

# Ashleworth Parish Council (APC)

## Guidelines for making representations on planning applications

1. The Parish Council recognises that it is a statutory consultee on all planning applications that fall within the APC boundary but can make a decision whether or not to make a representation.
2. Where 3 or more councillors wish to make a representation, the representation will go ahead. (e.g. If 2 or 1 councillor(s) abstain or there are only 3 councillors available willing to make a representation, the representation process will still go ahead).
3. On receipt of an application from Tewkesbury Borough Council (TBC), APC usually has 28 days in which to respond. The Clerk will endeavour to ensure that the application is forwarded to councillors within at least 3 days of receipt (unless on leave in which case other arrangements will be made).
4. If 3 or more councillors wish to make a representation and the 28 day response time falls within the normal schedule of APC meetings, the planning application will be reviewed at a normal, scheduled public meeting.
5. Should the 28 day consultation period fall outside this normal period, then the following will apply:
  - a) If the nature of the application is such that the Chairman or Clerk deems it to be contentious, either because APC has received correspondence from members of the public, or for some other reason, then a special planning meeting will be called by the Clerk or the Chairman.
  - b) If the application is not deemed contentious, then Councillors will convey their representation to the Clerk of either object/no objection with reasons why. These reasons must be based largely on planning policy.
6. When a decision has been made prior to a public meeting, the following will apply:
  - a) The Clerk will collate the written responses he receives from councillors and base the representation on the majority decision received (i.e. objection or no objection). **ALL** the reasons supporting the majority decision will be conveyed
  - b) The Clerk will send this representation (copied to councillors before hand) with reasons (if any) to TBC.
  - c) At the next scheduled APC meeting, this representation will be an Agenda item in order that members of the public attending the meeting will have the opportunity to comment. Public comments and APC's decision will be minuted.
7. When APC discuss a planning application at a public meeting, the following will apply:

- a) If the application has been deemed contentious, every effort will be made to ensure that the applicant knows about the meeting, over and above the normal procedure of publicising the meeting
- b) Attending members of the public, including the applicant and/or their representatives will be invited to give their views on the application before the meeting starts during the public question time
- c) Prior to the meeting, individual Councillors will have had the opportunity to review the application and come to a preliminary view. Their reasons will be based on information that supports planning policy (either with reference to specific policies or on a more general basis) and **not on** hearsay, rumour or personal favour
- d) At the end of the discussion period, the Chairman will give each councillor the opportunity to convey his/her reasons for supporting or objecting to the proposed planning application.
- e) It is for each Councillor to ensure that the basis of their decision is **very clearly conveyed** to the Clerk for inclusion in the minutes of the meeting. This may be either in spoken or in a written format or both.
- f) The Chairman will declare the vote (e.g. 4 objections 1 support) and the single representation that will be sent to TBC, based on the **MAJORITY** decision. So, for example a vote of 3 objections and 2 of support will mean that a representation of OBJECT will be communicated to TBC. In the event of a tie the Chairman will have the casting vote.
8. It will be the responsibility of the Clerk to compile the representation and send it to TBC within the consultation period.
9. The Clerk must use **ALL** and **ONLY** the reasons that were conveyed during the meeting that support the overall majority decision. The voting result must also be included (e.g. 4 objections: 1 non objection).
10. The Clerk will send the proposed representation to all Councillors for approval before sending to TBC. Councillors will check that the information conveyed is only what was conveyed to the Clerk for inclusion in the minutes and will not add any additional information.
11. It is not a requirement for the minutes of the meeting in which the planning application was discussed to be sent with a representation. However, where a representation is based on a very slim majority, the final decision to do so or not will rest with Chairman.

Signed..... Date.....