

Subject: Amendments to Current Scheme of Delegation for Planning and Call In Procedures

Status: For Publication

Report to:	Date:
Constitutional Working Group	4 th July 2007
Cabinet	24 th July 2007
Development Control Committee	29 th August 2007
Full Council	

Report of: Head of Planning, Legal and Democratic Services

Portfolio Holder: Regenerating and Promoting Rossendale

Key Decision: Yes

Forward Plan General Exception Special Urgency

1. PURPOSE OF REPORT

- 1.1 To update and amend the wording of the current Scheme of Delegation and to consider the suggested amendment to the current call in procedures which are in operation at the Council.
- 1.2 The Council’s Scheme of Delegation is in need of being updated and the report has been written having taken into account the views of the Portfolio Holder and comments made by the Development Control Committee.
- 1.3 Appendix 1 details the matters delegated to the Head of Planning Legal and Democratic Services, Appendix 2 details the matters delegated to the Development Control Committee and Appendix 3 explains the procedure for call in.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report are linked to and support the following corporate priorities:
 - 1. Quality Services to our customers – by allowing for decisions to be made in a more timely manner.
 - 2. Improvement – by amending the Scheme of Delegation we are meeting an objective of the Improvement Plan for Development Control and assisting in the efficient running of the Development Control Service.

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report.

4. BACKGROUND AND OPTIONS

- 4.1 The Development Control Service improvement plan which was agreed in July 2006 highlighted as an action the requirement to review our current scheme of delegation.
- 4.2 Previous Comprehensive Performance Assessment have highlighted as an issue the importance of performance management and the meeting of BVPI targets.
- 4.3 The Council must obtain a balance between the use of the call in procedure and meeting BVPI targets. Due to the dates of Committee and the requirement to determine planning applications within 8 weeks for minors and others and 13 weeks for majors (BVPI targets) the effect of the use of the call in procedure has been that BVPI targets have not been met.
- 4.4 The call in procedure should be considered by members very carefully and only in cases in which there are planning reasons for the call in .Members are reminded that developers have the right to appeal against decisions made by the Council. The majority of call ins by members over the last year have been on behalf of developers.
- 4.5 The report updates the current Scheme of Delegation and seeks to introduce clearer procedures for call in.

5. COMMENTS OF THE HEAD OF FINANCIAL SERVICES

- 5.1 By meeting BVPI targets the Council will be better placed to access performance delivery grant funding. This will allow us to invest further in improvements within the development control service.

6. COMMENTS OF THE HEAD OF HUMAN RESOURCES

- 6.1 There are no Human Resources implications arising from this report.

7. CONCLUSION

- 7.1 In order to continually improve the performance of the Development Control Team the amendments to the Scheme of Delegation are required. The amendment will allow the Development Control Team to offer an improved Customer Service in dealing with determining planning application.
- 7.2 The main amendment to the call in procedure is to require a ward member and one of the nominated call in representatives to agree to the call in.

7.3 The main amendments to the Scheme of Delegation are to allow officers to determine applications for up to 15 dwellings and to allow officers to refuse planning applications in cases where the applicant has submitted insufficient information. At the request of members amendments to substitution of plot types has also been delegated to officers. Applications will only proceed to committee in cases in which six or more objections have been made. This was previously three.

8. RECOMMENDATION(S)

8.1 That the amendments detailed within the report are agreed and the Constitution amended accordingly

9. CONSULTATION CARRIED OUT

9.1 Portfolio Holder.
Constitutional Working Group.
Previous comments received from Leader of the Council and Leader of the Opposition.

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No background papers