

Supporting Documentation  
Planning  
Committee Meeting

Tuesday 4<sup>th</sup> June 2024



## **Agenda Item 6: Terms of Reference**

### **1. Delegation**

- 1.1. Highworth Town Council will consider renewing these Terms of Reference at its Annual Council Meeting each year.
- 1.2. Highworth Town Council has agreed to adopt the Planning Committee Terms of Reference at its Annual Council Meeting held on Tuesday 14 May 2024 and recorded the decision under Minute 5.
- 1.3 The Planning Committee has the delegated authority to make recommendation on all Planning Applications

### **2. Membership**

- 2.1. The Planning Committee shall consist of a minimum of 5 and maximum of 9 Councillors who shall be elected each year at the Annual Council Meeting. If not Members of the Committee in their own right, the Chairman and Deputy Chairman will be Members of the Committee for the duration of their term of office with voting rights.
- 2.2. The quorum of the Planning Committee will be 1/3 or 3 of the Committee Members in line with Standing Order 4d (viii).

### **3. Procedures**

- 3.1. The Committee will operate within Highworth Town Council's Standing Orders, Financial Regulations and Local Government Law.
- 3.2. At the Annual Council Meeting Highworth Town Council shall elect a Chairman and Deputy Chairman for this Committee, if considered appropriate, for the forthcoming year from amongst its appointed Membership. The Chairman and Deputy Chairman may be re-elected.
- 3.3. The Committee will agree the Minutes of its Meeting at the next appropriate Meeting of this Committee. Minutes will be noted at Full Council, circulated to all Councillors and published on the Council Website.
- 3.4. The Committee will set a budget to the Council for the forthcoming financial year at the appropriate Meeting in October.
- 3.5. The Clerk or the appointed Officer will provide administrative support for the Committee.

#### **4. Meeting Dates**

- 4.1. The Schedule of Meetings shall be agreed at the Annual Council Meeting and the Committee shall meet at least annually

#### **5. Committee Functions - The Committee shall:**

- 5.1. Act as a Statutory Consultee on behalf of Highworth in all planning matters related to the town.
- 5.2. Exercise the Powers and Duties of Highworth Town Council, in respect of the Powers conferred to it from time to time under the Town and Country Planning Acts and the Orders and Regulations made under them.
- 5.3. Decide Highworth Town Council's responses to consultations on planning applications received from Swindon Borough Council on statutory and non-statutory planning policy documents.
- 5.4. Select from its Membership a person or persons to represent Highworth Town Council at site meetings, public enquires and at any planning or highway related group or organisation to represent Highworth Town Council's previously agreed views.
- 5.5. Consider and take action on all matters that are of a general nature relating to the Town and Country Planning Acts and Legislation.
- 5.6. Consider the effects of developments on the public transport system.
- 5.7. Ensure careful scrutiny and monitoring regarding the expansion of commercial activities in or close to residential areas to ensure the noise levels and smells will not be intrusive and that any proposals are not detrimental to the visual amenity of the area.
- 5.8. Monitor and comment upon, where appropriate, the proposed erection of telecommunication masts, powerlines and other similar structures.
- 5.9. Encourage a close working relationship with neighbouring areas on planning issues that may affect the communities.
- 5.10. Participate with public and private sector interests in Parish Enhancement Schemes and Local Conservation.
- 5.11. Make representation to Swindon Borough Council on behalf of Highworth Town Council to secure Section 106 funding where possible.

- 5.12. Actively liaise with the relevant departments at Swindon Borough Council in all matters related to planning and highway issues.
- 5.13. Consider and formulate a response if appropriate on highway and transportation consultations and information documents from relevant authorities and organisations.
- 5.14. Consider and take action on all other matters that are of a general nature relating to highway network within Highworth.
- 5.15. Actively promote and protect all footpaths, bridleways, and other Rights of Way in Highworth.
- 5.16. Monitor the Neighbourhood Plan on a quarterly basis and formulate a response to Full Council.
- 5.17. Review the Planning Protocol annually.

## **Agenda item 7:Planning Protocol**

### **PROTOCOL FOR PRE-APPLICATION PLANNING ADVICE AND FEEDBACK**

Highworth Town Council welcomes early engagement with Applicants on major or complex planning proposals. This supports the advice in the National Planning Policy Framework (NPPF) which encourages Applicants to engage with the local community prior to the submission of a planning application. The Town Council represents all sections of the community, including residents, interested groups and businesses,

Applicants are expected to comply with the Development Plan which comprises of the policies set out in our adopted HIGHWORTH NEIGHBOURHOOD PLAN and SWINDON BOROUGH COUNCILS LOCAL PLAN.

In all meetings with developers, Councillors are aware of the critical importance of not pre-determining their position on any future planning application as this could require them to take no part in the discussion. Expressing a pre-disposition, such as “welcome in principle” or “having concerns”, is permissible.

The Council is, in general, willing to hold meetings with developers prior to the submission of a planning application on the following condition:

- The meeting is open to the public to attend and has been reasonably advertised

The policy of The Council is **not** to hold private meetings with developers unless there is a necessary and compelling reason that could be justified to the public (for example, a strong commercial sensitivity where a developer wishes to receive an initial steer before deciding whether to progress).

The Council prefers developers to make presentations at scheduled meetings of its Planning Committee.

If a specially called meeting is required, then Council will expect the consulting developer to pay for the venue.

The Council encourages developers to carry out full public consultation before submitting plans for major developments on the following basis:

- An accessible and convenient local venue
- Sufficient publicity to likely interested parties, in good time
- Appropriate timings to allow as wide a range of people as possible to attend
- A genuinely open mind and willingness to adapt plans in response to feedback

### **Applicants seeking pre-application engagement should**

1. Contact the Town Clerk via email [admin@highworthtowncouncil.gov.uk](mailto:admin@highworthtowncouncil.gov.uk) at the earliest opportunity so that arrangements for pre-application engagement can be put in place.
2. The Town Clerk will provide dates of scheduled Planning Meetings and a date will be agreed.

3. The Applicant will make a Presentation to Full Council Planning Meeting. Allowance will be made for a 10 minute presentation to members of The Council. This should comprise of no more than 2 persons. We will then allow time for Councillors to ask questions. Following this meeting we will provide a letter, setting out our feedback to the Applicant. A copy of this will be sent to the Planning Department at Swindon Borough Council in their capacity as the Local Planning Authority if an application comes forward.
4. The Applicant will hold a Public Consultation prior to the submission of a Planning Application.

We will expect the submitted planning application for the development proposal to be accompanied by a Statement of Community Engagement. Any feedback received from the Public Consultation Event must be shared with The Town Council.

**Applicants seeking pre-application engagement should not consider this conduct as implied or explicit approval for any proposal.**

**The Applicant should approach the Clerk in the first instance and avoid contact with individual Councillors.**