

**Recommendation from Regulatory Committee – 4 January 2018**

**Delegation of Powers: A338 Wessex Way to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital**

- 5 The application has been made jointly to Bournemouth Borough Council and Dorset County Council in their capacities as the Local Planning Authorities, as the scheme falls within both administrative areas, although only a small proportion of the scheme sits within Dorset County Council's area. The Committee was being asked to advise County Council that it supports and endorses the delegation of powers to Bournemouth Borough Council to enable the Borough Council to decide the planning application, within the County Council's area, for the development of a new road junction and associated works on the A338 Wessex Way, to provide a link to the Wessex Fields Business Park and the Royal Bournemouth Hospital.

A visual presentation explained what the application was about - made jointly by the Borough Council and the County Council - and which showed its delineation, its reasoning, what it was designed to achieve, what benefits it would bring and how it would be implemented. The characteristics of the scheme were drawn to the Committee's attention and what considerations would need to be assessed as part of the process.

Members understood that the County Council acknowledged corporately, in principle, the necessity for improvements to be made to traffic management across the network in that area and the means by which this should be done and the benefits this would bring. The permission being sought was an important part of a package of proposals funded by the Dorset LEP and partners to promote economic growth along the Bournemouth International Airport Corridor to relieve congestion, improve traffic management and access arrangements to the hospital and the adjoining business park development. This would be particularly necessary in light of the fact that the hospital was to become the principal hospital across Dorset as many more clinical and medical services would be provided there instead of at other local or community hospitals. The substantive part of the application lay within Bournemouth Borough Council's administrative area, with only a marginal proportion being located within the County's area - this being within the Borough of Christchurch.

Section 101 of the local Government Act 1972 makes provision to enable one local authority to delegate the discharge of its functions to another local authority. So that there was no duplication of the planning process and to reduce unnecessary risk of any challenge arising from the interpretation and implementation of that process and its procedures by two different two different planning authorities, it was considered pragmatic and practical that the County Council should delegate its powers to Bournemouth Borough Council to determine the application. As ordinarily the Regulatory Committee would have been asked to determine the application in its own right, its views were now being sought on what the process should be.

Clarification was provided that all members were being asked to consider whether do was decide whether, in the circumstances, it was more practical and appropriate for Bournemouth to determine the application, given the substantive part of the proposal was within Bournemouth. The Committee were assured that the Borough Council would be obliged to consider the application solely on its planning merits, taking into account all relevant material considerations and would come to their decision on that basis. The County Council, as a statutory consultee, would have an opportunity to comment on the application and ask for any

pertinent points to be taken into consideration as part of the process. At that stage, the Committee would be given the opportunity to express their views on the detail of the application and what they felt needed to be addressed.

The County Council member for Commons, in whose division the County Council's portion of the application lay, could see the benefit of Bournemouth being asked to decide the application, on the grounds described previously and, in those circumstances, proposed that the officer's recommendation be accepted.

In accepting the need for this important link and what it would achieve for improved access arrangements to and around the area of the Royal Hospital, the Committee agreed that it was more practical for Bournemouth Borough Council to be asked to determine the application on the grounds stated in the report and in the officer's presentation and, on that basis, agreed that the recommendation being made by the officer should be accepted.

**Recommended**

That County Council be advised to support and endorse the proposal to delegate to Bournemouth Borough Council the determination of the planning application for a new road junction on the A338 at Wessex Fields and the Royal Bournemouth Hospital to Bournemouth Borough Council.

**Reason for Recommendation**

To avoid duplication of work and to reduce the potential risk of a legal challenge arising from two different planning authorities interpreting and carrying out planning procedures in a slightly different way.