

Report of	Meeting	Date	Item No
Director of Development and Regeneration	Development Control Committee	19 th June 2007	10

PURPOSE OF REPORT

1. To request approval of the amendment to the Councils Scheme of Delegation with respect to minor applications requiring Section 106 Agreements for commuted sums for play space.

CORPORATE PRIORITIES

2. This report does not affect corporate priorities.

RISK ISSUES

3. There is an operational risk issue and this relates to the time taken to determine certain minor applications that require Section 106 Agreements and which may impact on meeting BVPI 109b.

Strategy		Information	
Reputation		Regulatory/Legal	
Financial		Operational	4
People		Other	

BACKGROUND

4. Under the Councils approved scheme of delegation, those applications that require a Section 106 Agreement cannot be determined by delegation and must be considered by Development Control Committee. Since 2005 there has been a requirement following Executive Cabinet approval for a commuted sum for the provision of play space on all planning applications that involve the development of an additional single dwelling or more. If the development is considered acceptable this then requires a Section 106 Agreement to be provided before a decision is issued.
5. At that time the Interim Windfall Housing Policy was also in place and this had the effect of limiting the number of planning applications submitted for residential development. In December 2006 the Interim Windfall Housing Policy was lifted. Since then we have been receiving more applications for residential development and this has now had a knock on effect of requiring those applications to be determined by Development Control Committee even when there have been no objections to the application. It is now taking longer to determine those planning applications and this is beginning to impact on performance.

Continued....



CONSIDERATIONS

6. In order to allow more flexibility in determining planning applications and meet BVPI targets it would be advisable to amend the Scheme of Delegation to allow those applications which require a commuted sum for play space to be provided to be delegated by officers when no objections have been received and by the Chair and Vice Chair in consultation with the Director of Development and Regeneration when objections have been received subject to the usual considerations. If an objection is received to the development then this would follow the usual process of being placed on the draft agenda for consideration by the Chair and Vice Chair in consultation with the Director of Development and Regeneration and would not necessarily therefore preclude those applications from being determined by Development Control Committee.
7. All three BVPI 109 indicators which relate to Development Control performance are part of the CPA data set and are critically important to the authority, particularly in terms of CPA reassessment. We need to show that we are delivering continuous improvement in performance and the audit commission scrutinize our performance closely. It is essential therefore that we build in as much flexibility to the Scheme of Delegation as possible to allow us to meet and exceed targets without compromising Development Committees role as a decision maker.

COMMENTS OF THE DIRECTOR OF FINANCE

8. Any comments will be reported on the Addendum.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

9. There are no HR implications with this report.

RECOMMENDATION

10. To allow the delegation of applications by officers for those schemes requiring Section 106 Agreements for play space where no objections have been received and by the Chair and Vice Chair in consultation with the Director of Development and Regeneration when objections have been received subject to the usual considerations. If Development Control Committee resolve to approve the amendment this would need to be ratified by full Council.

JANE MEEK
DIRECTOR OF DEVELOPMENT AND REGENERATION

Background Papers			
Document	Date	File	Place of Inspection
Councils Scheme of Delegation	August 2006		Town Hall

Report Author	Ext	Date	Doc ID
Wendy Gudger	5349	11 th June 2007	NEWREP