

MATLOCK TOWN COUNCIL

1. PURPOSE

To give Matlock Town Councillors authority to speak at Derbyshire Dales District Council Planning Meetings on behalf of the Council.

2. RECOMMENDATIONS

Should a Councillor wish to speak at a DDDC Planning Meeting in support of comments made at Council, a mandate will be given by the Council. Should no mandate be given, the Councillor will not represent the Town Council but will speak as an individual.

Authority to represent the Council should be incorporated into the minutes and the mandate should include the planning application reference, the relevant Town Council comments (which will be the same as those included in any representation to DDDC) and the Town Council minute number. One copy will be submitted to DDDC along with any representations made, one copy will be given to the Councillor in question and another kept on file.

3. BACKGROUND

Problems had arisen in the past when a Councillor wished to speak on behalf of the Council in support of comments made on a planning application at Derbyshire Dales District Council, and had not been allowed to do so.

The Clerk was asked to ascertain whether permission could be obtained, and had advised that an individual Councillor could not represent the Council, only an officer. Advice was sought from DALC and Cath Leddy, Corporate Services, Derbyshire Dales District Council.

Their comments were as follows:

Derbyshire Association of Local Councils:

“No - you cannot delegate to an individual – the Councillor should make it quite clear he is not representing the Council if he makes any comment at a site meeting

If you attend to proffer the decision of your Council in respect of the application - no problem

Check with Kath Leddy”

Cath Leddy, Corporate Services, Derbyshire Dales District Council

“This approach has been used in other councils in the Dales. The way it works is that the council is consulted, and one councillor is nominated to express the views or make representations following the meeting at which they have been debated.

You are right in that an individual councillor can not, in law, be given delegated authority to represent the council’s views in the same way that an officer can.”

4. ISSUES

The Councillor representing the Council must be certain that they are supporting Matlock Town Council views and not submitting their own.

The mandate should establish a link between the Town Council minute and any comments made at a Planning Meeting.

S. C. Smith.

Town Clerk
23 January 2006