



Kingskerswell Parish Council

Planning Committee Terms of Reference

Date: 30.09.2019

Version: 1.0

Agreed at Full Council Meeting 30.09.2019

Introduction

1. This Terms of Reference (ToR) provides the basic information for the conduct and remit of the Kingskerswell Parish Council (KKPC) Planning Committee. It covers the:

- a. Purpose and scope of the committee;
- b. Membership, meeting structure and frequency; and
- c. The regular review of this ToR.

2. The Parish Council has no powers of decision making over Local Planning, but can make recommendations or assist where appropriate, with planning issues on local planning applications to Teignbridge District Council, who are the Local Planning Authority (LPA), or to Devon County Council (DCC), who are the County Planning Authority (CPA).

Purpose and Scope

3. KKPC act as consultees to the LPA, for all planning applications that relate to the Kingskerswell Parish area. The Planning Committee is a standing committee delegated with the authority through the Chairman, constituted to consider and to respond on behalf of the whole Council in respect of planning applications, appeals, consultations and all matters concerned with planning process within and/or affecting the Kingskerswell Parish. The Planning Committee has the delegated authority from KKPC to:

- a. Make representations to the LPA and CPA on applications for planning permission which have been notified to KKPC;
- b. Make representations in respect of appeals against the refusal of planning permission;
- c. Identify and make representations, to the relevant authorities, in respect of enforcement action or any matters considered to be breaches of planning regulations;
- d. Monitor, review and where necessary make recommendations to the LPA and CPA for amendments to the planning consultation procedure;
- e. Deal with any other planning related matter that a meeting of the KKPC considers appropriate to be referred to the Planning Committee;
- f. Use its delegated powers in relation to all matters relating to Tree Preservation Orders (TPO), in that the planning application will be reported in the normal way on the planning list, with relevant comments;
- g. Make representations to both LPA and CPA, with respect to all wider aspects of planning process; and
- h. Engage with local consultations where required.

Membership and Meetings

4. The committee shall consist of a minimum of three members, with the quorum being two members. As the Planning Committee considers and responds on behalf of the KKPC, it is always preferable to hold meetings with at least three members participating (including virtually if required), to ensure there is always a clear outcome where split decisions are possible.

5. The committee shall convene on a regular cycle, to tie in to reporting at the monthly Parish Council meetings. The Chair of the Planning Committee may call additional meetings as and when necessary, to ensure that all Planning Applications received can be discussed and replied to within the dictated timescale. All Councillors may attend in an ex-officio capacity. Members of the public can also ask to attend the KKPC Planning Committee meetings, and this attendance is arranged through the Parish Clerk

6. Minutes will be produced by the committee members, to ensure an accurate record. These minutes will be passed electronically to the Parish Clerk, for publication as an Annex to the monthly Parish Council Meeting minutes. All planning applications, the responses and eventual results shall be noted in the minutes as they are identified.

7. The Planning Committee has an obligation to ensure that any comments received, prior to the meeting, from any relevant parties, applicants and objectors, for planning applications (not including enforcement notices) are considered at the meeting.

8. The Parish Clerk will communicate to the LPA or the CPA the Committee's decision in respect of applications considered. Where an application is subject to an appeal, the Committee is authorised to make written representation or to elect a member of the Committee to attend the hearing. Wherever possible, a member of the Planning Committee is to be nominated to attend any relevant LPA or CPA meeting, as necessary. To ensure central oversight and transparency, all correspondence should be conducted through the Parish Clerk.

Review

9. This ToR should be reviewed annually by the Planning Committee.