

Report to Edith Weston Parish Council

Establishment of a Planning Committee

Purpose

To consider the establishment of a Planning Committee to enable the Parish Council to respond promptly to planning application consultations where response deadlines fall before the next scheduled meeting of the Council, and to oversee the monitoring and review of the Edith Weston Neighbourhood Plan.

Background

The Parish Council is regularly consulted by the Local Planning Authority on planning applications within the parish. Whilst many consultations can be considered at scheduled meetings of the Council, there are occasions when statutory consultation deadlines expire before the next programmed Council meeting. This can result in the Council being unable to submit a formal response within the required timescale.

The establishment of a Planning Committee would provide a transparent and accountable mechanism for considering such applications and agreeing the Council's response within delegated authority.

In addition, the Council has an ongoing responsibility to monitor the effectiveness of the Edith Weston Neighbourhood Plan and to consider whether amendments or a formal review may be required in response to changes in planning policy, legislation or local circumstances. The Committee would provide a focus for this work and make recommendations to the full Council as appropriate.

Terms of Reference

It is proposed that the Planning Committee shall:

1. Consider and determine the Parish Council's response to planning application consultations where the consultation period expires before the next scheduled meeting of the Parish Council.
2. Consider any other planning matters specifically referred to it by the Parish Council.
3. Monitor the implementation and effectiveness of the Edith Weston Neighbourhood Plan.
4. Review changes in national planning policy, local planning policy and local circumstances that may affect the Neighbourhood Plan.
5. Make recommendations to the Parish Council regarding any amendments, updates or formal review of the Neighbourhood Plan.

The proposed full Terms of Reference for the Committee are set out in the Appendix to this report.

Membership

It is proposed that:

- Membership of the Planning Committee shall comprise all elected Members of Edith Weston Parish Council.
- The quorum for meetings shall be three Members.

This arrangement ensures that every councillor has the opportunity to participate in planning decisions whilst allowing meetings to proceed efficiently when urgent matters arise.

Meetings

The Committee will meet only as required when planning consultation deadlines necessitate a decision before the next scheduled meeting of the Parish Council, or where monitoring of the Neighbourhood Plan requires consideration.

Meetings will be convened in accordance with the Council's Standing Orders and the requirements of the Local Government Act 1972 relating to notice, public access and publication of agendas and minutes.

Financial Implications

There are no direct financial implications arising from the establishment of the Committee. Meetings will be serviced using existing Council resources.

Legal and Governance Considerations

The Parish Council has the power to appoint committees under section 101 of the Local Government Act 1972 and may delegate specified functions to those committees, subject to any statutory restrictions and the Council's Standing Orders.

The Committee will operate within delegated authority approved by the Council and will report its decisions to the next ordinary meeting of the Parish Council.

Recommendation

The Parish Council is recommended to:

1. Establish a Planning Committee under Section 101 of the Local Government Act 1972.
2. Approve the Planning Committee Terms of Reference.
3. Appoint all serving Members of Edith Weston Parish Council to the Committee.
4. Determine that the quorum of the Committee shall be three Members.
5. Delegate authority to the Planning Committee to determine and submit the Council's responses to:
 - planning applications;
 - listed building consent applications;
 - tree preservation order and protected tree consultations;
 - planning appeals;
 - planning enforcement consultations;
 - Local Plan, Supplementary Planning Documents and other planning policy consultations; and
 - any other planning-related consultation requiring a response before the next programmed meeting of the Parish Council.

6. Delegate responsibility to the Planning Committee to monitor the effectiveness of the Edith Weston Neighbourhood Plan and to make recommendations to the Parish Council concerning any amendment, update or formal review of the Plan.
7. Approve the Urgent Action procedure contained within the Terms of Reference, permitting the Proper Officer, in consultation with the Chair of the Planning Committee (or other appropriate Chair as provided in the Terms of Reference), to submit a response on behalf of the Council where it is not reasonably practicable to convene a meeting before the consultation deadline.
8. Require the Planning Committee and the Proper Officer to report all decisions made under delegated authority or under the Urgent Action procedure to the next ordinary meeting of the Parish Council.

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Edith Weston Parish Council

Subject: Planning Committee

Terms of Reference

1. Establishment

The Planning Committee is established by Edith Weston Parish Council under Section 101 of the Local Government Act 1972 and shall exercise those powers delegated to it by the Council.

2. Purpose

The Committee shall:

- Consider planning application consultations where the consultation period expires before the next scheduled meeting of the Parish Council and determine the Council's response.
- Consider planning applications referred to it by the Parish Council.
- Consider consultations on planning appeals, listed building consent applications, conservation area matters, tree preservation orders, works to protected trees and other planning-related applications or consultations where a response is required before the next scheduled meeting of the Council.
- Consider planning enforcement matters where consultation is sought by the Local Planning Authority or where representations on behalf of the Council are appropriate.
- Respond to consultations on national planning policy, Local Plan documents, Supplementary Planning Documents, Community Infrastructure Levy matters and other strategic planning consultations where a response is required before the next scheduled meeting of the Council.
- Monitor the implementation and effectiveness of the Edith Weston Neighbourhood Plan.
- Keep under review changes in national planning policy, local planning policy, legislation and local circumstances which may affect the Neighbourhood Plan.

- Make recommendations to the Parish Council on any amendment, update or formal review of the Neighbourhood Plan.

3. Delegated Authority

The Committee is authorised to:

- Determine and submit responses on behalf of the Parish Council to planning applications and other planning consultations where the response deadline falls before the next programmed meeting of the Council.
- Submit representations on planning appeals and enforcement consultations where appropriate.
- Respond to consultations on planning policy documents where timescales require.
- Request additional information or clarification from the Local Planning Authority where appropriate.
- Report all decisions taken under delegated authority to the next meeting of the Parish Council.

The Committee shall not:

- Incur expenditure unless specifically authorised by the Parish Council.
- Adopt or amend Council policy.
- Adopt, amend or withdraw the Edith Weston Neighbourhood Plan, which shall remain a matter reserved to the full Council.

4. Membership

Membership shall comprise all elected Members of Edith Weston Parish Council.

5. Quorum

The quorum shall be three Members.

6. Chair

The Committee shall elect a Chair annually at its first meeting following the Annual Meeting of the Parish Council.

In the absence of the Chair, the Members present shall elect a Member to preside for that meeting.

7. Meetings

The Committee shall meet as necessary.

Meetings shall be convened by the Proper Officer in consultation with the Chair, or at the request of any three Members where an urgent planning matter requires consideration.

Notice of meetings, agendas and supporting papers shall be issued in accordance with the Local Government Act 1972 and the Council's Standing Orders.

8. Public Participation

Meetings shall be open to the public except where confidential business is being considered in accordance with legislation.

The Council's Public Participation Scheme shall apply.

9. Voting

Each Member shall have one vote.

Questions shall be determined by a simple majority of those Members present and voting.

In the event of an equality of votes, the Chair of the meeting shall have a second or casting vote.

10. Minutes

Minutes of each meeting shall be kept by the Proper Officer and presented to the next ordinary meeting of the Parish Council.

11. Review

These Terms of Reference shall be reviewed periodically by the Parish Council and may be amended only by resolution of the Council.

12. Urgent Action

Where it is not reasonably practicable to convene a meeting of the Planning Committee before the expiry of a statutory consultation period, the Proper Officer, in consultation with the Chair of the Planning Committee (or, in the Chair's absence, the Vice-Chair, or if neither is available, the Chair of the Parish Council), may submit a response on behalf of the Parish Council.

Where practicable, the Proper Officer shall consult all Members of the Planning Committee by electronic means before submitting the response.

Any response submitted under this urgency provision shall:

- be limited to matters requiring a response before a meeting can reasonably be convened;
- reflect, as far as practicable, the views expressed by Members during the consultation;
- be reported to the next meeting of the Planning Committee (if one is held beforehand) and to the next ordinary meeting of the Parish Council; and
- be recorded in the minutes.

This provision shall be used only in exceptional circumstances where statutory deadlines prevent the Planning Committee from meeting.