

PLANNING COMMITTEE

Functions

1. The Committee will exercise all the Council's powers and duties in respect of planning. The Committee is also granted delegated authority to exercise the Council's powers and duties in respect of public rights of way and commons registration to the extent set out below. All of the Committee's decisions are subject to the applicable schemes of delegation in the Constitution, depending on the specific decision being taken. In addition, decisions of the Committee on planning matters are subject to provisions of Section 8 below. With regard to planning decisions, 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 working practices and protocols for operation on a District-wide basis.
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) where the matters are contentious.

****Note 1*** – *The Assistant Director Highways and Transport and Team Manager - Highway Maintenance and Drainage have been delegated general as well as specific responsibility in respect of these functions.*

****Note 2*** – *For these purposes, 'contentious' is defined as an application which receives more than 12 objections or an application which has received an objection from either the affected parish/town council or one of the affected ward members.*

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 with overall

responsibility for planning, or the Head of Planning (or any of the other Managers specifically listed in the Planning Scheme of Delegation 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 or the Head of Planning (as the case may be) 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.