

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

ITEM FOR PLANNING COMMITTEE
UPDATED SCHEME OF DELEGATION – VERSION 4

1. PURPOSE OF REPORT

To inform Members of minor amendments to the Scheme of Delegation. The amendments are presented for information before being taken to Full Council for authorisation.

2. BACKGROUND

The Scheme of Delegation is the document that sets out which decisions can be made at officer level, or which have to go to Planning Committee.

The Scheme of Delegation is reviewed twice a year.

The amendments made at this review are as follows:

Paragraph (V4)	Amendment	Reason
2.1.4	additional wording..."(screening and scoping opinions)"	This wording has been added for clarity as screening and scoping opinions for Environmental Impact Assessments are specific types of notification.
2.1.12	Additional wording "..... / notes to applicants"	For clarity.
2.1.14	Additional paragraph a) Respond to Infrastructure Planning Commission (IPC) environmental impact assessment (EIA) scoping opinion consultations. b) Respond to a developer consultation on draft Statements of Community Consultation (SoCC) c) Respond to the IPC consultations on the adequacy of developers pre-application consultation	This paragraph has been added to ensure that Officers have the authority to respond to Infrastructure Planning Commission consultations.
2.2.11	Additional paragraph Any application made regarding buildings or land in the	This paragraph is intended to provide more transparency on applications submitted by a third party on Council owned land, where the Council stands to benefit financially from the sale or lease of

	Council's ownership by a private company/individual, where the Council stand to benefit financially from the sale or lease of the land/buildings.	the land/buildings.
2.2.12	Additional paragraph Any formal pre-application (Section 42) consultation on Infrastructure Planning Commission (IPC) schemes along with the formal application made to the IPC (Local Impact Report) and any other formal representations at examination stage.	This paragraph is intended to ensure that all responses to formal pre-application consultations on Infrastructure Planning Commission (IPC) schemes and the Councils Local Impact Reports are taken to Committee for authorisation. It also covers the formal representation at examination stage.
2.2.13 and 2.2.14	Additional paragraphs 2.2.13 Any application which has been determined at Committee previously but which, in the opinion of the Head of Planning, Regeneration and Regulatory Services, could represent one of the following:- a) a significant departure from the adopted Development Plan, b) an application where there could be a significant risk of costs awarded against the Council at any subsequent planning appeal, legal challenge or Ombudsman investigation. 2.2.14 Any returning report to Committee will contain additional information pertaining to the two areas a) and/or b) above.	Version 3 of the Scheme of Delegation allows the Head of Planning, Regeneration and Regulatory Services to take an application to Full Council if he feels that it would be a significant departure from the adopted Development Plan. It also allowed for Full Council determination where, based upon the advice of Officers, it was felt that there would be a strong likelihood of an award of costs against the Council at a subsequent planning appeal, legal challenge or Ombudsman investigation. The suggested wording in paragraph 2.2.13 and 2.2.14 replaces section 2.3 – Full Council Level Decisions. The wording in the proposed scheme is intended to allow the above cases to go back to Planning Committee rather than Full Council for decision should the Head of Planning, Regeneration and Regulatory Services feel that they fall within the relevant criteria.

The revised scheme (Version 4) is attached to this report for Members (**appendix A**). A copy of the current scheme (Version 3) is also attached for reference (**appendix B**). Should any Members wish to discuss the contents of the protocol they should contact either:-

Paul Mead, Development Control and Compliance Manager – 6712
Judith Williams, Customer Service Improvement Manager – 6722.

3. RECOMMENDATION

That Members approve the contents of this report.