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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES COMMITTEE</b>
<b>DATE:</b>	<b>14 FEBRUARY 2013</b>
<b>REPORT OF THE:</b>	<b>HEAD OF PLANNING AND HOUSING GARY HOUSDEN</b>
<b>TITLE OF REPORT:</b>	<b>COMMITTEE RESPONSIBILITY FOR PLANNING POLICY RECOMMENDATIONS</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 This report seeks approval for changes to the Constitution to transfer responsibility for the Planning Policy function from Policy and Resources Committee to Planning Committee.

### **2.0 RECOMMENDATION**

- 2.1 That Members recommend to Council the changes to the Constitution outlined in Annex A to transfer responsibility for making recommendations to Council on Planning Policy from the Policy and Resources Committee to the Planning Committee.

### **3.0 REASON FOR RECOMMENDATION**

- 3.1 The Planning Committee is primarily responsible the determination of planning applications. The transfer of responsibility for the Council's Planning Policy function to the same group of Members (who have received specialist Planning training) will assist in the development of emerging policy and assist in the consistent delivery of planning policy through individual planning decisions made by the same committee.
- 3.2 The Council's Planning Committee is comprised of 15 Members and is the largest of the Council's committees. The transfer of responsibility for the Planning Policy function to this committee will enable more Members to be involved in the debate concerning planning policy recommendations to Full Council.

### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks associated with this re-allocation of responsibilities. Policies and proposals will still be subject to the same level of rigorous debate and

any new policy will still be referred to Council as the final decision maker.

## **5.0 POLICY CONTEXT AND CONSULTATION**

5.1 Planning Policy affects all five of the Council's priorities.

5.2 Consultation has taken place with the Chairmen of both the Planning Committee and the Policy and Resources Committee. Both are supportive of the approach set out in this report.

## **REPORT**

### **6.0 REPORT DETAILS**

6.1 This report proposes a transfer of responsibility for the Planning Policy function from Policy and Resources Committee to Planning Committee. In accordance with the Constitution, all final decisions on the Policy Framework will be taken by Full Council, based on recommendations from Committee, in Part B minutes.

6.2 For the reasons set out in paragraphs 3.1 and 3.2 above it is considered that the responsibility for the council's Planning Policy functions should transfer from Policy and Resources Committee to the Planning Committee.

6.3 The allocation of the responsibilities for committees is detailed in the Council's constitution. Minor changes are required and these are set out in Annex A.

### **7.0 IMPLICATIONS**

7.1 The following implications have been identified:

a) Financial  
None

b) Legal  
The recommendations within this report and the suggested terms of reference incorporating a referral to Council in respect of Development Plan Documents are in accordance with the Council's constitution and the Council's general powers and duties under the Local Government Acts and the Local Authorities (Committee System) (England) Regulations 2012.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
None

**Gary Housden**  
**Head of Planning and Housing**

**Author:** Gary Housden,  
**Telephone No:** 01653 600666 ext: 307  
**E-Mail Address:** [gary.housden@ryedale.gov.uk](mailto:gary.housden@ryedale.gov.uk)

**Background Papers:**  
None

Constitutional Reference	Change
Part 1 – How Decisions Are Made	To remove the words in italics below: “The Council has a Policy and Resources Committee responsible for policy including <i>Planning Policy</i> and budget formulation...” To add the words in italics below: “The Planning Committee deals with planning applications and related matters, <i>and Planning Policy.</i> ”
Part 2 – Article 7 para 7.1	To remove the words in italics below: “The Council will appoint a Policy and Resources Committee responsible for policy including <i>Planning Policy</i> and budget formulation...”
Part 2 – Article 7 para 7.2	To add the words in italics below: “The Council will appoint a Planning Committee which will be responsible for dealing with planning applications and related matters, <i>and Planning Policy.</i> ”
Part 3 – Responsibility for Council Functions para 1.0(e)	To add the words in italics below: “receiving reports and recommendations from the Policy and Resources Committee, Commissioning Board, <i>Planning Committee</i> , Overview and Scrutiny Committee and any other Committee.”
Part 3 – Terms of Reference: Planning Committee	To add under the heading “Functions” the following words: “ <i>Planning Committee (Regulatory).</i> ”
Part 3 – Terms of Reference: Planning Committee	Delete the following words from Functions paragraph 1: “with the exception of” Add the following word to replace the words deleted from paragraph 1: “including”
Part 3 – Terms of Reference: Planning Committee	To add a function 3: “ <i>Planning Committee (Policy)</i> 3. (a) To make recommendations to Council in relation to the approval or adoption of a plan or strategy comprising plans or alterations which together constitutes the Development Plan.  (b) To determine all matters in the following stages of the production of Development Plan Documents in the Local Plan:

	<ul style="list-style-type: none"> <li>(i) Preparation Stage – the evidence base and arrangements for community involvement; publication of preparatory draft documents and associated public consultation.</li> </ul> <p>(c) To advise and make recommendations to Council upon the following stages of production of Development Plan Documents:</p> <ul style="list-style-type: none"> <li>(i) Approval of any full draft development plan document for initial consultation.</li> <li>(ii) Approval of any Proposed Submission Document prior to submission to the Secretary of State.</li> <li>(iii) Adoption of Development Plan Documents following the Inspector’s report and recommended modifications after the Examination.</li> </ul> <p>(d) In relation to the Neighbourhood Planning documents and the CIL charging schedule:</p> <ul style="list-style-type: none"> <li>(i) To determine all matters as relevant in the preparation, production, publication of Neighbourhood Planning documents and to advise Council as to the subsequent adoption of Neighbourhood Planning documents as covered by the Neighbourhood Planning Regulations 2012 (Neighbourhood Areas; Neighbourhood Forums; Community Right to Build Organisations; Neighbourhood Development Plans; Neighbourhood Development Orders and Community Right to Build Orders).</li> </ul>
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	<ul style="list-style-type: none"> <li>(ii) To advise and make recommendations to Council in respect of the preparation, consultation and production of the CIL preliminary draft charging schedule.</li> <li>(iii) To advise and make recommendations to Council in respect of the preparation, production, consultation and approval of the draft CIL charging schedule to be submitted for examination and thereafter subsequent adoption.</li> <li>(e) To consider and make recommendations to Council on the adoption of Supplementary Planning Documents.</li> <li>(f) To determine matters upon related projects and studies to the Local Plan or to make recommendations to Council.</li> <li>(g) To consider and comment on behalf of the Council in respect of the Regional Strategy Local Development Frameworks, Neighbourhood Planning documents and other relevant plans or consultation exercises by Government, local authorities or other relevant bodies.</li> <li>(h) To give detailed consideration and to make recommendations to Council in respect of all other planning policy matters such as the designation of Conservation Areas and amendments to their boundaries and the designation of locally listed buildings.”</li> </ul>
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