Resources Committee, for any items up to £2500.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

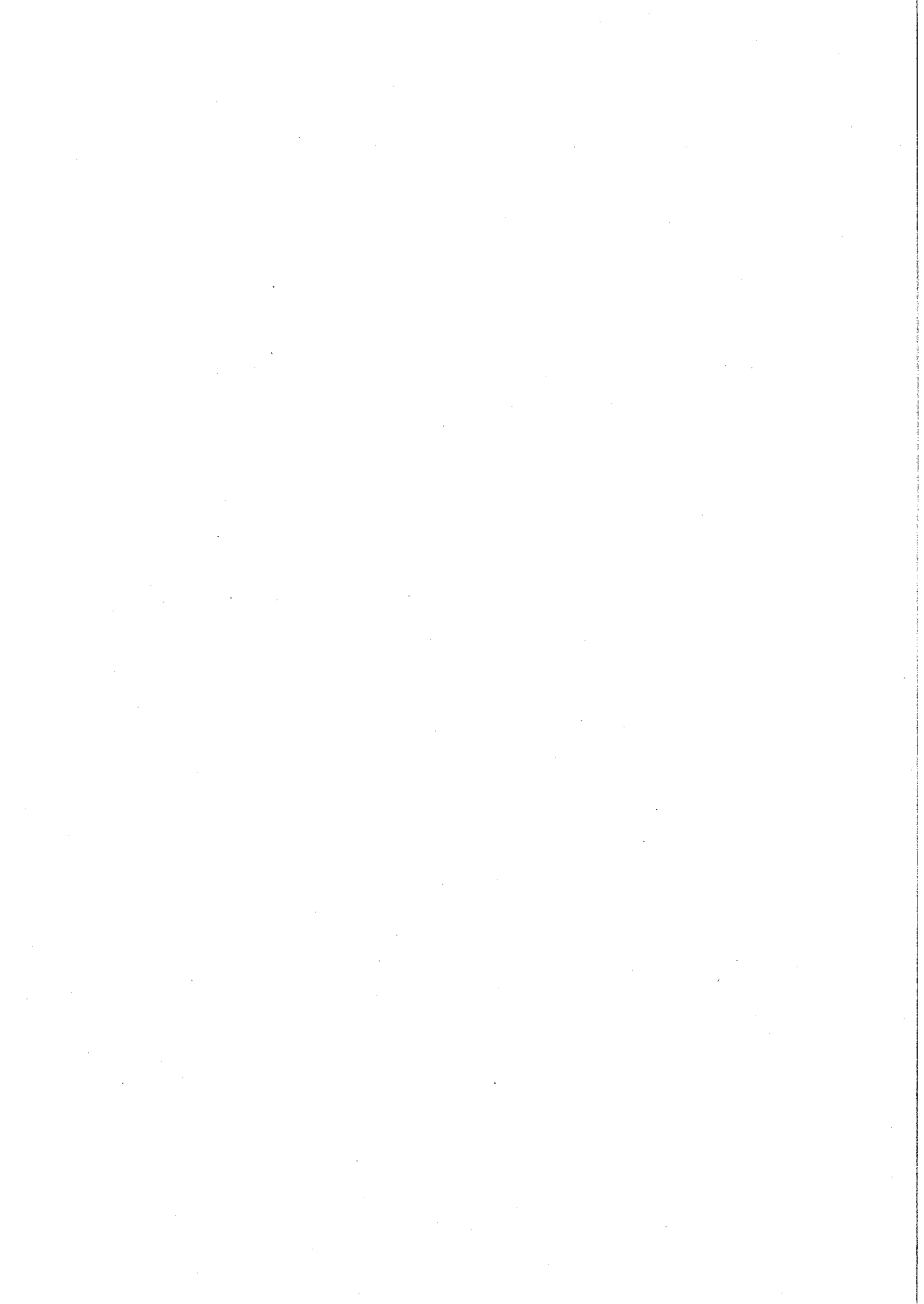
9. CHANGES TO TERMS OF REFERENCE

These Terms of Reference may be altered by the Town Council, in consultation with the Steering Group.

10. DISSOLUTION

- (1) The Town Council shall maintain a separate budget and account for the Neighbourhood Plan. Upon dissolution of the Steering Group, any funds received by the Town Council shall be disposed of by the Council, in accordance with the decisions of an Ordinary meeting of the Council called for that purpose.
- (2) Any unused funds allocated to the Steering Group from the Parish Precept shall revert to the Town Council for general use. The Town Council will return any unused grant funding to the grant provider, in accordance with the terms of the grant.

Note : emboldened text to be agreed.



APPENDIX 2

List of Stakeholders – Neighbourhood Plan

Representatives of Warwickshire County Council (Elected Member)

Representatives of Warwick District Council (elected Member)

Leamington Business Improvement District Ltd

Old Town Business Association

RLS Chamber of Trade

Independent Traders (incl Licensed Trade)

Royal Priors Ltd

Regent Court Shopping

Leamington Society

Resident and Tenant Groups

Local Residents

Safer Neighbourhoods Teams

Leamington History Group

Network Rail

Waterways Trust

Council for Protection of Rural England

Allotment Societies

Hybrid Arts

Motion House

Loft Theatre

Stagecoach

Chiltern Rail

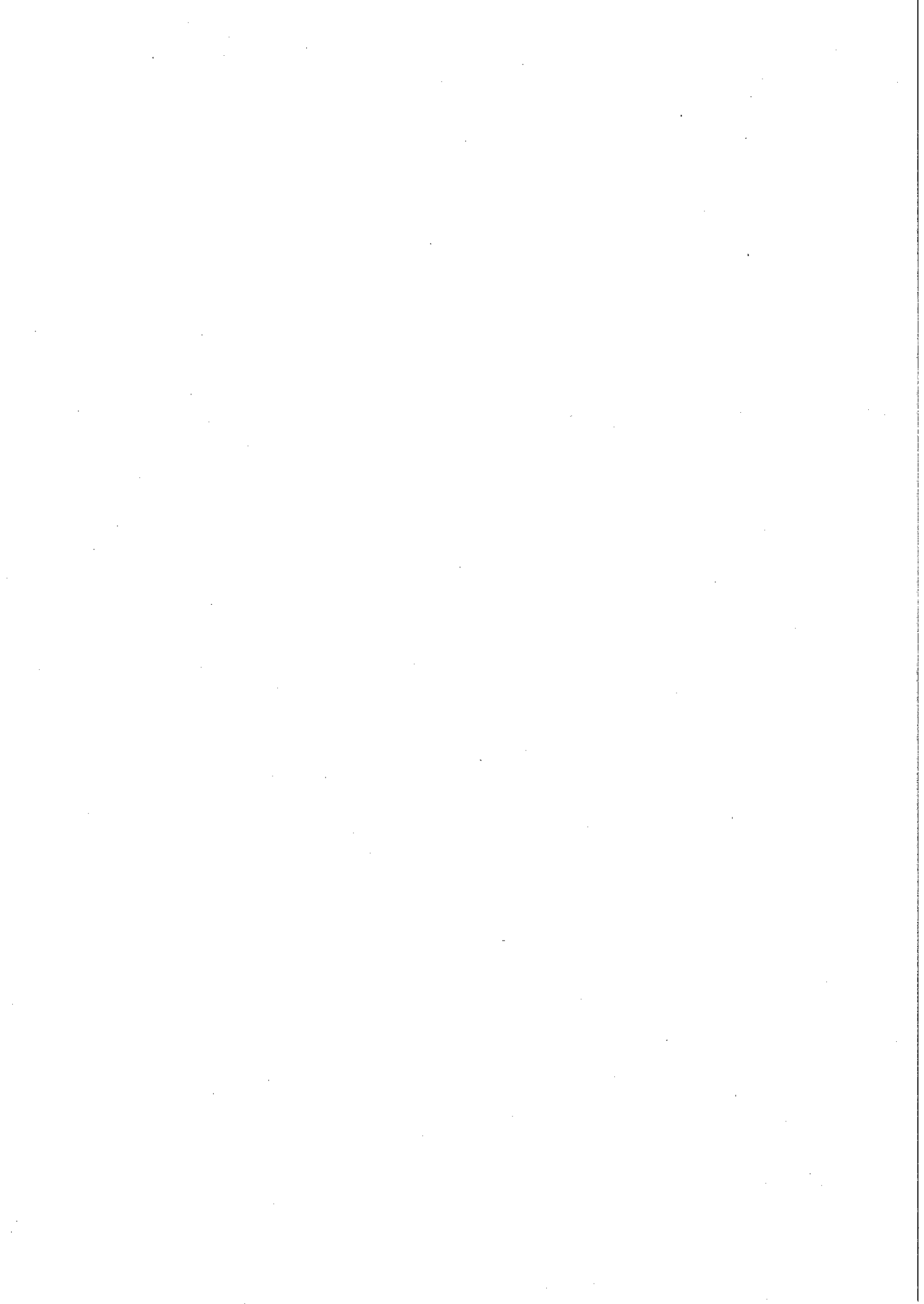
Age UK

Places of Worship

Schools

Warwickshire Community and Voluntary Action

Warwick University



Constitution and Structure for the Neighbourhood Planning Team

The Localism Act specifies that only a 'Qualifying Body' is entitled to initiate and lead the production of a Neighbourhood Development Plan. Under Section 38A (12) of the Act, a Qualifying Body is defined as "a Parish Council, or an organisation or body designated as a Neighbourhood Forum." As the whole of Cornwall is covered by parish or town councils, these bodies will take on the formal role of the Qualifying Body for neighbourhood development planning across the county.

What is the composition and role of the Qualifying Body?

The composition of the Qualifying Body will depend upon the extent of the neighbourhood area to be covered by the Neighbourhood Plan. In many cases, this is likely to lie within a single parish, with an individual local parish council acting as the Qualifying Body. However, there may be situations where common issues affect a wider geographic area than a single parish and where it would be sensible and beneficial for neighbouring parishes to link together to produce a coordinated Neighbourhood Plan, such as the cluster of five parishes working together on the Rame Peninsula in south-east Cornwall. In such cases, the Qualifying Body will need to comprise representatives of all the relevant parish councils.

The Qualifying Body will take formal responsibility for:

- submitting a proposal to Cornwall Council to initiate the process of preparing a Neighbourhood Plan;
- submitting the draft Neighbourhood Plan to Cornwall Council, together with a summary of the proposals;
- agreeing with Cornwall Council on the appointment of an Independent Examiner (who will check the Neighbourhood Plan and recommend if it should proceed to a referendum).

The Qualifying Body is also responsible for submitting formal proposals to Cornwall Council to make Neighbourhood Development Orders and/or Community Right to Build Orders

The Qualifying Body will require a formal constitution which sets out its aims, structure and decision making processes. If you do not have a formal constitution you can find a huge amount of information by googling 'how to write a constitution for a community group' (for example http://www.resourcecentre.org.uk/information/setting_up/info_html/constitution.asp).

What is the Neighbourhood Planning Team?

Under its umbrella, the Parish Council (as Qualifying Body) will establish a Neighbourhood Planning Team that will be responsible for leading the process and developing the plan. Membership of the NP Team will feature current local Parish Councillors but it will also be essential to include representatives of the wider local community who can bring value to the project, as approved by the Parish Council. Selection of members should reflect different sectors of the community and the range of skills, knowledge and experience that will be required to develop the Neighbourhood Plan.

Typical membership and representation might therefore include:

- Parish councillors, representing the council's different interests, e.g. planning, environment, leisure, transport, finance and resources etc.
- Local residents
- Representatives of local community organisations
- Local business owners
- Local landowners

The more representative the NP Team is of the local community, the better the plan is likely to be. However, it is important to recognise that too large a group may be difficult to manage effectively. An ideal size for the team is probably around 9 members. Additional members of the community with specific skills may be co-opted at a later date if they are likely to bring additional benefits to the project.

The Neighbourhood Planning Team Structure and the resources necessary to prepare a Neighbourhood Plan.

If you are thinking about preparing a Neighbourhood Plan you will need to think about whether your group has people and skills necessary to prepare a plan. If you follow the steps set out in this guide and ask for assistance from Cornwall Council it is not necessary for your group to have special professional skills in order to be able to prepare a neighbourhood plan. However in order to prepare a plan your Neighbourhood Planning Team needs to be able to fulfil some key functions to ensure that the work is done and decisions are made and recorded.

- There needs to be someone responsible for **coordinating** and managing the process and who is willing to act as the main point of contact for the Neighbourhood Planning Team;
 - There needs to be someone who makes records of the meetings you have, decisions that are made and actions to be taken, often referred to as the **secretary**;
 - There needs to be someone who keeps a track of any money that you receive and spend to make sure that the finances are in order and give confidence that money is not being wasted or mis-spent.
 - There needs to be a group of people who the Parish Council or the wider community have given the authority to make key decisions in the neighbourhood planning process on their behalf, often called the **steering group** but who could also be the **neighbourhood planning team**.
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There may also need to be a group of other people that you can call on to do the work involved in preparing the plan.

These may be people from the Parish Council and/or volunteers from the wider community. It is essential to involve people from the wider community.

There are lots of ways that you could organise people to do the work. However it can work well if you create 'Task Groups' that are 'tasked' with looking at certain themes. It makes sense to have task groups that cover the three roles of planning which are:

- **an economic role** – this means providing the land and infrastructure necessary to create jobs and contribute to a vibrant economy;
- **a social role** – this means ensuring the housing, services and facilities are in place to meet the needs of the community.
- **an environmental role** – this means protecting and enhancing our natural, built and historic environment and ensuring that future generations can benefit from the same, or better, quality of environment as enjoyed by the current generation.

Each 'Task Group' might prepare information and develop recommendations of a particular theme, for example 'the environment', identifying issue such as how to protect the AONB for example.

To bring together the recommendations of the Task Groups and start to develop policies you may want to form another **working group** or alternatively this could be done by the neighbourhood planning team.

How Might it Work In Practice?

A Parish has decided to carry out a neighbourhood planning process. The initiating group has met to decide how to structure the process. They decide to create a Neighbourhood Plan Steering Group to coordinate the process. Because the Parish is made up of a number of small hamlets the Steering Group is made up, as far as is possible, of representatives of each Hamlet. The need for the Neighbourhood Plan Steering Group to represent each Hamlet and the wider community is written into a constitution (see Constitution). The group 'elect' key positions, a Chair, Secretary and Treasurer to ensure the neighbourhood planning process is properly organised and accountable.

A community event is held and names are taken and some people volunteer to be involved and help carry out the work. These people, together with members of the Parish Council who wish to be involved, are asked to consider how they would like to help. A number of 'Task Groups' of 5-6 people are created to consider environmental, community and economic issues.

When the task groups have done some work they meet to bring together ideas. All of the ideas are taken by a working group who start to write policies for the Neighbourhood Plan

Checklist of useful skills

Producing a Neighbourhood Development Plan can be a challenging prospect. The Plan can potentially cover a wide range of topics. It does not necessarily require expert or professional advice. Usually common sense get to the right answers and the plan will be better if people in the community do as much of this work as possible.

There will be people in your community however that have skills and experience (see box below) that will be useful and it can be valuable to try to involve them. In most relatively small communities Parish Councils tend to have a good idea of what skills people in their communities have and there is nothing to be lost is asking people to be involved directly. A limited amount of help and advice may be free of charge (e.g. from Cornwall Council, Rural Community Councils or statutory bodies with a duty to provide some advice etc.) and if you have access to funding you may wish to buy-in expertise.

Relevant skills and experience

Planning e.g. general familiarity with the planning system, development plan documents, writing policies etc.

Community engagement and communication e.g. understanding community engagement processes and methods, leadership, motivation and communication skills

Marketing, promotion and consultation e.g. designing leaflets, promotional material, questionnaires and surveys

Funding and delivery e.g. sources of funding, grant/funding applications, fund-raising, delivery mechanisms

Writing, editorial, graphic design e.g. report writing, editing/proofing, design of reports, maps, plans and other graphics

Computers and Information Technology e.g. word-processing, desk-top publishing, knowledge of Geographic Information Systems, web-based information

Expertise in specific topic areas, e.g:

- | | |
|---|---------------------------------|
| ■ Population and social structure | ■ Landscape |
| ■ Diversity and inclusion | ■ Wildlife and biodiversity |
| ■ Business and economic development | ■ Green infrastructure planning |
| ■ Housing needs | ■ Archaeology and local history |
| ■ Land and property markets | ■ Architecture and urban design |
| ■ Transport | ■ Energy infrastructure |
| ■ Public services (health/care, education, crime, recycling etc.) | ■ Communications infrastructure |
| ■ Community services | ■ Sustainability assessment |
| | ■ Equality impact assessment |