

Delegated Authority Relating to the Delivery of the Local Development Framework

1. Purpose

- 1.1 To provide delegated authority to the Spatial Planning Team Leader on matters pertaining to the new Local Development Framework system.

2. Recommendation

- 2.1 **Authority be delegated to the Spatial Planning Team Leader to carry out the functions and responsibilities pertaining to the Local Development Framework as required under the General Authorisations to officers and in accordance with the Schedule in Appendix A.**
- 2.2 **The Spatial Planning Team Leader be named as the Authorised Officer to be consulted in respect of the other functions of the Council as set out in Appendix B.**

3. Background

- 3.1 The Executive is responsible for;
 - a) approving all Local Development Documents which are not Development Plan Documents,
 - b) preparing draft development plan documents for the approval of Council.
- 3.2 The delegated authority to Authorised Officers for the discharge of the Council's functions in relation to Development Plan and related matters has not been amended since 2001. In addition, the new Local Development Framework system under the Planning and Compulsory Purchase Act 2004 (the "Act") has replaced the old Local Plans system and introduces new arrangements for the delivery of the planning policy function of the local planning authority.
- 3.3 The current delegation to Authorised Officers must therefore be clarified and updated, to give delegated authority to the Spatial Planning Team Leader to;
 - a) undertake all work connected with the preparation of planning policy documents prior to formal approval by either the Executive or Council as appropriate.
 - b) To respond to consultations from other local authorities or the South West Regional Assembly.

4. Delegation to an Authorised Officer

- 4.1 Appendix A sets out the recommended delegated authority for the Spatial Planning Team Leader. This clarifies the present Authorisations to Officers that presently do not reflect changes to the management structure of Planning Services since the last update. It also reflects the requirements of the new Local Development Framework system.

5. The Requirement to Consult with the Spatial Planning Team Leader

- 5.1 There is a circumstance where the work of other parts of the Council relate directly to the discharge of Council's responsibilities for the Local Development Framework system. This is where it is intended to prepare documents that are to become Supplementary Planning Documents. Failure to consult the Spatial Planning Team Leader or to follow prescribed procedures in their preparation can result in difficulties in the proper operation of that system. Appendix B sets out a Schedule of Functions that will require such consultation. This will need to be inserted into the Authorisations of all other Officers of the Council who intend to produce SPDs.

6. Financial Implications

- 6.1 There are no direct financial implications arising from this report.

7. Human Resources Implications

- 7.1 There are no direct HR implications arising from this report.

8. Environmental Implications

- 8.1 There are indirect Environmental implications arising directly from this report. The new arrangements will improve the ability of the Council to perform its duties under the Planning and Compulsory Purchase Act 2004.

9. Community Implications

- 9.1 There are no direct implications arising from this report.

10. Corporate Priority and Business Plan

- 10.1 The report is directly related to the Corporate Business Plan in respect of the delivery of the Local Development Framework, Partnership work and Affordable Housing.

Documents Used:

- The Planning and Compulsory Purchase Act 2004.
- The Scheme of Delegation to Officers.

**JOINT REPORT OF THE TEAM LEADER SPATIAL PLANNING & THE TEAM LEADER
LEGAL SERVICES TO THE EXECUTIVE – 5TH JANUARY 2006**

Report Author: Lachlan Robertson
Spatial Planning Team Leader
(01249) 706532
lrobertston@northwiltshire.gov.uk

APPENDIX A

Delegation to the Authorised Officer

AUTHORISATIONS TO OFFICERS

In relation to the Scheme of Delegation, the Authorised Officer shall be the Spatial Planning Team Leader or such other title where the titleholder's job description includes the professional head of planning policy.

SPATIAL PLANNING TEAM LEADER

FUNCTION	CONSULTATION	CONDITIONS
All matters pertaining to the preparation of any document of the Local Development Framework as Described in Part 2 of the Planning And Compulsory Purchase Act 2004.		
The instigation of and management of all contracts with external bodies, commercial organisations or individuals for research relating to the delivery of Local Development Framework documents.		
At the discretion of the Authorised Officer, to participate in and respond on behalf of the Council to all matters relating to the preparation of the Regional Spatial Strategy.		
At the discretion of the Authorised Officer, to participate in and respond on behalf of the Council to all matters relating to other policy documents prepared by constituent, North Wiltshire and neighbouring local authorities.		

At the discretion of the
Authorised Officer,
to assist in the preparation
and review of any document
prepared for the Council or
by constituent, North
Wiltshire and neighbouring
local authorities that are
intended to be Supplementary
Planning Documents.

APPENDIX B

Note: All other Authorisations to Officers will include the following as part of their Authorisation to Officers.

FUNCTION	CONSULTATION	CONDITIONS
The preparation of any Document that is intended to become a Supplementary Planning Document as described in the Planning and Compulsory Purchase Act 2004.	After consultation with the Spatial Planning Team Leader at the programming stage and then the final draft stage.	No Supplementary Planning Document may be presented for approval without the express authorisation of the Spatial Planning Team Leader.