



REPORT FOR DECISION

Agenda Item	
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MEETING: Planning Control Committee
Council

DATE: 13 April 2004
12 May 2004

SUBJECT: Officer Delegation

REPORT FROM: Borough Planning and Economic Development Officer

CONTACT OFFICER: Tom Mitchell

TYPE OF DECISION: Council

REPORT STATUS: For Publication

PURPOSE/SUMMARY:
The report considers areas where the officer delegation scheme can be amended to increase the number of planning applications decided by officers.

OPTIONS AND RECOMMENDED OPTION (with reasons):
The Committee is recommended to approve the proposed changes and forward the report to the next meeting of the Council as an amendment to the Council Constitution.

IMPLICATIONS -

Financial Implications and Risk Considerations N/A

Corporate Aims/Policy Framework:
Do the proposals accord with the Policy Framework? **Yes**

Are there any legal implications? **No**
Considered by Monitoring Officer:

Statement by Director of Finance and E-Government: N/A

Staffing/ICT/Property: N/A

Wards Affected: All

Scrutiny Interest: N/A

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council
		Planning Control 13 April 2004	12 May 2004

1.0 BACKGROUND

For the period April to September 2003 the level of officer delegation in respect of planning applications was running at 81.8%. This does compare reasonably well with other Greater Manchester authorities but there are several which have achieved over 90% officer delegation.

At Bury there are generally fewer committee meetings (less than any other Greater Manchester authority) and as a consequence the percentage of applications, decided by the Planning Control Committee and decided within 8 weeks is only 17% (For applications dealt with through officer delegation the figure is running at about 64%).

In the interests of improving the performance (i.e. speed of decision making) the following amendments to the scheme of delegation are being recommended in order to allow officers to make more of the routine decisions.

These are always with the proviso that members of Planning Control Committee can request that ANY application is considered by the Committee.

2.0 CONCLUSION

It is recommended that the existing scheme be amended to include the following:-

Officers be authorised to:-

- a. **Refuse applications on the grounds of inadequate information.**
- b. **Determine major applications where there are no material planning objections.**

(In several instances major development proposals have not raised any local concerns, nor has the development been considered controversial. However the matters have been reported to Committee solely because they are above the given size threshold. This threshold was determined historically by what the Government defined as “major”. This definition is not considered to have any particular merit in determining when an application may be decided by officers. Where the application is recommended for approval and material objections are received the matter will continue to be reported to Committee.)

c. Approve or refuse householder planning applications in accordance with approved supplementary guidance for House Extensions.

(The receipt of objections will not make the application subject to a committee decision, although again the Committee members will always have the ability to request that ANY application be considered by the Committee.)

d. Refuse applications that are clearly contrary to an established and adopted planning policy of the Council, or an appeal decision.

e. Refuse applications that are a repeat or duplicate applications of one previously refused

f. Refuse applications submitted by or on behalf of a member of Council or his/her spouse or by an officer of the Council.

(This element was designed to ensure that approval of development by staff or members was explicitly impartial and that there was no bias which favoured the individual. Refusal of such schemes is not considered to raise issues of probity.)

The attached Appendix 1 contains the proposed revision to the Council Constitution relating to the Delegated Authority of the Planning Control Committee. This is required to be submitted to a meeting of Council for formal approval of the proposed amendments.

A copy of the existing Council Constitution relating to the Delegated Authority of the Planning Control Committee is included on the attached Appendix 2 .

List of Background Papers:- None

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