

SCHEME OF DELEGATION

Executive Summary

Under the current scheme of delegation, applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities need to be reported to Planning Committee for determination. There have been 2 periods (between 6 April 2021 to 8 June 2021 and 20 July 2021 to 7 September 2021) when temporary arrangements were agreed to allow these types of applications to be delegated to the Development Manager for determination in consultation with the Chairman of the Planning Committee. It is proposed to make these arrangements permanent.

Recommendations

The Planning Committee is requested that:

RECOMMEND TO COUNCIL that

Applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities are delegated to the Development Manager for determination in consultation with the Chairman of the Planning Committee (or in their absence, the Vice-Chairman)

Reasons for decision

Reason: This will ensure decisions on these condition applications are determined in a timely manner

The item above will need to be dealt with by way of a recommendation to Council.

Background papers:	None
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1.0 Introduction

- 1.1 The framework which allows a local authority to arrange for any of its functions to be delegated to one of its officers is contained under Section 101 of the Local Government Act 1972 Act. In particular section 101(1) provides that (subject to any express statutory provision) a local authority may arrange for the discharge of any of its functions by a committee, sub-committee or one of its officers.
- 1.2 For the purpose of expediency and to maintain quick decision making processes, some decisions are delegated to Officers. This is a key part of the Council's day to day functioning allowing everyday operational and less impacting decision to take place on normal every day matters. It is important to continually review the operational needs of the Planning Service and the needs upon the service evolve over time. It is therefore necessary to strike the correct balance between the efficient and timely processing of planning applications and decisions made by officers and the need for the Planning Committee to be able to scrutinise and decide those applications which have an important role in fulfilling strategic objectives or are contentious and require closely balanced judgements.
- 1.3 The current scheme of delegation was agreed by the planning committee at their meeting on 21 July 2020.

2.0 Current scheme of delegation

- 2.1 Amongst other things, the current scheme of delegation requires applications where the applicant is Woking Borough Council and any companies or entities 50% or more owned by Woking Borough Council (except for non material amendments and minor material amendments irrespective of whether they are major or non major development) to be reported to planning committee for determination. This includes applications for approval of details reserved by condition submitted by or on behalf of Woking Borough Council and any companies or entities 50% or more owned by Woking Borough Council. It needs to be noted that prior to the changes to the scheme of delegation in July 2020, these applications did not require to be reported to committee for determination.
- 2.2 Since the current scheme of delegation came into force, all applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities have been reported to planning committee and all have been approved, in accordance with officers recommendation. An exception to this was during 2 periods (between 6 April 2021 to 8 June 2021 and 20 July 2021 to 7 September 2021) when temporary arrangements were agreed to allow these types of applications to be delegated to the Development Manager for determination in consultation with the Chairman of the Planning Committee. During these periods, all the condition applications were approved in consultation with the Chairman.

3.0 Proposal

- 3.1 Since the current scheme came into force, a total of 44 applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities have been reported to planning committee and all have been approved, in accordance with officers recommendation. During the 2 periods when temporary arrangements were agreed which allowed the Development Manager to determine these condition applications in consultation with the Chairman, a total of 15 applications (covering 20 planning conditions) have been approved.

- 3.2** The vast majority of conditions require technical information to be provided and are imposed at the request of consultees such as the County Highway Authority, Drainage and Flood Risk Engineer, Surrey Wildlife Trust etc. When applications are submitted to approve these details, these consultees in their capacity of being technical experts are consulted. Only when the consultees are satisfied the submitted details are acceptable, will a recommendation for approval of these details be reported to planning committee. The vast majority of applications for approval of details reserved by condition which are reported to planning committee are approved with no discussion as the technical experts are satisfied the submitted details are acceptable.
- 3.3** As highlighted above, a total of 59 condition applications have been determined by either the Planning Committee or under the 2 periods of temporary arrangements, all approved in accordance with officers recommendations. It is proposed to make the previous temporary arrangements permanent. There will still be the ability of Councillors to request condition applications submitted by Woking Borough Council and their companies/entities to be reported to planning committee for determination, subject to a valid planning reason being given. A list of condition applications submitted by Woking Borough Council and their companies/entities will be circulated to Councillors so they are aware of what applications have been submitted.
- 3.4** Making the previous temporary arrangements permanent, will strike a balance between the efficient and timely processing of Woking Borough Council and their companies/entities condition applications which will avoid delays to projects, allowing the Planning Committee to focus on their strategic objectives or contentious applications which require closely balanced judgements but also will allow Councillors to call these condition applications into Planning Committee for determination.

4.0 Corporate Strategy

- 4.1 The additional measures arising from this report will support delivery of the corporate plan objectives for making effective use of resources, for sustainable development and promoting a strong economy.

5.0 Implications

Finance and risk

- 5.1 There are no financial implications.
- 5.2 There are no risk management issues arising from this report.

Equalities and Human Resources

- 5.3 There are no equalities or human resource implications associated with this report.

Legal

- 5.4 Legal Services have been consulted and have not raised any concerns.

6.0 Engagement and Consultation

- 6.1 Discussions have been made with the Chairman and Vice Chairman of the Planning Committee as well as the Portfolio and Shadow Portfolio Holders of Planning.

7.0 Recommendation

7.1 The Planning Committee is requested to:

RECOMMEND TO COUNCIL that:

With immediate effect, that applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities are delegated to the Development Manager for determination in consultation with the Chairman of the Planning Committee (or, in their absence, the Vice-Chairman).

Reasons for decision

Reason: To ensure these types of applications are determined in a timely manner.