

Report to	On
Planning Committee	Thursday, 10 June 2021



Title	Report of
Amendment to Scheme of Delegation for Planning Applications	Director of Planning and Development

Is this report confidential?	No
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Purpose of the Report

1. An issue has arisen in terms of the practical implementation of the 'Scheme of Delegation' in respect of whether or not Planning Applications need to be presented to Planning Committee when the applicant/agent is related to an Officer or Member of the Council.

Recommendations

2. That the 'Scheme of Delegation' be amended so that in the circumstances described planning applications will only need to be referred to Planning Committee where the applicant or agent is related to a member of SRBC staff or Member who is directly involved in the decision-making process.
3. That Planning Committee recommend to full Council that this change be made to the relevant part of the Constitution

Reasons for recommendations

4. The terms of the current scheme of delegation are set out within the Constitution, February 2021 from page 22 onwards, but the specific section within the document relating to delegated authority was last updated in 2017
5. This sets out when applications are to be presented to Planning Committee as opposed to being determined by delegated authority by senior Planning Officers. Specifically, in relation to the issue of when applications must be presented to Planning Committee because of relationships with employees of the Council it states:
6. To determine any application where the applicant or a close relative of the applicant is a member or employee of South Ribble Borough Council. (Close relative is defined as a spouse, partner, parent, parent-in-law, son, or daughter).

- In practice we have brought all applications where the applicant and agent (for the sake of transparency as the applicant's paid representative) is related to a Member or employee of the Council. Implementation of the scheme is proving difficult as set out below and this is the reason why a change is being requested.

Other options considered and rejected

- It is not necessary to consider other options as this change only represents a relatively minor change to the existing scheme of delegation.

Corporate outcomes

- The report relates to the following corporate priorities:

An exemplary council	x	Thriving communities	
A fair local economy that works for everyone		Good homes, green spaces, healthy places	

Background to the report

- The scheme of delegation has always been kept under review and changes have been made in the past to reflect changes in legislation or practical implementation of the scheme

Implementation of the Scheme of Delegation

- In practice we have brought all applications where the applicant and agent is related to a Member or employee of the Council. Increasing numbers of Planning Applications are now being brought to Committee whereby agents who are particularly active in the area are submitting many applications and are related to employees of the Council but not necessarily an employee who is in any way involved in the decision-making process.
- This is increasing the size of the Committee agendas and length of meetings with many simple applications such as small house extensions or minor agricultural development being included which in turn generates more work for officers in preparing committee reports, presentations etc. It can also add to the length of time taken to make a decision depending on how the processing of the application falls within the Planning Committee cycle.
- Furthermore, recently an 'Emergency Decision' had to be made in respect of an Agricultural Determination application, which is time limited, whereby it was required to be presented to Planning Committee by the current scheme of delegation because of the relationship between the agent submitting the application and a serving officer. The timescales were such that the way it fell in terms of the Planning Committee cycle the decision could not have been made within the specified time.

14. If authority is given to amend the scheme of delegation the practical application of the amended scheme will be kept under scrutiny and if issues evolve out of this a further report will be prepared assessing the issue.
15. The proposal therefore is that planning applications will only need to be referred to Planning Committee where the applicant or agent is related to a member of SRBC staff or Member who is directly involved in the decision-making process. The amended scheme would still require applications to be presented to Planning Committee where the applicant or their agent is related to Planning staff plus all internal consultees who are consulted in respect of an application, and Members who sit on Planning Committee. Further all cases where the applicant or agent is a Member or Officer would of course still have to be brought before Committee.

Equality and diversity

11. There are no equality and diversity issues arising out of the topic considered in this report

Air quality implications

12. There are no air quality implications arising out of the topic considered in this report

Comments of the Statutory Finance Officer

13. There are no financial implications as a result of this report.

Comments of the Monitoring Officer

14. The changes proposed here are relatively minor. However, if Planning Committee is in favour of them then ultimately it would be for full Council to make the final decision as this would constitute a minor change to the Constitution.

Background documents

South Ribble Constitution Document February 2021

Appendices

There are no appendices to this report

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