

## **PLANNING DEVELOPMENT CONTROL COMMITTEE – 10 JUNE 2015.**

### **DELEGATION OF POWERS TO OFFICERS.**

#### **1.0 INTRODUCTION**

- 1.1 The Council operates an extensive scheme of delegation of powers to officers to allow routine business to be completed in a timely and efficient manner. The current scheme of delegation of powers to officers needs to be updated to reflect recent changes in the structure of the Planning and Transportation service.
- 1.2 The proposed changes to the scheme of delegation of powers are set out in Appendix 1 to this report. Officers who are being added to a particular delegation are show in bold italics. Deletions are shown struck through.

#### **2.0 CRIME AND DISORDER, ENVIRONMENTAL, EQUALITY AND FINANCIAL IMPLICATIONS**

- 2.1 None arising from this report.

#### **3.0 RECOMMENDED:**

- 3.1 That the scheme of delegation of powers to the officers be updated as shown in the schedule attached as appendix 1 to this report.

#### **For further information contact:**

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#### **Background Papers:**

None.

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PDC 9 (Old ref 251)	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990	To deal with minor modifications to approved plans, and to vary or to discharge conditions imposed on consents	Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer, or Planning Enforcement Team Leader, or Senior Planning Officer, or Planning Officer, or Assistant Planning Officers, or <del>Planning Policy Manager, or Environmental Design Manager, or Senior Arboriculturist, or Conservation Architect</del>	Council 75. of 22/04/02 Council 63. of 28/04/03 Plg.Dev.Con.Cttee 33. of 9/11/05  Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 19 (Old ref 259)	Planning (Listed Buildings and Conservation Areas) Act 1990 s.3(1)	To serve Building Preservation Notices	Head of Legal and Democratic Services or, in his or her absence, Solicitors, or Employed Barrister, in consultation with the Planning Policy Manager, or Head of Planning and Transportation, or Conservation <b>Officer</b> <del>Architect, or Environmental Design Manager</del>	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PDC 20 (Old ref 260)	Planning (Listed Buildings and Conservation Areas) Act 1990 s.4(1)	To serve a Building Preservation Notice by affixing it to the building	Head of Legal and Democratic Services or, in his or her absence, Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Planning Policy Manager, <del>or Conservation Architect,</del> <del>or Environmental Design</del> Manager, or Conservation Officers	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 25 (Old ref 265)	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.54(1))	To authorise execution of works urgently necessary for the preservation of an unoccupied Listed Building	Head of Planning and Transportation, or Planning Policy Manager, <del>or Conservation Architect,</del> <del>or Environmental Design</del> Manager, or Conservation Officers	Council 75. of 22/04/02 Council 63. of 28/04/03 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 26 (Old ref 266)	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.54(5))	To give notice of intention to carry out the works	Head of Planning and Transportation, or Planning Policy Manager, <del>or Conservation Architect,</del> <del>or Environmental Design</del> Manager, or Conservation Officers, in consultation with the Head of Legal and Democratic Services, or Solicitors, or Employed Barrister	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
PDC 29 (Old ref 270)	Town and Country Planning Act 1990 (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.38)	To determine whether it is expedient to take enforcement action	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, or Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer, or Planning Enforcement Team Leader, or Senior Planning Officer, or Planning Officer, <b>or</b> <b>Planning Policy Manager</b> <del>or Conservation Architect,</del> <del>or Environmental Design Manager</del>	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06  Council 22. of 21/07/08
PDC 30 (Old ref 271)	Town and Country Planning Act 1990 (s.172) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.38 and s.74)	Issue and service of enforcement notices	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer, or Planning Enforcement	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			Team Leader, <i>or Planning Policy Manager</i> <del>or Environmental Design Manager</del>	
PDC 31 (Old ref 272)	Town and Country Planning Act 1990 (s.173A) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.38 and s.74)	Variation to, or withdrawal of, enforcement notice	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer, or Planning Enforcement Team Leader, <i>or Planning Policy Manager</i> <del>or Environmental Design Manager</del>	Council 75. of 22/04/02 Council 63. of 28/04/03 Council 21. of 19/07/04  Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 34 (Old ref 275)	Town and Country Planning Act 1990 (s.187B) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.44A and s.73(3))	To seek an injunction	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer,	Council 75. of 22/04/02 Cabinet 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE

No	Source	Power Delegated	Delegated to	Minute Reference
			or Planning Enforcement Team Leader, <b>or Planning Policy Manager</b> or Environmental Design Manager	
PDC 35 (Old ref 276)	Town and Country Planning Act 1990 (s.97 and 99) Planning (Listed Buildings and Conservation Areas) Act 1990 (s.23) and (s.74(3))	To make an order to revoke or modify Planning Consent, Listed Building Consent or Conservation Area Consent	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Planning and Transportation, or Development Control Manager, or Area Planning Officer, or Development Control Team Leader, or Principal Planning Officer, or Planning Enforcement Team Leader, <b>or Planning Policy Manager</b> or Environmental Design Manager	Council 75. of 22/04/02 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 36 (Old ref 277)	Town and Country Planning Act 1990 (s.198, 199 and 201)	(i) To make, modify, confirm, decide not to confirm, vary and revoke tree preservation orders	Head of Planning and Transportation, <b>or Planning Policy Manager</b> or Environmental Design Manager, or Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, or Democratic Services Manager	Council 75. of 22/04/02 Council 21. of 19/07/04 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

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No	Source	Power Delegated	Delegated to	Minute Reference
		(ii) To decide whether a tree preservation order should be made at the request of a District Councillor, when the arboricultural officers do not consider there is justification	Head of Planning and Transportation, <b>or</b> <b>Planning Policy Manager</b> <del>or Environmental Design Manager</del> , in consultation with the Chairman and Vice- Chairman of Planning Development Control Committee and Head of Legal and Democratic Services	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 39 (Old ref 280)	Town and Country Planning Act 1990 (s.198 and s.211) and Planning (Listed Buildings and Conservation Areas) Act 1990, s.69	To determine applications to do works to trees that are subject to protection by a Tree Preservation Order, and to impose such conditions on any consent as he or she deems appropriate	Head of Planning and Transportation, <del>or Environmental Design Manager</del> , <del>or Senior Arboriculturist</del>	Plg.Dev.Con.Cttee 13. of 13/07/05 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 40 (Old ref 281)	Town and Country Planning Act 1990 (s.211) Planning (Listed Buildings and Conservation Areas) Act 1990, s.69	To determine whether or not to object to prior notification of an intention to do works to a tree within a conservation area	Head of Planning and Transportation, <del>or Environmental Design Manager</del> , <del>or Senior Arboriculturist</del>	Plg.Dev.Con.Cttee 13. of 13/07/05 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 41 (Old ref 282)	Planning (Listed Buildings and Conservation Areas) Act 1990 (s.89)	To require information on interests in land and its use	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, or Head of	Council 75. of 22/04/02 Council 63. of 28/04/03

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No	Source	Power Delegated	Delegated to	Minute Reference
	Town and Country Planning Act 1990 (S.330(1) and S.330(2)) Miscellaneous Provisions Act 1976 (s.16)		Planning and Transportation, or Development Control Manager, or Principal Planning Officer, or Planning Enforcement Team Leader, <b>or Planning Policy Manager</b> <del>or Environmental Design Manager</del>	Council 21. of 19/07/04 Plg.Dev.Con.Cttee 33. of 9/11/05 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 45 (Old ref 286)	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To issue notices of authority to remove all or part of a hedgerow	Head of Planning and Transportation, <b>or Development Control Manager</b> <del>or Environmental Design Manager</del> following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
		In the event of disagreement between the officers and the town and parish council and/or local ward members, to issue notice of authority to remove all or part of a hedgerow	Head of Planning and Transportation, <b>or Development Control Manager</b> <del>or Environmental Design Manager</del> following consultation with the Chairman and Vice-Chairman of Planning Development Control Committee	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 46	Environment Act	To issue hedgerow retention	Head of Planning and	Council



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No	Source	Power Delegated	Delegated to	Minute Reference
(Old ref 287)	1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	notices in respect of hedgerows falling within the definition of an important hedgerow	Transportation, <i>or</i> <b>Development Control Manager</b> <del>or Environmental Design Manager</del> following written consultation with appropriate Town or Parish Councils and Local Ward Members	75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 47 (Old ref 288)	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.5)	To withdraw hedgerow retention notices in respect of hedgerows	Head of Planning and Transportation, <i>or</i> <b>Development Control Manager</b> <del>or Environmental Design Manager</del> following written consultation with appropriate Town or Parish Councils and Local Ward Members	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
PDC 49 (Old ref 290)	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.8)	To issue notices requiring the planting of a replacement hedgerow	Head of Planning and Transportation, <i>or</i> <b>Development Control Manager</b> <del>or Environmental Design Manager</del>	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
PDC Auth1 (Old ref 301)	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Hazardous Substances) Act 1990 Planning and Compulsory Purchase Act 2004	In respect of any function which is delegated to the Committee, to enter premises for the purposes of the Acts and any amending statutes or regulations made pursuant to the Acts	Executive Director, Head of Planning and Transportation, Development Control Manager, Area Planning Officers, Development Control Team Leaders, Planning Enforcement Team Leader, Principal Planning Officer, Senior Planning Officers, Planning Officers, Assistant Planning Officers, Planning Technicians, Principal Building Control Surveyor, Senior Building Control Surveyor, Assistant Building Control Surveyors, District Building Control Surveyors, Planning Enforcement Officer, Enforcement Officer, Planning Policy Manager, Principal Policy Planner, Senior Policy Planner, Planning Policy Officer, Environmental Design Manager, Conservation Architect, <i>or</i> <b><i>Design Team Leader,</i></b>	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 33. of 9/11/05 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08

## FUNCTIONS WHICH ARE DELEGATED TO THE PLANNING DEVELOPMENT CONTROL COMMITTEE AUTHORISATION TO ENTER PREMISES

No	Source	Power Delegated	Delegated to	Minute Reference
PDC Auth2 (Old ref 302)	Environment Act 1995 (s.97) Hedgerow Regulations 1997 (Reg.12)	Authorisation to Enter Premises	Conservation Officers, Landscape Architect, Urban Designer, Landscape and Open Space Project Officer, Employed Barrister, Solicitors, Head of Legal and Democratic Services, Committee Administrator.	Council 75. of 22/04/02 Plg.Dev.Con.Cttee 33. of 9/11/05 Plg.Dev.Con.Cttee 64. of 10/05/06 Council 22. of 21/07/08
			Executive Director, Head of Legal and Democratic Services, Head of Planning and Transportation, Committee Administrator, Solicitors, <b>Development Control Manager</b> , <del>Environmental Design Manager, Urban Designer, Landscape Architect, Landscape and Open Space Project Officer, Planning Policy Manager</del>	