

Cherwell District Council

Council

23 February 2014

<p>Proposed changes to the scheme of delegation to the Head of Development Management</p>

Report of Head of Development Management

This report is public

Purpose of report

To seek the agreement of Council to proposed revisions to the current scheme of delegation to the Head of Development Management as set out in the council's Constitution.

1.0 Recommendations

The meeting is recommended:

- 1.1 To agree the revisions proposed in the Report.
- 1.2 To delegate authority to the Head of Law and Governance to produce a composite version of the scheme of delegation with the equivalent for South Northamptonshire Council so that there is one point of reference for both Councils, as at present.

2.0 Introduction

- 2.1 Officers of Cherwell and South Northamptonshire Councils have undertaken a review of the current scheme of delegation to consider whether it is working effectively and to consider if there would be any benefits from revising the scheme.
- 2.2 The aim of the review was to try and reduce the numbers of applications determined by the relevant Planning Committee in order to enable it to focus on the most significant applications but without compromising quality or the council's corporate objectives.
- 2.3 A detailed report, which will be considered by the Planning Committee on 19th February, is attached, as Appendix A. Comments made at that meeting will be reported verbally at this meeting of Council.

3.0 Report Details

- 3.1 In formulating the proposed revisions the focus has been on the aim of removing certain categories of applications from the need for determination by the Planning Committee to save council time and resources (both councillor and officer) but which at the same time will not compromise the council's decision-making process or its objectives.
- 3.2 The attached report to Planning Committee provides the detailed background and justification for the recommended changes. (See Appendix A)

4.0 Conclusion and Reasons for Recommendations

- 4.1 The categories of applications currently delegated which warranted further investigation and consideration were applications for new buildings of over 1,000sqm, for development on a site of over 1Ha in size, applications affecting the Council's own land or where the Council is the applicant, those submitted by Councillors of CDC and consultations from neighbouring local authorities.
- 4.2 The analysis of these applications and the relevant recommendations can be found in the report to Planning Committee. The revised scheme of delegation proposed is also attached as Appendix 2 to that report.
- 4.3 The proposed revisions are considered to reduce the number of applications determined by the Committee to an acceptable level in order to enable it to focus on the most significant applications. As the report explains it will not compromise quality or the council's corporate objectives.
- 4.4 It is recommended that the revised proposed scheme of delegation as described in Appendix 2 to the report to Planning Committee be agreed.

5.0 Consultation

Councillors Rose Stratford (Chair of Planning Committee) , Colin Clarke (Vice Chairman) , Michael Gibbard (Lead Member for Planning) and Councillor Wood

Jon Westerman; Development Services Manager

Kevin Lane: Head of Law and Governance

All consultees support the referral of this recommendation to the Planning Committee.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Retain the current scheme of delegation and make no revisions

This option was rejected as it would not achieve the aims of officers and the Planning Committee to try and reduce the numbers of applications determined by the Committee in order to enable it to focus on the most significant applications but without compromising quality or the council's corporate objectives.

Option 2: Consider alternative revisions

The reasons for the revisions pursued and investigated are set out in the report to Planning Committee. The proposed revisions and the reasons for them are also explained. The revisions put forward are considered the most appropriate to achieve the two main aims as set out above. Any fewer revisions would not have reduced applications being determined by the Committee to a level sufficient to result in a discernible difference and a saving in real terms of the Committee's time. Any more extensive revisions would have conflicted with the aim of the Committee focussing on the more significant applications and achieving corporate objectives.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly from this report. The costs of processing planning applications are met from existing resources.

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Legal Implications

- 7.2 The proposed changes are considered to represent a reasonable balance between the efficient conduct of Committee meetings and the need for significant applications to be considered in a member forum. Any proposal to delegate applications submitted by Councillors or senior/development management officers would be contrary to good practice guidance on probity in planning and expose the Council to the risk of allegations of impropriety and lack of openness and transparency. I therefore strongly reiterate the advice contained in paragraph 3.7.3 of the report to Planning Committee.

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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

The key corporate priority linked to this decision is “A District of Opportunity” and in particular, the role of the Development Management Service in the following:

- Securing employment-generating development with necessary transport / other infrastructure;
- Proactively monitoring and enforcing the implementation of new developments to ensure they comply with the relevant permission/approval;
- Meeting local performance targets in terms of speed of determination of all forms of application;

Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

Document Information

Appendix No	Title
Appendix A	Report of Head of Development Management to Planning Committee, 19 February 2015
Background Papers	
None	
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