



2011 CHAPTER 25

PART 3

PLANNING CONTROL

Development management

Local developments: schemes of delegation

31.—(1) A council must—

(a) as soon as practicable after the coming into operation of this section, and thereafter—

(i) whenever required to do so by the Department; or

(ii) subject to sub-paragraph (i), at such intervals as may be provided for in regulations made under this section,

prepare a scheme (to be known as a “scheme of delegation”) by which any application for planning permission for a development within the category of local developments or any application for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within that category is to be determined by a person appointed by the council for the purposes of this section instead of by it, and

(b) keep under review the scheme so prepared.

(2) The determination of any person so appointed is to be treated as that of the council.

(3) Without prejudice to subsection (1)(a)(ii), regulations under this section may make provision as to—

- (a) the form and content of,
 - (b) the procedures for preparing and adopting, and
 - (c) the requirement to publish,
- a scheme of delegation.

(4) Where an application for planning permission falls to be determined by a person so appointed, sections 41(3), 42, 45, 46, 48, 52(1) and (2), 54, 58 and 60 apply, with any necessary modifications, as they apply to an application which falls to be determined by the council.

(5) The council may, if it thinks fit, decide to determine an application itself which would otherwise fall to be determined by a person so appointed.

(6) Any such decision must include a statement of the reasons for which it has been taken; and a copy of the decision is to be served on the applicant.