

# ST PAUL MALMESBURY WITHOUT PARISH COUNCIL

Report: #08.2

## 1) Purpose of Report

To rectify a mistake in the Council's Standing Orders

## 2) Background

In December 2020 the Chair asked that Standing Orders be revised to allow planning applications with a consultation date falling before the next due meeting of the Council to be considered by email. This was expedient at the time since we were at that time meeting remotely for all matters and it was agreed unanimously by the Council. Consequently it became Standing Order 15(b)XV. It has been used on several occasions.

## 3) Reconsideration of the Order

The Model Standing Orders produced by NALC and which we largely follow has some Orders in black type which are described as containing legal and statutory requirements. Among these is an Order providing for meetings to be open to the public unless their presence is thought to be prejudicial to the public interest due to their confidential nature. Another Order provides for voting to be done by a show of hands. There is a legal requirement for due notice to be given of meetings and for them to be publicised. Minutes of the meetings are required to be made.

It is suggested that decisions by email either fail to meet all these requirements or the way they have been carried out has not met the requirements.

If meetings by email are removed from the Standing Orders it is likely that the Council's advice on most applications will be considered by the Planning Officer even if received outside of the consultation period.

## 4) Recommendation

It is proposed that Order 15(b)XV be revised to that in the Model provided by NALC. This would be:

' refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.'

A D Hopkins

15/8/22