

Report To: The Inverclyde Council

Date: 8 October 2009

**Report By: Corporate Director Regeneration and
Resources**

Report No: RMcG LA/415/09

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Subject: Standing Orders and Scheme of Administration – Local Review Body

1.0 PURPOSE

- 1.1 The purpose of this report is to seek agreement to amend the Council's Standing Orders and Scheme of Administration in respect of the Local Review Body established by the Council in terms of the Town and Country Planning (Scheme of Delegation and Local Review Procedures) (Scotland) Regulations 2008 at the meeting held on 11 June 2009.

2.0 PROPOSED AMENDMENTS

- 2.1 The proposed amendments to the Standing Orders and Scheme of Administration are set out in the appendix. **Appendix**

3.0 RECOMMENDATION

- 3.1 That the Council agree the amendments to the Standing Orders and Scheme of Administration as set out in the appendix.

Rona McGhee
Legal and Administration

Proposed Amendments to Standing Orders

61 (a) Subject to the terms of Standing Order 62 (b) the business to be transacted at Committees, Sub-Committees, Boards and the Local Review Body, the arrangements for meetings and their functions shall be regulated in accordance with the Scheme of Administration which the Council adopts from time to time.

62 Quorum of Regulatory Boards, Committees, Sub-Committees and Local Review Body

Insert new paragraph -

62 (d) The quorum of any meeting of the Local Review Body shall be three.

Renumber the remaining paragraphs under this section accordingly.

Proposed Amendments to Scheme of Administration

4.2 The Regulatory Boards and the Local Review Body shall have full powers and shall not have decisions taken under those powers referred to the Council under Standing Order 61(b) except in the case of the Planning Board in relation to those applications for major and national developments subject to pre-determination hearings.

5.1 (c) A Committee, Sub-Committee or Regulatory Board may delegate authority to an officer of the Council to undertake or discharge any function which is delegated to that Committee, Sub-Committee or Regulatory Board. The Local Review Body may delegate authority to an officer of the Council to undertake or discharge any function delegated to it, where it is so enabled by the Town and Country Planning (Scheme of Delegation and Local Review Bodies) (Scotland) Regulations 2008.

5.2.3 Regulatory Boards

General Purposes Board

(11 Members)

Human Resources Appeals Board

(7 Members)

Planning Board

(11 Members)

Education Appeals Board

(7 Members)

Local Review Body

(11 Members)

5.5 The proper officer shall convene a special meeting of a Committee, Sub-Committee, Board or Local Review Body at any time in accordance with Standing Order 58 of the Council's Standing Orders.

5.6 (a) Where a Member of any Committee, Sub-Committee or Board is unable to attend a meeting to which he or she has been called, he or she may make arrangements with another Member of the Council to attend that meeting as his or her substitute with powers to act in his or her stead and shall ensure that his/her substitute has or will receive the appropriate meeting papers.

Insert additional paragraph -

7.12 Local Review Body

7.12.1 To (i) review applications for planning permission or for consent, agreement or approval which have been refused, granted subject to conditions or have not been determined within the prescribed period by the appointed officer under the Scheme of

Delegation prepared in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 and in terms of the Town and Country Planning (Scheme of Delegation and Local Review Procedures) (Scotland) Regulations 2008 and (ii) to carry out all other functions as described in the aforesaid legislation.

(nb all additions, etc are in red type and underlined)