

## **Delegated Authority, Planning Matters**

Adopted by Cockermouth Town Council on 7<sup>th</sup> March 2024, Minute 268.

This Scheme delegates decision making authority to the Town Clerk, as proper officer of Cockermouth Town Council (the Council), under the specified circumstances.

All delegated powers are exercised in accordance with Council policies, within any financial limits imposed and within any guidelines prescribed.

The intention of this scheme is to permit the Town Clerk to respond to planning consultation documents where the response would not amount to a Key Decision.

The following principles and conditions shall apply.

1. This scheme shall apply where notification of a planning application or application for tree works is received on which the Council is a statutory consultee, which requires a response before the next ordinary meeting of the Council.
2. The officer will share the notification with the members of the Council by email and invite comments to be sent directly to them by a given date.
3. If four or more members request that the application is debated by the Council, a Special Planning Meeting shall be called, and the response decided by the Council.
4. If, by the date given in 2, fewer than four members have requested a meeting, the officer shall consider the views expressed and respond to the consultation under delegated authority on behalf of the Council, stating a view consistent with the majority of those expressed.
5. The officer exercising such powers shall take into account the principles set out in this document, the Budget and Policy Framework and any other relevant policies, procedures or previous decisions.
6. All decisions shall be taken in the name of, but not necessarily personally by, the officer(s) to whom the power is delegated. The officer with the delegated power may authorise another officer to act on their behalf, any such authority must be in writing. The officer with the delegated power shall remain accountable for the exercise of that power.
7. In any case where the officer exercising the power considers that the decision is likely to be a matter of public controversy or sensitivity, they shall refer the matter to the full Council by calling a Special Planning Meeting.
8. The decision must also be recorded as specified in Regulation 7 of the Openness of Local Government Bodies Regulations 2014. This will be noted and minuted at the next meeting of the Council.
9. Where an officer has a conflict of interest in any matter, they shall notify the Council and shall not participate in that matter in their capacity as an officer, except to delegate the power to another officer as in 6.