

## PLANNING COMMITTEE

### Functions

1. The Committee will exercise all the Council's powers and duties in respect of Development Management (subject to the schemes of delegation set out in the Constitution and the provisions of Section 8 below).

The Committee will act in accordance with the Planning Policy Framework for B&NES which includes National Planning Policy Guidance and the National Planning Policy Framework.

2. The Committee is granted delegated authority to establish Development Management working practices and protocols for operation on a District-wide basis by this and all other area-based committees.
3. The Committee is granted delegated authority to exercise all the Council's powers and duties in respect of:
  - (1) Modification Orders, Reclassification Orders and Public Path Orders where the matters are contentious
  - (2) Commons Registration (including Town and Village Greens)

***\*Note 1*** – *The Group Manager: Highways and Traffic and Team Manager - Highway Maintenance and Drainage have been delegated general as well as specific responsibility in respect of these functions.*

***\*Note 2*** – *The Committee's delegated authority is framed in such a way that it will be able, if appropriate, to deal with matters other than strict "quasi-judicial" functions relating to Public Rights of Way. This would, however, be within the overall policy framework set by the Council.*

### In exercising the above powers and duties, the Committee may also:

- a. establish such sub committees and working parties as are considered helpful in exercising the above functions.*
- b. delegate any of its functions to a sub-committee and to delegate any of its non-policy making functions to Officers (see delegation scheme).*
4. To monitor service delivery and service trends and to make recommendations.
5. To be a body of influence across its geographical area of responsibility and with the community in its area.
6. To engage in consultation with the community and specifically with other bodies which have an interest in the span of responsibility of this Committee.
7. To participate with others in joint initiatives on planning.

### Limitation on delegation

8. The exercise of this delegated authority is subject to the Director - Development & Public Protection, or the Head of Planning (or any of the other Managers specifically listed in the delegation scheme when standing in for the Head of Planning) being authorised, in exceptional circumstances, to refer any decision or determination of the Planning Committee which is clearly contrary to

law or locally or nationally adopted planning policy and against officer advice, to a subsequent meeting of the Planning Committee. When such a decision or determination is referred, it shall be of no effect until the Committee has fully reconsidered the matter in the light of all the information originally before the Committee plus such additional information and advice as the Director – Development & Public Protection or the Head of Planning considers necessary. Further to such reconsideration, the Committee shall be entitled to make such decision or determination as it sees fit.

### Frequency

Monthly

### Membership

10 Members in the political proportion– 6 Liberal Democrat, 2 Conservative, 1 Independent Member and 1 Labour Member; chaired by a Liberal Democrat Member.

*[May 2019 – the Independent Group have offered their allocation to the Conservative group to fill. For proportionality purposes, it remains an Independent group place. This arrangement can be withdrawn by the Independent group at any time.]*