

Appendix B Proposed Amendments to Part 6 of the Constitution

B) REGULATORY

B1 Royal Borough Development Management ~~Area~~ Committees

B1.1 Purpose

(I) Within the operating guidelines and budget approved by the Council the Royal Borough Development Management ~~Area~~ Committees will determine applications relating to the following:

a. New full or outline planning applications, regardless of recommendation, falling into the definition of major development as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (or as superseded).

Note: Section 73/73A applications or reserved matters applications are delegated matters unless called in under the call-in provisions in b) below.

Note: Any Crown applications which are covered by the National Security arrangements set out in the National Planning Policy Guidance are exempt from part a) and are delegated to the Head of Planning.

b. Applications where a Borough councillor has requested that an application be called-in to be the subject of a decision by the ~~relevant Area~~ Royal Borough Development Management Committee (an application in this case being an application for Full, Outline, Hybrid or Householder Planning Permission or an application for Listed Building Consent. No other case types are the subject of the call-in provision.) This is conditional in that the call-in must:

i) Be in writing using the on-line Councillor call-in pro forma and received before the Neighbour Consultation Expiry Date for that application, and

ii) Relate to an application in their own ward; and

iii) provide a planning reason based on a material consideration for the call-in.

c. Where an application is made by a Councillor or a member of their family and there are one or more representations.

d. Where an application is made by an officer employed in a role which is directly involved in the decision making stage of the planning application process and there are one or more representations.

e. Any matter where authority is normally delegated to the Head of Planning, but where the Head of Planning chooses not to exercise their delegated authority and considers the matter should be referred to the relevant Area Borough Development Management Committee.

(II) All other functions regarding town and country planning and development management listed in Part A and related to trees and hedgerows listed in Part I of

Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the CIL regulations are to be delegated to the Head of Planning. All functions listed in the Localism Act 2011 related to plan making and neighbourhood planning are delegated to the Head of Planning save for those which the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 require to be determined by Full Council. For the avoidance of doubt the Head of Planning also has delegated authority for those types of application subsequently introduced under the Town and Country Planning Acts (including secondary legislation and regulations) subject to the exceptions listed above.

(III) To advise the Council, the Cabinet, the Infrastructure Overview and Scrutiny Panel on the preparation, updating and monitoring of the Local Plan and policies relating to development management guidance.

B1.2 Membership of the Royal Borough Development Management Area Committees

~~Each~~ The Committee shall have 9-13 members. One shall be the Chairman.

Membership shall be in line with political balance.

A Cabinet Member may be a Member of the Royal Borough an Area Development Management Committee but the Cabinet Member(s) holding the main portfolio for Planning shall not be permitted to be a Member.

B1.3 Quorum

3 Members

B1.4 Frequency

Meetings ~~of each committee~~ will take place once per calendar month, usually on the 1st and 3rd Wednesday of each month

Note: While the dates are ideally fixed they may be subject to change for reasons such as venue availability issues or may be on other days if additional extraordinary meetings of the Committee are required. Extraordinary meetings may be called by agreement of the Head of Planning with the Chairman of the Committee.