

3D. Committee Functions

Committee	Membership	Functions	Delegation of Functions
<p>Planning Committee</p>	<p>Members of the authority</p>	<p>Planning and conservation</p> <p>Functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the Functions Regulations)</p> <p>Planning Applications where:</p> <ol style="list-style-type: none"> 1. Major development: Housing 10 or more dwellings Site area > 0.5 Hectares All other development: Floorspace > 1000m² Site area > 1 Hectare 2. Classes A4 and A5 Food & Drink (Hot food takeaways/Pubs). 3. Applicant or a close relative of the applicant is a member or employee of South Ribble Borough Council (Close relative is defined as a spouse, partner, parent, parent-in-law, son, or daughter). 4. Officer who would normally make the decision knows that a member or employee of South Ribble Borough Council has a declarable interest in the application. 5. Where within four weeks of receipt of an application the Director of Planning and Housing and Chairman of the Committee consider either in their own capacity or following compelling representations from a member(s) that there are exceptional circumstances which warrant consideration of the 	<p>Functions delegated to officers as set out in the Scheme of Delegation to Officers.</p>

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		<p>proposal by a committee.</p> <p>Where none of the above applies the decision will be made under the existing power of delegation. This will include cases where the decision may be contrary to views which have been received from interested parties.</p> <p>Enforcement and other action including the institution of legal proceedings, under the Town and Country Planning Act 1990;</p> <p>Commons registration</p> <p>The registration of common land or town and village greens and to register the variation of rights of common as set out in Schedule 1 to the Functions Regulations.</p> <p>Highways use and regulation</p> <p>The exercise of powers relating to the regulation of the use of highways as set out in Schedule 1 to the Functions Regulations.</p>	

3E. Scheme of Delegation to Officers

1. Purpose of the Scheme

1.1 The primary purpose of the council's democratic structure is to make decision-making efficient, effective, accountable and transparent.

1.2 The Council has three main levels of decision making:

-Council/Cabinet/committee (members) – strategic, policy and related matters

-Officers in consultation with the relevant member(s)

-Officers – day to day/operational decisions

The purpose of this scheme is to delegate a general competence to officers to discharge those functions within their specific areas of responsibility to ensure that the workload of the Cabinet and committees is manageable and enables members to focus on strategic, policy and related matters.

2. Delegation to Officers in Consultation with a Member

The Chief Executive, Directors, Heads of Service, or any person designated by them in accordance with paragraph 4.2 below, are authorised to discharge, in consultation with the appropriate member of the Cabinet or Committee chairman, as appropriate, any function of the council within their area of responsibility, with the exception of those matters reserved exclusively for the Council, Cabinet or a Committee. These functions do not relate to the every-day business of the Council and operational decisions, which is dealt with in paragraph 3 below. Nor do they relate to strategic, policy and significant budgetary issues, which shall be a matter for the appropriate member decision-making body. This delegation also includes responding to consultation papers, where timescales do not allow a prior report to the appropriate members' meeting.

3. Delegation of Every-Day Council Business/Statutory Powers

3.1 The Chief Executive, Directors and Heads of Service, or persons designated by them in accordance with paragraph 4.2 below, are authorised to carry out the every-day business of the council relevant to their areas of responsibility and to take all operational decisions necessary to ensure the smooth running of the Council's business.

3.2 The Chief Executive, Directors, Heads of Service, or persons designated by them in accordance with paragraph 4.2 below, are also authorised to act under all statutory powers (existing and future) in relation to their areas of responsibility.

4. Limitations on Delegated Powers

4.1 The powers delegated within this Scheme to officers shall be exercised in accordance with, and subject to the relevant Procedure Rules in Part 4 of this constitution, including the Council's Standing Orders and Financial Regulations, Codes of Conduct; policies, plans, procedures and other related documents.

4.2 To the extent allowed by the law, the Chief Executive, Directors and Heads of Service may arrange for any decision delegated under this Scheme to be exercised, when necessary, by an officer of suitable seniority and experience.

4.3 The Chief Executive, Directors and Heads of Service may determine that, in a particular case, the delegated authority should not be exercised and that it should be referred to the appropriate decision-making body for consideration.

5. Records of Delegations/Delegated Decisions

5.1 The person taking a delegated decision under paragraph 2 above shall ensure that the decision is recorded on the official form on each occasion and that a copy is forwarded to the Democratic Services Manager, all in accordance with the agreed procedure.

5.2 The Chief Executive, Directors and Heads of Service shall maintain an up-to-date register of all authorisations of other officers made under paragraph 4.2 above, including all statutory functions (current and future).

6. Inability to Act

6.1 Other than where the law does not allow, any Director or Head of Service is authorised to act in the absence of the Chief Executive on any matter which is within their areas of responsibility.

6.2 The most relevant Director or Head of Service available, or the Chief Executive, is authorised to act on any matter in the absence of another Director or Head of Service, unless prevented in law.

7. Scheme of Delegation for Consideration of Planning Applications

Applications to be dealt with by a Committee of the Council in order to attain the 90% delegation target, are set out in the table Responsibility for Council Functions in Part 3D of this constitution. Other decisions will be made under the power of delegation set out below.

Categories of Application Included in the Delegation Scheme

- (i) The formation or alteration of a means of access to a highway.
- (ii) Extensions, enlargements or other alterations to existing residential property and ancillary residential development within a domestic curtilage.
- (iii) Alterations to approved housing layouts not involving any increase (up to 10%) in the number of dwellings or an increased number of access points.
- (iv) All garages for the garaging of private motor vehicles.

- (v) The erection or construction of gates, fences, walls or other means of enclosure.
- (vi) Extensions, ancillary buildings and plant or machinery within an existing commercial, industrial or non-domestic curtilage where the decision is in accord with the provisions of the Development Plan.
- (vii) The change of use of any building(s), or part of a building, but excluding proposals for Classes A4 Drinking establishments, A5 (Hot Food Takeaway) and C2 (Residential Institutions) of the Use Classes Order, where the decision is in accord with the provisions of the Development Plan.
- (viii) Provision of shop fronts and alterations to existing shop fronts.
- (ix) Applications for consent to display advertisements.
- (x) Renewal of permission or approvals where there is no material change in circumstances (including permissions which are time expired).
- (xi) Discharge of planning conditions imposed on the granting of planning permission which are not "reserved matters".
- (xii) Changes of use of land where the decision is in accord with the provisions of the Development Plan.
- (xiii) The erection, extension or alteration of agricultural buildings on agricultural land, reasonably necessary for the purposes of agriculture within that unit.
- (xiv) The erection or alteration of buildings for the stabling of horses on non-residential land.
- (xv) The construction or adaptation of floodlighting columns.
- (xvi) The construction of car parks, service roads, or other access serving an existing use.
- (xvii) Lawful Development Certificate applications.
- (xviii) Expressing the views of the Council on "County Matter" applications or on consultations as neighbouring Local Planning Authority where the development involved, if submitted to this Council as a planning application, would have been a delegated matter under this scheme.
- (xvix) Non material amendments to approved applications.
- (xx) Telecommunication applications located in employment or industrial areas where no amenity issues are raised.
- (xxi) Requests for Screening or Scoping opinions under the Town and Country Planning (Environmental Impact Regulations).
- (xxii) The initial drafting and consultation in relation to a Local Development Order prepared in line with the Town and Country Planning (Development Management Procedure) (England) Order 2010.