



AGENDA ITEM (9)

REVISED SCHEME OF DELEGATION - PLANNING AND LICENSING COMMITTEE

Accountable Member	Councillor MGE MacKenzie-Charrington Cabinet Member for Planning Service and Cirencester Car Parking Project
Accountable Officer	Kevin Field Planning and Development Manager 01285 623000 kevin.field@cotswold.gov.uk

Purpose of Report	To consider a revised version of the Scheme of Delegation relating to the Planning and Licensing Committee
Recommendation(s)	That the revised Scheme of Delegation relating to the Planning and Licensing Committee be approved and adopted
Reason(s) for Recommendation(s)	To promote the effective working of the Development Management and Heritage and Design Services, in partnership with Ward Members and Town/Parish Councils, and to ensure that the decision-making process is transparent and unbiased.

Ward(s) Affected	All
Key Decision	No
Recommendation to Council	No

Financial Implications	Delegation of decisions to the appropriate levels ensures effective service delivery and thereby enables effective control of costs
Legal and Human Rights Implications	None
Environmental and Sustainability Implications	None
Human Resource Implications	None
Key Risks	None
Equalities Analysis	No effect on protected groups identified

Related Decisions	
Background Documents	Scheme of Delegation - 13 th April 2016
Appendices	None
Performance Management Follow Up	To update and publish the revised Scheme of Delegation, as approved
Options for Joint Working	Not applicable

Background Information

1. The current Scheme of Delegation was approved and adopted by the Planning and Licencing Committee at its Meeting on 13th April 2016.

2. The Scheme is the subject of continuous scrutiny to ensure it remains effective and relevant to changing circumstance and, as a result, minor revision is now suggested. The change recommended relates to Section 3.1(v) which states:-

(v) All applications and similar consents submitted by an Officer of the Council (or their partner, close relative or their partner's close relative) must be the subject of consultation with the Ward Members(s) and the Chairman (Vice-Chairman)

3. Officers have sought to implement the above when an application is submitted on behalf of an Officer (or their partner etc.) or is submitted by an Officer (or their partner etc.) when acting as agent. In practice, there are few problems when the Officer (or their partner etc.) is the Applicant, or has a direct interest in the application. In such cases, reference to the Officer interest can be included on the application forms or in accompanying correspondence. No change is therefore recommended to the process outlined in (v) when an Officer (or their partner etc.) is the Applicant or has a direct interest.

4. When the Officer (or partner etc.) interest is that of an agent then there are significant issues in the practicalities of implementing the current scheme, and those issues are likely to become more common as joint working between Councils increases. In practice, how can a Planning Case Officer know that the partner of another member of staff working in a different department and/or Council was acting as/or on behalf of an agent for an application? The agent might be employed by a large practice which may also outsource work. To police the currently-worded policy, the Council would have to compile a register of the employment of all its employees, their partners and close relatives, and this is considered to be unrealistic.

5. In response to the difficulties outlined above, it is recommended that the following clause be added to the Scheme of Delegation:-

(vi) In all cases when applications or similar consents are submitted by an Officer/consultant employed by the Council (or their partner or close relatives) when acting as or on behalf of the agent, then the Officer/consultant shall declare their interest and shall have no involvement in the processing of the application/consent.

(END)