

Rotherham Local Plan Steering Group

Terms of Reference and Constitution

1. Purpose

The Local Plan Steering Group ("the Group") is established to support the preparation of the new Rotherham Local Plan in accordance with the adopted Local Development Scheme. (September 2025, Appendix 1).

Unlike the previous plan-making process, the Government has set out a tight 30-month timeframe for the preparation of a new Local Plan. The system includes three Gateways, two rounds of statutory consultation, Gateway assessments by the Planning Inspectorate, examination and adoption. A Local Plan Steering Group with appropriate officer delegated authority can play a critical role in ensuring that Rotherham Council is able to maintain momentum and avoid governance-related delays.

The Group provides a cross-party forum for member engagement, strategic discussion and oversight throughout the preparation of the Local Plan.

The Group will oversee the statutory process for the preparation, review and delivery of the Local Plan, including the preparation of associated Local Plan evidence and documents. Its role is to review evidence, consider emerging issues and policy options, monitor progress, identify risks and provide strategic guidance to officers.

The Group is advisory in nature and does not replace the formal decision-making responsibilities of Cabinet or Full Council. Its purpose is to support informed decision-making by ensuring members are actively engaged throughout plan preparation and are able to provide strategic input at key stages of the process.

The Group operates in accordance with:

- The Council's Constitution
- Relevant statutory planning legislations (Town and Country Planning (Local Planning)(England) Regulations 2026 and associated regulations)
- The Council's decision-making framework, including Cabinet and Full Council responsibilities

2. Membership

Membership of the Group shall comprise elected members and officers with responsibility for, or an interest in, the preparation of the Local Plan. Core membership shall include:

- Cabinet Member for Transport, Jobs and the Local Economy (Chair);
- Head of Planning and Building Control (Vice-Chair);
- Leader of the Council or nominated deputy;
- Two representatives from opposition parties;

- Executive Director and senior officers as required;
- Planning Policy Manager and Assistant Planning Policy Managers
- Governance Lead; and
- Nominated Legal Officer.

The Chair, in consultation with the Executive Director of Regeneration & Environment, to prompt the attendance of appropriate [Cabinet Members](#), ward members, parish representatives, specialist officers or external advisers to attend meetings where matters of particular relevance are being considered as required by agenda content. Such attendees shall not be members of the Group unless formally appointed.

Agendas, minutes and supporting papers shall be circulated to relevant officers and departments as appropriate. Attendance arrangements and circulation lists shall be reviewed periodically by the Chair in consultation with the Executive Director of Regeneration and Environment.

3. Constitutional Status and Decision-Making

The Group is an advisory member body established to provide oversight and guidance during the preparation of the Local Plan. It has no executive, regulatory or decision-making powers. Formal decisions shall be taken in accordance with the Council's Constitution and Scheme of Delegation.

Minutes of the meeting are to be included on Planning Board agendas for information.

Working alongside the Steering Group, the Executive Director of Regeneration and Environment, in consultation with the Cabinet Member for Transport, Jobs and the Local Economy has limited delegated authority for certain procedural and administrative matters associated with the Local Plan process. These delegations are intended to support efficient programme management and maintain progress through the statutory plan-making timetable. Delegated powers shall not extend to substantive planning policy decisions:

- to approve updates to the Local Plan Timetable throughout the duration of the plan-making process, and as required, in line with Regulation 6
- to approve, publish and submit all documents relating to, and required by, the statutory 'Scoping Stage' (Regulation 20)
- to approve for publication and submission all documents relating to and required by Gateway 1 (Regulation 21)
- to agree the content of and commencement of Consultation: Proposed Local Plan content and required evidence, including draft vision (Regulation 23)

The Group enables Cabinet and Full Council to focus on major policy decisions at the appropriate statutory stages. Development Plan Documents form part of the Council's Policy Framework. All significant planning policy decisions shall remain reserved to Cabinet and/or Full Council in accordance with the Council's Constitution. These include, but are not limited to:

- The preferred spatial strategy;
- Housing and employment land requirements;
- Site allocation options;
- Publication of the Local Plan;
- Submission of the Local Plan for examination; and
- Adoption of the Local Plan.

The Group shall provide recommendations and advice to Strategic Leadership Team, Cabinet and Full Council as appropriate, whilst supporting effective governance and member engagement throughout the Local Plan process.

Major issues may be dealt with in briefing sessions for all Council Members or reported to the appropriate scrutiny committee as required.

4. Decision Gateway and Process

Stage	RMBC Decision Gateway
Gateway 1 - Readiness	Executive Director of Regeneration & Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy
Gateway 2 – Emerging Plan	Cabinet
Gateway 3 – Draft Plan Consultation	Cabinet
Submit Plan for Examination	Full Council
Examination management, hearings, statements, evidence responses	Officers and / or Executive Director of Regeneration & Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy
Main Modifications consultation	Officers and / or Executive Director of Regeneration & Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy
Adopt Local Plan	Full Council

Details of each stage are set out in Appendix 1.

5. Role and Functions

The Group will play an important role to ensure that the requirements of the Regulations are fulfilled.

Preparation of a Local Plan requires numerous procedural decisions between statutory milestones, including:

- Commissioning evidence studies
- Agreeing consultation material
- Approving stakeholder engagement activity
- Responding to Gateway recommendations
- Agreeing updates to the programme
- Authorising consultation documents
- Approving technical corrections and evidence updates
- Responding to Inspector requests during examination

The Group has responsibility to:

- Provide strategic oversight of Local Plan preparation
- Request and review reports, evidence and policy options
- Provide steer on options and consultation approaches
- Identify risks and delivery challenges
- Make recommendations to SLT, Cabinet and full Council
- Ensure compliance with statutory and national planning requirements

The Group will ensure the Council can respond quickly on additional evidence requirements, policy revisions, further engagement needs and programme changes.

6. Meetings and Quorum

The Local Plan Steering Group will ordinarily meet on a monthly basis.

Additional meetings may be convened by the Chair where required to consider significant policy matters, statutory consultation stages, Gateway requirements, examination matters or other issues affecting the delivery of the Local Plan programme.

This arrangement will ensure:

- It aligns with key project management milestones.
- It allows members to influence emerging policy before formal decisions are required.
- It provides regular oversight of risks, budget, evidence studies and consultation outcomes.
- It promotes early engagement on key issues, reducing the need for last-minute consideration when reports are presented to Cabinet or Full Council.

The quorum for meetings of the Local Plan Steering Group shall be five members or 50% of the appointed membership, whichever is the greater.

Where the Chair is absent, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, members present may appoint a Chair for that meeting.

Meetings that are inquorate may receive information and discuss matters but may not make recommendations on significant policy issues.

7. Reporting and Scrutiny

The Governance Lead shall be a standing adviser to the Local Plan Steering Group and shall:

- provide assurance regarding constitutional compliance, decision-making processes, delegated authority, transparency, risk management, scrutiny engagement and reporting arrangements.
- maintain oversight of governance risks and shall advise the Chair, Cabinet, Full Council and the Monitoring Officer on matters affecting delivery of the Local Plan programme and compliance with the Council's constitutional requirements.

Overview & Scrutiny Management Board will provide check and challenge through its usual function and may, for example:

- review governance arrangements;
- review programme performance;
- monitor risks;
- test stakeholder engagement;
- consider implementation of Inspector recommendations.

The Group reports to Cabinet, and decisions may be subject to Overview & Scrutiny Management Board review and call-in.

The Group will advise and propose to update Cabinet before the local plan process reaches Gateway 2 (Reg 26) stage, which is the point at which initial observations and advice on the proposed Local Plan are sought from the Planning Inspectorate. This is an appropriate point to update Cabinet on progress and to agree delegations for the next stages of the process to Gateway 3 (Reg 31) stage and beyond.

Planning Board and Overview & Scrutiny Management Board will be updated and consulted at appropriate stages throughout the process.

Report	Frequency
Programme status report	Six-monthly
Gateway readiness update	Prior to Gateway 2 and Gateway 3
Examination progress report	Following hearings
Main Modifications update	As required
Lessons learned review	Following adoption

8. Officer Responsibilities

Officers shall provide professional planning, legal, financial and technical advice to the Steering Group; prepare reports, evidence and recommendations; ensure compliance with statutory plan-making requirements; manage engagement with stakeholders and the Planning Inspectorate; and implement actions arising from decisions of the Steering Group, Cabinet and Council.

Officers act under delegated powers and must ensure decisions are lawful and evidence-based.

Officers should not make the political decisions about the spatial strategy, site allocations or policy direction. Those decisions are reserved to Cabinet and/or Full Council as required by the Constitution.

Details of officers' responsibilities are set out in Appendix 2.

9. Transparency

The Group shall operate in accordance with Access to Information Rules and the Guidance in relation to the Member Code of Conduct as set out in Appendix 3.

10. Duration

The Group shall operate for the life of the Local Plan preparation process with the Local Plan anticipate being adopted in mid-2029.

Appendix 1 - Decision Gateway and Process

Gateway 1: Readiness Assessment (Executive Director of Regeneration & Environment in consultation with the Cabinet Member for Transport, Jobs and the Local Economy approval)

Gateway 1 is a local authority self-assessment of readiness to commence the formal 30-month plan preparation process. The authority must:

- Publish a Local Plan timetable.
- Have governance and project management arrangements in place.
- Have undertaken the required notice and scoping consultation.
- Publish a Gateway 1 self-assessment summary.

The regulations do not prescribe a specific council body that must approve Gateway 1, advice sought from the Local Plan Steering Group would be taken into account when seeking approval from **Executive Director in consultation with the Cabinet Member**. Gateway 2: Assessment of Emerging Plan (Cabinet approval)

Gateway 2 occurs after consultation on proposed content/evidence and before consultation on the proposed Local Plan. It is assessed by a Planning Inspector acting as a Gateway Assessor. The purpose is to:

- Consider progress towards a sound plan.
- Identify potential soundness issues.
- Review progress towards prescribed requirements.
- Provide observations and advice that the authority must have regard to going forward.

Before entering Gateway 2, officers should obtain approval from the **Cabinet** to:

- Approve the draft evidence base and emerging strategy.
- Authorise submission to Gateway 2.

Gateway 3: Pre-submission Compliance Assessment (Cabinet and Full Council approval)

Gateway 3 takes place after the final consultation on the proposed Local Plan and before submission for examination. The Gateway 3 assessor tests whether:

- Prescribed legal requirements have been met.
- The authority is practically ready for examination.
- The plan can proceed to examination.

A plan that fails Gateway 3 cannot proceed to examination until deficiencies are corrected. A plan that passes Gateway 3 must then be submitted for examination.

Cabinet recommends publication of the proposed Local Plan for the final consultation.

Following consultation and Gateway 3, **Full Council** authorises submission of the Local Plan for examination.

Examination (Officers, Executive Director in consultation with the Cabinet Member approval)

Once submitted, the examination is controlled by the appointed Inspector. The Inspector examines whether the Plan is sound and during the examination there are often decisions about:

- responding to Inspector questions;
- Statements of Common Ground;
- hearing session participation;
- consultation on Main Modifications;
- evidence updates.

These should be resolved within **executive and officer** functions under delegated powers.

Main Modifications (Officers, Executive Director in consultation with the Cabinet Member approval approval)

If the Inspector concludes that Main Modifications are needed, the Council will need authority to:

- consult on the Main Modifications;
- submit consultation responses back to the Inspector.

Delegated authority from Full Council would be sought at submission stage, to the **Executive Director in consultation with the Cabinet Member**, to deal with modifications that arise during examination.

Adoption of Local Plan (Full Council approval)

Once the Inspector has issued a report recommending adoption (with or without Main Modifications), adoption of the Local Plan amends the Development Plan and therefore falls within the Policy Framework reserved to **Full Council**.

Appendix 2 – Officer Responsibilities

Executive Director of Regeneration & Environment

- Corporate sponsorship of the Local Plan.
- Securing resources and cross-council support.
- Resolving strategic issues affecting delivery.
- Acting as the senior accountable officer for the plan-making programme.
- Decision making in consultation with the Cabinet Member to approve updates to the Timetable throughout the duration of the plan-making process, and as required (in line with Regulation 6) and to approve, publish and submit all documents relating to, and required by, the statutory 'Scoping Stage' (Regulation 20)

Executive Director of Regeneration & Environment / Head of Planning & Building Control

- Providing senior management oversight.
- Ensuring the Local Plan aligns with wider corporate objectives.
- Escalating key issues to Strategic Leadership Team, Cabinet and Council.
- Acting as the principal professional adviser to Elected Members.

Planning Policy Manager / Assistant Planning Policy Managers

- Project managing Local Plan preparation.
- Preparing reports for the Steering Group, Cabinet and Council.
- Coordinating consultants and technical studies.
- Managing the Local Plan programme and timetable.
- Reporting progress against Gateway requirements and examination milestones.
- Identifying risks, budget pressures and resource requirements.

Governance Lead

- Advise whether matters are: Steering Group business; Cabinet business; Full Council business; Officer delegated decisions.
- Ensure compliance with the Council's Constitution and decisions do not inadvertently exceed delegated powers.
- Advise on Policy Framework implications.
- Monitor whether governance arrangements support delivery of the 30-month timetable.
- Ensure recommendations are clear and legally robust.
- Verify that decisions are properly recorded and confirm audit trails exist for key decisions.

Legal Services

- Advising on statutory requirements.
- Ensuring compliance with:
 - Planning and Compulsory Purchase Act 2004;
 - Levelling-up and Regeneration Act 2023;
 - Local Planning Regulations;
 - Council Constitution;
 - Public law requirements.
- Reviewing reports, consultation processes and examination procedures.
- Advising on legal risks and challenge.

Democratic Services

- Noting minutes and action logs.
- Managing decision-making procedures.
- Coordinating Cabinet and Full Council approvals.

Specialist Officers

Their role is to provide technical evidence and advice relevant to Local Plan policies.

Depending on agenda items, these may include:

- Development Management representatives
- Housing Strategy officers
- Economic development officers
- Transport officers
- Climate change officers
- Education and infrastructure officers
- Finance officers
- Corporate communication officers

Appendix 3 – Guidance in relation to the Member Code of Conduct for Local Plan Steering Group

Purpose

The Local Plan Steering Group has been established to provide member oversight, strategic direction and informed input into the preparation, review and monitoring of the Local Plan.

Members of the Steering Group are expected to uphold the highest standards of conduct, integrity and transparency to ensure that Local Plan preparation is fair, lawful, evidence-led and undertaken in the public interest.

This Code supplements the Council's adopted Members' Code of Conduct and should be read alongside the Council Constitution, Planning Protocol and any related guidance. The Local Plan forms part of the Council's Policy Framework and is therefore a matter of significant public interest.

General Principles

Members shall:

- Act in the public interest at all times.
- Promote and maintain public confidence in the Local Plan process.
- Support lawful and evidence-based decision-making.
- Treat fellow members, officers, consultees and stakeholders with respect.
- Demonstrate openness, accountability and integrity.
- Avoid conduct which could bring the Council or the Local Plan process into disrepute.

Role of the Steering Group

Members shall recognise that the Steering Group:

- Provides strategic oversight of Local Plan preparation.
- Considers evidence, options and emerging policies.
- Makes recommendations to Cabinet and Full Council where appropriate.
- Does not determine planning applications.
- Does not replace the formal decision-making role of Cabinet or Full Council.
- Does not fetter the discretion of members when participating in future Council decisions.

Evidence-Led Decision Making

Members shall:

- Consider all evidence presented objectively and with an open mind.
- Have regard to professional planning advice.
- Ensure that recommendations are based upon planning evidence and sound planning principles.

- Avoid advocating outcomes that are unsupported by evidence or contrary to legal requirements.

Members should be prepared to reconsider previously expressed views in response to new evidence, consultation responses or legal advice.

Pre-determination and Pre-disposition

Members may hold preliminary views on Local Plan matters but must:

- Remain open-minded throughout the plan-making process.
- Consider all relevant evidence before reaching conclusions.
- Avoid making public statements that indicate they have finally determined their position on matters yet to be considered by the Steering Group, Cabinet or Full Council.

Members should recognise the distinction between:

- Predisposition – having an initial view; and
- Predetermination – having a closed mind.

Only the latter is inappropriate.

Relationship with Planning Applications

Members shall recognise that:

- Local Plan preparation and development management are separate functions.
- Site allocations considered through the Local Plan process do not predetermine future planning application decisions.
- Participation in Local Plan discussions does not prevent participation in planning application decisions, provided members remain able to consider each application on its merits.

Interests and Transparency

Members must:

- Declare disclosable pecuniary interests and other registerable interests in accordance with the Council's Code of Conduct.
- Declare any additional interests relevant to Local Plan matters.
- Withdraw from discussions where required by the Council's Code of Conduct or legal advice.
- Be open and transparent about meetings or communications that could reasonably be perceived as influencing the Local Plan process.

Engagement with Developers, Landowners and Stakeholders

Members may engage with stakeholders as part of their representative role. However, they shall:

- Listen to views without giving commitments or assurances.
- Avoid creating an expectation that particular sites, policies or proposals will be supported.

- Ensure that significant representations received outside formal consultation processes are shared with officers where appropriate.
- Not seek or accept any gift, hospitality or benefit that could reasonably be perceived as influencing their judgement.

Confidentiality

Members shall:

- Respect the confidential status of exempt or legally privileged information.
- Not disclose confidential information obtained through Steering Group meetings unless authorised to do so.
- Use confidential information only for its intended purpose.

Members should recognise that some evidence, legal advice or commercially sensitive information may be circulated in confidence.

Working with Officers

Members shall:

- Treat officers with courtesy and respect.
- Respect the professional neutrality of officers.
- Not place officers under pressure to reach a particular conclusion.
- Recognise that officers are responsible for providing impartial professional advice.

Challenges to officer recommendations should be made constructively and through proper channels.

Collective Working

Members shall:

- Participate constructively in meetings.
- Respect differing views.
- Support informed debate.
- Focus discussions on planning merits, evidence and strategic outcomes.

Members should avoid personal criticism of colleagues, officers or stakeholders.

Media and Public Statements

Members remain free to express political views but shall:

- Distinguish clearly between personal views and formally agreed Council positions.
- Avoid making statements that could undermine public confidence in the integrity of the Local Plan process.
- Refrain from announcing outcomes before formal decisions have been made.

The Chair should normally act as the principal spokesperson for the Steering Group unless alternative arrangements have been agreed.

Attendance and Preparation

Members are expected to:

- Attend meetings regularly.
- Read agenda papers in advance.
- Participate actively in discussions.
- Undertake any training relevant to Local Plan preparation and planning law.

Members who are unable to attend should notify Democratic Services in advance wherever possible.

Breaches of this Code

Any alleged breach of this Code shall be referred to the Monitoring Officer for consideration.

The Monitoring Officer may:

- Provide informal guidance;
- Recommend further training;
- Refer the matter to the Standards and Ethics Committee where appropriate; or
- Take any other action available under the Council's constitutional arrangements.

Member Commitment

Members appointed to the Local Plan Steering Group are expected to sign the following declaration:

I acknowledge that preparation of the Local Plan is one of the Council's most significant strategic functions. I agree to comply with this Local Plan Steering Group Member Code of Conduct, the Council's Members' Code of Conduct, and all relevant legal and constitutional requirements in carrying out my responsibilities as a member of the Local Plan Steering Group.

Member:

Signature:

Date: