



**PLANNING AND LICENSING COMMITTEE**

**13<sup>TH</sup> APRIL 2016**

**AGENDA ITEM (9)**

**REVISED SCHEME OF DELEGATION**

<b>Ward Member(s)</b>	Councillor Mrs. SL Jepson Cabinet Member for Planning and Housing
<b>Accountable Officer</b>	Kevin Field Planning and Development Manager 01285 623000 kevin.field@cotswold.gov.uk
<b>Purpose of Report</b>	To consider a revised version of the Scheme of Delegation relating to the Planning and Licensing Committee
<b>Recommendation(s)</b>	<b>(a) That the revised Scheme of Delegation relating to the Planning and Licensing Committee be approved and adopted;</b> <b>(b) That the Head of Planning and Strategic Housing be authorised to make minor amendments to the approved Scheme of Delegation</b>
<b>Reason(s) for Recommendation(s)</b>	To promote the effective working of the Development Management and Heritage and Design Services, in partnership with Ward Members and Town/Parish Councils
<b>Ward(s) Affected</b>	All
<b>Key Decision</b>	No
<b>Recommendation to Council</b>	No
<b>Financial Implications</b>	Delegation of decisions to the appropriate levels ensures effective service delivery and thereby enables effective control of costs
<b>Legal and Human Rights Implications</b>	None
<b>Environmental and Sustainability Implications</b>	None
<b>Human Resource Implications</b>	None
<b>Key Risks</b>	None
<b>Equalities Analysis</b>	No effect on protected groups identified

<b>Related Decisions</b>	Please detail any Related Decisions. If there aren't any, please say so
<b>Background Documents</b>	Scheme of Delegation - 13 <sup>th</sup> August 2014
<b>Appendices</b>	None

<b>Performance Management Follow Up</b>	To update and publish the revised Scheme of Delegation, as approved
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<b>Options for Joint Working</b>	Not applicable
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### Background Information

1. The current Scheme of Delegation was approved and adopted by the former Planning Committee at its Meeting on 13<sup>th</sup> August 2014 (Minute P.44 refers).

2. Since then, Members and Officers have continued to monitor its effectiveness and, as a result, some revisions to the Scheme are suggested. Those revisions are relatively minor in their extent, but should ensure that delegated decisions are transparent, have a clear audit trail, and that unnecessary delay/paperwork is avoided. The Scheme has been updated to reflect name changes - for example, references to 'the Planning Committee' have now been amended to refer to 'the Planning and Licensing Committee'.

3. The suggested revisions relating to the substance of the Scheme are as follows. For ease of reference, the amended text is shown in **bold italics**:-

(i) the process by which Members are advised of, and respond to, requests for delegated authority. The suggested amendment would not permit delegated authority to be given orally. The revised text is set out below and forms the last two sentences on page 2 of the current Scheme:-

'Delegated Decision-Making - Recording Decisions

A file note, which may be in an electronic format and within the Council's computerised planning system UNI-form, should be made to record every delegated decision, detailing the name of the Officer making the decision, the date of the decision, a brief summary of the reasoning behind the decision and details of those informed of the outcome.

When considering the use of delegated authority, Officers can, if *s/he* considers it **to be** more appropriate, refer a matter to the Committee for consideration and determination. There is no obligation **for Officers to use their delegated authority to make decisions**.

**All consultations and responses should be in writing, and preferably submitted by e-mail. Copies of all such consultations and responses should be retained.'**

(ii) reference of applications by Members to the Planning and Licensing Committee for determination. The suggested amendment refers to a power of veto of call in by the Chairman of the Committee. The revised text is set out below and relates to item 3.1(vi) on page 4 of the current Scheme:-

'Dealing with Planning and Other Related Applications

(vi) Members should give reasons for referring applications to the **PLCtee**, but must note that the **PLCtee** can only take account of planning considerations. **In all cases where Members request a decision be made by the PLCtee, the Chairman of the Committee is authorised to decide whether or not the application can still be determined under the**

***Scheme of Delegation. When opting to exercise this power, the reasons for the decision will be provided in writing and recorded on the Council's electronic file.'***

(iii) Consultations with Ward Members on County Rights of Way and Highway Matters

Under the provisions of the current Scheme of Delegation, when the Council is consulted by Gloucestershire County Council over footpath diversions and similar, Officers consult the relevant Ward Member(s). However, the County Council also undertakes its own consultation process, so the further consultation by Officers represents a duplication of effort, which has caused confusion to Members and the general public on who they should contact in respect of the issues being consulted on. It is therefore suggested that the Scheme of Delegation be amended to remove the practise whereby Officers consult the Ward Member(s) on County footpath matters as a matter of course.

(iv) Other Minor Amendments

It is suggested that the Head of Planning and Strategic Housing be authorised to make minor amendments to the approved Scheme of Delegation, for example, as a result in changes to the name of the Committee or Officer titles.

(END)