

Lynda Brown  
Via e-mail

Our ref: TO-025521/11

19 July 2011

Dear Ms Brown

Thank you for your e-mail of 6<sup>th</sup> July sent to the Rt Hon Eric Pickles MP which has been passed to me for a reply.

Local planning authorities have the statutory responsibility for considering proposals for development. Authorities have to determine planning applications in the light of the local development plan for the area and any other material planning considerations. They must also take into account any representations received and give reasons for their decision. The Government is clear that localism and decentralisation are at the heart of their planning agenda and the Secretary of State only gets involved in a small number of applications normally where issues of national importance arise.

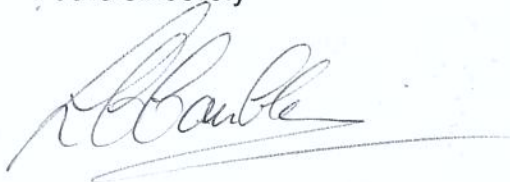
Whilst I note your concerns regarding Calderdale Council's decision, the application was properly for the council to decide and the Secretary of State has no powers to review the case and consider fresh representations.

It is not the responsibility of the Department for Communities and Local Government to police local authorities. The Secretary of State has no statutory duty or power to supervise the general propriety or efficiency of actions taken by individual local authorities, or to call them to account on matters connected with organisation, management or conduct of business. Local authorities are provided with considerable statutory discretion to arrange for the discharge of their responsibilities in accordance with their own interpretation of local needs and circumstances. They are accountable for their actions and the services they provide to their electorate and, ultimately, the law courts.

Each local authority has a Monitoring Officer who is concerned with matters of legality and propriety. It is his or her duty to report to the full council any cases where he or she thinks that the council, one of its committees, sub-committees or officers is about to or has done something unlawful, improper, or which would constitute maladministration. The Local Government Ombudsman may also investigate such matters and I attach a link to the website giving details of the Ombudsman's role and powers for your information. <http://www.lgo.org.uk/>

I am sorry that I am not able to assist you further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'L. Gamble', written over a horizontal line.

Lorraine Gamble  
Planning Casework Officer