



# **TOWN AND COUNTRY PLANNING (AMENDMENT) BILL 2016**

## **EXPLANATORY NOTES**

*These notes are circulated for the information of Members with the approval of the Member in charge of the Bill, Mr R A Ronan, MHK*

### **General Note**

This Bill is promoted by the Department for Environment, Food and Agriculture and makes minor amendments to the Town & Country Planning Act 1999 (“the 1999 Act”), to provide a statutory footing to the role and operation of the Planning Committee and to set out more clearly its relationship with the Department.

### **CLAUSE 1**

Will give the Act resulting from the Bill its short title.

### **CLAUSE 2**

Provides for the Act to come into force following an appointed day order and allowing that order to contain such consequential, incidental and transitory provisions considered appropriate.

### **CLAUSE 3**

Introduces the amendments to the 1999 Act.

### **CLAUSE 4**

Amends section 10 of the 1999 Act to provide for the determination of applications for planning approval or consent by either the Planning Committee or an authorised decision maker.

### **CLAUSE 5**

Amends section 15 of the 1999 Act to provide for the determination of applications for registered building consent and applications under paragraph 3 of Schedule 3 to the 1999 Act by either the Planning Committee or an authorised decision maker.

## **CLAUSE 6**

Amends section 22 of the 1999 Act to provide for the determination of applications for advertisement consent by either the Planning Committee or an authorised decision maker.

## **CLAUSE 7**

Inserts a new Part 4A into the 1999 Act. This part defines the term “authorised decision maker” and places the Planning Committee on a statutory footing. It provides for the Department to make an order to delegate certain functions to the Planning Committee and for the Council of Ministers to make an order to constitute the Planning Committee. The new Part 4A also contains transitional provision about the move from the existing Planning Committee to the new one, and the treatment of applications to, and consents granted by, the existing Planning Committee.

## **CLAUSE 8**

This makes consequential amendments to section 44 of the 1999 Act which sets out the Tynwald process for the coming into operation of Orders and Regulations.

## **CLAUSE 9**

This makes consequential amendments to section 45 of the 1999 Act to include new definitions for the terms introduced by the Bill.