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**Democratic Services Section
Chief Executive's Department
Belfast City Council
City Hall
Belfast
BT1 5GS**

29th July 2015

MEETING OF PLANNING COMMITTEE

Dear Alderman/Councillor,

In addition to those matters previously notified to you, the following item(s) will also be considered at the meeting to be held at **5.00 pm on Thursday, 30th July, 2015.**

Yours faithfully,

SUZANNE WYLIE

Chief Executive

AGENDA:

24. **Additional Item - Determining Applications Transferred from the DOE**
(Pages 1 - 2)

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Subject:	<i>Determining Applications Transferred from the Department of the Environment (DOE)</i>
Date:	<i>Thursday 30 July 2015</i>
Reporting Officer:	<i>Phil Williams, Director of Planning & Place, Ext. 2300</i>
Contact Officer:	<i>Clifford McIlwaine, Area Planning Manager, Ext.2301</i>

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	To seek approval for the determination of planning applications transferred from DOE, to be delegated to the Director of Planning & Place, in consultation with the Town Solicitor and Chair & Vice Chair of the Planning Committee.
2.0	Recommendation
2.1	Members are asked to consider the report and authorise the Director of Planning & Place, in consultation with the Town Solicitor and Chair & Vice Chair of the Planning Committee, to determine “legacy” applications under delegated authority. This is subject to a list of the applications being circulated to members of the Planning Committee for consideration and who, within 14 days of the list being circulated, can request an application on the list be referred to Committee for decision.
3.0	Main report
3.1	<u>Key Issues</u> The Council inherited a substantial “legacy” of planning applications when planning functions were transferred on 1 April 2015. Approximately 780 live cases were inherited from DOE, including applications in Belfast, parts of Lisburn, Castlereagh and North Down.
3.2	Current live caseload is 918 of which 450 pre-date 1 April. Of the 450 “legacy” cases it is estimated that 185 would be categorised as non-delegated under the current delegation scheme. A further 148 non-delegated applications have been received since 1 April and will have to be brought for Committee consideration.
3.3	Not all of the 185 non-delegated cases can be delegated to officials. In law the Planning

	Committee must deal with major applications; those made by the Council or its elected members; and those on land in which Council has an estate.
3.4	As members are aware, the Committee is currently dealing with approximately 20 applications per meeting, most meetings have lasted in excess of three hours to date.
3.5	If Committee was to deal with the non-delegated “legacy” applications that would have ramifications for new applications as the “legacy” applications would have to be cleared before the Committee could determine more recent applications.
3.6	Members are reminded that if a decision is not made within 8 weeks of a non major application being lodged (or 16 weeks in the case of a major application), an applicant can appeal that ‘non-decision’ to the Planning Appeals Commission (‘the PAC’). If the PAC finds in favour of the application it has the power to make an order for costs against the Council.
3.7	Given the existing workload for Committee, the possible implications of not determining applications in a timely fashion, and to assist Council to meet key performance indicators, authority is sought to delegate the power to determine “legacy” applications to officers, in conjunction with the Town Solicitor and the Chair and Vice Chair.
3.8	If the authority is granted, a list of “legacy” applications will be circulated to members of the Planning Committee who can request that an application be brought to Committee.
3.9	In addition, the Director of Planning & Place, Town Solicitor, Chair or Vice Chair can refer any application on the list to the Committee where they judge it raises issues which should be considered by it.
3.10	<u>Financial & Resource Implications</u> None
3.11	<u>Equality or Good Relations Implications</u> None
4.0	Appendices
4.1	N/A