

Terms of Reference for the Planning and Rights of Way Advisory Committee (The PAC)

Following the meeting with Christopher Wayman of CALC including extensive discussions about transparency, decision-making vs deliberations, delegated authority, public attendance and timing vs City Planning meetings it was agreed:

The Parish Council has no executive authority in the Local Authority Planning process regarding applications; its role is to uphold the original spirit of the designers of Warndon Villages / Warndon Parish, by endeavouring to ensure that applications are at the very least not detrimental to that spirit and to draw to the attention of the Planning Authorities any matters that appear to not accord with planning policies, regulations or law. It is therefore an Advisory Committee / Working Group and the ToRs apply accordingly.

The PAC meets one week before the monthly City Council Planning Committee to consider outstanding applications and also progress on other relevant matters including future developments. An agenda is prepared but the public is not invited to attend since the deliberations are essentially an exchange of information or seeking external input; none of the members of the PAC has professional qualifications in Planning or similar matters. On average four applications are received each month, mostly domestic issues such as extensions or boundary works.

The PAC makes recommendations to the Planning Authorities via the Clerk on behalf of the Parish Council, including decisions on whether to object or not to an application. For transparency, such recommendations should be submitted for consideration by all Parish Council members in the regular and public Parish Council meetings, supported by details of the PAC's reasoning for the recommendation. The final decision would therefore be made by the full council, scrutinised and uploaded to the portal by the Clerk. The group's report of its recommendations and reasoning would be published on the parish council website; although retrospective, this would permit public scrutiny, facilitating openness.

However, the timing of the City Council Planning Applications process does not work with a monthly cycle of meetings of the Planning Advisory Committee, since most require a response within three weeks. If the timing of applications / closing deadlines would not permit the process of submission to full Parish Council, the PAC will meet to deliberate the application and will submit its recommendation with reasons to all Council members, by email or as appropriate. If no objections are raised by other members of the Council, the Clerk should exercise delegated authority to make the recommendation or to submit a late paper to the City Council Planners after scrutiny by the Clerk; any matters dealt with under such conditional delegated authority would be notified to full Council.

The summary of Planning Applications in progress is already provided monthly by Stephen Hodgson and is posted on the Parish Council website; the minutes of the PAC meeting could also be published. Currently the website directs residents to the Planning Portal to make their objections or otherwise. In future, residents will be informed that if wished they have the facility to ask the PAC to consider a specific application, sent in writing to the Clerk, stating in detail the nature of their query.

The majority of the applications considered by the group are purely domestic; should an application cover more than one property, or have wider implications for the parish, the PAC should be permitted to engage with developers in the pre-application process for the purposes of gathering relevant information and developers should be permitted to address the full Council and public, with short presentations. The PAC could also set up a public meeting, allowing residents' input at the start of the meeting prior to the group's deliberations which would be held in private although minutes would be made available.

The Parish Council Chair and Vice Chair can attend Planning Group meetings in a non-voting capacity. The meetings will be recorded when held remotely and the recording made available to the Clerk for information and also be available to the Chair. When meetings are held in person, a detailed transcript could be made available to the Clerk and the Chair.