

Maidenhead & Cox Green Neighbourhood Plan Group Constitution and Terms of Reference

1. Introduction

In 2012 Cox Green Parish Council and Maidenhead Town Forum (hereinafter referred to as 'the Plan Sponsors') agreed to collaborate to produce a Neighbourhood Plan following the Localism Act 2011. A Neighbourhood Plan (hereinafter referred to as 'the Plan') is a community-led framework for guiding the future development, regeneration and conservation of an area.¹

In November of the same year, the Plan Sponsors advised The Royal Borough of Windsor & Maidenhead of the intent to produce the Plan and, in accordance with the legislative requirements, that the Parish Council will be the body that formally submits the Plan to The Royal Borough of Windsor & Maidenhead as the 'relevant authority'. In order to produce the Plan a Steering Group was established to oversee a process that will result in the preparation of a draft Plan which will ultimately be put to a public referendum.

This Plan will be for the 'Neighbourhood Area' shown on the map in Appendix A, encompassing Maidenhead Town Centre and its surroundings, including the Parish of Cox Green.

By incorporation, this document replaces the Steering Group's original constitution by building upon its framework that has guided the process to date.

2. Purpose and Aims

As an integral part of the framework for local planning, the Plan will seek to guide future development in the Neighbourhood Area with due consideration for the needs of all residents and businesses within the area, now and in the future.

The Plan will seek to improve the social, economic and environmental wellbeing of the area and those residing within it.

The creation of this Plan will be via an open process, reflecting the view of the community as a whole and backed by a good evidence base. The success of the Plan's development will be reliant on community consultation and the voluntary work of the members of the Maidenhead & Cox Green Neighbourhood Plan Group. The completed Plan will be subject to a public referendum and will not be *made* (i.e. adopted) until this process has been completed.

3. Relationship to the Plan Sponsors

In respect of the Maidenhead & Cox Green Neighbourhood Plan, the Plan Sponsors will:

- Support the preparation of the Maidenhead & Cox Green Neighbourhood Plan providing assistance and financial resources to ensure that the plan is prepared as expeditiously as is reasonable providing that overall expenditure falls within the budget allocated by the Plan Sponsors and complies with the relevant Financial Regulations.
- Support the Steering Group to ensure that the Plan conforms to national and local policy, and is sound and robust enough to withstand independent examination. Outside professional expertise and aid may be sought to ensure that this objective is met.

¹ <http://www.communityplanning.net/neighbourhoodplanning/pdfs/Roadmap.pdf>

- Facilitate, if required, contact with the relevant statutory bodies or parties who must be consulted during the plan making process.
- Provide rooms in which to meet free of charge, subject to them being available.
- A Minute Secretary for the Steering Group Meetings, should there be no-one else available.
- Maintain a provision for a website for the publishing of minutes and information relating to the Neighbourhood Plan.
- Provide Liaison Representatives from each of the Plan Sponsors to maintain effective information sharing between the Plan Sponsors and the Steering Group.

In addition to the support indicated above the Parish Council, as the responsible body under the Localism Act, will provide:

- The undertaking of all statutory duties contained within the Neighbourhood Planning (General) Regulation 2012 and engage with The Royal Borough of Windsor & Maidenhead during the referendum process of the plan for which the principle authority is responsible.
- A single point of reference to assist with operational and central administrative matters, this role will be undertaken by Officers based at the Parish Council's Office.
- Centralised storage of notes and minutes from Topic Groups and the Steering Group in hard copy and electronic form so that they can be available to the public and form a full record.
- Following the preparation of the draft plan submit the plan to the Local Planning Authority for inspection and independent examination.

4. Membership and Structure of the Steering Group and Topic Groups

The Plan Sponsors have established an organisational structure to support the development of this Plan. This organisation is known as the Maidenhead & Cox Green Neighbourhood Plan Group, and will consist of a Steering Group, Topic Groups and any other support organisation as required.

The Maidenhead & Cox Green Neighbourhood Plan Group will consist of local volunteers who: occupy, as an owner or tenant, land or premises in the Neighbourhood Area or work (as principal employment) in the Neighbourhood Area (hereinafter referred to as Plan Members). The Plan Sponsors will by agreement appoint a Chairperson for the Neighbourhood Plan Group.

The Steering Group will consist of a Lead Member from each Topic Group, Liaison Representatives from the Plan Sponsors, such Parish or Borough Council Officers as required and invited participants as agreed by the Steering Group and be chaired by the Plan Group Chairperson. The Steering Group shall be quorate when four voting members are present. The voting members are the Chairperson, with a casting vote if necessary, and the Lead Members from each of the Topic Groups (or their substitute appointed for that meeting from their Topic Group membership). The Liaison Representatives and Parish or Borough Council Officers (including a Minute Secretary where provided) will not have voting rights on the Steering Group.

The Topic Groups as currently constituted are;

- Town Centre
- Design

- Green & Blue
- Development
- Community
- Cox Green

This list of Topic Groups may alter from time to time and the terms of reference does not need to be updated to reflect these changes so long as they are noted in the minutes/notes of the meeting where these changes are effected and are subsequently available for public records.

Additional roles and sub-groups to support the work of the Maidenhead & Cox Green Neighbourhood Plan Group may be created by the Steering Group. Examples may include a treasurer 'an appointed Press Officer', 'teams or individuals to coordinate aspects of community engagement', survey development team, and tasks associated with web site development and communications. Where appropriate all Plan Members will be notified of the intention to create such a role or sub-group and given the opportunity to put themselves forward. Such roles or sub-groups may be required to attend Steering Group meetings as invited guests. *(In the interests of clarity, invited guests do not have a vote at the Steering Group meeting unless individuals are also a voting member as defined above.)*

The Steering Group will review these Terms of Reference throughout the project and may submit amendments to the Plan Sponsors. The Steering Group may also make substantial amendments to the Project Plan and budget as required (insofar as such amendments are for the furtherance of the Neighbourhood Plan and appropriate expenditure is contained within available funds). The Steering Group and Topic Groups shall review their membership from time to time. A list of current members will be produced and maintained, a copy will be available at the Parish Council Offices.

5. Affiliations, Interests and Conduct

Members of the Maidenhead & Cox Green Neighbourhood Plan Group should occupy, as an owner or tenant, land or premises in the Parish; live or work (as principal employment) in the Neighbourhood Area. If a proposed Member does not fit any one of these criteria, it would be advisable to ensure that they had appropriate interests in the Neighbourhood Area such that they could add objectively to the process. In the case of doubt or concern, the proposed Member is asked to contact the Parish Council Office which will advise the Steering Group. If the Steering Group considers that the proposed Member will add objectively to the process, then the proposed Member shall be permitted to join the Neighbourhood Plan Group as an associate member.

At the start of any meeting, formal or otherwise, any member of the group in that meeting, steering group, Topic Group or sub group must declare any actual or potential conflict of interest² that may be perceived as being relevant to any decisions or recommendations made at that meeting. This may include membership of an organisation, ownership of an interest in land which may directly or indirectly form part of the subject matter of the plan, one's employment status and any other matter likely to be relevant to the work undertaken by the Neighbourhood Plan Group. In the event that a matter of 'interest' should arise during the course of developing the Plan then the Member should bring it to the attention

² Potential conflict of interest may include:

- Land ownership, where there is the potential for development of 2 or more additional dwellings.
- Share ownership, where a significant number of shares (over £100,000 cash value) are held in a company known to have a development interest in the Neighbourhood Area.
- Employment Status, if a member is employed by or works for a company instructed by developers involved in the development of land in the Neighbourhood Area.

of the Steering Group, and any Topic Group the Member participates in, as soon as is reasonably practical. Any of the matters of interest identified will not preclude a Member from participating in the development of the Neighbourhood Plan. It is simply a declaration of potentially competing interests, and to promote the objectivity of the persons involved. This also ensures transparency and honesty throughout the process.

The Neighbourhood Plan Group, and by association all component Groups, shall not be affiliated to any political party. However, the involvement of elected councillors will be welcome as community representatives.

All Members of the Neighbourhood Plan Group shall treat other Members of the Group, and the community as a whole, with both respect and dignity, allowing Members to express their views without prejudice and interruption.

Behaviour that is causing a disruption to any meeting will result in the Group meeting being given the option to vote to remove the individual Member. This will be by simple majority vote by the Members of the Group present at that time. Such action will be reported to the Steering Group.

Organisations and businesses may assist in the production of the Neighbourhood Plan and may contribute towards 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.

6. Roles and Responsibilities of the Steering Group

To achieve the aims set out above the Steering Group will:

- a) Develop a timetable and strategy for undertaking the development of the Plan.
- b) Promote the process of preparing the Plan to encourage participation and the submission of views and ideas.
- c) Establish, monitor and co-ordinate the Topic Groups to contribute to all aspects of the development of the Plan.
- d) Ensure the furtherance of the Plan by working to make the fullest and widest consultation with the community and, in so doing, contribute to the transparency and openness of the process.
- e) Analyse the views, ideas and proposals received during the process and use them to develop a community led Plan.
- f) Assess existing evidence about the needs and aspirations of the Neighbourhood Area.
- g) Gather additional evidence to assess the needs and aspirations of Neighbourhood Area.
- h) Develop community engagement including websites, surveys and public contact events in line with the Topic Groups and overall objectives of the Plan.
- i) Use new and existing evidence to support the content of the Plan.
- j) Produce a Plan generally consistent with the Borough Local Plan (when produced³), National Planning Policy Framework and planning law.
- k) Draft and finalise the Plan.
- l) Keep the Plan Sponsors fully informed of progress.

³ Windsor & Maidenhead Borough Council is currently in the final stages of producing a new Local Plan. The most recent local plan is dated 2003 and much of this is now obsolete.

https://www3.rbwm.gov.uk/info/200414/local_development_framework/591/development_plan/2

- m) Support the Parish Council during the referendum process.
- n) Review and coordinate engagement with, or consultation of, the community of the Neighbourhood Area, developers or other critical external parties.
- o) Research and undertake applications for funding and support that may be made available to Neighbourhood Plan groups.
- p) Appoint a treasurer and maintain accounts for funds spent from any source, and update the budgets accordingly

7. Chairperson of Steering Group

The role of the Chairperson is as follows:

- To take forward the development of the Plan.
- To co-ordinate and conduct meetings of the Steering Group.
- To work with the Topic Groups, when appropriate, on aspects of the evidence gathering, analysis and subsequent drafting of the Plan.
- Maintaining relationships with other sources, for example The Royal Borough of Windsor & Maidenhead and keep Topic Group Lead Members updated.
- To ensure that the agreed timetable for the development of the Plan is maintained or revised as necessary.
- To consider approval of all editorial material from any component group or individual prior to release in the public domain unless authorised by the Steering Group.

8. Frequency, Timing and Procedure of Steering Group Meetings

- The Steering Group will aim to hold monthly meetings. Formal steering group meetings will be the only forum in which substantive decisions are made regarding the development of the Maidenhead & Cox Green Neighbourhood Plan.
- Formal steering group meetings shall be chaired by the Chairperson. If the Chairperson is not present voting members shall elect a Chairperson for that meeting from amongst their number (subject to the meeting being quorate).
- All matters may be agreed upon by a simple majority of voting members present.
- The Steering Group shall keep Minutes of meetings which will be made available for public scrutiny.
- The Steering Group will aim to respond to correspondence received from members of the public or other interested parties within 10 working days.
- For the purposes of project co-ordination and administration only, informal meetings of steering group members, Topic Group members and other interested parties by invitation, may take place. Relevant notes thereof shall be provided to the Parish Council Clerk.

Public Meetings

- Agendas for any meetings that the public and press can attend should be made publicly available at least five clear days prior to the meeting and will contain a fifteen-minute time slot at the beginning of the meeting for the public to ask questions or make comments.
- The Steering Group should aim to hold such meetings quarterly.

- The public and press can be instructed to withdraw from the meeting if a majority of the Steering Group voting members present vote that it is advisable in the public interest that they do so in view of the sensitive or confidential nature of the matter about to be discussed.
- If a member of the public interrupts the proceedings of any meeting the Chairman may after issuing a warning order that the person concerned withdraw from the meeting and may adjourn the meeting until this has happened.

9. Procedure of Topic Group Meetings

Meetings of the Topic Groups do not need to be held in public, however, they must record and provide notes of meetings which shall be provided to the Parish Council Clerk, who holds the responsibility to make such records available for public scrutiny.

10. Roles and Responsibilities of the Topic Groups

Supporting development of the Plan, Topic Groups will:

- Gather existing evidence on the Groups area(s)
- Develop the evidence base with further research and studies as appropriate
- Provide minutes/notes of meetings to the Parish Council Clerk for public record
- Work with the Steering Group on the development of policies contained in the plan

In conjunction with the Steering Group, Topic Groups will:

- Participate in community engagement
- Present options to the Community
- Take feedback from the Community to advance the Plan.

11. Technical and Legal

Cox Green Parish Council have the right to submit plans and policies for its own administrative area of Cox Green to the Neighbourhood Plan without being overruled. Although Cox Green Parish Council is the authority responsible for submitting the Neighbourhood Plan to the Royal Borough of Windsor & Maidenhead, it will not have the right to veto the Plan.

In accordance with the Freedom of Information Act (2000), as an extension of a local authority, the Steering Group will make available to the public minutes of meetings, policies and procedures, its organisational structure and information on budget, expenditure and allowances.

In accordance with the Data Protection Act (1988), the Steering Group will assess whether the release of any personal information about individuals would be fair, or whether it is exempt from the requirements of the Freedom of Information Act.

12. Dissolving the Maidenhead & Cox Green Neighbourhood Plan Group

If the Steering Group wishes to dissolve the Neighbourhood Plan Group it shall notify the Plan Sponsors.

At the conclusion of the Neighbourhood Plan project the Plan Sponsors and the Steering Group should discuss the future working of the Neighbourhood Plan Group with reference to monitoring and review.

Map showing the Maidenhead & Cox Green Neighbourhood Area

