



6.2

7.]

**Deleted:** ¶  
**Decision Making Structure of the Council**¶

**Deleted:** ¶  
**SUMMARY AND EXPLANATION**¶

¶  
**2. How the Council operates** ¶

¶  
**Councillors** ¶

¶  
2.1 The Council is composed of 63 Councillors, with one-third elected three years in four. Councillors are democratically accountable to residents of their ward. The overriding duty of Councillors is to the whole community, but they have a special duty to their ward constituents, including those that did not vote for them. ¶

¶  
2.2 The Council has a [Code of Conduct for Councillors and Co-opted Members](#) [CP1, Page 301], which aims to ensure high ethical standards and increase public confidence in the integrity of their local councillors and co-opted members. All Councillors and co-opted members have to agree that they will comply with the Code of Conduct. The Council's Standards ...

**Deleted:** ¶  
**3. How decisions are made** ¶

¶  
**Cabinet**¶

¶  
3.3 If the Cabinet wishes to make a decision that is outside the Policy Framework or Budget this must be referred to the Council Meeting to decide.¶

¶  
**4. Ordinary Committees** ¶

**Deleted:** **5. Scrutiny** ¶

¶  
5.1 There are 5 [Scrutiny Committees](#) (plus a scrutiny co-ordination committee) [Article 6, Page 16] that support and monitor the work of the Cabinet and the Council as a whole. Scrutiny Committees are not allowed to make decisions b ...

**Deleted:** ¶  
5.2 They can allow Stockport citizens to have a greater say in Council matters by holding public inquiries into areas of concern. They commission reports and undertake reviews which advise the Cabinet and the Council Meeting on specific aspects of policy and its implementation. They monitor the ...

**Deleted:** ¶  
**6. Area Committees and Ward Committees**¶

¶  
6.1 . In order to ensure that the Council stays in touch with local issues the Council has 7 [Area Committees](#) [Article 12, Page 33] made up of ward Councillors for those areas. Area ...

**Deleted:** [Ward Committees](#) [Article 12, Page 33] aim to provide people who live and work within a Ward with an opportunity to meet with their local Councillors to raise issues of concern to them, to allow Councillors to respond to local circumstances, and to generally enhance the ...

**Deleted:** **The Council's Staff** ¶

¶  
7.1 The Council employs officers to give advice to all parts of the Council, support Councillors in their work, implement decisions and undertake the day to day planning and management of the wide range of functions undertaken. ...

**Deleted:** ¶  
7.3 A [Protocol](#) governs the relationships between Councillors and officers [CP3, Page 325]. ¶

¶  
**8. Citizens' Rights** ¶

¶  
**Deleted:** **Structure of the Constitution**¶

**Deleted: PARTS OF THE CONSTITUTION**

**PART 1 [Summary and Explanation](#) [Page 4]**

This section summarises what is in the Constitution, and contains the overall aims and objectives of the Council. It also highlights how decisions are made and what rights citizens have when participating in decision making and the democratic processes.

**PART 2 [Articles of the Constitution](#) [Page 7]**

These are the main articles of the Constitution which describe how the Council works. Article 1 explains the

**Deleted: PART 5 [Procedure Rules](#) [Page 200]**

This section contains the rules for important Council procedures, such as Full Council and Cabinet.

**PART 6 [Codes and Protocols](#) [Page 301]**

**Deleted: PART 7 [Members' Allowances Scheme](#) [Page 382]**

The Members Allowances Scheme sets out how Elected and Co-opted Members are remunerated for specific duties undertaken for the Council.

**Deleted: ARTICLE 8 [Ordinary Committees](#)**

Description of the regulatory and other committees, that deal with planning, licensing, audit and appeals.

[Part 3, Section 5](#) [Page 61] sets out the rules of procedure at ordinary committees which are largely the same those for the

**Deleted: ARTICLE 9 [Health & Wellbeing Arrangements](#)**

How the Health and Wellbeing Board and the Health & Care Integrated Commissioning Board operate.

[Part 3, Section 9](#) sets out the rules and procedures for the Boards.

**Deleted: ARTICLE 12 [Area Committees](#)**

Describes the area governance arrangements including those area committees that exist within the Council, and their terms of reference, which details what they do and how they operate.

**Deleted: ARTICLE 13 [Joint Arrangements](#)**

Describes the process for the entering into of joint arrangements with other authorities by the Cabinet and the Council Meeting and a list of any such arrangements currently entered into.

**Deleted: ARTICLE 17 [Review And Revision Of The Constitution](#)**

How and how often the Constitution is revised.

[Part 3, Section 8](#) [Page 146] includes the delegation to the Monitoring Officer

**Deleted:** Details the purpose and operation of the Stockport Partnership Board.

**Deleted: ¶**  
**Introduction to decision making¶**

**Deleted: EXECUTIVE DECISIONS¶**

**¶**  
**Introduction¶**

**¶**  
1. The law divides the Council's decisions into Executive and non Executive decisions. Executive decision may only be made by:¶

**¶**  
The Leader¶

The Cabinet¶

A sub Committee of the Cabinet¶

An individual Cabinet Member ¶

**Deleted: Principles of Decision-Making¶**

**¶**  
5. Article 13 of the Constitution states:¶

**Deleted: ¶**  
10. Other reports will come to the Cabinet via individual Cabinet Councillors, or following work done by Scrutiny ¶

**Deleted: ¶**  
11. Reports requiring an Cabinet decision will normally appear in the name of the Cabinet Councillor within whose portfolio ¶

**Deleted: ¶**  
**Decision-making by the Cabinet and by Individual Cabinet Councillors.¶**

**Deleted: ¶**  
which decision making body or individual is responsible for making the decision, according to the Scheme of Delegation;

**Deleted: ¶**

**Deleted: ¶**  
whether the matter is urgent business and should therefore be exempted from call-in (in which case the full reasons should ¶

**Deleted: ¶**  
13. Reports must contain recommendations and where a delegation is proposed to an officer to undertake further acti ¶

**Deleted: ¶**  
15. Substitutes are not permitted for Cabinet Councillors. If a Cabinet Councillor is unavailable, has an interest in the matt ¶

**Deleted: ¶**  
18. Meetings at which key decisions are to be taken or discussed, other than briefing meetings, will be held in publi ¶

**Deleted: Record and Publication of Decisions¶**  
**¶**

**Deleted: Call-in of Executive Decisions¶**

**Deleted: 21.**

**Deleted:** When an executive decision is made, whether by the Cabinet, an individual member of the Cabinet, an Cabinet Committee, or an Area Committee, or a key ¶

**Deleted: ¶**  
\* The Church and Parent Governor voting representatives on the Children & Young People Scrutiny Committee will be ¶

**Deleted: ¶**  
24. A decision may only be called in once, and the Chief Executive will include an item on the agenda for the next ¶

**Deleted: ¶**  
27. Corporate Directors and Cabinet Councillors can be "summoned" i.e. placed under a legal obligation to attend, b ¶

**Deleted: ¶**  
29. Democratic Services will also invite those Councillors who have called-in the decision to attend and address the ¶

**Deleted: GUIDANCE ON REPORT WRITING¶**

¶

1.1 All reports to bodies of which councillors are members must be submitted using the Report Management system, sometimes referred to as 'Modern.gov'. The system can be accessed via the Council's intranet homepage.¶

¶

1.2 . Reports that will be considered by the Cabinet must be first considered by the appropriate scrutiny committee, and any report to be considered by a scrutiny committee, Cabinet or the Council Meeting must be considered by the Corporate Leadership Team prior to submission and publication. Reports may also need to be considered by the relevant directorate management team. All reports submitted via the Report Management system will include the relevant bodies at which the report will need to be considered.¶

¶

1.3 Where reports and decisions are due to be taken at a public meeting of either the Cabinet or area committees and they include information that needs to be kept private or is exempt from publication, a notice of the intention to consider the matter in private must be published 28 days in advance of the meeting, setting out the reasons for the matter being private and allowing members of the public the opportunity to make representations. The grounds for exempting reports from publication are set out in the Access to Information Procedure...

**Deleted: ¶**

¶

¶

¶

¶

¶

**DECISIONS BY OFFICERS¶**

¶

Please note that under the Scheme of Delegation, functions are delegated only to Corporate Directors. A Corporate Director may subsequently authorise officers in their line of management to carry out functions on behalf of the Corporate Director, however that authorisation must be expressed in writing and the Corporate Director remains responsible for such decisions.¶

¶

1.2. The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089 require Councils to publish Executive decisions made by officers. The Openness of Local Government Bodies Regulations 2014/2095 require the Council to publish all decisions which meet the following criteria:¶

¶

The decision is made :¶

¶

**Deleted:** Council policy is that it must be published but other Executive decisions made by officers are not required to be published. ¶

¶

Entering into a contract for goods or services the value of which is in excess of £100k¶

*Except where the value is in excess of £250k and the quotation/tender to be accepted is more than 20% lower (for payments made by the Council) or higher (where payment is received by the Council)¶*

The extension of a contract where the existing contract has a provision to extend, and where the value of the extension exceeds £100k The approval of the taking of, or the grant, renewal, assignment, transfer, surrender, taking of surrenders, review, variation and termination of any leases, licenses easements and wayleaves, consents and rights in land for a consideration of more than £25k per annum or a premium of £250k ¶

The approval of the acquisition and disposal of land, buildings or other property interests for a consideration of between £100-£250k¶

Agreeing fees, charges and concessions where authorised to do so by the Executive¶

## 2. SPECIAL URGENCY - 'The Shorter Notice Procedure'

**Deleted: URGENCY IN DECISION MAKING**

¶

**KEY DECISIONS**

¶

**1. GENERAL EXCEPTION - 'The 5 Day Notice Procedure'**

¶

1.1 If a matter which would be a key decision cannot be included in the Forward Plan or 28 days notices cannot be given then, subject to the Special Urgency provisions below, the decision may still be taken if:

¶

(a) the decision must be taken by such a date that it is impracticable to defer the decision to ensure that notice has been published (in the Forward Plan or any supplement to it) within 28 clear days of the proposed meeting; and

(b) the Proper Officer has informed each member of the relevant Scrutiny Committee by notice in writing, of the matter in relation to which a decision is to be made, including reasons...

**Deleted:** 2.1 If compliance with the General Exception process is impracticable by virtue of the date by which a decision must be taken, then the key decision can only be taken if the decision maker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of a relevant Scrutiny Committee that the taking of the decision is urgent and cannot reasonably be deferred.

2.2 If there is no Chair of a relevant Scrutiny Committee, or if the Chair of each relevant Scrutiny Committee is unable to act, then the agreement of the Mayor, or in his absence the Deputy Mayor will suffice.

2.3 As soon as practicable after agreement has been obtained, a notice must be published, to all members of the relevant Scrutiny Committee and available to the public at the Town Hall and...

**Deleted: NON-KEY DECISIONS**

¶

**3. URGENT ACTION**

¶

3.1 Urgent action may be taken by the Chief Executive or the appropriate Corporate Director, with the agreement (as appropriate) of the Mayor, Cabinet Leader or the relevant Cabinet Councillor or Committee Chair. All such action must be reported to the next available meeting of the Council, Cabinet or the relevant Committee as appropriate. [see Part 3 Section 8 – Officer functions]

¶

3.2. In taking urgent action under this provision officers should ensure that they comply, as necessary, with the requirements of the Policy Framework and Budget Procedure Rules (urgent departures).

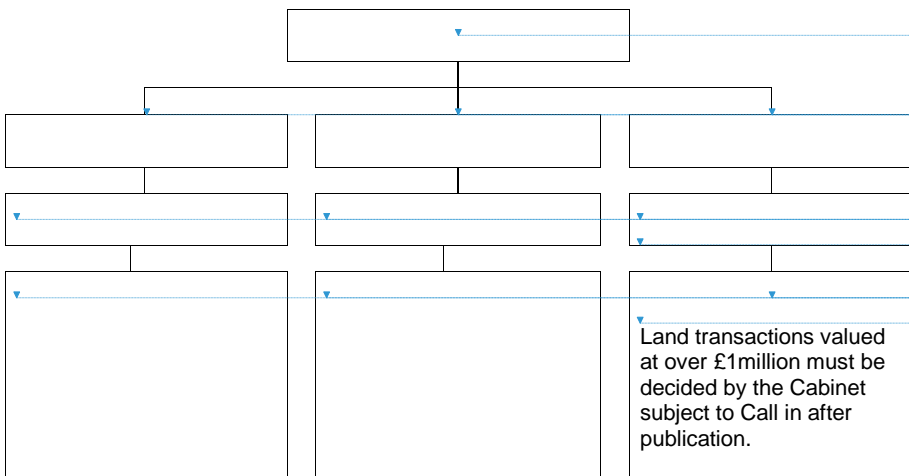
¶

**Deleted: PROPERTY DECISIONS**

¶

The Council owns and manages a large and valuable portfolio of property. Decisions relating to major property based projects will be considered by the Cabinet prior to commencement and recommendations on such reports will enable suitable arrangements to be made for the land transactions necessary for the ongoing management of properties connected with specific projects. These specific delegations will usually arrange for a senior officer in consultation with a Cabinet member to manage the land transactions. These delegations will "trump" the arrangements in the scheme of delegation which forms part of the Constitution.

Where land is held by the Council and is not connected with or covered by a resolution relating to a specific property or project, the scheme of delegation in [Part 3 Section 8](#) authorises the Deputy Chief Executive to:



**Deleted: How much is the land transaction worth?**

**Deleted:** £0-124,450 (or lease up to £6,545 and for up to 7 years)

**Deleted:** £124,451 - £250,000

**Deleted:** £250,000 + ¶  
**KEY DECISION**

**Deleted: CONSULTATION** ¶  
¶ Short schedule submitted as minor property transaction to Area Committees\* as part of regular report on progress. Area Committee may request a full report to a future meeting ¶

**Deleted: CONSULTATION** ¶  
¶ Full report to Area Committee\*. No negotiations for dealing with new land transactions should take place without 'an approval in principle' report being considered by the Area Committee ¶

**Deleted: CONSULTATION** ¶  
**Deleted:** Full report to Area Committee\*. Appropriate Notice of Key Decision/ Exemption from publication published. ¶  
No negotiations for dealing with new land transactions should take place without 'an approval in principle' report being considered by the Area Committee ¶

**Deleted: DECISION** ¶  
¶ Deputy Chief Executive has delegated power to make decision ¶  
¶ Officer decision published

**Deleted: DECISION** ¶  
¶ Deputy Chief Executive has delegated power to make decision following consultation with the Cabinet Councillor as appropriate. ¶  
¶ Officer decision published ¶

**Deleted: DECISION** ¶  
**Deleted:** Deputy Chief Executive has delegated power to make decision in ¶ consultation with the ¶ Cabinet Councillor for ¶ transaction valued ¶ between £500,000 and ¶ £1million. ¶

**Deleted: ¶**  
The day to day management of land holdings are carried out under the delegations to the Deputy Chief Executive in order to ensure that the Council can respond efficiently as the owner of this type of asset. ¶  
¶  
\* NOTE: Only novel, controversial and sensitive transactions need be referred to Area Committees for comment. ¶

Deleted: Public Participation¶

Deleted: PUBLIC ENGAGEMENT¶

¶

Members of the public have the right to participate in the Council's question time¶ and Open Forum procedures. There are additional public speaking rights in respect of planning applications.¶

¶

In addition to these rights, the Mayor or Chair of a committee may exercise their discretion and allow public speaking on other items of business as they deem appropriate.¶

¶

1. Open Forum [Part 6, CP6, Page 353]¶

¶

1.1 Area Committees and Ward Committees are authorised to hold Open Forums, as part of ordinary business of the Committee, to enable discussion with representatives of non-party political voluntary organisations active in the area of the Committee, and with members of the public participating, any matters affecting the area and relating to the activities of the Council. ¶

¶

1.2 An Open Forum will be arranged:- ¶

¶

(a) at the request of the Area Committee or Ward Committee on any issue it considers appropriate; and ¶

¶

(b) where notice in writing has been given by the organisation to the Democratic Services Manager not less than seven clear days prior to the meeting.¶

¶

1.3 Discussion relating to quasi judicial matters, e.g. (a) specific legal proceedings, licensing applications, planning applications, appeals and (b) confidential business will not be permitted. ¶

¶

1.4 The conduct of the open forum and admissibility of matters raised by organisations will be at the absolute discretion of the Chair. ¶

¶

1.5 Subject to above, any person present at the meeting may participate in the discussion at the Open Forum.¶

¶

Deleted: ¶

2. Public Questions at Committees [Part 6, CP5, Page 351]¶

¶

2.1 An item "Public Question Time" is included on the agenda for all meetings of the Cabinet, Cabinet Committees, Ordinary Committees and Area Committees, permitting members of the public to ask questions. ¶

¶

2.2 There is no opportunity to ask questions at scrutiny committees save that the Chair may exercise their discretion to allow public speaking.¶

¶

2.3 Questions are restricted to matters within the powers and duties of the Cabinet or the particular Committee or Area Committee and related to the activities of the Council.¶

¶

2.4 Questions shall not be permitted if the Chair deems that the question¶

¶

relates to quasi-judicial matters e.g. (current or potential legal proceedings, licensing applications, planning applications and appeals, Traffic Regulation Orders where public consultation has been authorised or undertaken);¶

#### 4. Public Speaking on Planning Applications at Area Committees

- 4.1 If you wish to speak on a planning application you should tell the democratic services officer as soon as you arrive at the meeting.
- 4.2 Please tell the democratic services officer if there is a special reason why you need the application that you are interested in to be considered early.
- 4.3 The Committee will consider first those applications upon which people wish to speak.
- 4.4 The Committee has a report on each application that sets out all material considerations and the officer's recommendation. Committee members are therefore already aware of the issues. You may obtain a copy of the report from the Democratic Services Officer.
- 4.5 The planning officer will report any matters that have arisen since the publication of the report, e.g. the receipt of further letters.
- 4.6 Members of the Committee may ask questions of the planning officer.
- 4.7 The Chair of the Committee will invite anyone opposing the application to speak.



NOTE: Normally only one person is allowed to speak for the objectors, but the Chair may allow others to speak if they have additional points not covered by the first speaker.

- 4.8 Members of the Committee may ask questions of the objector to clarify any points that have been made.
- 4.9 The applicant or the applicant's representative will be invited to speak in support of the application and on issues raised by objectors. In the absence of the applicant any other person wishing to speak in support of the application may do so.
- 4.10 Members of the Committee may ask the applicant/applicant's representative questions to clarify the proposals or their response to objections.
- 4.11 Each speaker is allowed three minutes. Speakers should be succinct and avoid repetition to ensure that they do not run out of time before they have made all their points.
- 4.12 The planning officer will be invited to comment on issues raised by speakers.
- 4.13 The Committee will then debate the issues and make a decision on the application (but see below).

#### Additional information

- You may only speak on the application on the first occasion upon which it is considered by the Area Committee. If the Committee defers consideration of the application, you will not be allowed to speak at any subsequent meeting when it is considered unless the application has been materially altered.
- Members of the public are not allowed to take part in the debate, and may not question officers, members, or applicants whilst the Committee is considering the application.
- Anyone arriving after an application has been dealt with will not be allowed to speak on that application.
- The Area Committee will decide whether to grant or refuse most of the applications being considered. However, some of the applications considered by Area Committees (generally larger development proposals) will be decided by the Planning and Highways Regulation Committee; the Area Committee may only make a recommendation or pass its views on these applications to the Planning and Highways Regulation Committee. The Planning Officer who presents each application will state whether the final decision will be made by the Area Committee or the Planning and Highways Regulation Committee.
- If the Area Committee decides that councillors need to visit the application site, they will state the reason. Where a site visit is recommended by an Area Committee, the site visit will be by a group of members of the Planning and Highway Regulation Committee who will make their recommendations to the next meeting of that Committee. The application will normally be decided at that meeting.

- You may attend meetings of the Planning and Highway Regulation Committee only as an observer. Public speaking is not allowed at the Planning and Highways Regulation Committee but a note of the views of speakers at Area Committee will be taken and reported to the Committee.
- If the Committee determines an application contrary to the recommendation of the planning officer, the reasons will be given and minuted.

If the

**Deleted: 5. Petitions**

5.1 There are additional public speaking rights in relation to the submission of petitions. These are covered in more detail in the Petition Scheme below.

**Deleted: PETITION SCHEME**

The petitions process allows members of the public to have direct influence on the political process and to raise concerns that are important to them.

Members of the public can submit petitions on the following

Issues relating to the Council's responsibilities, as long as the Council is a position to exercise some degree of influence. Anything relating to an improvement in the economic, social or environmental well-being of the borough to which any of the Council's partners could contribute.

The Council will respond to all the petitions it receives. We will be as flexible as we can when handling your petition so that it is considered quickly and in the most appropriate way.

Petitions must be signed by at least 50 people but the Council will use its discretion where there are fewer than 50 signatories in cases where there is clear local support for action (e.g.

**Deleted: Democratic Services Manager**

Democratic Services  
Town Hall  
Stockport  
SK1 3XE

If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact Democratic Services on 0161 474 3216 at least 10 working days before the meeting and they will talk you through the process.

Petitions submitted to the council must include a clear and concise statement covering the subject of the petition. It should state:

**Deleted:** If we decide that a petition is not acceptable then we will let the petition organiser know our reasons.

If a petition relates to the responsibilities of one of our partners then, within 10 working days of its receipt, the petition will be forwarded to that authority for them to deal with, unless the petition relates to an improvement in the economic, social or environmental well-being of the borough. In those cases the petitions will be considered under the Council's scheme.

It may be inappropriate for the council to deal with certain petitions during periods when it is subject to restrictions immediately before elections or referendums. In these circumstances, the petition organiser will be informed of the

**Deleted:** petition needs more investigation, we will tell you the steps we plan to take.

In the majority of cases your petition will be submitted to one of the Council's formal member meetings where elected councillors will decide how to respond to the petition. These meetings will be held in public and petitioners are welcome to attend the meeting to observe the proceedings. The petition organiser will be entitled briefly to address the meeting.

Depending on the subject matter your petition may be submitted to the Council, the Cabinet, one of the Area Committees or one of the Council's Scrutiny Committees.

Deleted: Guides and Protocols¶

## **APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES**

---

1. Substitutes are permitted for all Ordinary Committees, Scrutiny Committees, and the Scrutiny Co-ordination Committee. The Licensing Act 2003 requires that substitutes for the Licensing, Environment and Safety Sub Committee must be drawn from the membership of the Licensing, Environment and Safety Committee.

2. Members can appoint their own substitute from within their group, provided that they inform Democratic Services prior to the commencement of the meeting.
3. A member who wishes Democratic Services to arrange a substitute is required to give notice to Democratic Services by 4.00 p.m. two working days prior to the meeting.
4. Agenda papers will be sent to those substitute members called upon to attend.
5. A member wishing to arrange a substitute for a particular meeting is not required to give a reason for his or her proposed absence.
6. A notice to the effect that a member will not be able to attend a meeting may be withdrawn only with the agreement of the arranged substitute member (if any).
7. The Chief Executive will inform the Chair and Opposition Group Spokespersons of substitutions made, before the meeting.

## **THE COUNCIL'S PLANNING RESPONSIBILITIES**

### **(i) Legal Framework**

- 1.1 The government sets the legislative framework under which local planning authorities exercise planning functions and establishes the national and regional policy framework within which local planning authorities have to formulate their own policies and exercise the development control function.

## **(ii) Policy Formulation – the Policy Framework**

- 1.2 The law requires formal planning documents (the Local Plan) to be adopted by the Council Meeting. The Local Plan is part of the Council's Policy Framework and as such is the responsibility of the Council Meeting. The Cabinet is responsible for preparing, reviewing and presenting the Local Plan.

### **Executive Functions**

- 1.3 All other planning policies which the Council may wish to introduce in accordance with the local development framework are the responsibility of the Cabinet. This includes policies such as supplementary planning documents and the declaration of conservation areas. The Scrutiny Committee also has an opportunity to consider these matters.

### **Officer Roles**

- 1.4 Officers formulate planning policies (policies to which regard must be had in making planning decisions) and may consult Cabinet councillors, Planning and Highways Regulation Committee and area committees so that the Cabinet is better informed when considering a proposed policy, but none have power to introduce planning policies themselves. Once adopted, the policies are those of the Council and must be taken into account in planning decisions whenever they are relevant.

### **Planning and Highways Regulation Committee**

- 1.5 Planning and Highways Regulation Committee (PHRC) may introduce procedures concerning the process to be followed in exercising functions for which it is responsible, but this does not extend to issues that are material considerations in the determination of planning applications or other planning decisions. Area committees and officers will also be required to follow those procedures in exercising planning functions.

### **Area Committees**

- 1.6 Area Committees have no power to introduce planning policies or procedures but may be consulted on policy and procedure changes.

### **Procedures for administering the system**

- 1.7 The Corporate Director for Place Management and Regeneration may establish procedures for administering the planning system and making decisions that are delegated to the Corporate Director including arrangements for other officers in the Directorate to exercise those functions.

## **(iii) Development Control**

- 1.8 Development control functions must be exercised by an Ordinary Committee (area committees, Planning & Highways Regulation Committee or the Council Meeting). Cabinet, Cabinet councillors, and Scrutiny Committees have no powers in respect of individual planning applications
- 1.9 It is important that councillors who take planning decisions have an awareness of policy formulation in order to understand the strategic planning context. It is considered to be good practice for the Cabinet Member responsible for planning policy formulation to be a member of PHRC in order to ensure this link.
- 1.10 Responsibility for the determination of planning and similar applications within the Council is as follows:
- a) The Area Committees will determine applications within their areas that are not strategic applications:
- which have been called up (see below); or
  - where the Council has received four or more representations which do not accord with the officer recommendation
- b) Area Committees will comment on:-
- strategic applications
  - departures from the development plan where the Officer recommendation is to approve and the Area Committee are minded to support the recommendation (note Area Committee can refuse applications which are departures)
  - applications which the Area Committee has declined to determine
  - Applications where a site visit is requested.
  - Applications which straddle area boundaries which have a significant implication by reason of traffic, noise, pollution or which have a substantial environmental or visual effect.
- c) Planning and Highways Regulatory Committee will determine:-
- strategic applications
  - departures from the development plan which have not been determined by Area Committee
  - applications which are Environmental Impact Assessment development
  - applications which the Area Committee has declined to determine
  - applications where a site visit is needed
  - applications which straddle area boundaries which have a significant implication by reason of traffic, noise, pollution or which have a substantial environmental or visual effect.
- d) All other planning applications will be determined by officers under the delegation to the Corporate Director for Place Management and Regeneration

An application is a strategic application if it exceeds the following thresholds:

- a) Residential development of 100 dwelling units
- b) Development of 5,000 square metres of floor space
- c) Development of a site of 3 hectares
- d) Applications requiring an Environment Impact Assessment

## **2. "Call-Up" Procedure for Delegated Applications**

- 2.1 All applications for planning permission, approval, consent and certificates except those matters referred to in Part 3 below will be referred to area committee for comment.
- 2.2 This procedure must be followed if a member is to require an application, which is delegated to be determined by the Corporate Director for Place Management & Regeneration, to be referred to an area committee for determination.
  - A dated weekly list of all planning applications received will be published on the Council's website, including the delegation level for each application.
  - A member may only call up an application if it is within the boundary of the area committee on which he/she serves, or within the boundary of an adjoining area committee and the application has planning implications for the area committee on which the member serves.
  - Where a member requires a delegated application to be decided by an area committee, the Head of Service or appropriate Development Management Officer at Fred Perry House, must be notified in writing of the request, within 14 days of the date on the weekly list.
  - The information required to call up an application is the application number, the address of the development site, the name of the member calling up the application, the planning reason for call-up and the date of call up.
  - Call-ups may be made by letter, fax transmission or by e-mail message. Letters and faxes should be signed and the [call up sheet](#) (which accompanies the weekly list) may be used.
  - It is the responsibility of the calling up member to ensure receipt of the call up request and it is recommended that a returnable electronic receipt should accompany e-mail call-ups.
  - Call up notifications will be date stamped on receipt and placed on the working application file.
  - When a call up is received outside the call up period, the member will be notified that the call up is invalid. If there has been no valid call up within the call up period, the application will be decided by the Corporate Director for Place Management and Regeneration.

- All applications validly called up will not be determined by the Corporate Director for Place Management and Regeneration, unless subsequently agreed otherwise, with the call up member or appropriate committee.
- Called up applications will be reported to the first available area committee.
- Called up applications will be decided by the area committee or the Planning and Highways Regulation Committee.

**NOTE:**

- (1) Call ups should be kept to a minimum, as they increase costs and processing times.
- (2) Once an application has been determined it cannot be reconsidered.
- (3) Fully delegated applications cannot be called up to a committee.

**3. - Matters not subject to “Call Up” procedure**

The following applications and matters are delegated to the Corporate Director for Place Management and Regeneration and the procedure for Councillors to require the matter to be determined by the appropriate Area Committee does not apply:-

- (a) the determination of the validity of applications;
- (b) the refusal of planning applications for insufficient information;
- (c) declining to accept repeat applications which have previously been refused and raise no significant new issues;
- (d) determination of whether variations and amendments to existing permissions may be treated as working amendments and the determination of those amendments and variations where a planning application is not required;
- (e) matters submitted for approval in accordance with a condition of a planning permission;
- (f) All applications and notifications where the time period for determination is less than 56 days (including those where prior approval is not required);
- (g) certificates of lawfulness of existing or proposed uses or development;
- (h) determination of whether an environmental statement is required, the adoption of screening opinions and scoping opinions under the Town & Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011;
- (i) enforcement action, service of breach of condition notices, tree replacement notices, and untidy land notices under the Town and Country Planning 1990;
- (j) enforcement action, service of repair, urgent works, and building preservation notices under the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (k) the carrying out of work where notices have not complied with and the recovery of the costs incurred;
- (l) service of planning contravention notices and consideration of any offers and representations pursuant to such notices;



- (m) service of discontinuance notices under the Town and Country Planning (Control of Advertisements) Regulations;
- (n) notices and action under the Building Act 1984;
- (o) injunction proceedings;
- (p) responses to hedgerow removal notices and the giving of notices under the Hedgerow Regulations 1997;
- (q) determination of whether claims for deemed hazardous substances consent are invalid;
- (r) authorising the prosecution of offenders for offences under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Building Act 1984, and Regulations made under those Acts;
- (s) the settlement of the amount of costs awarded to or against the Council on appeal;
- (t) the imposition of conditions on planning permissions and consents and the determination of reasons for imposing conditions.
- (u) the determination of reasons for refusal;
- (v) responses to consultations from other local planning authorities on applications other than strategic applications;
- (w) completion of section 106 agreements for planning applications.
- (x) the making of tree preservation orders and the confirmation of tree preservation orders where no objections have been received.
- (y) consent to fell, lop or top protected trees.

**Deleted: PROTOCOL ON MEMBER CHAMPIONS**

**1. Introduction**

1.1 . Member champions are Councillors who act as an advocate or spokesperson for a specific area of the Council's business and activities. The main responsibility of each member champion is to encourage communication and positive action over the issue they represent.

1.2 Member champions have evolved in this Council as a result of:

legislation and national initiatives in relation to the development of services, and

(b) initiatives undertaken by the Council in wishing to focus member activity on certain aspects of the Council's business and functions.

**2. Appointment of Member Champions**

2.1 Each May, prior to the Annual Council Meeting, Councillors notify the Democratic Services Manager of their expression of interest in being appointed as the Council's Champion for any of the positions included below above or any suggested new 'Champion' position. The Democratic Services will discuss these with Group Leaders and invite the appropriate Group to comment on the proposed nomination based on this Protocol on Council Champions and the Role of Member Champions

Cycling

**Deleted: OUTSIDE BODIES**

**1. Introduction**

1.1 The Council is often invited, and in some instances has a right, to be represented on other bodies, both statutory and voluntary. The contributions councillors make are generally much appreciated by the organisation concerned and the Council has the benefit of the additional knowledge and expertise which councillors gain through membership of the bodies.

1.2 The categories of outside bodies to which councillors are appointed include

**Deleted: Outside Bodies Consultation with councillors**

Your Name

**Deleted: WARD FLEXIBILITY FUNDING**

Each of the 21 wards currently receive £3,000 per year to support activities of local community or voluntary groups, small projects or individuals that contribute positively to the environmental, economic or social wellbeing of people within the particular ward.

**What applications will be considered?**

One off projects or events

Local small projects

Minor start-up costs (get new idea/project 'off the ground')

Purchasing equipment

Purchasing of services from departments within Stockport Council