



ST. AGNES PARISH COUNCIL

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Planning response measures during suspension of Council activities - COVID-19 Outbreak

Following advice received yesterday from Cornwall Council's Acting Democratic Team Leader (Regulatory), along with previous advice received from Cornwall Association of Local Councils (CALC), the Parish Council will now follow the below process regarding consultation and responses to planning applications received after the Planning Committee agenda issued for 16th March 2020 meeting.

- Each Monday morning, the Deputy Clerk will create a list entitled 'Planning Applications List for Comment, Week Commencing [DATE]' (the contents would usually form part of the planning agenda.) This list will contain live applications for consultee comment and will be circulated by email. The list will be published on the Parish Council website instead of an agenda.
- Members of the Planning Committee will have until 09:00 on Friday of the same week to respond to the Deputy Clerk by email with their comments on each application.
- Member's responses must be concise and follow the format as below – selecting one of these four options:
 1. No objection.
 2. No objection but subject to conditions A, B, C (must be concise and specific).
 3. Object on specific material grounds quoting relevant NDP and CLP policies if applicable (must be concise and specific).
 4. No comment.
- The Deputy Clerk will collate all responses received then produce a list entitled 'Planning Application Comments, Week Commencing [DATE]' (the contents would usually form part of the planning minutes). The following statement will be added to each application collective comment:

"Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of St Agnes Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote."

The list will be published on the Parish Council website instead of the minutes.
- The Deputy Clerk will submit these responses on Cornwall Council's online planning portal stating the number of votes received i.e x number of Councillors who objected for these reasons.
- Each collective response will be concluded by the following statement:

"This response represents the opinion of members of the Council, but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a "5-day protocol" email should not be issued to the Council as it cannot legally respond."

For clarification please see Appendix A and B for examples of a response under this new, temporary procedure.

This procedure is under constant review and is subject to change if there is a change in law allowing Parish Councils to formally meet 'virtually' or electronically and make legal decisions, or otherwise other relevant advice is forthcoming.

Appendix A – Example of a response under the new, temporary procedure.

Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of St Agnes Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote.

Comments received were as follows:

6x No objection (MAJORITY)

1x No objection with the following conditions: splays are widened to ensure safe access and egress.

2x Object. The following grounds were cited: development in the open countryside; dangerous access and egress on to the highway; no proven need for the development.

This response represents the opinion of members of the Council, but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a “5-day protocol” email should not be issued to the Council as it cannot legally respond.

Appendix B – Example of a response under the new, temporary procedure.

Due to the restrictions placed on the Council as a result of the pandemic Coronavirus, this response represents the opinion of members of St Agnes Parish Council identified through a consultation process, but does not constitute a formal consultee response because the outcome was not reached at a physical meeting at which the public could be present and where Councillors can legally vote.

Comments received were as follows:

5x Object (MAJORITY). The following grounds were cited: Contrary to NDP Policy X. Out of keeping with the local area. Loss of public views of the heritage coast.

2x No objection.

2x No comment.

This response represents the opinion of members of the Council, but cannot legally constitute a consultee response as the outcome was not reached at a physical meeting at which the public could be present. Therefore a “5-day protocol” email should not be issued to the Council as it cannot legally respond.