

<b>Report on</b>	Amendment to Part 2 of the Council's Constitution – Responsibility for Functions
<b>Date of Meeting</b>	26 September 2019
<b>Reporting Officer</b>	Claire McNally, Council Solicitor
<b>Contact Officer</b>	Claire McNally, Council Solicitor

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek Members' approval in relation to amending the Terms of Reference for the Planning Committee.
<b>2.0</b>	<b>Background</b>
2.1	The Terms of Reference for Committees ("the Terms") provides information on the constitution and functions delegated to the various committees. The Terms can be found in Part 2 of the Constitution – Responsibility for Functions and were agreed in March 2015.
2.2	Upon review of the Terms it was deemed appropriate for the Terms of Reference in relation to delegation to the Planning Committee to be redrafted. This is to ensure there is no ambiguity regarding the Planning Committee's functions. A redraft is to also that the Terms of the Planning Committee accurately reflect the scope and remit of the Planning Committee, which is best placed to consider, debate and decide on planning matters.
<b>3.0</b>	<b>Main Report</b>
3.1	The current Terms of Reference in relation to the Planning Committee is attached at Appendix 1.
3.2	<p>It is proposed that paragraph 3.4.4 of Appendix 1 in relation to what is delegated to the Planning Committee, is replaced with the following wording:-</p> <p><b>"3.4.4 Functions Referred</b>  <i>The following functions are referred to the committee:-</i></p> <ol style="list-style-type: none"> <li><i>1. The Planning Committee is responsible for the exercise all of the Council's planning functions, excepting those matters which are expressly delegated to officers under the Council's Scheme of Delegation on Planning Matters, or reserved to full Council.</i></li> <li><i>2. In relation to those functions that are reserved to full Council, the Planning Committee is responsible for considering business and making recommendations to council on those matters, which is:-</i></li> </ol>

	<ul style="list-style-type: none"> <li>• <i>The approval of the Council's Local Development Plan.</i></li> </ul> <p>3. <i>The Planning Committee is responsible for the monitoring of the Council's Local Development Plan on an annual basis in terms of the availability of housing and economic development land, and that it is reviewed every five years, giving consideration to whether there is a need to change the plan strategy or the zonings, designations and policies as contained in the local policies plan.</i></p> <p>4. <i>The Planning Committee is responsible for responding to consultations in relation to planning issues, including; (i) any development plan documents, policies, strategies, etc. in adjoining authorities; (ii) on regionally significant or major applications to be determined by the Department; (iii) on any planning guidance, policy, or legislation; and (iv) any other matters which have significant implications for land use and physical development."</i></p>
3.3	Members will be aware that there is a separate Scheme of Delegation on Planning Matters which deals with those matters that are delegated to the Planning Manager. The proposed changes in this report does not affect that Scheme, however, it is envisaged that the Scheme of Delegation will also be reviewed in due course.
<b>4.0</b>	<b>Other Considerations</b>
4.1	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: N/A</p> <p>Human: N/A</p>
4.2	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>N/A</p>
4.3	<p><b><u>Risk Management Implications</u></b></p>
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Members approve the amendment to the Terms of Reference of the Planning Committee as detailed in Section 3.1 of this report.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix 1 – Terms of Reference of the Planning Committee – March 2015