

DELEGATED POWERS OF HEAD OF PLANNING - Part 3 of Barnet Council's Constitution sets out the detailed arrangements for the allocation and discharge of the Council's responsibilities. Many of these have been delegated to chief officers and they, or their representatives, are authorised to make decisions which both speed up the process and remove the need for such matters to be considered by committees. The Head of Planning has been delegated the following powers by the Planning and Environment Committee to deal with planning and associated matters, other than where the **exceptions** apply. In accordance with section 6.12 the Head of Planning has authorised the named officers to exercise his powers.

	Delegated Powers List	Consultation (incl Chairman if appropriate)	Officer Responsible	Recording of Delegated Powers		
				No record required	Summary Records	Individual
HoP	Delegated powers of all Heads of Service - General					
HoP A	To settle small claims against the Council (by employees or third parties) by way of without prejudice ex gratia payments, within such limits as the Council may prescribe.	CFO	Head of Planning		3 - yearly	
HoP B	To appoint Technical Consultants.		Head of Planning			3
HoP C	STAFF					
C1	To deploy staff		Managers	4		
C2	Deploying other resources within their control		Managers	4		
C3	Procuring resources from other council services		Managers (with agreement of employee controlling those resources)	4		

C4	To place advertisements and public and other notices		Managers	4		
C5	To carry out training, issue public information, take part in external events etc. on all matters within the remit of the service		Managers; other staff if authorised	4		
C6	Implementation of the Councils Personnel Policies and Procedures and Corporate Health and Safety Policy		All Personnel staff within the terms of their job evaluations and operational procedures/instructions	4		Only where not reported as a PI.
C7	Change in designation of a post within the organisation structure without a change in grade		Head of Planning			4
C8	Creation of temporary post for up to 2 years		Head of Planning			4
C9	Deletion of vacant posts		Head of Planning	4		
C10	Advertisement of, and appointment to, vacant posts		Head of Planning, Planning Performance and Regulations Manager	4		
C11	Overtime payments to ScP 28, including planned overtime		Managers	4		
C12	Overtime payments - over ScP 28		Head of Planning	4		
C13	Car allowance claims for subordinates		Managers	4		
C14	Annual leave/flexi-leave/TOIL		Managers	4		
C15	Annual leave carry over within policy		Managers	4		
C16	Other leave (maternity, paternity, public duties)		Managers	4		
C17	Season ticket loans		Head of Planning, Planning Performance and Regulations Manager	4		

C18	Attendance at short courses		Head of Planning, Planning Performance and Regulations Manager	4		
C19	Injury allowance		Head of Planning, Planning Performance and Regulations Manager	4		
C20	Salary adjustments		Head of Planning	4		
C21	Protective clothing		Managers	4		
C22	Honoraria/acting up allowances (internal)		Head of Planning			4
C23	Time off/facilities for TU officials (internal)	with HR Ops	Managers	4		
C24	Post entry training approval (internal)		Head of Planning	4		
C25	Special leave paid/unpaid (internal)		Head of Planning			4
C26	Dismissal of temporary/casual employees whose contracts are for less than a year		Managers	4		
C27	Disciplinary action short of dismissal		Managers	4		
C28	Allocation of other allowances etc. (internal)		Head of Planning			4
C29	Extension of service beyond age 65 (internal)		Head of Planning			4
C30	Additional increments/progression beyond bar (internal)		Head of Planning	4		
C31	Dismissal under the disciplinary procedure		Head of Planning			4
C32	Instruct Legal Services to bring proceedings in case of violence against staff.		Head of Planning	4		
HoP 1	DEVELOPMENT CONTROL - PLANNING					

	Specifically designated to the Head of Planning and, as specified, the Area Planning Managers and Planning Performance and Regulations Manager to exercise the following functions, subject to restrictions and conditions indicated.					
1.1	The determination of:					
	1.1.1 any application for planning permission submitted under the Town and Country Planning Acts.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.2 any application for the approval of details required by a condition imposed on a grant of planning permission.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.3 any application for listed building consent.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.4 any application for conservation area consent.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.5 any application for prior approval in relation to permitted development proposals for agricultural, forestry and telecommunications permitted development in accordance with the Town and Country Planning (General Permitted Development) Order 1995, as amended.		Head of Planning and Planning Managers (as set out in attached Schedule)			

	1.1.6 any application for a Certificate of Lawfulness of Existing Use or Development or Certificate of Lawfulness of Proposed Use or Development under Sections 191-194 of the Town and Country Planning Act 1990, as amended.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.7. any application made under the Town and Country Planning (Control of Advertisements) Regulations.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.8. any application for a determination of whether the prior approval of the authority will be required to the method of a proposed demolition and any proposed restoration of the site.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.9. any application for approval to the method of the proposed demolition and any proposed restoration of the site.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.1.10 any application for approval of reserved matters.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	Exceptions:					
	i) planning applications for development which is contrary to Council policy unless it is intended to disapprove the application;					

	ii) planning applications for development where there is significant local public concern (defined as three or more objectors, who have objected in writing) unless it is intended to disapprove the application. (Note: Rules for Public Speaking will also apply);					
	iii) where she/he considers that an application should be refused where such a decision will result in the Council being made liable for a payment of compensation, save in the case of development which would have been permitted development but for an Article 4 Direction;	BS				
	iv) where a member of the Council has requested in writing with planning reason(s) that such a matter should be submitted to the appropriate Area Planning Sub-Committee;					
	v) in respect of which the Head of Planning views are at variance with the Chief Executive or Borough Solicitor;	CE/BS				
	vi) in relation to development of such classes as the Planning and Environment Committee may from time to time determine shall be the subject of recommendations to them.					
1.2	To recommend the Borough Solicitor to secure an obligation under Section 106 of the Town and Country Planning Act 1990 and/or any other legislation in any case where there is delegated authority to approve the associated planning application.		Head of Planning and Planning Managers (as set out in attached Schedule)			

1.3	To decline to determine planning applications under Section 43 of the Planning and Compulsory Purchase Act 2004.		Head of Planning and Planning Managers (as set out in attached Schedule)			
1.4	To make representations in respect of:					
	1.4.1 the development of land in the area of another local planning authority.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	1.4.2 development notified to the Council by a Government Department or statutory undertaker.		Head of Planning and Planning Managers (as set out in attached Schedule)			
HoP 2	TREES AND ENVIRONMENT					
	Specifically designated to the Head of Planning and, as specified, the Area Planning Managers and Planning Performance and Regulations Manager to exercise the following functions, subject to restrictions and conditions indicated.					
2.1	The making and serving of tree preservation orders; the confirmation of tree preservation orders, except where objections are received.		Head of Planning and Planning Managers (as set out in attached Schedule)			
2.2	Any application for consent or notices relating to the removal or treatment of trees the subject of a tree preservation order or within a conservation area, and approval of replacement species. (Subject to the exceptions contained at 1.1).		Head of Planning and Planning Managers (as set out in attached Schedule)			

2.3	The determination of an application to dispense with a requirement or obligation to plant a replacement tree under the provisions of a tree preservation order or the Town and Country Planning Act 1990, as amended.		Head of Planning and Planning Managers (as set out in attached Schedule)			
2.4	The determination of an application under the Environmental Impact Assessment Regulations 1999 for a screening or scoping opinion; or application for approval of an environmental statement.		Head of Planning and Planning Managers (as set out in attached Schedule)			
2.5	To take appropriate action and make appropriate decisions in the determination of a complaint regarding a high hedge under section 8 of the Anti-Social Behaviour Act 2003.		Head of Planning and Planning Managers (as set out in attached Schedule)			
2.6	The issue of a hedgerow retention notice or permission for a hedgerow to be removed.					
HoP 3	ENFORCEMENT					
	Specifically designated to the Head of Planning and, as specified, the Area Planning Managers, Planning Performance and Regulations Manager and Planning Appeals and Enforcement Manager to exercise the following functions:					
3.1	To authorise, issue and, where necessary, withdraw:					

	3.1.1 Enforcement Notices under s171(A) of the Town and Country Planning Act 1990, as amended;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.2 Notices under Section 215 of the Town and Country Planning Act 1990, as amended;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.3 Notices under Section 207 of the Town and Country Planning Act 1990, as amended, for failure to replace a tree or to comply with a condition attached to a report under a tree preservation order;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.4 Notices requiring the discontinuance of the display of an advertisement;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.5 Stop Notices under section 183 of the Town and Country Planning Act 1990, as amended;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.6 Breach of Condition Notices under Section 187A of the Town and Country Planning Act 1990, as amended;		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.1.7 Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990, as amended.		Head of Planning and Planning Managers (as set out in attached Schedule)			
3.2	3.2.1 To authorise and take direct action, where appropriate, in respect of breaches of planning control that remain unresolved following successful prosecution.		Head of Planning and Planning Managers (as set out in attached Schedule)			

3.3	To make recommendations to the Borough Solicitor to serve:					
	3.3.1 Enforcement Notices where the breach of planning control is considered to be complex.		Head of Planning and Planning Managers (as set out in attached Schedule)			
	3.3.2 To issue a Hazardous Substances Contravention Notice under Section 24 of the Planning (Hazardous Substances) Act 1990.		Head of Planning and Planning Managers (as set out in attached Schedule)			
HoP 4	OTHER PLANNING MATTERS					
4.1	To consult, as appropriate, neighbouring owners and occupiers, conservation area advisory committees, amenity societies and similar organisations.		Head of Planning and Planning Managers (as set out in attached Schedule)			✓
4.2	To issue all public advertisements relating to applications for planning permission and applications for listed building consent.		Head of Planning and Planning Managers (as set out in attached Schedule)			✓
HoP 5	CONTRACTS (SECTION 16, STANDING ORDERS) REFERS FINANCIAL DELEGATION FOR FINANCIAL LIMITS. This document refers to contracts over £50,000 (except ii).					.
5.1	Power to act for Committee in compiling and maintaining any list which the Council decide to keep of persons to be invited to tender or quote for contracts: These are not approved lists. (section 16 - 2.2.2 - Standing Orders).	HoP	CFO			.

5.2	Power to accept, subject to the usual enquiries as to financial status, tenders for works or supplies where: (a) the scheme has Committee or Council approval, or is an annual or term contract for supply of goods and services (b) the tenders are the lowest received. (c) the cost of the scheme is within an estimate previously approved by Committee or Council (Section 16 2.2.1 - Standing Orders).	CFO	Head of Planning			3
5.3	Power to decide to repeat or vary all or part of a tendering process appendix D (Contracts). (Section 16 2.2.3 Standing Orders).		Head of Planning			3
5.4	Official orders - Every director shall nominate officers to be responsible for all orders emanating from his or her service for supplies, work to be done or services to be rendered. (Section 16 - 17.1 Standing Orders)		Refer to Financial Delegated Powers			
HoP 6	AUTHORITY TO APPEAR IN COURT AND ENTER LAND					
6.1	Under Section 223 of the Local Government Act 1972 individual officers may be authorised to appear in court on behalf of the Council. (The power to confer such authority has been delegated to the Chief Executive. He or she grants authority in writing and keeps a record of the individual thus authorised.)		BS			

<p>6.2</p>	<p>Numerous statutes give officers so authorised on the part of the Council power to enter private land and premises. Although effectively the Council may confer authority on an individual by appointing him or her to a post where duties include the exercise of such a power, it is preferable that the authority be confirmed in writing by the Chief Executive under his or her delegated powers. Those so authorised include: - (a) Planning officers and related technical staff. (b) Building control officers and related technical staff.</p>		CE			
<p>Note: All planning permissions, consents, etc must be signed personally by the officer to whom the power is delegated.</p>						

Schedule of Planning Managers (reporting to Head of Planning and Development Management - Martin Cowie)

1. Strategic Planning Manager: Lucy Shomali
2. Major Projects Manager: Nicola Capelli
3. Development Control (Area Planning) Managers: Lesley Feldman, Dave Prince, Heidi Euzger, Karina Sissman
4. Planning Appeals and Enforcement Manager/Deputy Head of Service : Joe Henry

Glossary

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| HoP: Head of Planning | CE: Chief Executive |
| TOIL: Time off in lieu | BS: Borough Solicitor |
| PI: Performance Indicator | CFO: Chief Finance Officer |
| HR Ops: Human Resources Operations | |