

Part A

Report to: Council

Date of meeting: Tuesday, 14 July 2020

Report author: Group Head of Democracy and Governance

Title: Amendment to the Council Scheme of Delegation

1.0 Summary

1.1 The Head of Planning and Building Control has requested that council agrees to the extension of the council scheme of delegation to extend the delegated powers to determine planning and other related applications to Principal Planning Officers and in the case of enforcement to the Planning Enforcement Team Leader, and to alter the delegation from the Head of Development Management to the Head of Planning and Building Control.

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
The changes are not agreed	Increased pressure on those currently with delegated authority	That the amendments are approved	treat	2

3.0 Recommendations

3.1 That the amendments to the council scheme of delegation as set out in appendix 1 be approved.

Further information:

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4.0 Detailed proposal

4.1 The Head of Planning and Building Control has requested that the council scheme of delegation be amended to extend the number of officers able to take delegated

decisions relating to Development Management Functions. Attached at Appendix 1 is the scheme with the proposed changes highlighted in red.

- 4.2 One amendment is to extend delegated powers to determine planning and other related applications to Principal Planning Officers within the Development Management Team. Under the existing scheme such powers are delegated to the Group Head of Place Shaping, the Head of Development Management and Development Team Leader. Given current work priorities and the change of role in which the Head of Development Management is now Head of Planning and Building Control (having taken on management of the Planning Policy Team), in practice, the majority of delegated decisions are now being taken by the Development Management Team Leader. In order to free up that post holders capacity and to ensure greater resilience within the decision making process it is recommended that Principal Planning Officers are also given the same delegated authority. It is proposed therefore that those posts be added to the current delegation with a further caveat that no individual can take a delegated decision relating to a case where they are the case officer.
- 4.3 The second amendment is required as the Development Management service has created a new Planning Enforcement Team Leader role. In order to fulfil the responsibilities set out in the role that post holder needs to be assigned the same delegated powers in relation to enforcement as currently held by the Group Head of Place Shaping, Head of Development Management and Development Management Team Leader. It is therefore recommended that that post be added to the current delegation with a further caveat that no individual can take a delegated decision relating to a case where they are the case officer.
- 4.4 Finally in order to reflect the change of job title the Head of Development Management is amended to Head of Planning and Building Control.

5.0 **Implications**

5.1 **Financial**

- 5.1.1 The Shared Director of Finance comments that there are no financial implications in this report.

5.2 **Legal Issues (Monitoring Officer)**

- 5.2.1 The Group Head of Democracy and Governance comments that the amendments will allow greater resilience in the service but will prevent an officer being able to determine a matter for which that are the case officer, thus protecting officers from allegations of undue influence and pre-determination.

5.3 Equalities, Human Rights and Data Protection

5.3.1 Having had regard to the council's obligations under s149, it is considered there are no equalities implications in this report.

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report.

5.4 Staffing

5.4.1 This proposal will expand the numbers of officers available to take delegated decisions

5.5 Community Safety/Crime and Disorder

5.5.1 There are no implications

Appendices

Appendix 1 - proposed amendment to the council scheme of delegation

Background papers

No papers were used in the preparation of this report.