

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 26th July 2011

CONTACT OFFICER: Member Panel on the Constitution/Catherine Meek Deputy
Borough Secretary
(For all Enquiries) (01753) 875011

WARD(S): All

PART I
FOR DECISION

STREAMLINING PLANNING: IMPLICATIONS FOR THE CONSTITUTION

1. **Purpose of Report**

To consider recommendations from the Member Panel on the Constitution for changes to the Constitution relating to the Planning Service.

2. **Recommendation(s)/Proposed Action**

The Council is requested to resolve:

- (a) That the proposed changes to officer delegations (Development Control) as set out at Appendix 2 with regard to minor changes to major applications be endorsed.
- (b) That a deadline for members to call in applications for consideration by the Planning Committee be introduced at 7 days from expiry of the residents consultation

3. **Community Strategy Priorities-**

The administrative and procedural changes have no direct impact on the Community Strategy.

4. **Other Implications**

(a) **Financial**

Overall there will be some efficiency savings on the costs of delivering the Planning service, assisting the Council to cope with the withdrawal of the Housing and Planning Development Grant (HPDG).

(b) **Risk Management**

There are no significant risks. Changes in service are reductions in non mandatory activities and improvements in efficiency

(c) **Human Rights Act and Other Legal Implications**

None

(d) Equalities Impact Assessment

The changes are considered not to be significant and relate to internal procedures. Consultation procedures with the public remain and the increasing use of the web assists in the transparency of the service.

(e) Workforce

Will assist in the reduction of temporary assistance previously funded from HPDG.

5. **Supporting Information**

5.1 All aspects of the Planning Service are being scrutinised to achieve an efficient and effective service. The proposed changes to the Constitution comprise:

- a) Changes to the delegation to officers
- b) Changes considered to be of a minor administrative and procedural nature which stem from:

- The need to reduce levels of service consequent upon the withdrawal of Housing and Planning Development Grant.
- The increasing use of websites and email as forms of communication.
- Legislative changes.

Delegation to Officers

Minor changes to major applications

5.2 Changes to the scheme of delegation for decisions on planning applications were agreed by the Council at its meeting on 19th May 2011 on the recommendation of the Member Panel on the Constitution. [Copy attached at Appendix A].

5.3 The Panel had agreed a number of further amendments at its meeting on 17th February but these were omitted in error from the Council report in May 2011.

5.4 The scheme agreed in May 2011 included parameters, which would determine if an application could be decided under delegated authority or not. It was felt that these parameters would be too extensive and that some applications could be changed to such an extent that it would be significantly different from an application previously considered by the Planning Committee. For instance it has been suggested that an increase in floor space of 1000m² for a re-submitted scheme should not be considered by the Committee. However, if the original application consisted of a development to create 1000m² of commercial floor space and a subsequent application proposed 2000m², in accordance with the scheme as presented in November 2010, it would be possible for officers to determine the subsequent application under delegated authority. A proposed development with double the floor area, as given in this example, would have significant implications and it is believed that Members should be involved in the decision making process.

5.5 It is however agreed that some applications are currently determined by the Planning Committee, which do not have any major implications. Recent changes to planning system include the introduction of three additional types of applications. These are:

- Applications for the extension to the time limits for implementing existing planning permissions
- Applications for non-material changes to planning permissions
- Applications for minor material amendments

In addition to the above, applications for a variation to a condition attached to an approved major development are also currently being determined by the Planning Committee. These include for instance changes to the timing of the condition, changes to the hours of deliveries and operation, etc. All of the above mentioned types of applications rarely have any significant impact and do not affect the principle of the permission granted by the Committee and it is therefore considered that they can be determined under delegated authority. However, it is still up to the discretion of the Head of Planning and Strategic Policy to refer any application to the Planning Committee, if it is believed that the application should not be determined under delegated authority.

Deadline for Call – in.

- 5.6 The only other change relates to the introduction of a deadline for Ward Members to call in applications to the Planning Committee. Unlike other authorities, Slough does not currently have a deadline for Members to call in applications for consideration by the Planning Committee. For this reason, some applications have been determined before Members could exercise their call-in opportunity. The lack of a deadline also creates uncertainty with planning officers, applicants and neighbours. A planning application can be determined after the completion of the 21 day statutory consultation period. The Member Panel on the Constitution considered the proposal to introduce a deadline in detail. Some members felt that certainty and clarity in the process would be improved by the introduction of a deadline, others did not support the introduction of a deadline and did not see the need. It was proposed and agreed that a deadline for members to call in applications for consideration by the Planning Committee would be introduced and that the deadline would be 7 days from the expiry of the resident consultation (i.e. 28 days).

6. Conclusion

The proposals improve the efficiency of the service and offer some costs savings. Changes to officer delegation will also enable a more speedy service to be delivered to customers. Some of the changes are however essential, in light of legislative changes and reflect increasing use of websites.

7. Appendices Attached

‘1’ - Extract from Constitution. Existing Delegations (May 2011)

‘2’ - Extract from the Constitution with proposed changes to wording.

8. Background Papers

Agenda and Minutes – Member Panel on the Constitution 17th February 2011

Agenda and Minutes – Council 19th May 2011