

Blofield Neighbourhood Plan Steering Group

Submission to Blofield Parish Council: Governance issues re Neighbourhood Plan.

Background

Blofield Parish Council is aware that once adopted a Neighbourhood Plan [NP] has implications for the council. These include how it applies and implements the NP policies and how it seeks to deliver projects; both those that were identified during the preparation of the NP, and which are detailed in it, and any projects that arise later.

The council is well aware of its responsibility – and accountability – for spending significant public funds arising from CIL, S.106 agreements and the parish precept, and which could be augmented by grants, subsidies and loans. But how are spending decisions to be taken, what processes should be followed to demonstrate good governance, and how can projects be brought to fruition?

The council asked the NP Steering Group to identify possible approaches to the governance issues and to make recommendations to the council, for it to discuss and decide.

This is the Steering Group's recommendations; the annex on pages 4 to 6 gives some detail of each alternative considered and sets out the reasons for the recommendations.

Recommended Governance Processes

1. Implementing Neighbourhood Plan Policies

The NP policies relate to issues of land-use [it is part of the local **planning policy** framework] and the most viable recommendations identified are:

- 1.1** All parish councillors, current and future, familiarise themselves with the NP policies and this becomes part of the induction procedure for new councillors.
- 1.2** When taking any decision the parish council considers whether the proposed course of action supports a NP policy, or conflicts with a NP policy or the NP policies are not relevant to the issue.
- 1.3** The parish council includes the consideration of the relevance of the NP policies when recording the decision reached.
- 1.4** The parish council should comment on the how the NP policies have been applied each year in its report to the Annual Parish Meeting, starting in 2017, and over time should consider in the light of experience whether the council needs to review its governance procedures and/or councillors' awareness of them.
- 1.5** There is no statutory process for reviewing/updating a NP. The Blofield NP covers the 20 years until 2036 and, clearly, there will be changes over this period. The recommendation is that the PC undertakes a formal review of the NP policies looking at their continued relevance and effectiveness and at how the parish council is applying the policies, every 5

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years, say in 2021/22 and again in 2026/27. Ideally the review should be conducted by an independent outside body/person and should be a brief and succinct process. If significant revisions to the NP are thought to be required advice should be sought from BDC in the first instance.

2. Managing projects

One NP policy is potentially a large and long-term project [Policy **Com 1: new land for community use**]. The other projects, whilst identified during the consultation stages of preparing the NP, are not policies; they are proposals intended to improve the infrastructure and facilities – in the widest sense – and the quality of life in the parish. The proposals vary in scale, complexity, cost and impact. The recommendations, covering both the Policy project and the others, are:

2.1 The projects should be prioritised using consistent criteria and methodology so that the council can take decisions based on the best evidence available to it.

2.2 The council retains accountability for each project and should decide on the order and the timing of projects over the period of the NP and the budget for each project, clearly identifying the source of funds.

2.3 The council should create a 'project team' for each individual project or for a group of linked, small, projects. This is option 4.3 in the annex. If possible each team should include a member of the council but, more importantly, it should consist of people who have an interest in, and a commitment to, delivering the project. A generic 'Terms of Reference' should be prepared to initiate each team's work.

2.4 Initially a project team should work with the parish council, individuals and groups within and outside the parish and public bodies to develop the project. This will include detailed costings, identifying sources of funding, identifying future costs, preparing a time-line for delivery, evidencing the benefits of the project and any difficulties. The team will then present their proposal to the council and seek agreement to proceed or set out why the project should be deferred or abandoned, and why. If the council authorises the project it should set revised Terms of Reference for that team, identifying what the team is tasked to deliver, the time-scale, the budget, the reporting required and emphasising that the council is delegating delivery within the agreed parameters.

2.5 Each project team should provide a written report to the parish council - and the public – regularly, at agreed intervals, depending on the complexity and duration of the project. Each report should cover progress against the project plan and time-scale. In addition each report should identify any risks to the council and say how those risks can be mitigated.

2.6 At all stages the parish council retains control of spending decisions.

2.7 As the Responsible Financial Officer for the parish council the clerk should maintain a record of:

- Forecast CIL and S.106 income including historic S.106 agreements and identify time-limits for spending amounts.
- Actual CIL and S.106 income identifying time-limits for spending amounts.
- Commitment of CIL and S.106 funds, the project and estimated date of expenditure.
- Actual spend of CIL and S.106 funds.

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The record must be updated regularly and be used by both project teams and the parish council.

2.8 The parish council should ensure that projects are publicised widely. This structure relies on the parish council being able to find suitable volunteers to make the project teams viable; this will be a major challenge.

2.9 The parish council should review the list of projects regularly and be prepared to add or remove projects as circumstances change. This should always be done using the prioritisation process, demonstrating the change is being made for sound reasons and not on a whim.

2.10 The parish council should review how well the project process is working after, say, 3 years. If possible an external person or body should be asked to undertake a review and make recommendations as appropriate. Broadland District Council should be consulted about any review as they may be able to offer help or advice.

Conclusion

The NP Steering Group makes these recommendations and believes they will give a structure to the council's use of the Neighbourhood Plan, the management of the proposals for projects and the spending of the public money available to the parish. A structure chart is on page 6.

Overall it is felt that the recommended approach is the best balance between the council's need to be accountable and the practicalities of undertaking the work.

With reference to the projects option 4.4 on page 5, the use of a 'paid project manager ' should be considered for a specific project and, if the recommended approach (option 4.3) cannot be adopted for want of volunteers, the council could look at managing say one smaller project a year itself (option 4.1) and using a manager (option 4.4) for a large project.

Trish Brocklebank, Chair of Blofield NP Steering Group.

Rob Christie, Vice Chair of Blofield NP Steering Group.

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Annex follows overleaf.

Annex: Alternative governance structures considered.

3. Implementing Neighbourhood Plan Policies

3.1 The 'do nothing' option. With councillors left to their own devices, and the clerk's advice.

Pro: Simple.

Con: Risks inconsistency, policies being ignored, the NP being ineffective, councillors at risk of censure.

Assessment: Likely to be ineffective.

3.2 Very specific guidance on taking the NP policies into account in reaching decisions.

Pro: Might ensure greater consistency and transparency.

Con: Too difficult and complex to write, not practical to seek to cover all eventualities, councillors have to be able to apply their judgement in a common-sense way, many [possibly most] decisions will fall into the 'NP policies "not relevant" to this issue' category so avoid over-complication.

Assessment: Over-complicated.

Overall it is felt that 1.1 to 1.5 on page 1 strike a reasonable balance between the aims of practicality and transparency/governance.

4. Managing projects

4.1 The 'do nothing' option. The parish councillors undertake work on all projects – the research, planning, risk-assessment, prioritising and managing the delivery with the council as a body taking all decisions.

Pro: Simple. Clearly leaves the council responsible.

Con: Do councillors have time, commitment and skills to undertake? If much delegated to Clerk there is a significant increase in hours worked (if clerk is available) and the cost. Much time required at meetings. Very limited involvement from parish.

Assessment: Likely to be ineffective and make council meetings generally ineffective..

4.2 Parish council devolves responsibility to a committee. A committee could have co-opted (non-councillor) members attending but not voting so parishioners with skills, knowledge and an interest could be involved.

Pro: Clearly leaves the council responsible. Allows for some input from outside of council. Meetings of committee held in public, formal notice is given, agendas and minutes published.

Con: Full council has to devolve decision-making to the committee so not all councillors are involved. Significant time-cost for clerk and some councillors. Inflexible, notice of meetings has to be given and meetings are in public. If committee directly manages the projects the time cost is significant; if

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committee engages others to manage there is a cash cost and the committee becomes just another layer of decision-making.

Assessment: This structure is unfamiliar to the council; significant risks exist around the ability of the council to adapt and the structure is inflexible. Very limited involvement from parish.

4.3 Create Project Teams. The council creates a 'project team' for each individual project or for a group of linked, small, projects. If possible each team should include a member of the council but, more importantly, it should consist of people who have an interest in, and a commitment to, delivering the project. A generic 'Terms of Reference' should be prepared to initiate each team's work and be refined as the project's details are firmed-up.

Pro: Retains financial control and accountability with parish council whilst involving members of the community more widely in delivery. Some extra work from clerk and councillors but should be containable and decision-making can be streamlined if project teams present 'professional' reports to inform decisions.

Con: Relies on parishioners coming forward to help deliver projects and there being a suitable mix of skills and expertise among them. Parish council has to take responsibility for creating the teams. Risk to council if volunteers prove unreliable or are not forthcoming.

Assessment: this offers :

- the best balance between the council's need to be accountable and the practicalities of undertaking the work;
- the best balance between the council doing things 'for' the parish and parishioner involvement;
- the most cost-effective approach and
- best reflects the resources available to the parish.
- In addition the details of the governance arrangements are open to debate and whatever is put in place should be allowed to evolve in the light of experience - but changes should be recorded.
- But this structure relies on the parish council being able to find suitable volunteers to make the project teams viable

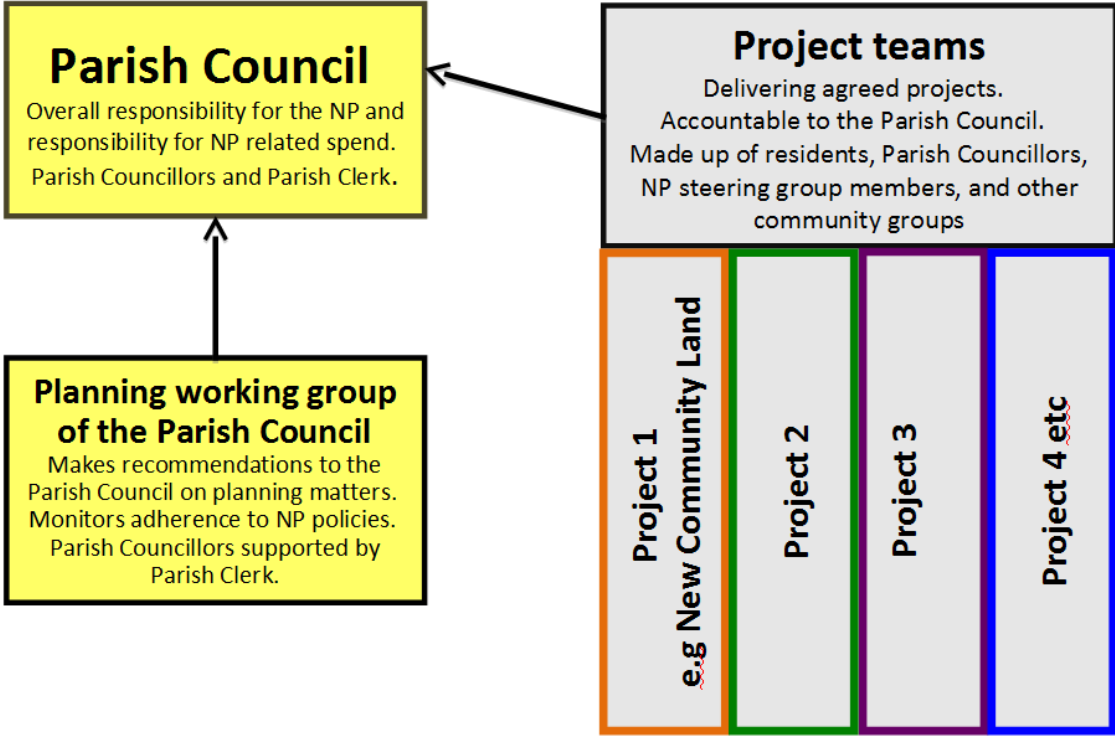
4.4 Appoint paid project manager. Council establishes its priorities and then employs a manager to deliver. This could become part of the extended duties of the clerk, be an additional part-time employee or a self-employed consultant.

Pro: Should give a professional approach to managing projects. Leaves responsibility with council but this is largely exercised via the performance management of the employee/consultant.

Con: Cost will be significant if work done by a clerk and will be very significant if done by a consultant. Probable lack of local knowledge at start, possible lack of involvement from parish.

Assessment: an attractive option apart from the cost. Best adopted for a specific project where a business case can be made and external funding being sought which can include fees.

Delivering the Neighbourhood Plan: structure chart



This is the structure recommended for adoption by the Parish Council.

End of annex