



PROPOSAL

**Amendment to the Terms of Reference of the Wixams Joint Development Control Committee and Delegated Powers to Officers
Request from previous WJDMC meeting**

REASON FOR COMMITTEE TO DETERMINE RECOMMENDED DECISION

Agree and recommend the revisions

1. INTRODUCTION AND REASON FOR REPORT

- 1.1 At the meeting of the Wixams Joint Development Control Committee on 21 October 2015 it was resolved that consideration be given to the Assistant Director (Planning), Bedford Borough Council and the Development Infrastructure Group Manager, Central Bedfordshire Council being given Delegated Authority to determine 'cross border' remedial work such as conditions submissions including Design Codes and a report was requested to be brought to the next meeting.
- 1.2 Appendix 1 to this report sets out the current Terms of Reference for the Committee and Standing Orders.

2. RECOMMENDATIONS

- 2.2 Members are invited to consider the report and
 - a) Recommend the revised Terms of Reference and Scheme of Delegation for approval by the respective General Purposes Committee for each Council

3. RESOURCE IMPLICATIONS

- 3.1 Clarifying the applications and matters requiring reference to the Wixams Joint Development Control Committee will assist the applicants, officers, Members and consultees involved in the process. The recommended revisions should reduce the officers time spent on preparing and liaising on preparation of Committee reports. It will also reduce the matters requiring consideration by the Joint Development Control Committee to focus on those that require careful consideration of cross-boundary matters and where contentious matters require Members' determination.

4. LEGAL ISSUES

- 4.1 This report proposes amendments to the Terms of Reference and Delegated powers for matters related to the Wixams development. If Members approve the recommendations set out within this report, the matter will need to be reported and considered by the General Purposes Committee for each Council.

5. DETAILS

Background

5.1 On 16 October 2000 the Terms of Reference for the Elstow New Development Joint Development Control Committee were approved (see Appendix 1). This set out that the Joint Committee would exercise development control powers and duties specified: -

- 1) Determination of
 - a) Outline planning applications for development relating to the settlement
 - b) Full / reserved matter / remediation work applications for sites that straddle the boundaries of the constituent Authorities (at the time Bedford Borough and Mid Bedfordshire District)
- 2) The heads of terms of any joint legal agreements relating to the proposed development.
- 3) Any other planning issues / applications relating to the development of the settlement as may be referred to the Committee from time to time from either Authority in respect of their own area.

Reasons for revisions proposed:

- 5.2 The Terms of Reference require updating to reflect that Mid Bedfordshire District Council is now Central Bedfordshire Council.
- 5.3 At its last meeting on 21 October 2015, members of the Joint Committee acknowledged that there is scope for reducing the types of matters which are reported to the committee and which could properly be delegated for determination by officers. Since the last meeting, consideration has been given to these issues and this report recommends which Terms of Reference and Delegation powers are clarified to fully define which types of submissions should be referred.

Recommended revisions:

5.4 The following revisions are proposed to Appendix A – Terms of Reference:

To exercise the development control powers and duties of the Bedford Borough and Central Bedfordshire Councils under the Town and Country Planning legislation in relation to the Wixams (Elstow New Settlement) (the area as defined in the Planning and Development brief (figure 2) as specified below:-

- (1) Determination of: -
 - (a) Outline planning applications for development relating to the settlement.
 - (b) Full / reserved matter* applications for sites that straddle the boundaries of the constituent Authorities.

- (2) The heads of terms of any joint legal agreements relating to the proposed development.
- (3) Any other planning issues / applications relating to the development of the settlement as may be referred to the Committee from time to time from either Authority in respect of their own area.

**reserved matters relating to the original outline planning permissions (reference CB/11/02182/VOC & 11/01380/M73) comprise any applications for approval of reserved matters for Sub Areas, Strategic Infrastructure Works and Strategic Landscaping Applications.*

All other matters as set out in Standing Order 14 will be dealt with in accordance with that delegation.

5.5 The following revisions are proposed to Appendix B Standing Order 14 - Delegations to Officers:

Officers of each Authority, authorised in accordance with their particular scheme of delegations from the Planning Committee, shall have delegated authority to deal with and determine the following matters:

- a) Applications for planning permission solely within their boundary.
- b) Applications to develop land without compliance with conditions subject to which a previous planning permission was granted (section 73) for all sites (in this paragraph 5.5 meaning those within each Authority boundary and those that straddle the boundaries)
- c) Applications for planning permission for development carried out before the date of the application (section 73A) for all sites
- d) Applications for non material amendments following a grant of planning permission (Section 96A of the 1990 Act) for all sites.
- e) Applications for reserved matters approval pursuant to any outline planning permission granted previously on sites solely within the Authority boundary.
- f) Applications to approve details pursuant to and discharge conditions attached to any planning permission granted previously for all sites
- g) Applications for replacement planning permission subject to a new time limit on sites solely within the Authority boundary.
- h) In relation to parts 1, 3, 4, 6, 7, 11, 14, 15, 16, 17 and 18 of Schedule 2 of the GPDO 2015 (as amended) (i) approval or agreement required for any element of a proposal or (b) for determination as to whether or not prior approval or agreement to any element of a proposal is required and, where such prior approval is required by the Council, determination of details of that element for all sites.
- i) Applications for express consent for the display of advertisements and related powers and duties for all sites.

5.6 All other relevant parts of the schemes of delegation to authorised officers of Bedford Borough Council and Central Bedfordshire Council are deemed to apply in respect of planning applications considered by the Joint Committee.

RECOMMENDATION :

Members are therefore asked to formally agree and recommend the revisions to the Terms of Reference and Standing Orders as set out in this report.