



# **Lostwithiel Town Council**

## **Local Council Planning Protocol Policy**

Minute ref 099/21 - 03 August 2021

This policy details the procedure that will be adopted by Lostwithiel Town Council in order that it can comply with Cornwall Council's 5-day Protocol for Local Councils.

The Town Council will adopt this procedure when Cornwall Council's Planning Officer's decision differs from the Consultee response submitted to Cornwall Council by Lostwithiel Town Council and thus the 5-day Protocol for Local Councils is activated.

It is based on the principles that the Town Council may wish to reevaluate its original decision given the new information received from the case officer, and that there is insufficient time to call an extra ordinary meeting for further discussion.

#### Procedure

1. Cornwall Council's Planning Officer will contact Lostwithiel Town Council advising of the disagreement and the reasons of their proposed decision.
2. The Clerk checks that new information allows the application, as per standing orders, to be reconsidered.
3. The Clerk forwards the email to the Councillors who were present at the Council meeting when the application was considered.
4. Each Councillor sends their response to the Clerk via email by the time and date specified. The response submitted to the clerk should be clear and specify one of the three options listed: -

i. Agree with the Cornwall Council's Planning Officer's recommendation

ii. Agree to disagree

iii. Having made strong planning reasons to maintain the Town Council's original position on the proposal against the recommendation of the Planning Officer recommendation, it is requested that the application is determined by the Planning Committee.

Council Members are asked to be mindful that in accordance with Cornwall Council's Protocol for Local Councils, Cornwall Council's Head of Service (or their nominated officer) will exercise their discretion on whether or not the application goes to the planning committee after first discussing the matter with the Divisional Member (Elected Cornwall Councillor for Lostwithiel).

If a Lostwithiel Town Council Member does not respond by the stated deadline, it will be adjudged as 'No Comment'. In the event of a parity of responses the Mayor or the Councillor who presided at the meeting when the Council considered the application will have the casting vote.

5. The quorum for the vote will be more than 50% of the Council Members present at the meeting, 'no comment' will not count towards the quorum. In the event of an inquorate vote, the original resolution of the Town Council will stand.

6. Councillors will be responsible for ensuring that their vote is informed and based on proper planning guidance and application information.

7. The Clerk will advise Cornwall Council's Planning Officer and Council Members of the result of the re-considerations.

8. The Council will ensure that the Planning page of the website is updated to reflect the decision made.

9. Applications considered under the Cornwall Council Protocol for Local Councils will be a standing planning agenda item and thus all decisions will not only appear on the website but will be included in the minutes of the meeting after the decision has been taken.

10. Members of the public will be entitled to copies of the emails exchanged and how the Council voted if so requested.