

BURCOT AND CLIFTON HAMPDEN NEIGHBOURHOOD DEVELOPMENT ORDER STEERING GROUP (NDO SG) TERMS OF REFERENCE

10 JULY 2020

These Terms of Reference have been produced retrospectively, following advice from South Oxfordshire District Council that formal TORs are required. They reflect actual practice since the Neighbourhood Development Order Steering Group (NDO SG) first met on 15<sup>th</sup> November 2019.

### **Background**

In 2013, the Parish Council of Burcot and Clifton Hampden decided to write a Village Plan, and in 2014 conducted a village plan survey. The results of the survey were analysed and published in the Burcot and Clifton Hampden Village Plan 2015 (<https://cliftonhampden.org.uk/wp-content/uploads/2020/04/CH-village-plan-2015.pdf>).

Through the Village Plan, residents expressed a desire for the village to grow and thrive, sustain its amenities, and carry out a range of improvements to the built infrastructure of the village and for other community led activities. By the end of 2016, many of desired benefits had already been realised, e.g.:

- Faster Broadband, delivered by BT upgrading their existing infrastructure, and the introduction of the Gigaclear system
- A new children's playground on the Recreation Ground
- Community activities, e.g. Village Fete, Village Dance
- Traffic calming in Burcot

However many of the desired improvements require planning permission:

- A new Surgery
- A new Community Centre, combining the existing village hall and facilities on the Recreation Ground
- More housing
- Cycle paths
- Additional Parking

It was therefore decided to develop a Neighbourhood Plan, and to launch this initiative at the Annual Village Meeting on 24 May 2017. (<https://cliftonhampden.org.uk/wp-content/uploads/2020/04/2017-Village-Meeting-Neighbourhood-Plan-Launch.pdf>).

The Neighbourhood Plan is being developed through Neighbourhood Plan Steering Group (NPSG), which replaced the Village Plan Committee that hitherto managed the development and subsequent analysis of the Village Plan.

The Neighbourhood Plan area was designated by SODC on 26 September 2014. The map of the designated area can be found here ([http://www.southoxon.gov.uk/sites/default/files/2014-07-10%20Clifton%20Hampden%20A3%20%20june%202014\\_1\\_1.pdf](http://www.southoxon.gov.uk/sites/default/files/2014-07-10%20Clifton%20Hampden%20A3%20%20june%202014_1_1.pdf))

Following the launch of the Neighbourhood Plan in 2017, extensive consultation was undertaken with the Local Planning Authority, South Oxfordshire District Council, to agree the policy basis by which the NP could include site allocations, which hitherto had been assumed. It became clear following a meeting with SODC officers in July 2017 that there is no policy provision by which the NP could make site allocations, given the status of the parish as 'washed over Green Belt', and no justification for removing the village from the Green Belt.

In a series of subsequent meetings with SODC, an option to bring forward development under a NDO gathered momentum and support, leading on 16 Jan 19 to a joint (with SODC officers) workshop to consider spatial options. A submission for pre-application advice was made on 19 Feb 19, on the basis that development might be brought forward through a Neighbourhood Development Order (NDO)/Community Right to Build Order (CRtBO). In their response, SODC indicated that this approach was possible.

As a result of the pre-app advice, three significant decisions have been taken:

- The NP will cover planning policy, but not site allocations
- Development will be brought forward under a Neighbourhood Development Order, with its own Neighbourhood Development Order Steering Group (NDO SG).
- The community will establish a Community Land Trust, to be the recipient of any assets transferred into village ownership as a result of the NDO.

### ***Objectives of the Neighbourhood Development Order Steering Group***

The overriding principle is that a Neighbourhood Development Order is community led. The NDO SG's purpose is to oversee, on behalf of the Clifton Hamden and Burcot Parish Council which is the Qualifying Body, the preparation of a Neighbourhood Development Order so that it can progress to Independent Examination and a successful community referendum and ultimately be approved by South Oxfordshire District Council.

The target date for presenting the NDO for independent examination is January 2021, with a target date for a referendum of May 2021.

The preparation of the NDO will be in parallel with the development of the Neighbourhood Plan (NP) with the aspiration of submitting both NDO and NP for independent examination and referendum with the same target dates.

The NDO is, in effect, a planning application 'owned' by the Parish Council, but prepared as a joint venture between the Parish Council and the key stakeholders, namely the landowner, the development partner, the GP surgery, and the school, all of whom will derive benefit from the project. The NDO is in effect the 'solution' to meeting the built development needs expressed in the 2015 Village Plan, and the strategic objectives of one parish, two villages with shared amenities, community growth and sustainability set out in the Neighbourhood Plan.

### ***Tasks undertaken by the NDO SG***

In order to achieve their objectives, the NDO SG will carry out the following tasks:

- Provide strategic management of the Neighbourhood Development Order
- Produce, monitor and update a project timetable
- Produce a consultation and engagement strategy, showing how the public will be involved
- Regularly report back to the Parish Council, highlighting key decisions that have been taken.

- Report progress to the community at least annually, e.g. at the Annual Village Meeting which normally takes place in May
- Commission the technical reports, environmental impact assessment, surveys, architects design, traffic, highways access etc required as part of the NDO production process
- Identify sources of funding
- Liaise with relevant authorities and organisations to ensure the NDO complies with all relevant planning policy, and can progress through consultation to independent examination to referendum with maximum support.
- Consult as widely and thoroughly as is possible to ensure that the draft and final NDO balances the respective views of all relevant parties.

### **Membership**

Membership of the Steering Committee as at 15 November 2019, is set out in the table below:

Role	Responsibility	Member
Chair (Community Member)	Overall responsibility for the efficient and effective management of the NDO Steering Committee, accountable to the Burcot and Clifton Hampden Parish Council. Project Planning Applications for grant funding Liaison with Locality for Technical Support Community presentations and materials	Giles Baxter
Secretary (Community Member)	Prepare Agenda and Minutes	Position vacant. Assumed by Giles Baxter
Parish Council Chair (Community Member)	Ensure the NDO remains aligned with the objectives set by the Parish Council. Update the Parish Council on progress with the NDO. Community lead into the Financial Agreement (between community, landowner, development partner, GP Surgery, SODC)	Chris Neil
Landowner (DCL Gibbs Settlement)	Provide the Land (Subject to contract) Provide Landowner input to the NDO development process Landowner lead into the Financial Agreement (between community, landowner, development partner, GP Surgery, SODC)	Christopher Purvis (Trustee)
Landowner's professional advisor	Provide professional advice on land management on behalf of the landowner	Charles Campion (Savills)
Development Partner	Technical Author of the NDO Commissioner, on behalf of the NDO SG, of technical reports, environmental impact assessment, surveys, architects design, traffic, highways access etc required as part of the NDO production process Undertake the development approved under the NDO (subject to contract) Developer lead into the Financial Agreement	Christopher Brotherton (Thomas Homes)

Role	Responsibility	Member
GP Surgery	Provide GP Surgery perspective into the NDO development process. 'Own' the surgery. requirements and the Surgery once built (subject to contract). Surgery lead into the Financial Agreement	Shared between Dr Irene Steinbrecher and Dr Estelle James, Clifton Hampden Surgery
Member (Community Member)	School Representative	Rob Hollin
Member (Community Member)	General planning and legal expertise Surveys and Data Analysis Represent the views of the residents of Burcot	Simon Russell
Member (Community Member)	Liaison with the Community Land Trust	Gerry Moscrop

Membership of the NDO SG is by open, standing invitation, i.e., any member of the community who expresses an interest in joining the steering group will be invited to do so. This policy will be reviewed:

- if the NPSG becomes too unwieldy to manage
- if the need for specific expertise becomes apparent.

Professional advisors, e.g. planning consultants, architects etc will not be members, but invited to meetings as required as 'in attendance'.

The NDO SG chair will be appointed by the Parish Council. If this position should become vacant, the Parish Council will appoint an alternate.

Members of the community will be co-opted to help as required, e.g. a design team to work with the architect, leaflet distribution etc.

### ***Meeting Arrangements***

NDO SG meetings will take place monthly. This frequency will be adjusted as required, e.g. in the run up to consultation events or public meetings.

All meetings will be held within the Parish.

All members are expected to attend all meetings; the quorum is 3 members.

Unlike the NP SG where decisions may be taken through majority vote, the NDO requires support of all the main stakeholders, any one of whom can withdraw at any point. Decisions made by the NDO SG will therefore be by consensus at Steering Group meeting.

The minutes of meetings will be circulated to members a maximum of two weeks after meetings and published on the Neighbourhood Plan Website.

### ***Reporting***

The NDO SG will adopt the following reporting arrangements:

- The NPSG will deliver a verbal report monthly to the Parish Council, where the NP is a standing agenda item. The report will be made by a member of the Parish Council, normally the chair, who is also a member of the NDO SG.

- The NDO SG will report annually to the community, at the Annual Village Meeting normally held in May.
- The NDO SG will update the NP website [<https://cliftonhampden.org.uk/neighbourhood-plan>], including copies of minutes from the NDO SG meetings.
- The publication of minutes of any agenda items containing sensitive information, e.g., commercial financial position of invested partners (landowner, surgery, development partner), may be withheld at the request of the partner concerned. However under the principle of transparency, the final Financial Agreement will be released publicly, together with a narrative explaining how it has been arrived at.

### ***Finance***

The NDO SG will have the following financial responsibilities for public money:

- Applying for grant funding, e.g. from South Oxfordshire District Council, Locality, and other grant awarding bodies, and ensuring compliance with the terms on which grants are awarded.
- Commissioning work and authorising expenditure (on behalf of the Parish Council) in support of NDO development, e.g. consultancy support, architects, surveyors, communications materials etc.
- Managing the NDO budget as a 'sub account' within the Parish Council main account.
- Submitting end of year grant reports as required by funding bodies.

Invoices will be authorised by the chair of the NDO SG, and passed to the Parish Council for payment.

Responsibility for managing public finances is as follows:

- The NDO SG chair will retain overall responsibility for managing finances and maintaining the budget.
- The NDO SG chair will, if needed, co-opt a member to be responsible for grant funding applications and submission of end of year reports.

It should be noted that the NDO SG does not have financial responsibility for any expenditure of non-public/private funds, e.g. by Landowner, Development Partner, Surgery.

### ***Conduct and Conflicts of Interest***

The NDO SG will act as sub-committee of the Parish Council. The NDO SG will abide by:

- Standing Orders for Clifton Hampden and Burcot Parish Council, except where varied by these TORs
- Code of Conduct for Clifton Hampden and Burcot Parish Council

By the nature of the project, all stakeholder groups stand to benefit financially or otherwise from a successful delivery of the project. However since decisions must be made by consensus rather than majority voting, it is axiomatic that all parties have the right to be present during discussions, and to jointly take decisions.

In the event that those representing the community cannot come to an agreement on the community position on an issue, a sub-vote of community members requiring a simple majority will be held, with the chair of the Parish Council holding the casting vote.

At the time of writing, pecuniary interests of individuals have been declared by:

Christopher Purvis, on behalf of the beneficiaries of the DCL Gibbs Settlement, who will benefit financially

Christopher Brotherton, whose company Thomas Homes will benefit financially

Dr Irene Steinbrecher and Dr Estelle James who will benefit financially as owners of the GP Surgery.

No pecuniary interests have been declared by NDO SG members representing the community.

***Data Protection***

The NDO SG will adopt the standards used by the Parish Council in meeting with the responsibilities set out in the General Data Protection Regulations (GDPR).

***Steering Group Review***

These terms of reference, including responsibilities and tasks, will be reviewed:

- Annually
- As required by events, e.g. if there are significant changes to the NDO objectives and/or tasks required to deliver them.

Amended TORs will be endorsed by the Parish Council.

***Adoption***

These amended Terms of Reference were adopted by Burcot and Clifton Hampden Parish Council on [13 July 2020]