

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	Cabinet Meeting
<b>2.</b>	<b>Date:</b>	Wednesday 25 April 2012
<b>3.</b>	<b>Title:</b>	Amendments to the Scheme of Delegation for the Director of Planning and Regeneration
<b>4.</b>	<b>Programme Area:</b>	Environment and Development Service

**5. Summary**

**Proposed amendments to the Council’s Scheme of Delegation relating to powers delegated to the Director of Planning Regeneration and Culture in relation to the Development Control functions of the Service.**

**6. Recommendation**

- (i) That Members note the proposed changes to the Scheme of Delegation**
- (ii) That the revised Scheme of Delegation be presented to the Council for formal approval, being a change to Council policy.**

## 7. Proposals and Details

The Scheme of Delegation was last amended by the Council in 2010 and the current report sets out a further change proposed to the Scheme. There is only one addition to the Scheme proposed, which would allow the withdrawal of Enforcement Notices to be determined by the Chairman and Vice Chairman of the Planning Board, in consultation with the Planning Manager (or delegated representative). There are currently approximately 500 Enforcement Notices that remain extant, dating back to the 1960s, many of which will have been complied with or are no longer relevant (as sites have been re-developed). Section 173A of the Town and Country Planning Act 1990, allows Local Planning Authorities to withdraw Enforcement Notices. Officers have been re-visiting sites to determine whether more recent Notices have been complied with in order that reports can be prepared recommending their removal from the Enforcement Register (and from Land Searches when carried out on sites.) These are factual reports that note that the Enforcement Notice has been complied with, or are no longer relevant, and can therefore be removed from the Register. It does not prevent a further Enforcement Notice being served if a fresh breach of planning occurs.

To reduce the burden on Planning Board and speed up the process it is recommended that the withdrawal of Enforcement Notices be agreed with the Chairman and Vice Chairman of the Planning Board. As such, it is recommended that Section 9 of the existing Scheme of Delegation (relating to decisions taken in consultation with the Chairman and Vice Chairman of the Planning Board) be amended at paragraph 9.3 to include the following wording (in bold):

9.3 The issue of a planning Enforcement Notice, Listed Building Enforcement Notice, Temporary Stop Notice or Stop Notice, **and the subsequent withdrawal of such Notices where appropriate.**

The amended Scheme was reported to the Cabinet Member for Town Centres, Economic Growth and Prosperity Delegated Powers meeting on 2<sup>nd</sup> April, 2012 and subsequently referred to the Planning Board on 5<sup>th</sup> April, 2012.

## 8. Finance

There are no financial implications relating to the proposed changes to the Scheme of Delegation.

## 9. Risks and Uncertainties

There are no risks or uncertainties relating to the proposed changes to the Scheme of Delegation.

## **10. Policy and Performance Agenda Implications**

There are no Policy or Performance Agenda implications. The amendment proposed would allow a speedier response to requests to formally withdraw Enforcement Notices when received from members of the public/agents etc.

## **11. Background Papers and Consultation**

No relevant papers/consultation..

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