

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	2 December 2009
AUTHOR/S:	Executive Director (Operational Services) / Corporate Manager (Planning and Sustainable Communities) and Executive Director (Corporate Services) / Senior Lawyer	

REVIEW OF CHAIRMAN'S DELEGATION MEETING – REVISED DELEGATION SCHEME

Purpose

1. To seek approval for the introduction of a revised delegation procedure following the decision by Committee in October to abolish the existing Chairman's Delegation Meeting.

Information

2. Members will recall the report received by this committee on 7 October 2009, when it was resolved that:
 - a revised delegation procedure be considered at the Planning Committee meeting on 4 November 2009, and introduced as soon thereafter as is practical, subject to review after 12 months' operation;
 - upon its adoption by Planning Committee and introduction of such a revised delegation procedure, Chairman's Delegation meetings be abolished;
 - parish councils be invited to submit their further comments at the end of the period of 12 months referred to in (1) above; and
 - so as to ensure continuity and flexibility of service, Development Control Team Leaders be given the same degree of delegated responsibility as the Corporate Manager (Planning and Sustainable Communities) and Development Control Manager.
3. In the event, and as notified in the update circulated to all district members and parish councils on 29 October 2009, the formulation of a revised delegation procedure to fill the void that would be left by the abolition of the Chairman's Delegation Meeting took a little longer than envisaged due to the need to take into account operational representations made by development control officers. In addition, comments were still being received from parish councils, hence it was decided with the approval of the Portfolio Holder for Planning to report to this meeting rather than that of 4 November 2009.
4. None of the additional representation received indicate against the abolition of the Chairman's Delegation Meeting procedure, or against the revised delegation procedure now described.

The Proposed Delegation Procedure

5. The proposed replacement delegation procedure is set out in the appendix to this report, which is based upon the structure of the existing scheme.
6. Although the abolition of the Chairman's Delegation Meeting process has necessitated many technical changes to the wording of the scheme, the principal changes in effect can be analysed in the following terms:

- Applications under Article 21 of the Town and Country Planning (General Development Procedure Order) 1995 to be treated in the same way as other types of generic 'planning applications'. Article 21 applications are those that seek approvals in compliance with previously imposed planning conditions and must currently be referred to committee regardless of scale or nature, which is anomalous;
 - Increasing transparency as to when, and how, parish representations will result in referral to Planning Committee (i.e. without the 'filter' of the to be abolished Chairman's Delegation Meeting);
 - District Council member call-in to Planning Committee to be exercised within 21 days of registration, contingent upon material planning considerations that indicate the necessity for such referral being identified to the satisfaction of the Corporate Manager, acting in consultation with the Chair of Planning Committee (late requests not to be considered other than in exceptional circumstances determined by the Corporate Manager, acting in consultation with the Chair of Planning Committee);
 - Affordable Housing proposals on exception sites to be referred to Planning Committee where parish views differ from those of the planning officer in material planning terms;
 - Development Control and New Communities Team Leaders, Conservation and Design Officer and Appeals Manager to be vested with delegated responsibilities consistent with those currently held by the posts of Corporate Manager (Planning and Sustainable Communities) and Development Control Manager
7. Ongoing reviews necessitated by the Medium Term Financial Strategy may require specific delegations to be revisited although this should be limited to updating cited designations to reflect any new establishment settled for the Planning and New Communities Service.

Timing

8. Assuming the revised delegation procedure proposed by this report is approved, the same could be introduced from 1 January 2010, which would coincide with other Planning and New Communities procedural changes supporting the securing of planning obligations requiring provision of indoor community facilities and charging for the monitoring of planning obligations generally.

Options and Implications

9. The report considered by Committee on 7 October 2009 identified those arising from the pressure to abolish the Chairman's Delegation Meeting procedure.
10. Although there may be details within the proposed scheme now recommended that are capable of being dealt with in alternative ways, it is considered that the procedure outlined represents the most effective measure immediately available to ensure national targets for determining applications are met so far as is possible, whilst addressing the parish concerns that had been raised as to perceived lack of transparency.
11. The 12-month review embedded within the resolution of 7 October 2009 should enable any necessary refinement of the procedure with the benefit of operational experience.

Recommendation

12. That the Committee approve the proposed delegation procedure for implementation from 1 January 2010, subject to review after 12 months of operation.

Background Papers: the following background papers were used in the preparation of this report:

- Planning Committee report of 7 October 2009 and resulting decision as recorded.

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