

Report to:	PLANNING COMMITTEE
Relevant Officer:	Susan Parker, Head of Development Management
Date of Meeting:	5 September 2023

BLACKPOOL COUNCIL - DEVELOPMENT MANAGEMENT - SCHEME OF DELEGATION

1.0 Purpose of the report:

1.1 To update the existing Scheme of Delegation to reflect changes in Council structure and officer responsibilities and changes to the planning system since the existing scheme of delegation was adopted.

2.0 Recommendation(s):

2.1 To adopt the proposed amended Scheme of Delegation attached as Appendix 5a.

3.0 Reasons for recommendation(s):

3.1 To ensure that the Council’s Scheme of Delegation for Development Management functions is fit for purpose.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council’s approved budget? Yes

4.0 Other alternative options to be considered:

4.1 Maintain the Scheme of Delegation as existing or make alternative amendments. It should be noted that maintaining the existing scheme of delegation is not recommended.

5.0 Council priority:

- 5.1 Both Council priorities are relevant:
- “The economy: Maximising growth and opportunity across Blackpool”
 - “Communities: Creating stronger communities and increasing resilience”

6.0 Background information

- 6.1 The Scheme of Delegation for Development Management was last reviewed in 2007. At that time the Development Management team was known as Development Control, and it included responsibility for the Council's Planning Enforcement function.
- 6.2 Since 2007, Planning Enforcement has moved into the Public Protection department. In addition, a number of different types of planning application have been introduced which are subject to their own specific procedures.
- 6.3 It is therefore considered appropriate and necessary to update the Scheme of Delegation so that it reflects the current situation and is therefore fit for purpose.
- 6.4 The update seeks to confirm that the Head of Development Management, the Principal Planning and Senior Planner posts as having delegated authority. Each of these posts is required to hold membership of the Royal Town Planning Institute (RTPI). The officers are therefore bound by the professional code of conduct of that professional body. Furthermore, officers operating at that level have the necessary knowledge and experience to ensure robust decision making.
- 6.5 While the updated scheme of delegation allows delegated authority at all levels it would remain the practice that applications for determination would be allocated for determination appropriately relative to the grade of the officer. For example, at present, Senior Planners do not have determination responsibilities, the Principal Planner is responsible for determining smaller applications (those relating to householder proposals, trees and adverts) and the Head of Development Management determines all other applications. Each grade having delegated authority is considered necessary to enable workload to be managed and periods of leave or sickness to be covered satisfactorily. There is also now provision for any interim or temporary appointments.
- 6.6 One change reflecting best practice is that major-scale applications proposed for refusal have now been included in the list of applications that can be determined under delegated powers. However, this allowance is subject to written agreement from the Chair of Committee. This amendment has been introduced because the Council has to meet a specific target for the determination of major applications within the statutory timeframe. Where an application is recommended for refusal, an applicant is less likely to agree to an extension of time for determination. This amendment would, for example, allow major-scale applications that are missing key information, or that are clearly contrary to planning policy, to be refused by officers within deadline without compromising the Council's statutory planning performance. This change would bring the Council in line with other Councils and advice.

6.7 The list of application types that would not be determined by Committee has been extended to include discharge of condition, non-material amendment, prior approval and notification applications and those relating to Environmental Impact Assessment screening and scoping. Discharge of condition and non-material amendment applications tend to be minor in nature and it is considered that bringing them to Committee would be a disproportionate requirement in terms of workload management. The other application types are subject to very strict timescales for determination that would not accommodate reporting to Committee.

6.8 The updated scheme of delegation also makes specific reference to the final disposal of applications where no progress is being made and all relevant deadlines have elapsed. This provision enables effective management of workloads and prevents long-running applications from having an unreasonable and detrimental impact upon performance measures. This is particularly important where an applicant does not withdraw an application but ceases to engage with the Council.

6.9 Does the information submitted include any exempt information? No

7.0 List of Appendices:

7.1 Appendix 5a – proposed Scheme of Delegation.

7.2 Appendix 5b – existing Scheme of Delegation (2007).

8.0 Financial considerations:

8.1 No material financial considerations identified, although an up-to-date Scheme of Delegation may enable more efficient operation of Council functions.

9.0 Legal considerations:

9.1 No material legal considerations identified.

10.0 Risk management considerations:

10.1 No material risk management considerations identified, although an up-to-date Scheme of Delegation may help to minimise risk by providing greater certainty for Council functions.

11.0 Equalities considerations and the impact of this decision for our children and young people:

11.1 No material equality considerations identified.

12.0 Sustainability, climate change and environmental considerations:

12.1 No material sustainability, climate change or environmental considerations identified.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.