

SCHEME OF DELEGATION

Executive Summary

Under the 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. For the period between 20 July and 7 September committee meetings, which is 7 weeks, no decisions on these applications can be made which will result in delays on Council projects. To avoid these delays and to ensure these applications are determined in a timely manner, it is proposed to allow these types of applications to be delegated to the Development Manager for determination which will be in consultation with the Chairman of the Planning Committee for this 7 week period.

Recommendations

The Committee is requested to:

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 her absence, the Vice-Chairman) for a temporary period until the 7 September 2021 Planning Committee.

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

The item(s) 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.

3.0 Proposal

- 3.1 There are no planning committees between the meetings on 20 July 2021 and 7 September 2021, a period of 7 weeks and as such no applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities can be determined during this time. This will result in delays on Council projects as the conditions mainly require details to be approved prior to commencement of development or prior to occupation of development.
- 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 In order to avoid delays on Council projects and having regard to the above, it is proposed 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 his absence, the Vice-Chairman) for a temporary period until 7 September 2021 Planning Committee. This will ensure decisions on these condition applications are determined in a timely manner. This would be same arrangement that was approved by the Planning Committee on 6 April 2021 which covered a 9 week period between 6 April and 8 June 2021 planning committees.

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 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 of the Planning Committee.

REPORT ENDS