


Agenda Item No:	10	
Committee:	Council	
Date:	18 September 2014	
Report Title:	CONSTITUTIONAL AMENDMENT – CHANGES TO THE PLANNING SCHEME OF DELEGATION FOLLOWING THE PAS REVIEW	

Cover sheet:

This report details amendments to the Councils Constitution and Planning Scheme of Delegation further to the PAS review.

1 Key issues

- The council invited a team from the Planning Advisory Service (PAS) and Local Government Association (LGA) to examine all aspects of its planning service to suggest ways it could be improved.
- The Team recommended that planning committee "should do less but be more effective and efficient in handling those major applications that are the lifeblood for providing the 11,000 homes and 7,000 jobs and the necessary supporting roads, schools and infrastructure in the district in the next 20 years".
- It is proposed that Member call-ins for 'other' and 'minor' applications be taken as requests in the first instance.
- For 'minor' and 'other' applications, Members may only request call-ins relating to development in their ward area.
- Member call-in requests will be considered jointly by the Head of Planning and the Chairman of the Planning Committee.
- The request will be granted if, in the opinion of the Chairman and the Head of Planning, the issues raised are material planning considerations that cannot be mitigated, conditioned or otherwise explained as being acceptable in relation to the specific application.
- The Chairman will have the final authority on whether to grant a call-in request, but will take into account the professional view of the Head of Planning. The Chairman must give his reasons in writing if his view differs from the Head of Planning.
- Feedback will always be provided to the Member making the request regarding the outcome of the request and reasons behind any decision not to take the request forward. Such feedback will be endorsed by both the Chairman and the Head of Service.
- For 'other' and 'minor' applications which have either FDC or member involvement a new procedure (outlined below) will apply to streamline the decision making process.
- For 'major' applications there are no changes proposed changes and all Members may request call-ins throughout the District area.

2 Recommendations

Part 3, Table 4, Section 89 (i) of the Constitution will be deleted and replaced with:

Development Control

89. Having ensured that all statutory requirements and Council policies have been complied with and after considering all representations received;

(i) Determine all 'other' and 'minor' applications submitted under any of the Acts or Statutory Instruments set out in Appendix A to this Scheme unless:-

- Called-in by Member (the development must be within their ward area and the Member request has been granted by the Chairman of Planning).
- 6 or more unresolved written opinions from 6 or more separate sources are received which differ from the officer recommendation
- Town/Parish views are in conflict with officer recommendation and the application is for more than 2 dwellings.

For 'other' and 'minor' applications which have either FDC or member involvement the following procedure will apply;

The Case officer will draft a report and make a recommendation which will be reviewed by the Head of Planning, the Chairman of Planning Committee and a legal officer.

If in the opinion of the Head of Planning and the Chairman of Planning Committee the recommendation is accepted, the case officers decision will be countersigned by the Head of Planning.

If in the opinion of the Head of Planning and the Chairman of Planning Committee there are wider issues to consider the matter will be placed on the Planning Committee agenda.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder	Councillor Clark, Leader of the Council Councillor Sutton, Portfolio Holder for Neighbourhood Planning Councillor Miscandlon, Chairman of Planning Committee
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Background Papers	PAS FINAL REPORT