

Terms of Reference for Planning and Licensing Committee

version 5; adopted 10th October 2024

1. Constitution

- 1.1. The Planning and Licensing Committee is constituted as a committee of the East Preston Parish Council.
- 1.2. The committee's terms of reference may be amended at any time by the council. Minor amendments can be made within the committee itself.
- 1.3. The committee may from time to time investigate, discuss or review matters outside its terms of reference if required to do so by the council.

2. Authority

- 2.1. The committee is authorised by the council to manage any activity within its terms of reference.
- 2.2. The committee is authorised to respond on behalf of the council to any Planning Applications received from Arun District Council and West Sussex County Council.
- 2.3. Where a decision is needed ahead of a committee meeting, and this can clearly be justified, a decision can be made on behalf of the committee by the Chairman and Vice-Chairman of the Committee in conjunction with the Clerk or Assistant Clerk. Wherever possible, committee members should be consulted electronically first.
- 2.4. The committee is authorised to respond on behalf of the council to any licensing applications received from Arun District Council and West Sussex County Council.
- 2.5. The committee is authorised by the council to obtain external legal or other professional advice and to secure the attendance of anyone it considers has relevant experience, expertise or knowledge with the agreement of the Chairman of the Council and the Chairman of the Finance & General Purposes Committee.
- 2.6. The Chairman of the Committee is authorised by the council to decide on simple applications to enable a meeting to be cancelled when only one application is on the agenda.
- 2.7. Following a decision not to object to an Application, should the Clerk feel that there has been significant new public correspondence; the Clerk should contact all committee members to advise them of the correspondence and seek their opinions. After considering the opinions of committee members, the Chairman of the committee, with the Clerk, may then overturn a decision not to object.
- 2.8. The committee shall be responsible for leading any reviews necessary of publications such as the East Preston Neighbourhood Plan and the East Preston Village Design Statement.
- 2.9. The committee shall automatically defer to the ADC arboriculturist on any Tree Applications. Such Applications will be circulated to committee members but not tabled for committee meetings unless a committee member specifically requests it to be.

3. Membership

- 3.1. The Committee shall be appointed by the Council from amongst its members and shall consist of not less **than three members and not more than five**. In accordance with Standing Order 13(a)(vii), the Chairman and Vice-Chairman of the Council may attend this committee and exercise their right to speak and to vote.
- 3.2. The Committee shall elect a Chairman for the municipal year at its first meeting in every year.
- 3.3. The Clerk of the Council is Secretary to the Committee.
- 3.4. Where there are more councillors willing to sit on a committee than spaces available, the Chairman of the Council and incumbent Chairman of the Committee, should agree to one of those extra councillors becoming the committee's official substitute.

Where it is necessary to include a substitute councillor, because of known absence or a conflict of interest, the official substitute should be approached first. Where that councillor is also unavailable or the committee does not have an official substitute, the Chairman of the Committee and the Clerk should agree between them the order in which to approach other councillors.

The maximum number of substitute councillors at any one committee meeting should be three (for committees of seven members) or two (for committees of five members). (added by Full Council on 4th November 2019, Minute 946/19, Resolution 1372)

4. Meetings

- 4.1. Meetings shall be called as necessary by the Clerk and the Chairman.
- 4.2. Additional meetings may be called by the Council or by the Chairman of the Committee.
- 4.3. The quorum necessary for the transaction of the business of the Committee shall be at least one half of the members or not less than 3.
- 4.4. After any evening meeting, regardless of the venue, the Chairman and / or Vice-Chairman of the Committee must stay with the Clerk or Assistant Clerk until he or she has locked up the whole of the venue, as necessary. (added by Full Council on 4th November 2019, Minute 946/19, Resolution 1373)

5. Responsibilities

- 5.1. To ensure the Council receives full details of all planning applications received by Arun District Council (ADC) and West Sussex County Council (WSCC) relating to the parish of East Preston.
- 5.2. To ensure the Council receives full details of all licensing applications received by Arun District Council (ADC) relating to the parish of East Preston.
- 5.3. To ensure that proper procedures are in place to guide responses to planning applications.

- 5.4. To give prior notification of planning applications on current weekly lists received from ADC to be considered by the Planning and Licensing Committee at each meeting.
- 5.5. To consider representations made by residents of East Preston and the general public and respond to issues raised on specific applications.
- 5.6. To assess planning applications to ensure they have regard to the East Preston Neighbourhood Plan, ADC Local Plan and West Sussex County Council Structure Plan 2001-2016, East Preston Village Design Statement together with Statutory Provisions and the National Planning Policy Framework.
- 5.7. To make publicly available council responses and representations to applications including use of the Parish Council website.
- 5.8. To attend ADC Planning Committee meetings as necessary to make representations and present the council's considerations and comments on specific applications.
- 5.9. To participate in the consultation and preparatory stages in the process of determining local development plan policies by providing local information and local needs and requirements.
- 5.10. To attend any training deemed reasonable by the committee.
- 5.11. To attend any site inspections arranged by ADC Planning Committee as appropriate.

6. Reporting Procedures

- 6.1. The business of the committee shall normally be reported in writing to the council meeting following the committee meeting, and the Minutes considered at the next committee meeting.
- 6.2. To report back regularly to Full Council planning notifications that the committee considers have identified specific issues in regard to local needs and environmental impact.

Adopted 10th October 2024