

**REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION**

**ITEM FOR PLANNING COMMITTEE  
UPDATED PLANNING SCHEME OF DELEGATION – VERSION 5**

**1. PURPOSE OF REPORT**

The purpose of this brief report is to inform Members of minor amendments to the current Planning Scheme of Delegation. The amendments have been made in order to improve efficiency in the planning application and compliance process. In suggesting the amendments regard has been made to issues pertaining to planning application and compliance cases which have arisen during the last year.

**2. BACKGROUND**

The Scheme of Delegation is the document which sets out the planning related decisions which can be made at officer level, or should be referred to Planning Committee for determination.

The Scheme of Delegation will be reviewed annually.

The amendments made at this review are as follows:

Paragraph	Amendment	Reason
2.1.2, 2.2.6, 2.2.10 (v4)	Deleted.	<p>The removal of any reference to applications made by, or on behalf of, the Council is made for 4 reasons:-</p> <ul style="list-style-type: none"> <li>• Such applications will be referred to Committee anyway if Officers are seeking to approve and 3 or more objections have been received or an objection from a Town or Community Council is received.</li> <li>• Such applications will be referred to Committee anyway if Officers are seeking to approve and the proposal represents a departure from the Development Plan (e.g. proposed housing on a Council school field)</li> <li>• Members still have the ability to call such applications to Committee anyway on valid planning reasons.</li> <li>• The Head of Service or Development Control Manager still has the ability to present such applications to Committee if it warrants referral due to interest or circumstance.</li> </ul>
2.1.3 (v4)	Amended wording to delete <b>“except for those referred to in paragraph 2.26 below (i.e. retrospective applications</b>	Due to feedback from Members, Officers feel that there is no longer a need to bring retrospective applications which are recommended for refusal to Committee. This change will enable Officers to

	<b>which are recommended for refusal should be reported to Committee)”</b>	instigate quicker enforcement action against such unacceptable developments without needing to await a Planning Committee resolution.
2.1.6, 2.1.7 (v4) para 2.1.8 (v4) becomes para 2.1.7 (v5)	Amended wording in relation to enforcement cases.	This section has been revised to enable Officers to deal with all planning related enforcement cases at Officer level. This is consistent with many other Authorities in Wales. It is extremely rare for Members not to have authorised enforcement action when cases have been presented to Committee.
2.1.12 (v4) becomes para 2.1.11 (v5)	Amended wording to make reference to minor amendments to any <b>“Committee authorised enforcement notices.”</b>	Should any enforcement case have been presented to Committee at the request of a Member, this section will enable Officers to make minor amendments to the wording of the relevant notice (in liaison with the Local member) at Officer level.
2.1.13 (v5)	Revised paragraph for v5	This paragraph has been moved from para 2.1.7 (v4). It relates to delegated powers to make and serve Tree Preservation Notices (TPO) and deal with applications for works to TPO trees and trees in Conservation Areas subject to the same criteria in para 2.1.1.
2.2.5 (v4 and v5)	Amended wording to delete <b>“The Chief Executive, Corporate Director, Head of Service”</b> and replace with <b>“Senior Leadership Team (SLT)”</b>	For clarity and to simplify.
2.2.13 (v4) becomes para 2.1.10 (v5)	Amended wording to insert <b>“in consultation with Monitoring Officer”</b> and, at section b) to insert <b>“possible Welsh Government call-in”</b>	This section has been amended in order to clarify the way applications may be referred back to Planning Committee for review. The Head of Service will liaise with the Monitoring Officer before referring applications back. In addition, based on a previous case, reference is now made to possible Welsh Government call-in’s.
2.2.14 (v4) becomes para 2.2.11 (v5)	Amended wording in v5.	The wording has been amended to emphasise the reasoning behind returning certain applications back to Committee to protect the interests of the Council.
<b>For Clarity Section</b>	Additional note at start of v5.	A note has been added to emphasise that reference to “any application” within the main scheme includes applications made by or on behalf of the Council.
<b>For Clarity Section</b>	Additional note at end of v5.	A note has been added which clarifies the lists of planning related enforcement notices.

The revised scheme (Version 5) is attached to this report for Members information (**appendix A**). A copy of the current scheme (Version 4) is also attached for reference (**appendix B**). Should any Members wish to discuss the contents of the Scheme of Delegation at any time they should contact either:-

Paul Mead, Development Control and Compliance Manager – 6712

Judith Williams, Customer Service Improvement Officer – 6722.

**3. RECOMMENDATION**

That Members approve the contents of this report and the new version 5 of the Scheme of Delegation.