

YAXLEY PARISH COUNCIL

TERMS OF REFERENCE

PLANNING COMMITTEE

MAY 2018
REVIEWED FEBRUARY 2019– APPROVED APRIL 2019
REVIEWED MARCH 2022 – APPROVED APRIL 2022

DELEGATED POWERS

Members will be advised by the Clerk whether or not a particular item under discussion is within the Committee (or Sub-Committee's) delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDED", and will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes.

In any case where a Committee (or Sub) Chairman and Vice Chairman are either unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A power delegated does not always have to be exercised.

POWERS SPECIFICALLY DELEGATED TO THE CLERK

- 1.0** Authorising expenditure on items where the Council, or the appropriate Committee under delegated powers, within a budget approved by the Council, has agreed the expenditure.
- 2.0** Investing monies held by the Council with a view to obtaining the best rates of interest, provided that the monies are invested through the Council's appointed bankers, the Post Office or a reputable building society.
- 3.0** The power to act as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an officer.
- 4.0** To act as the Responsible Officer for Health and Safety, and as the Council's Proper Officer in all cases where legislation so requires.
- 5.0** To respond to Planning Applications on behalf of the Parish Council, where time does not allow for a meeting and subject to consultation with Planning Committee Members.

PUBLIC AND PRESS

Under Section 1(2) of the Public Bodies (Admission to Meetings Act 1960) "that as publicity would be prejudicial to the public interest by reason of the {Special} {Confidential} nature of the business about to be transacted at Agenda Item... Namely... (state nature of business eg 'Discuss Clerk's Contract'), it is advisable in the public interest that the Public and Press be temporarily excluded from this meeting and they are herewith instructed to withdraw."

Exclusion of the public and press must be minuted but it does not have to be on the Agenda.

The exclusion of public and press should be used prudently and the Council must be clear on the reasons for doing so.

The press and public can be excluded for the following reasons:

- 1.0** To discuss terms of service, or to discuss the conduct and dismissal of a member of staff
- 2.0** Terms and proposals and counter proposals in negotiating contracts
- 3.0** Preparation for legal proceedings
- 4.0** The early stages of a dispute
- 5.0** The early stages of agreeing tender/quotation details
- 6.0** The approval of tender/quotation details
- 7.0** To discuss a matter of commercial sensitivity

PLANNING COMMITTEE

Terms of Reference

- 1.0** Membership shall comprise eight members of the Council.
- 2.0** **THREE** members of the Council shall constitute a quorum.
- 3.0** To elect a Chairman and Vice Chairman for each Municipal year
- 4.0** The Committee shall receive and consider applications for planning permission received from the Local Planning Authority. Having regard to the any local approved development plan or framework, village amenities and other relevant considerations, the Committee shall make suitable recommendations to the Local Planning Authority as to whether or not planning permission should be granted, withheld or granted subject to certain conditions.
- 5.0** The Committee shall receive on behalf of the Parish Council such statutory notifications as fall within the function of Planning.
- 6.0** The Committee shall act in respect of any other matter requiring any form of planning consideration and which is within the purview of the Committee and which requires some form of recommendation to the Parish Council.
- 7.0** The Committee shall consider matters relating to highways, transport (public or otherwise) in and around Yaxley.

Delegation of Powers

1.0 To the Committee

- 1.1** Those functions contained in paragraphs 3.0, 4.0, 5.0, 6.0 and 7.0 shall be delegated to the Planning Committee.

2.0 To the Chairman and Vice Chairman

- 2.1** Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee in conjunction with the Clerk and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.

3.0 To the Clerk

- 3.1** Commenting on a planning application, after consultation with the Chairman and Vice Chairman of the Planning Committee, where the consultation period will expire before the next meeting of the Committee and an extension of time cannot be obtained;