

TERMS OF REFERENCE DOCUMENT



NEWQUAY TOWN COUNCIL

Committee: **Planning and Licensing (P&L)**

Date of Inception: **Wednesday 7th August 2013**

1.0 Membership

Membership of this committee is to be re-elected annually at the Annual Meeting of the Town Council.

- 1.1 The P&L Committee is to consist of eight members of the Council (both genders should be represented).
- 1.2 The P&L Committee is to have a further two members of the Council as substitute members who will stand in place of members who have to declare an interest or members who give apologies for absence.
- 1.3 The Committee Chairman and Vice Chairman are to be elected annually by the P&L Committee at the first meeting after the Annual Council Meeting of Newquay Town Council and shall hold office until the next Annual Council meeting.

2.0 Aims

To act as an advisory body to the Planning Authority for all planning applications that directly relate to or have a strategic bearing on the parish area.

3.0 Objectives

To fully consider all planning and licensing applications and make responses thereon on behalf of the Full Council to all applications for planning/licensing permission and planning/licensing appeals referred to Newquay Town Council by the Planning Authority.

4.0 Meetings

- 4.1 The committee shall meet 24 times in a Municipal year, at-least two meetings each calendar month (usually on Mondays 12 2pm), with Special meetings being called as required by the Town Clerk, through normal procedures defined in Standing Orders.

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- 4.2 Members will be summoned to attend meeting which will be held in the Council Offices and a Public Notice of the meeting shall be given in accordance with Schedule 12, Para 10(2) of the Local Government Act 1972.
- 4.3 The Town Clerk may attend any meeting to offer advice, guidance and support.

5.0 Documentation

- 5.1 The minutes of all meetings shall be recorded by an officer of Newquay Town Council, scheduled by the Town Clerk and circulated at Full Council meetings of Newquay Town Council.
- 5.2 All resolutions and recommendations to Full Council shall be recorded in the minutes of the meetings.

6.0 Accountability

- 6.1 The P&L Committee has delegated powers to act on behalf of the Full Council in relation to the defined terms of reference only; any recommendations outside the Committee's terms of reference shall be made to Full Council and may require another committee's input before a decision is made by Full Council or another responsible committee.

7.0 Scope

- 7.1 The P&L Committee has delegated powers from Full Council to make observations on all planning and licensing applications and submit those observations to the planning/licensing authority within the deadlines set.
- 7.2 Where necessary the P&L Committee have delegated powers from Full Council to hold meetings with residents, businesses, developers or Planning/Licensing officers to assist with the formulation of those observations.
- 7.3 The P&L Committee has delegated powers from Full Council to keep a watched brief on any planning or licensing issue and make any reports/comments/observations to the relevant authority.
- 7.4 The P&L Committee has delegated powers from Full Council to respond to all consultations on planning/licensing related matters and to take part in any discussions which could result in changes to the Local Development Plan, Local Development Framework, Planning Policy Guidance, Conservation Areas, Town & Country Planning Acts, and Neighbourhood Planning etc. The P&L Committee reserves the rights to refer any decision back to Full Council for discussion as and when they deem necessary.
- 7.5 If desired, the P&L Committee have delegated powers to establish an Annual Committee Budget for approval by Full Council no later than November each year in-line with Financial Regulation 2.1 and in any

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- case has the authority to submit proposals in respect of funding any training for staff and members to the F&P Committee in-line with deadlines provided in Financial Regulation 2.1.
- 7.6 The P&L Committee has delegated powers to spend up to its annual budget (if one is set), without the requirement to go back to Full Council for approval; subject to such spends falling within the remit of Planning and Licensing (not covered by any other Town Council committee) and are P&L committee projects, budgeted for in-line with Financial Regulation 3.1.
 - 7.7 The P&L Committee has delegated powers from Full Council to appoint a representative to attend Planning/Licensing Inquiries/Appeals and to make representations in respect of appeals against the refusal/granting of permissions and for that representative to communicate with the Planning Inspectorate direct if necessary.
 - 7.8 The P&L Committee has delegated powers from Full Council to identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations.
 - 7.9 The P&L Committee have delegated powers to consider and make relevant decisions on any matter referred to it by Full Council.
 - 7.10 The P&L Committee may recommend to Finance and Policy having any unspent budgets placed within a P&L Committee contingency reserve in accordance with Financial Regulation 3.3. Such a contingency would be controlled by the P&L Committee, but would be subject to getting spending approval from Full Council in accordance with Financial Regulation 3.4.
 - 7.11 The P&L Committee has the delegated powers from Full Council to appoint Sub-Committees and Working Parties which shall report to it in accordance and within the scope of Standing Orders 21.0 – 22.5 inclusive.
 - 7.12 The P&L Committee has delegated powers from Full Council to accept and set the terms of reference of any P&L Sub-Committee or P&L Working Party which it sets up, but the terms of reference must adhere to the P&L Committee's remit and terms of reference.
 - 7.13 The P&L Committee have delegated powers from Full Council to consider and investigate sources of external funding (including grants) for Economic Development or related wider projects, but should always involve the Finance and Policy Committee unless there is not enough time for the Finance and Policy committee to feed in or handle the application, and no other committee has the responsibility for the initiative which funding is being applied for.
 - 7.14 The P&L Committee must refer any policy or procedural changes, introductions or rescissions to the Finance and Policy Committee for their decision and must always involve the Staffing Committee and Town Clerk where such policies or procedural changes etc. affect members of staff.

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- 7.15 Subject to changes in Standing Orders, the P&L Committee has delegated powers from Full Council to change a decision based on further information received in-line with the local Planning Protocol. Such changes in decisions must be ratified at the next available meeting if such a decision must be made before a meeting can be called (if a strict deadline is imposed by the Planning/Licensing Authority or Appeal Officer Etc.).
- 7.16 The P&L Committee has delegated powers from Full Council to give Delegated Authority for the Committee Chairman and Vice Chairman, with the Town Clerk to make a decision to change a Committee Decision based on further information received which in their opinions satisfy any concerns/observations/objections raised and there is no time to wait until the next available P&L Committee meeting.

8.0 Review

The P&L Committee's terms of reference are to be reviewed annually at the first meeting after the Annual Council meeting. Any changes must be recommended to Full Council for approval.

Date Compiled/Reviewed:	15.07.2013
Date Referred to Committee:	15.07.2013
Decision:	Recommended to Full Council for Adoption
Minute Reference:	P196/13
Date of Full Council Meeting:	07.08.2013
Decision:	Adopt in Full
Minute Reference:	151/13 A (ii)