

Report to: **Development Management Committee**
Date: **13 April 2016**
Title: **REVIEW OF PLANNING SCHEME OF DELEGATION**
Portfolio Area: **Customer First – Cllr Bastone**

Wards Affected: **All**

Relevant Scrutiny Committee: Overview and Scrutiny Panel

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: The Committee recommendations will be presented to the Annual Council meeting on 19 May 2016 for approval.

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RECOMMENDATION

That the Development Management Committee RECOMMEND to Council that:-

- 1. the revised Planning Scheme of Delegation as presented at Appendix A of the report be adopted; and**
- 2. authority to make any minor amendments prior to adoption be delegated to the Community of Practice Lead Specialist Development Management, in consultation with the Chairman of the Development Management Committee.**

1. Executive summary

- 1.1 The Council has adopted a Planning Scheme of Delegation which governs the way that decisions are made in respect of planning matters, and how and when applications can be referred to the Development Management Committee.
- 1.2 As a result of the Transformation Programme, officers now work across both South Hams District and West Devon Borough Councils. As a consequence, this review has provided the opportunity for both councils to consider adopting a more aligned Planning Scheme of Delegation that will make working practices more efficient and robust.

2. Background

- 2.1 The Development Management Scheme of Delegation was last considered (and approved) by the Council at its meeting on 9 September 2010 (Minute 46/10 refers).
- 2.2 It has been recognised that, since the current Scheme has been in place for five and a half years, it is now timely to undertake a review to ensure that it remains fit for purpose.
- 2.3 The Committee will recall that the Chairman highlighted this matter under 'Urgent Business' at the meeting held on 16 December 2015 (Minute DM.45/15 refers).
- 2.4 In light of a decision made by West Devon Borough Council to undertake this review jointly with the Council, the Leader of Council was consulted and nominated Cllrs Pearce, Steer and Ward to represent the Council.

3. Outcomes/outputs

- 3.1 A meeting of the nominated Members was subsequently held on 24 February 2016.
- 3.2 As a starting point, Members of the Group worked through a draft version of the Planning Scheme of Delegation. Members also referred to the existing documents in use at both West Devon Borough Council and South Hams District Council. During discussion, a number of concerns were addressed and amendments subsequently made.
- 3.3 As a result of the discussions held, a revised Planning Scheme of Delegation document was produced and supported by the Working Group.

4. Options available and consideration of risk

- 4.1 The Planning Scheme of Delegation sets out the parameters for decision making in respect of planning matters. Currently, the two Councils have quite different schemes.
- 4.2 Whilst one option would be to continue with the existing schemes, a more closely aligned scheme would result in more efficient working and greater continuity for the Development Management service. In addition, the proposed amendments to the scheme should enable decisions to be made more swiftly and therefore improve customer service. An aligned scheme would also reduce the risk of error.

5. Proposed Way Forward

- 5.1 Following the support of the Working Group, a revised Planning Scheme of Delegation has now been produced. Members are requested to recommend that the Council approve the revised document.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Council is required to have a Delegation Scheme setting out the roles and responsibilities of Council, its Committees and its officers. These are set out in Part 3 of the Council's Constitution.</p> <p>In addition to the Delegation Scheme set out in the Constitution, the Council has previously agreed further detail in relation to how the Council decides its Development Management and Planning Enforcement functions, and it is this delegation which Members are being requested to review.</p> <p>The full Council must make the final decision on the scheme to be adopted.</p>
Financial	Y	There are no direct financial implications but the revised scheme will deliver efficiencies in both officer and member time
Risk	Y	These are addressed in the body of the report.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	These are considered within the application process

Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	

Supporting Information

Appendices:

1: Revised Scheme of Delegation

Background Papers:

First draft version of a revised Scheme of Delegation; and Scheme of Delegation.