



**CHURCH  
LAWTON**  
Parish Council

**CHURCH LAWTON  
PARISH COUNCIL  
PLANNING COMMITTEE  
TERMS OF REFERENCE**

**Version 5  
Adopted 23<sup>rd</sup> May 2023**

## **Planning Committee Terms of Reference**

### **1) Introduction**

The Planning Committee is set up as a standing committee to oversee and manage Church Lawton Parish Council's matters relating to planning and licencing. Unless it has delegated authority as outlined below or by resolution of the Council, the committee will propose recommendations to Full Council as required.

The Committee was first set up by Church Lawton Parish Council at its meeting of 18<sup>th</sup> September 2019. Thereafter, it will be confirmed as a committee or disbanded at the Council's Annual Meeting each year.

The Committee must always abide with the Council's current approved Standing Orders and Financial Regulations.

The membership of the Committee for each Council year and a review of the Terms of Reference will be agreed at each Annual Meeting of the Full Council. The chair and vice-chair will be elected at the Annual Meeting each year except upon formation where the chair and vice-chair will be elected at the Council Meeting which formed it (18<sup>th</sup> September 2019).

### **2) Membership**

The Committee will consist of at least four Councillors with a quorum for a meeting being three Councillors.

The Committee can only consist of Church Lawton Parish Council councillors.

### **3) Aim and Remit of the Planning Committee**

#### **a) Planning and Licencing Aspects**

- i) To consider applications forwarded by Cheshire East Borough Council.
- ii) To monitor the development of the Local Plan and any other planning related consultations to prepare draft responses to any consultations for approval by Full Council.
- iii) To manage the Neighbourhood Plan for Church Lawton.
- iv) To respond to licencing applications relating to Church Lawton.

#### **b) To manage any other project that the Full Council may choose to delegate to it (usually, but not restricted to, projects which are related to land use or that could have impact on the Neighbourhood Plan).**

#### 4) Delegated Powers of the Committee

The Committee can make decisions only within that allowed in the current versions of approved Standing Orders, Financial Regulations and the powers delegated to it by the Council which are listed below:

- a) To respond to Planning and Licencing Applications within the Church Lawton Council boundary on behalf of Church Lawton Parish Council unless the application is 'called in' to Full council by:
  - i) The Chair of the Full Council
  - ii) The Chair of the Planning Committee
  - iii) Any three councillors of Church Lawton Council who put it in writing to the Clerk.
  - iv) The Clerk.
- b) To authorise expenditure on behalf of the Council for monies allocated to budget lines within its remit up to the limit contained in the version of the Financial Regulations current at that time.
- c) To be able to apply for funding and grants in the Parish Council's name without approval by Full Council although such actions should be reported at the next Full Council meeting although the spending of such funds should be in line with item (b) above.
- d) To be able to set up sub-committees and working groups of the Planning Committee as required (within the remit of areas of responsibility of the committee) and to set the terms of reference for such groups.
- e) To delegate to the Clerk, or in his/her absence, the assistant clerk, if required, any decision making within its powers to delegate to allow progression of Council business in a timely manner between meetings.
- f) The Clerk, or in his/her absence the assistant clerk, will have delegated authority to respond to a planning application on behalf of the Planning Committee only if:
  - i) The application cannot practicably be considered at either an planning committee or Full Council and is unlikely to have a significant impact. This decision will be made by the Clerk in consultation with the chair of the Planning Committee (or vice if the chair is not available) and can be overridden if any three members of the Planning Committee request to the clerk otherwise.

- ii) The members of the Planning Committee have all been consulted **if possible**<sup>1</sup> and given opportunity to pass on their comments directly to the Clerk or to exercise their right described in 3fi or 3aiii.
- iii) The members of the Planning Committee have all been given opportunity **if possible**<sup>1</sup> to have sight of the resulting response prior to submission and to pass on their comments directly to the Clerk.
- iv) That the use of the delegated authority along with justification and response made is reported at the next planning committee. Detail of consultation made with Members by the Clerk must be minuted.

**Note that a Council and its Committees CANNOT delegate any decision making to individual councillors or groups of councillors such as a working party.**

## **5) Meetings of the Committee**

- a) The Committee should meet at least **four** times a year. Agreed dates of meetings should be published in the Council's Meeting calendar.
- b) The Clerk of the Council will issue a summons and agenda at least three days before each committee meeting. In the event the Clerk is absent and unable to issue the agenda, the agenda and summons will be issued by the assistant Clerk.
- c) Each Committee Meeting should be attended by the Clerk of the Council or by the assistant Clerk who will act in an advisory role and who will ensure all business transacted falls within the remit and powers of the committee and who will produce draft minutes of the meeting. In the event the Clerk cannot attend, the committee should appoint a note-taker.
- d) Minutes will be issued in draft form to the following (in the specified order).
  - i) To the Chair for initial comment.
  - ii) After agreement by the chair, to the committee members for comment.
- e) Minutes will be approved at the next meeting of the committee and each page signed by the chair.
- f) The minutes of all the Committee meetings, whether in draft form or approved, will be presented to the next Full Council Meetings and any recommendations made by the Committee or decisions made that the Clerk feels should be ratified by Full Council will be an agenda item of that meeting to obtain Full Council approval.

Approved at the Full Council Annual Meeting:

Minute Reference:

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<sup>1</sup> Members may be on annual leave or have personal or family circumstances at the time which make this impossible.

Date of Approval:

Signed (Chairman of Meeting)

Date

Signed (Clerk)

Date