

**FLINTSHIRE COUNTY COUNCIL**

**REPORT TO:**           **CONSTITUTION COMMITTEE**

**DATE:**               **WEDNESDAY, 7 OCTOBER 2015**

**REPORT BY:**       **CHIEF OFFICER (GOVERNANCE)**

**SUBJECT:**           **PROPOSED CHANGES TO CHIEF OFFICER**  
                                  **(PLANNING & ENVIRONMENT) DELEGATED**  
                                  **POWERS**

**1.00   PURPOSE OF REPORT**

- 1.01   To consider recommendations from Planning Strategy Group (PSG) to alter the delegations to the Chief Officer (Planning & Environment).
- 1.02   To transfer the documented responsibility to make agreements for highway works from the Chief Officer (Streetscene and Transportation) to the Chief Officer (Planning & Environment) in order to reflect the staffing structure.

**2.00   BACKGROUND**

- 2.01   The Chief Officer (Planning & Environment) has reported twice to PSG on potential changes to his delegated authority (see Appendix A and B). The purpose was to update the scheme and to ensure that the Planning and Development Committee considered those applications that warrant member scrutiny rather than matters which are reported to committee due to a technicality.
- 2.02   PSG considered a report on 21 May 2015 when it resolved:
- “(a) That the amendments to the Chief Officer (Planning & Environment) Scheme of Delegation be endorsed;
  - (b) That a report on the implications of the CIL regulations on Section 106 obligations be submitted to the next meeting of this Group; and
  - (c) That a reporting incorporating the proposed changes to the Chief Officer (Planning and Environment) delegated powers be submitted to the next available meeting of the Council’s Constitution Committee.”

PSG considered a further report on 2 July 2015 when it resolved:

“That the additional amendments to the Chief Officer (Planning & Environment) Scheme of Delegation outlined in the report be endorsed and that a report incorporating all the proposed changes be

taken to the next meeting of the Council's Constitution Committee.”

- 2.03 Section 13 of the Constitution sets out which committee or officer is responsible for Local Choice Functions (see table 3 page 175 onwards). At paragraph 18 (page 177) it allocates “the power to make agreements for the execution of highways works” to the Chief Officer (Transport and Streetscene) [sic]. In reality that work is now undertaken by officers reporting to the Chief Officer (Planning & Environment). It is therefore recommended that the table is amended to reflect this.

### **3.00 CONSIDERATIONS**

- 3.01 It is clear that PSG fully supported the revised delegations to the Chief Officer (Planning and Environment), and was satisfied that the Planning & Development Control Committee will still be able to consider applications that warrant member scrutiny. There is of course the failsafe that members retain the ability to ask for applications to be considered at committee (if there is a legitimate reason).

### **4.00 RECOMMENDATIONS**

- 4.01 That the revised delegations, recommended by PSG, to the Chief Officer (Planning & Environment) are recommended to Council for approval.
- 4.02 That the power to make agreements for the execution of highways works be transferred from the Chief Officer (Transport and Streetscene) to the Chief Officer (Planning & Environment).

### **5.00 FINANCIAL IMPLICATIONS**

- 5.01 None directly arising.

### **6.00 ANTI POVERTY IMPACT**

- 6.01 None directly arising.

### **7.00 ENVIRONMENTAL IMPACT**

- 7.01 None directly arising.

### **8.00 EQUALITIES IMPACT**

- 8.01 None directly arising.

### **9.00 PERSONNEL IMPLICATIONS**

- 9.01 None directly arising.

**10.00 CONSULTATION REQUIRED**

10.01 This matter must be referred to full Council for approval.

**11.00 CONSULTATION UNDERTAKEN**

11.01 Planning Strategy Group

**12.00 APPENDICES**

Appendix A – Report to Planning Strategy Group dated 21.5.15

Appendix B – Report to Planning Strategy Group dated 2.7.15

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

<b>Contact Officer:</b>	<b>Gareth Owens</b>
<b>Telephone:</b>	<b>01352 702344</b>
<b>Email:</b>	<b>gareth.legal@flintshire.gov.uk</b>