



DEFA Delegation No. 2021/22

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 by section 3(2) of the Government Departments Act 1987¹ I authorise with effect from the date of signature below until further notice

Mrs Claire Christian, MHK

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.

The authorisations contained in DEFA Delegation No. 2021/17 is hereby revoked.

Redacted

Made:

3rd December 2021

Signed

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Hon. C Barber, MHK
Minister for Environment, Food and Agriculture

¹ 1987 c.13

Schedule 1

PLANNING AND BUILDING 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 in Schedule 1 shall not be taken to include powers to take on the role of Chair of the Planning Committee and perform any of the functions of that role unless appointed to that role further to article 9 of the Planning Committee (Constitution) Order 2019²;
- (2) The authority to exercise the functions 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 expenditure or capital expenditure programmes; or
 - f. subject to paragraph (1), 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 terms and conditions; or
 - k. engage consultations,
- 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).
- (3) 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.
- (4) For the avoidance of doubt, nothing in Schedule 1 or 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.

² SD 2019/0464.