

**ADVANCE SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**3<sup>rd</sup> February 2015**

**Agenda item 12**

**Review of Scheme of Delegation with respect to planning matters**

As indicated in the agenda report Appendix B is now provided indicating the proposals – in the form of tracked changes.

Consideration has been given to whether any further amendments are required. As members may be aware the Government is strongly promoting the use of Planning Performance Agreements by Local Planning Authorities. Such agreements are entered into by applicants and Local Planning Authorities and deal with matters of process – for example the timescale within which an intended application is to be brought to the Committee, or how quickly an applicant is to respond to requests for additional information. An example of such an agreement, that entered into with respect to the Gateway Avenue application is attached to this report. In that there is perhaps some uncertainty as to whether there is a clear authority to enter into such agreements, the agreed Action Plan arising from the Planning Peer Review includes an action that this uncertainty should be resolved.

Some minor miscellaneous amendments to the existing scheme of delegated – for example including for the first time the authority to determine applications for certificates of lawfulness of works to Listed Buildings – arising from a recent amendment to the Listed Buildings and Conservation Areas Act – have been included in the proposals shown in Appendix B.

Whilst not covered by the existing Scheme of Delegation members may wish to note that it has been the practice of your Officer to automatically bring any applications for planning permission for telecommunication development to the Planning Committee for determination. Such a practice has been in line with a recommendation of the former Telecommunications Working Party which met in 2006, and a subsequent resolution of the Planning Committee at its meeting on the 14<sup>th</sup> March 2006. Your Officer's view is that such an approach is no longer appropriate in that the evidence is that telecommunication apparatus applications are, it would appear, no longer matters of such controversy as they may have been in the mid 2000's. Members if they wish will be able to call in such applications for consideration by the Planning Committee.

The Action Plan following the Planning Peer Review indicated that particular consideration should be given to whether decisions on the award of Historic Building Grants should continue to be made by the Planning Committee. It can be confirmed that such decisions, according the Council's Constitution, fall within the remit of the Planning Committee, rather than Cabinet. The authority to determine such applications is not referred to in the existing scheme of delegations (which includes delegations both to the Planning Committee and the Executive Director). The current procedure is that the Planning Committee receives a report on each application, and is provided with the views of the Council's Conservation Advisory Working Party on that application. Given the relatively limited number of such applications per annum, the increasingly limited resources available within the Heritage Fund, and the difficulty of devising a set of criteria to determine which projects should receive funding and which should not (beyond those criteria which are already agreed) it is considered that such decisions could remain within the remit of the Planning Committee, without harm to the objective of a focus on applications for Major development and no change is recommended in this respect.