

TERMS OF REFERENCE OF THE OPERATIONS COMMITTEE

1. CONSTITUTION

- 1.1. The Committee will consist of nine Councillors appointed by Full Council at the Annual Council Meeting (or another Council meeting should a vacancy occur during the year).
- 1.2. Committee meetings will be arranged by the Town Clerk with a quorum of five members.
- 1.3. The Operations Committee includes Strategic Planning and will consider the Council's response to planning consultations from the weekly lists, including any items raised by ward members or committee members.
- 1.4. District Councillors are able to attend the meetings and comment on planning matters in their role as a Town Councillor.

2. RESPONSIBILITIES

Operations

- 2.1. To consider and make recommendations to the Council as to policies and initiatives which will contribute to, and promote, the Council's strategic operational objectives. These to include provision, repair, renewal, maintenance, development and improvement of operational assets and services.
- 2.2. To set and monitor policies in relation to the management of all parks and open spaces, allotments, play areas, sports activities, Christmas lights, Malvern in Bloom bedding displays etc.
- 2.3. To set and monitor policies in relation to the management of Great Malvern Cemetery.
- 2.4. To set and monitor policies in relation to the management of street furniture including litterbins, bus shelters, clocks and gas lamps.
- 2.5. To monitor the effectiveness of operations activities, making recommendations to Full Council for improvement as required.
- 2.6. Further to Full Council approving service delivery recommendations, the Operations Committee to deliver a service improvement plan.
- 2.7. To ensure that all operational activities support and inform the budget planning process.
- 2.8. To recommend service standards, performance indicators and support monitoring measures (and/or means of establishing these) for incorporation into the Council's Performance Management Systems as part of provision of best value.
- 2.9. To act as the Council's operational Health and Safety Committee.

Events

- 2.10. To consider and make recommendations to Full Council with regard to existing events as well as the expansion of Malvern Town Council's events calendar.
- 2.11. To consider and provide recommendations to Full Council for Town Council support and involvement with independent/partnership events.
- 2.12. To consider and develop methods to promote Malvern, Malvern's events and the Town Council, including the use of social media and an up-to-date Town Council website.
- 2.13. To monitor the effectiveness of events activities and make recommendations to Full Council.
- 2.14. To ensure that all events are financially viable and operate within the Council's Financial Regulations.

Strategic Planning

- 2.15. To establish aims, objectives and policies and a planning strategy for adoption by Council and implementation by the Committee to provide an effective basis for the consideration of any planning issue.
- 2.16. To consider and comment on any planning matter which affects the Town of Malvern.
- 2.17. To consider and comment on any application referred for comment to the Town Council by a Local Planning Authority.
- 2.18. To work in conjunction with, and if appropriate, support any other person or body whose aims, objectives or purpose is concerned with the proper planning of the Town of Malvern and its neighbourhood and its environment, including any other appropriate local organisation.
- 2.19. To participate fully in the development and implementation of the Neighbourhood Plan, local plans, policies and interests in order to ensure that these have a beneficial impact on Malvern.
- 2.20. To take all possible action to obtain legitimate planning gains (such as Section 106 money or a percentage of Community Infrastructure Levy) for the Town from all relevant developments in Malvern.
- 2.21. To make arrangements with, and to authorise, any person (including one or more Town Councillors) to advance or explain any planning comment made on behalf of the Town Council, or to further any policy or discussion relating to planning matters (providing the Council has not made alternative provision to the same effect.)
- 2.22. To receive reports from Working Parties formed to look at specific planning issues.

3. FINANCE

Operations

- 3.1. To prepare annually a draft budget for operational services to be agreed by Full Council as part of the budget progress.
- 3.2. Within agreed budgets and financial regulations, to exercise full delegated authority over the finance and administration of operations activities subject only to best value policies and practices as adopted from time to time.

Events

- 3.3. To prepare annually a draft budget for events to be agreed by Full Council as part of the budget progress.
- 3.4. To ensure that all events activities are within budgetary constraints and that budgets are regularly reviewed and updated to support and inform the next year's budget planning process.
- 3.5. Within agreed budgets and financial regulations, to exercise full delegated authority over the finance and administration of events activities.

4. TOWN AND COUNTRY PLANNING SYSTEM

- 4.1. This is designed to regulate development and the use of land. It does this by aiming to achieve a balance between the aspirations of the developer and the need to safeguard the character or amenity of an area and the interests of its residents.
- 4.2. Role of Local Planning Authorities in Planning:

County Council:

- Strategic planning authority;
- Prepares structure plans which guide development for the whole of its area;
- Prepares mineral and waste disposal plans and decides planning applications for these kind of developments;
- Responsible for main roads.

District Council:

- Prepares district-wide local plans which show precisely where development should or should not take place as well as covering other issues such as shopping, transport and recreation;
- Deals with the majority of planning applications.
- Joint working on the South Worcestershire Development Plan (SWDP).

Town/Parish Councils:

- Statutory consultee on planning applications and the content of development plans.

- The Council is active in participation for all planning application consultations. This is an important part of the representational role of the Town Council.

4.3. Procedure for Town Council Planning Consultation:

- i. Malvern Town Council sends the planning list to all Councillors every Friday as part of their weekly packs.
- ii. Councillors are asked to inform Town Council Officers of any Planning Applications which they wish to be discussed at Strategic Planning Meetings. These applications will then be listed individually on the agenda.
- iii. If applications arise in the period between meetings, Ward members should notify the office of any applications on which they would like to comment. If these comments find the support of other ward members, then they will be passed on to MHDC.
- iv. All comments on planning applications must be based on relevant planning considerations, including:
 - The compliance of the proposals with the adopted development plan
 - How the proposal fits in terms of design and use with its surroundings
 - The effect of sunlight and daylight on adjoining properties.
 - The loss of privacy to adjoining properties
 - The effect on parking, drainage, traffic, road safety and general disturbance to local residents
- v. Planning considerations do not include:
 - Spoiling of householder views
 - Devaluation of property
 - Covenants affecting properties
 - Nuisance caused by building work
 - Land ownership disputes
 - Personal preferences for the site
- vi. It is important that all comments are clear, concise and accurate. It helps if the Council suggests conditions it would like to see imposed if the local Planning authority permits the application.
- vii. The Town Clerk will draw members' attention to planning issues that appear on the agenda for MHDC Planning meetings and an appropriate Ward councillor should be asked to speak for the Town Council at MHDC's Southern Area Development Management Committee meetings on all planning matters of concern in Malvern Wards. Ward members should

contact the Town Clerk with any matters of concern relating to planning matters.

- viii. Malvern Town Council staff will aim to prepare and send comments of the Committee to the District Council within seven days of the meeting. If the comments are too late to be included on the District Council Planning Committee Agenda, staff will circulate the comments by email to MHDC.
- ix. Members should note that many planning applications are dealt with by MHDC Planning Officers under delegations in conjunction with the relevant District Councillors.