Terms of Reference for the Feock Parish Council Planning Committee

The Committee will consist of all Parish Councillors.

The Committee's Chair and Vice will be the Chair and Vice Chair of the Parish Council.

The Committee quorum shall be 5 members.

The Assistant Parish Clerk will attend the committee meetings and take minutes which will be published on the Council's website.

The Parish Clerk has the delegated authority to comment on planning applications in the absence of a Planning Committee.

The Committee will undertake the following roles and functions:

- To consider all individual planning applications submitted within the parish and provide a consultee comment under delegated authority to Cornwall Council. Procedure for dealing with planning applications shown on the attached flowchart.
- To reply to 5 day Local Council Protocol procedure communications from Cornwall Council. A response will be
 decided via email by a minimum of 2 committee members, usually the Proposer and Seconder of the original
 consultee comment.
- To send a representative of the committee to speak in reference to an application that the Parish Council has asked for determination at a Cornwall Council Planning Committee meeting.
- To comply with GDPR the Committee and Assistant Clerk will delete all electronic records and destroy all paper copies of correspondence relating to planning applications as soon as Cornwall Council has decided the application and the Parish Council's consultee comment has been formally ratified in the minutes of a planning committee meeting.

<u>Decision Making Legal Advice (for noting)</u>

Members have received training on the Code of Conduct, predetermination, and bias and therefore, will be aware of their responsibility to determine planning applications based on the information before them at the meeting.

Members are reminded that the decision-making role must be approached with an open mind as to the merits of the arguments for and against the application, which they must consider before making a final decision at the meeting.

Members are further advised that they must not predetermine, or be seen to have predetermined, the outcome of an application and that the information they receive at the meeting is therefore the basis on which they should make their decision.

Therefore, whilst Members will have reviewed details of the application prior to the meeting and provided initial thoughts to enable a draft consultee comment to be taken to the meeting, this draft maybe be amended as appropriate following debate at the meeting.

Process for consideration of planning applications by the full Parish Council

Notification of a planning application for consultee comment received from Cornwall Council

Application details publicised on the Parish Council's website and Facebook page. On the website the application will be listed under 'Current Planning Applications' and the date of the meeting where the consultee comment will be agreed stated, along with information on how to submit any comments on the application to Parish Councillors

A list of the week's planning applications is emailed to committee members each Monday (together with any comments that have been received from the public/neighbours or applicants/agents etc), for them to view the details of the application, discuss via email during the week and provide initial thoughts.

The following Monday an initial consultee comment (based on the previous week's emailed discussion) is drafted by the Assistant Clerk and added to a list to be taken to the next planning meeting.

Before the meeting this list will be split into two - Schedule A and Schedule B:

Schedule A non-controversial applications Schedule B – controversial applications

Schedule A applications:

Those not considered to be controversial, where no members of the public or neighbours have submitted comments and there has been no request from an applicant/agent or member of the public to attend the planning meeting to speak about the application.

Schedule B applications:

Those where members of the public and/or neighbours have submitted comments and/or where applicants or agents have advised that they wish to attend the planning meeting and speak about the application. Or where a Parish Councillor has requested it be placed.

At the meeting it will be decided if any of the applications need to be transferred to the other list.

The drafted consultee comments on Schedule A may be proposed, seconded and agreed en bloc

Following public participation and ensuing debate the Schedule B draft consultee comments maybe amended as appropriate and proposed, seconded and agreed

All resolved consultee comments will be submitted to Cornwall Council's online planning register the following day