

BOROUGH OF KETTERING

Committee	Planning Committee	Item 5.5	Page 1 of 2
Report Originator	Tom Shields, Development Manager	<i>Fwd Plan Ref No:</i>	
Wards Affected	ALL	12 February 2013	
Title	Amendments to the Scheme of Delegation to the Head of Development Services		

1. PURPOSE OF REPORT

To seek the Committee's authorisation for the delegation of powers to the Head of Development Services to take all and any action with regard to planning enforcement matters and other minor planning matters.

2. INFORMATION

2.1 The Council's Constitution currently provides that all enforcement matters are to be determined by the Planning Committee. The Committee is asked to consider amending the Constitution and delegating enforcement powers to the Head of Development Services.

2.2. The consideration of enforcement matters has recently resulted in a number of extra items on the normal planning agenda taking up committee time on increasingly complex and lengthy agendas.

2.3 It is usual for such powers to be delegate to officers to allow the Committee to concentrate on the major applications, it is also beneficial to the enforcement process as it allows officers to respond quickly in enforcement matters and reduce the burden of administration in preparing reports for Committee. This would not prevent the Head of Service referring enforcement matters to the Planning Committee where considered appropriate if the action is significant or controversial, nor would it prevent any enforcement matter being 'called-in' by Ward Members for committee consideration as has always been the case. Members would be informed of any enforcement action proposed in their ward and it is proposed that the Committee would receive quarterly reports on any enforcement action taken in that period.

2.4 Under the Constitution Full council is responsible approval of any changes after consideration of the proposals by the Executive. The Committee is asked to recommend the changes to Part 3 of the Constitution as set out in Appendix C to the report.

3. CONSULTATION AND CUSTOMER IMPACT

None

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4. POLICY IMPLICATIONS

None

5. FINANCIAL RESOURCE IMPLICATIONS

None

6. HUMAN RESOURCE IMPLICATIONS

Delegation of the enforcement powers will reduce the time spent on administration prior to taking enforcement action.

7. LEGAL IMPLICATIONS

The scheme of delegation to officers operates under section 101(1) of the Local Government Act 1972. This permits local authorities to carry out their functions through the full council, a committee or sub-committee, or an officer of the council. Changes are required to the Constitution as set out in the report.

RECOMMENDATION

That the Committee recommend to the Executive the amendments to the Constitution to delegate to the Head of Development Services power to take all and any action with regard to planning enforcement matters as set out in Appendix C to this report.

Background Papers:

Title of Document: KBC Constitution
Date: 2008
Contact Officer: Tom Shields, Development Manager

Previous Reports/Minutes:

Ref:
Date: