



TERMS OF REFERENCE

PLANNING COMMITTEE

Purpose

Stainland and District Parish Council (SDPC) is a statutory consultee to Calderdale Metropolitan Borough Council (CMBC) for all domestic and business planning applications that relate to the parish area, including planning applications relating to waste, minerals, schools and certain highway matters). As a consultee, the final decision rests with CMBC as the Local Planning Authority (LPA) and not with the Parish Council.

The Planning Committee is constituted to consider and to respond on behalf of the Parish Council in respect of such applications, to recommend responses to planning policies or development proposals put forward by CMBC which relate to the parish area and finally to provide a parish perspective on the performance of CMBC's planning functions.

Delegated Authority

The Planning Committee has delegated authority from SDPC:

- To make representations to CMBC and others on applications for planning permission which have been notified to the Council.
- To make representations to CMBC and others in respect of appeals against the refusal of planning permission or the imposition of planning conditions.
- To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations.
- To receive notification of any licensing applications and make any observations they deem necessary. The Planning Committee will also keep a watching brief on any licensing issue referring any concerns back to the Licensing Authority (CMBC).
- To issue press statements regarding planning matters on behalf of the full Council. The Planning Committee has delegated powers through the Chairman.

Non-Delegated Authority

In addition to its delegated powers, the Committee shall have the following responsibilities, where resolutions will require ratification by the Parish Council:

- To monitor, review and where necessary make recommendations to the Council for amendments to the planning consultation procedure.
- To consider and respond to planning consultations from Government, County, Borough or other statutory planning bodies.
- To deal with any other planning related matter that a meeting of the full Council considers appropriate to be referred to the Planning Committee.

- To create and maintain Parish Council guidance documents such as adopted Parish Plans, Village Design Statements and similar items which from time to time may be produced by the Committee and subsequently approved by the Parish Council.
- To monitor the activities performed by the Local Planning Authority and comment as the need arises
- To submit proposals in respect of funding for any training requirements for staff and members

Membership

(To be elected annually at the Annual Meeting of the Parish Council each year)

The Planning Committee shall consist of all elected members of the Council,
The Chair of the Committee is normally elected annually at the Annual Council meeting of Stainland & District Parish Council
The quorum of the Committee is three

Meetings

The process for calling meetings of the Planning Committee shall be that:

- Each week, the Parish Clerk will circulate a list and brief details of all planning applications notified by CMBC for that week and which relate to the parish to all members of the Parish Council.
- Any member can then make a request of the Parish Clerk that a meeting is held **where the member feels it's important to obtain a view from the Parish Council on any application appearing in the list sent by the Clerk**
- on receiving such a request, the Clerk will consult with the Chairman of the Committee and the Clerk will arrange a meeting to discuss it and any others so notified, considering the statutory requirement of at least three days public notice.
- Dependent upon the timing of the "window" for representations set by CMBC, it may be necessary to have more than one meeting in any month (a maximum of two) but on the other hand, there will be no meeting if no requests are received
- For non-delegated activities, where these occur and require report or decision by the Committee, the Parish Clerk will call a meeting as part of the normal cycle of monthly meetings of the Council and its committees. The conclusions and resolutions made by the Committee on these non-delegated items will then be reported to the Council for ratification. When meetings are called to resolve non-delegated matters those items which would be considered under delegated powers may also appear on the agenda of that meeting but do not require ratification by the Council.

Members will be summoned to attend meetings which will be held either online or in Stainland Library (site meetings may be deemed necessary) and Public Notice of the meeting shall be given in accordance with Schedule 12, Para 10(2) of the Local Government Act 1972.

Documentation

Minutes of all meetings will be recorded and then will be circulated by the Parish Clerk. All planning applications and observations shall be recorded in the minutes of the meetings.

Accountability

The Planning Committee has delegated powers to act on behalf of the full Council in relation to the defined terms of reference.

Dispensations

The Committee has delegated authority to deal with dispensations in relation to items on the Committee's agenda

Review

The Planning Committee's terms of reference are to be reviewed annually at the Annual Council

Revised 29 January 2021