

**Report to:** Governance Committee

**Date of meeting:** 23 January 2018

**By:** Director of Communities, Economy and Transport

**Title:** Amendment to Constitution – Scheme of Delegation to Officers

**Purpose:** To seek approval to amend the Scheme of Delegation in relation to the functions delegated to the Director of Communities, Economy and Transport

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***RECOMMENDATION:*** The Governance Committee is recommended to recommend the County Council to agree to amend the Scheme of Delegation to Officers as set out in Appendix 1 to this report.

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## **1 Background Information**

1.1 The County Council's Scheme of Delegation provides the Director of Communities, Economy and Transport with authority to perform a number of functions and make certain decisions across the range of services that make up the directorate. Officers in the directorate, with support from Legal services, have undertaken a comprehensive review of the current Scheme of Delegation in order to identify changes that are deemed necessary. These changes are generally being proposed in order to either: reflect changes in legislation; provide improved clarity for how to take certain decisions and actions or reflect new, ceased and amended duties and areas of work in the directorate.

## **2 Proposed amendments to the Scheme of Delegation**

2.1 A number of the proposed amendments to the Scheme of Delegation have concerned the functions performed by the County Planning Authority and the County Council's role as a statutory consultee to the planning system, particularly in the remit of the Highway Authority and Lead Local Flood Authority. Such proposed amendments are deemed necessary in order to reflect changes in legislation (e.g. introduction of Neighbourhood Planning through the Localism Act and the abolition of Structure Plans), or changes in circumstance (e.g. abolition of the Agency Agreement between the South Downs National Park Authority and the County Council).

2.2 Some of the other proposed amendments to the Scheme of Delegation are designed to improve efficiency in certain decision making processes. As an example, all planning authorities are required to prepare an annual monitoring report that, amongst other things, collates information on how planning policies have been applied in the consideration of planning applications. Such a report is very much a statement of fact and does not set any Council policy. At present, Lead Member approval is sought to publish this report and over the years it is not a decision that has generated any public interest. Should delegated authority be provided to publish this report, it will reduce the time taken to publish the report and also allow for in-year updates to be provided. Such an approach to how such decisions are taken is consistent with the approach of other planning authorities in the area.

2.4 Appendix 1 to this report identifies all the proposed amendments to the Scheme of Delegation. These are presented by way of track changes, with suggested new text underlined and suggested deletions having a strike through. The majority of these amendments are accompanied by a 'comments box', which sets out the rationale for the proposed changes. Some of the amendments are solely to identify the most up-to-date legislation, in which case no further explanation for the proposed changes is included.

## **3. Conclusion and Reason for Recommendation**

3.1 It is considered that the amendments proposed to the parts of the Scheme of Delegation, which are relevant to Communities, Economy & Transport, are consistent across the directorate and wider County Council and do not undermine the democratic accountability of the Council. Some of the amendments will aid in the ability for decisions to be taken in an efficient and timely

manner, which is considered particularly important where deadlines need to be met for certain actions to be undertaken.

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LOCAL MEMBERS

ALL

BACKGROUND DOCUMENTS

None