

**GOVERNMENT DEPARTMENTS ACT 1987**

**Department of Environment, Food and Agriculture**

**Delegation of Functions relating to**

**PLANNING AND BUILDING CONTROL**

In exercise of the powers conferred to me by section 3 of the Government Departments Act 1987, I hereby authorise Timothy Simon Baker, MHK, until further notice to exercise the functions of the Department specified in Schedule 1 below, subject to any standing orders made by the Department under section 3(4) of that Act and to the conditions and limitations specified in Schedule 2 below.



Hon. G. G. Boot, MHK  
Minister for Department of Environment,  
Food and Agriculture

Date ..... 1/11/16 .....

**Schedule 1**

**BUILDING AND PLANNING CONTROL**

- 1) The functions of the Department, whether created by statute or otherwise, in connection with Planning and Building Control, including the powers, duties and responsibilities of the Department arising therefrom.
- 2) Without prejudice to the generality of paragraph (1) the functions to which this Schedule refers include the power to consider or prepare proposals in respect of Planning and Building Control.

**Schedule 2**

**Conditions and Limitations**

- (1) The authority to exercise the functions referred to in Schedule 1 shall not be taken to include powers to -
  - (a) promote new or amending primary or secondary legislation; or
  - (b) request Tynwald, Council of Ministers or Treasury authorities; or
  - (c) institute policy changes; or
  - (d) implement non-legislative policy changes having financial implications beyond existing budgetary provision; or
  - (e) determine annual revenue or capital expenditure programmes; or
  - (f) subject to paragraph (2), increase or modify approved expenditure programmes; or
  - (g) dispose of land for which Treasury consent is not required by virtue of paragraph 1 (4) of Schedule 1 to the Government Departments Act 1987; or
  - (h) increase service charges; or
  - (i) increase or decrease staffing establishments; or
  - (j) alter staff employment terms and conditions; or
  - (k) engage consultants;

in relation to those functions without reference to and approval from the Minister (in addition to any other approvals required by statute, rule or otherwise).
- (2) The Member must hold formal meetings with relevant officers in connection with their relevant areas of responsibility at least once every two months. Minutes of all such meetings must be taken and copies forwarded to the Minister and Chief Executive.
- (3) For the avoidance of doubt, nothing in Schedule 1 or in this Schedule shall be taken to permit the exercise of a function which could not have been exercised by the Minister, nor to permit the exercise of a function in such form or manner as would not have been available to the Minister.
- (4) Nothing in Schedule 1 shall be taken to permit the exercise of a function which has been delegated under Section 3(2) of the Act to another person, save to such extent as the Minister may direct either generally or in any particular case.