

Town and Parish Charter Review

Willand Parish Council has considered the Town and Parish Charter together with Appendix 1 [Charter for Parish and Town Councils]. It offers the following comments and observations for considerations.

It would help to be consistent with the titles with regard to the headings. The main document uses **Town and Parish Councils** yet the Appendix uses **Parish & Town Councils**. Differing orders of the words appear at other places within the text.

Charter Mid Devon District Council and Town and Parish Councils in Mid Devon

Page 3 - 6 Formally add to the role of Chairman of the District Council that of being 'Local Council Lead Member' who will encourage better working across the district. ~~by attending local council meetings and providing feedback on any issues of local concern or interest.~~

Comment. We always used to get at least one annual visit from the Chairman of the Council to one of our meetings which was an opportunity to have an informal discussion and exchange of views. This is seen as a backward step. The Chairman projected an overall view for the District whereas the District Councillors, when they do attend, are more inclined to be more 'localised' in their input.

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1 Have due regard to the views of the local councils in determining all planning applications and where relevant neighbouring parishes.

Comment. The wording in red is a positive addition and reflects what has been happening in practice in most relevant cases over the last few years. Regrettably 'Have due regard to the views of the local councils' has not been followed where in a recent case the Parish Council pointed out that what was applied for was not in accord with policy but the officer openly disregarded policy rather than get the applicant to comply.

2 Ensure planning notices are prominent for all planning applications and A3 size notices are used for major applications.

Comment. Members have not seen the A3 notices displayed for major applications. Is this correct?

3 Ensure where practicable, notices in connection with planning policy public consultation meetings are placed prominently and at least 14 days in advance of meeting dates.

Comment. The words in red are considered to be an excuse if not done. Is it legal not to display notices?

Planning Charter for Parish & Town Councils (Appendix 1)

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1. The Planning Team of Mid Devon District Council will consult with its constituent Town and Parish Councils on all applications for planning permission, Advertisement Consent, Listed Building Consent, ~~Conservation Area Consent~~, deemed applications from Devon County Council and Government Departments, and some notifications (for example, telecommunications).

Comment. Why has the Conservation Area Consent has been removed as Parishes have been consulted when applications have been made for felling of trees etc. in Conservation Areas.

2. In order to aid the decision-making process, we will make every effort to forward full and adequate details of applications to Town and Parish Clerks within three working days of their validation, together with a link to copies of accompanying application drawings and other relevant information. All

information will be provided in electronic format. Weekly email alerts of new applications can be sent to Parish and Town Clerks if an email address is provided.

Comment. It is appreciated that most information would be in electronic format but when it moved to electronic from paper there was an assurance given that large paper copies [A3] of layout plans for major estates could be made available if requested. Will this arrangement still be available?

5.4. The Planning Team will wait twenty-one days for receipt of Town and Parish Councils views on the above noted applications (a week in excess of the fourteen day period provided by statute) before determining applications and issuing the relevant Decision Notice.

6.5. Any reasonable requests to delay consideration of applications so as to allow full comment to be made by Town and Parish Councils will be at the discretion of the Development Management Manager or relevant case officer. In the majority of cases, Town and Parish Councils will be expected to respond to notification on planning applications within twenty-one days of receipt of an application.

Comment. There needs to be flexibility to take account of the position of parishes who only have a meeting once a month, or even longer periods in some cases. Although 21 days are mentioned as a 'concession' we are experiencing cases where amendments have been made to plans and 14 days has been insisted upon. This has required the expense of arranging additional meetings on occasions. It has been noted that other consultees, including MDDC's own departments/officers, seem to regularly take longer without issue.

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10. At the *discretion* of the Development Management Manager or relevant case officer, Town and Parish Councils will be notified of planning application revisions (unless of a minor nature), and copies of revised plans will be forwarded.

Comment. The '*discretion*' creates inconsistencies and then, on occasions, conflict. The words '*At the discretion of*' should be removed from the text.

12. We will report, in full, representations received from Town and Parish Councils on applications that are presented to Planning Committee. The views will be included on the agenda report, but if received after printing, views will either be tabled or verbally reported.

Comment. The wording is agreed and supported but in reality, particularly when there have been a number of changes resulting in more than one representation, the report to Planning Committee has been summarised and relevant critical facts have been omitted.

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20. The Council will consult with and take into account all views received from Town & Parish Councils in the preparation and review of the Development Plan documents (e.g. Local Plan) in accordance with details set out in the Statement of Community Involvement (SCI). The current Local Plan and Local Development Scheme are available ~~for viewing at Reception, or~~ on the Councils web site, www.middevon.gov.uk

Comment. Is it legal to only make the document available on the website?

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Schedule 1 (paragraph 8) of the Town and Country Planning Act 1990 (as amended) states that Parish Councils (or Town Councils) may request District Councils to send them details of planning applications **for their areas**. Mid Devon District Council aim to work closely with the community and will formally consult the appropriate Town and Parish Council on all applications that require consultation as per the Act.

Comment. Did this ought to also include the wording 'and where relevant neighbouring parishes.' To be consistent with 1 on page 4.

In the case of Formal Enforcement action

Comment. The Parish Council would like to see a wider and less restrictive form of words here to ensure that Planning Enforcement is dealt with in a more positive and proactive manner than is currently experienced. Parishes are being asked to report breaches using the forms but have little confidence that any action will be taken.