

<b>[REPORT TO:</b>		Annual General Meeting
<b>DATE:</b>		15th May 2025
<b>PORTFOLIO:</b>		Leader of the Council
<b>REPORT AUTHOR:</b>		Executive Director (Legal & Democratic Services)
<b>TITLE OF REPORT:</b>		Updated Scheme Of Delegation To Officers
<b>EXEMPT REPORT:</b>	<b>No</b>	
<b>KEY DECISION:</b>	<b>No</b>	If yes, date of publication:

## 1. Purpose of Report

1.1 To seek approval for the scheme of delegation of non-executive functions to officers for the 2025/26 municipal year

## 2. Recommendations

2.1 That Council approves the scheme of delegation to officers attached at Schedule 1 to this report.

## 3. Reasons for Recommendations and Background

3.1 It is good practice to review the scheme of delegation regularly to keep it up to date. This helps to ensure that the Council's decision-making processes operate as effectively as possible and in accordance with legal requirements. The scheme is therefore updated annually at the Council's AGM.

3.2 The proposed scheme of delegation for 2025/26 is set out in Schedule 1 to this report. The changes this year are minor and comprise the following:

- Giving the Executive Director (Resources) delegated powers in respect of council tax recovery, to reflect that most recovery is now undertaken with Finance, rather than by Legal Services. The delegation to the Executive Director (Legal & Democratic Services) will remain to cover situations where Legal Services need to become involved in recovery activity;
- At present councillors are able to "call-in" applications which are purely factual or technical in nature. This includes:

- **Certificates of Lawfulness** which are determined based on the facts of the case (they are used to establish whether existing or proposed

development needs planning permission and planning merits are not relevant).

- **Discharge of Conditions** applications which are technical in nature and relate to details of already approved development.
- **Prior Notifications and Prior Approvals** where the LPA has a limited time to determine these applications and failure to issue a timely decision results in an automatic approval.

Such application types are very rarely called-in as they are generally of a minor nature. An amendment is proposed that would delegate approval of all of these application types to the Chief Planning Officer.

- Currently all planning applications which are subject to a section 106 agreement must be reported to Planning Committee. However, in some circumstances this can be onerous. For example, if an applicant wants to make minor amendments to an already approved planning application, there often needs to be a 'linking agreement' which ties the new permission back to the original s106 agreement. In such circumstances, the current scheme of delegation requires the matter to be referred back to Committee on what is essentially a technicality, even though members will have already agreed the principle of development. It is therefore proposed to remove the automatic requirement to refer applications to Planning Committee where a s106 agreement is needed. However, the Chair, Vice-Chair and local councillors will still be able to call-in such applications if they deem fit. In addition, most applications requiring a section 106 agreement are major applications that would be taken to Planning Committee for determination in any case.

#### **4. Alternative Options considered and Reasons for Rejection**

4.1 No alternative proposal is suggested.

#### **5. Consultations**

5.1 All chief officers have been consulted about changes which may be required to reflect recent changes to legislation or recent changes to the Council's staffing structure. The proposed changes to the delegations to the Chief Planning Officer have been discussed and agreed with the Leader of the Council, as well as the chair and vice chair of the Planning Committee.

#### **6. Implications**

<b>Financial implications (including mainstreaming)</b>	None.
<b>Legal and human rights</b>	None, other than those set out in paragraph 3

<b>implications</b>	<p>of this report.</p> <p>The scheme of delegation forms part of the Council's written constitution and the updated scheme for 2025/65 will be published on the Council's website.</p> <p>Keeping the scheme under regular review helps the Council to demonstrate good practice in respect of its governance arrangements.</p>
<b>Assessment of risk</b>	None
<b>Equality and diversity implications</b> <i>A <a href="#">Customer First Analysis</a> should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	None

**7. Local Government (Access to Information) Act 1985:  
List of Background Papers**

None

**8. Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.