

Rother District Council

Report to: Planning Committee

Date: 20 May 2021

Title: Review of the changes to the Planning Scheme of Delegation implemented in October 2020

Report of: Tim Hickling

Ward(s): All

Purpose of Report: The purpose of this report is to review and approve the revised officer scheme of delegation (removing the notified D report permanently) and place the emphasis on the weekly list in order to reduce unnecessary work in the planning department without altering the ability for Members to call-in applications.

Officer

Recommendation(s): It be **RESOLVED:** That the:

- 1) officer scheme of delegation in respect of the Planning Service be permanently amended by the removal of the 'Notified D' report process and the insertion of an enhanced weekly list process as agreed by Committee in August 2020 (PL20/29 refers); and
 - 2) Council's Constitution be amended accordingly.
-

Introduction

1. Members will recall that a "Revision to the Planning Scheme of Delegation and other related changes" was presented to Committee on 13 August 2020. A link to the full report is attached below:

[Agenda for Planning Committee on Thursday 13th August 2020, 9.30 am - Rother District Council \(moderngov.co.uk\)](#)

Members resolved the following (PL29/20):

- the officer scheme of delegation in respect of the Planning Service be amended by the removal of the 'Notified D' report process and the insertion of an enhanced weekly list process as set out in the report;
- the Council's Constitution be amended accordingly;
- from the week following the statutory publicity period (and before the close off period for calling in applications), case officers would be required to advise Members of the direction of travel e.g. the intended recommendation (approval or refusal) of each application where Members requested that information; and

- the system be reviewed in six months from the date of implementation.
2. The new system was introduced on 6 October 2020 and the system has now been in operation for six months. The weekly list has now been enhanced by making improvements and signposting new applications more clearly on a ward basis, so that Councillors are fully aware of new submissions in their local area at the outset. This allows Councillors to consider calling applications to Committee (for planning reasons) up to seven days (no later than 5pm on the last day) after the closure of any weekly list publicity period. The intention is that this process encourages officers and Members to discuss applications to create a mutual understanding of the issues in the community and the relevant planning considerations and if necessary, call to the Planning Committee.
3. Whilst there has been no formal Councillor feedback on the revised system officers consider that the process is working well. The wording on the weekly list has also been tweaked to reflect Councillor concern around timing of Parish meetings and possible delays with site notices being erected which was impacting on the ability of Councillors to then discuss applications with officers having had sufficient feedback from the local community. The revised wording is as follows:

MEMBERS CALL IN PERIOD EXPIRES:

Within 28 days of the date of the weekly list (i.e. xx date 2021) OR up to seven days after the end of the statutory publicity period (site notice or newspaper notice) whichever is the latter.

Conclusion

4. It is considered that the revised officer delegation scheme is working well; the weekly list has also been tweaked in response to concerns of timing with Parish council meetings and recent issues with publicity. It is therefore considered that the system originally approved (now tweaked) removing the notified D report system and replacing with an improved weekly list is acceptable; and be approved permanently.
5. In accordance with Article 15 – Review and Revision of the Constitution, 15.3 Changes to the Constitution, as this matter is in connection with officer delegations that flow from the Planning Committee, this matter does not require full Council approval.

Financial Implications

6. No additional financial implications identified.

Legal Implications

7. Amend the delegation scheme in the Constitution.

Risk Implications

8. Failure to revise the Constitution to simplify the planning delegation system will mean a continuation of a not fit for purpose and resource intensive system

adding continuing pressure on an already over stretched planning department.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	Consultation	No
Environmental	No	Access to Information	No
Sustainability	No	Exempt from publication	No
Risk Management	No		

Chief Executive	Malcolm Johnston
Report Contact Officer:	Tim Hickling – Head of Strategy and Planning
Email address:	tim.hickling@rother.gov.uk
Appendices:	N/A
Relevant previous Minutes:	N/A
Background Papers:	N/A
Reference Documents:	N/A