

REPORT FOR: Planning Committee

Date of Meeting:	12 December 2018
Subject:	Planning and Building Control Scheme of Delegation
Responsible Officer:	Beverley Kuchar –Interim Chief Planning Officer
Exempt:	No
Wards affected:	All
Enclosures:	Appendix 1 - Planning and Building Control scheme of delegation

Section 1 – Summary and Recommendations

This report sets out to update, refine and consolidate the existing schemes of officer delegation for Planning and Building Control decisions.

Recommendations:

The Committee is requested to:

Approve the scheme of delegation to the Chief Planning Officer attached as Appendix 1.

Section 2 – Report

Background

In seeking to ensure the effective and efficient delivery of statutory functions the Council, like most authorities, provides for the delegation of routine and technical/non controversial decisions in respect of its planning and building control responsibilities, to its senior officers. Those officers in turn, seek to delegate decisions to front line staff where there are operational and user benefits in doing so – subject to sufficient oversight by senior staff.

It is good practice, given the highly regulated and evolutionary nature of planning and building control, to keep any scheme of delegation under review. Officers from the Planning Division and Legal Services have therefore undertaken a review of the existing provisions over the last few months to ensure that the Council's scheme of delegation (in relation to planning and building control functions) remains fit for purpose; balancing the principle of subsidiarity with accountability and the requirements for a cost effective and responsive service.

Why a change is needed

The scheme of delegation was last reviewed in 2013, and was a delegation to the Divisional Director – Planning. That role has now changed to Chief Planning Officer, so the scheme needs to reflect this. There are a couple of other minor alterations to clarify specific delegation

Financial Implications

- The updated scheme of delegation should assist in providing clarity in respect of the Council's processes for decision-making, this is not considered to give rise to any additional costs. The scope to remove ambiguity to delegated powers, given the differential costs between committee meetings and delegated decisions should improve the cost effectiveness of the service.

Risk Management Implications

Risk included on Directorate risk register? No

Separate risk register in place? No

The proposed revisions to the scheme of delegation improve the risk position of the Council by removing scope for differing interpretation and challenge of the Council's decision-making processes. Particularly, the explicit reference to new legislative provisions and the tidying up and clarification on prior approval, materiality of policy departures and explicit and more comprehensive provisions for officer determination of validity of applications,

appeal processes and consultation remove interpretative risks that might have prompted legal challenge of Council decisions.

Equalities implications

Was an Equality Impact Assessment carried out? No

The promotion of more explicit and accessible procedures should enable greater comprehension of the Councils decision-making process. There are no other envisaged differential consequences of the proposed adjustment to the scheme of delegation and member protocol.

Council Priorities

The Council's vision:

Working Together to Make a Difference for Harrow

The proposed scheme of delegation is consistent with the promotion of making a difference for communities and local businesses – by promoting improved access and clarity on the procedures for decision making in planning and building control.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 4.12.18		
Name: Mrinalini Rajaratnam	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 4.12.18		

Ward Councillors notified:	NO
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Section 4 - Contact Details and Background Papers

Contact: Beverley Kuchar, Interim Chief Planning Officer, 020 8736 6167

Background Papers:

Planning and Building Control scheme of delegation 2013

If appropriate, does the report include the following considerations?

1.	Consultation	NO
2.	Priorities	NO