

Officer Delegations

Extract of Part 3 of the Constitution

Appendix A

Director of Resource Management

1. To exercise the functions of the County Council relating to finance, property, procurement and commissioning, scrutiny and monitoring, ICT and Human Resources. In respect of HR the delegation does not apply to matters delegated to the Head of HR.
2. To exercise the functions of the County Council relating to highways, transportation, town and country planning, waste disposal, economic development, flood and water management, environment and countryside.
3. In the case of town and country planning, the delegation includes: -
 - (a) Minerals and waste development
 - i) Applications to vary conditions of an existing permission including variations to extend the duration of permission
 - ii) The erection of ancillary buildings, extensions to buildings, plant or machinery, earthworks and lagoons.
 - iii) In the above cases delegation will only be exercised where no objections have been received at the time the decision is taken.
 - iv) The making of representations when consulted as Mineral & Waste Planning Authority, for example, on matters such as safeguarding of mineral resources or waste management sites.
 - v) To determine whether or not to require the submission of an application for the periodic review of mineral planning permissions, subject to the local county councillor(s) being consulted, in accordance with the power provided by Section 10 and Schedule 3 of the Growth and Infrastructure Act 2013
 - (b) Applications under Regulation 3 of the Town & Country Planning General Regulations 1992 (i.e. County Council development)
 - i) Applications for any development, except those that relate to land or buildings managed by the Strategic Development Division within the Resource Management Directorate. In this case, the delegated decisions will be taken by the Head of Legal Services.

- ii) In the above cases delegation will only be exercised where no objections have been received at the time the decision is taken.
- (c) For all applications
- i) Applications for approval of reserved matters following the grant of outline planning permission.
 - ii) Applications for Minor Material Amendments to existing planning permissions.
 - iii) Applications for Non-Material Amendments to existing planning permissions under Section 96A of the Town & Country Planning Act 1990.
 - iv) Approvals required under Article 27 of the Town & Country Planning (Development Management Procedure) Order (England) 2015
 - v) The imposition, before the release of a planning permission, of a condition, additional to those agreed by the Development Control Committee, where the reply to a consultation, or similar information, received after the Committee meeting warrants such a condition and that condition accords wholly with the decision made by the Committee.
 - vi) The making of a substantive response when consulted as Lead Local Flood Authority on matters such as sustainable urban drainage systems, surface water drainage and connected issues.
4. To issue a Planning Contravention Notice, Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice or Stop Notice and to determine whether or not to prosecute offenders who do not comply with the requirements of such Notices. Before issuing a Stop Notice [but not a Temporary Stop Notice] the Director shall consult with the Chairman and Vice-Chairman of the Development Control Committee and shall notify the local councillor(s) for that division.
 5. To make representations to outside bodies on all matters relating to development proposals, provided such representations are not inconsistent with any criteria formally determined by councillors.
 6. To be the Proper Officer of the County Council for the purpose of Ordnance Survey matters under Section 191 of the Local Government Act 1972 and for the purpose of receiving for deposit lists of buildings of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. To adopt a “screening opinion”, “scoping opinion” or to make a request for further information in accordance with Parts 2, 3, 4, 5, 7, 9 and 10 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

8. Determination of applications for Certificates of Lawfulness of Existing Use or Development and Certificates of Lawfulness of Proposed Use or Development
The Head of Planning, following consultation with the Head of Legal Services, shall determine all applications for Certificates of Lawfulness of Existing Use or Development and Certificates of Lawfulness of Proposed Use or Development under the Town and Country Planning Act 1990 (as amended).

9. Decisions on the use and distribution of any surplus from the On-Street Parking Account be delegated to the Director of Resource Management in consultation with the relevant Cabinet Member.

10. To consider, take decisions on, and sign Temporary Traffic Regulation Orders under Section 16A of the Road Traffic Regulation Act 1984.

