

Constitution and Associated Documents – Proposed Changes

	Section and Reference	Existing Text	Proposed amendment including revised text if appropriate
	<p>Officer Delegation Scheme</p> <p>Section 9</p> <p>Director of Regeneration and Economic Development</p> <p>RED12 i)</p> <p>Page 35</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>i) Applications classified as major or minor developments (as defined for the purposes of the government PS2 statistical return) where a Councillor, applicant or other person with a material planning interest has, within the statutory publicity period or prior to the determination of the application, requested in writing that the application be determined by Planning Committee and has also given substantial reasons why the application should be determined by Planning Committee and not under the Officer Delegation Scheme.</p>	<p>Determine applications, notifications, consultations, discharge of conditions, screening and scoping requests, enforcement and all other matters within the terms of the Planning Committee (please see Part 3.5 of the Constitution) and in respect of High Hedge complaints under Part 8 of the Anti-Social Behaviour Act 2003, subject to the exceptions specified below:</p> <p>i) Applications classified as major or minor developments (as defined for the purposes of the government PS2 statistical return) where a Councillor, applicant or other person with a material planning interest has, within the statutory publicity period or prior to the determination of the application, requested in writing that the application be determined by Planning Committee and has also given reasons as to why the application is so significant or contentious that it. should be determined by Planning Committee and not under the Officer Delegation Scheme and that request has been accepted by the Chair and/or Deputy Chair of the Planning Committee.</p>

		<p>Reason for proposed change:</p> <p>Sometime ago paragraph RED12 j) was amended to establish a test that any request for an application to be referred to the Planning Committee had to demonstrate that the matter was so significant or contentious as to warrant consideration by the Committee. This established consistency with the test applicable to requests for speaking rights at Planning Committee.</p> <p>This proposal amends paragraph RED12 i), which applies to applications classified as major and minor, so that it is consistent with paragraph RED12 j), which applies to householder applications, and the Speaking Rights Scheme.</p>
	<p>Implications of proposed change:</p> <ul style="list-style-type: none"> • Finance and other resource implications: There are no financial or resource implications. • Legal implications: The Planning Committee and the Director of Regeneration and Economic Development both exercise the Authority's power to determine applications for planning permission under Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990. • Consultation/Engagement undertaken (internal and external): None. • Human Rights implications: There are no human rights implications. • Equalities and Diversity implications: There are no equalities and diversity implications. • Risk Management implications: 	

	<p>The risks associated with the revised delegation remain unchanged.</p> <ul style="list-style-type: none"> • Crime and Disorder implications: There are no crime and disorder implications. • Environment and Sustainability implications: There are no implications in terms of the environment or sustainability.
	<p>Proposed by: Michael Robson Service Area: Governance Contact Tel. No: 643 5359</p>
	<p>Head of Service sign-off: (please insert a cross in the box)</p> <div style="display: inline-block; border: 1px solid black; padding: 2px 10px;">x</div>