

Agenda Item	17
Report No	HC/25/16

12 May 2016

SCHEME OF DELEGATION AND ADMINISTRATION TO COMMITTEES AND SUB COMMITTEES AND TO OFFICERS

Report by the Depute Chief Executive/Director of Corporate Development and Director of Development & Infrastructure

Summary

This report supplements the covering report relating to amendments to the Council's Scheme of Delegation and Administration to Committees and Sub Committees and to Officers. In particular, it outlines the proposed amendments to sections relating to the Planning, Development and Infrastructure Committee in Part II and the City of Inverness Area Committee and Local Committees in Part III.

1. Additional Amendments

This report supplements the covering report relating to amendments to the Council's Scheme of Delegation and Administration to Committees and Sub Committees and to Officers. In particular, it outlines the proposed amendments to sections relating to the Planning, Development and Infrastructure Committee in Part II and the City of Inverness Area Committee and Local Committees in Part III. These changes seek to update and clarify the responsibilities of Local Committees in approving area-based Local Development Plans, Supplementary Guidance and other land use plans for the area they cover. A table summarising the implications of these proposed changes for decision making is shown in Appendix 1.

1.1 Part II – Section 1.3 Planning Development and Infrastructure Committee

Replace wording currently set out within paragraphs 2.1.4 and 2.1.5 as follows:

Current Version

To prepare, monitor and review Local Development Plans, Supplementary Guidance and other strategic land use, transportation and environmental policies and guidance for the Council in accordance with the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) - which may include the establishment of short life Sub-Committees/Working Groups to take forward such a plan, guidance or policy for a specific geographic area - and to adopt, with the exception of Local Development Plans which are reserved to full Council, any such policy, guidance or plan where such functions and powers are not delegated to other Committees or where other Committees have declined to exercise their delegated powers

To prepare and approve such Action Programmes and Annual Monitoring reports as are required to maintain effective coverage/implementation/ delivery of Local Development Plans across the Council's area in accordance with the terms of the Town and Country Planning (Scotland) Act 1997 (as amended)

Proposed Version

To prepare, monitor and review for the Council any Local Development Plans (and associated Action Programmes), Supplementary Guidance and other land use, transportation and environmental policies and guidance that provide a Highland-wide policy context for place-specific plans, policies and guidance, in accordance with the terms of the Town and Country Planning (Scotland) Act 1997 (as amended), and to adopt, with the exception of Local Development Plans which are reserved to full Council, any such policy, guidance or plan where such functions and powers are not delegated to other Committees or where other Committees have declined to exercise their delegated powers. Within the parts of Badenoch and Strathspey Area covered by the Cairngorms National Park Authority, responsibilities for the preparation of such documents are reserved to that authority.

1.2 **Part III – City of Inverness Area Committee**

Replace wording currently set out within paragraphs 2.33 and 2.34 as follows:

Current Version

To consider the content of and approve the Inverness City Vision, Development Briefs and Master Plans (with the exception of those prepared as Statutory Supplementary Guidance) relating to land within their geographic area. In the case of Development Briefs and Master Plans relating to land within their geographic area and prepared as Statutory Supplementary Guidance, to consider their content and recommend them to the Planning, Development and Infrastructure Committee for adoption.

To monitor progress in the implementation of Local Development Plans in general, consider the content of Local Development Plans applicable to their geographic area that are being prepared or reviewed in accordance with the Development Plans Scheme and submit representations and recommendations on those Local Development Plans to the Planning, Development and Infrastructure Committee.

Proposed Version

To prepare, monitor and review for the Council any place-specific Local Development Plans (and associated Action Programmes), Supplementary Guidance and other land use, transportation and environmental policies and guidance applicable to their geographic area, in accordance with the Development Plans Scheme, with adoption of such Local Development Plans being reserved to full Council.

1.3 **Part III – Local Committees**

Replace wording currently set out within paragraphs 2.32 and 2.33 as follows:

Current Version

To consider the content of and approve Development Briefs and Master Plans (with the exception of those prepared as Statutory Supplementary Guidance) relating to land within their geographic area. In the case of Development Briefs and Master Plans relating to land within their geographic area and prepared as Statutory

Supplementary Guidance, to consider their content and recommend them to the Planning, Development and Infrastructure Committee for adoption.*

To monitor progress in the implementation of Local Development Plans in general, consider the content of Local Development Plans applicable to their geographic area that are being prepared or reviewed in accordance with the Development Plans Scheme and submit representations and recommendations on those Local Development Plans to the Planning, Development and Infrastructure Committee.*

* Within the parts of Badenoch and Strathspey Area covered by the Cairngorms National Park Authority, the starred items are reserved to that authority.

Proposed Version

To prepare, monitor and review for the Council any place-specific Local Development Plans (and associated Action Programmes), Supplementary Guidance and other land use, transportation and environmental policies and guidance applicable to their geographic area, in accordance with the Development Plans Scheme, with adoption of such Local Development Plans being reserved to full Council. Within the parts of Badenoch and Strathspey Area covered by the Cairngorms National Park Authority, responsibilities for the preparation of such documents are reserved to that authority.

- 1.4 The table at Appendix 1 highlights the implications that these changes would have for decision making at each stage of preparing Local Development Plans and Supplementary Guidance.

2. Implications Arising from the Report

- 2.1 There are no resource, legal, climate change/carbon clever, equalities, Gaelic or rural risk implications arising from these proposals.

Recommendation

The Council is asked to approve the proposed amendments to the Scheme of Delegation and Administration to Committees and Sub Committees and to Officers as detailed in this and the covering report, and to note that an updated copy will be circulated to all Members following the meeting.

Designation: Director of Development & Infrastructure

Date: 3rd May 2016

Appendix 1

Responsibilities for Local Development Plans and Supplementary Guidance

Implications of the proposed approach

Stage in Plan Preparation	Current Scheme of Delegation	Proposed Approach – Area Local Development Plans	Proposed Approach – area-based Supplementary Guidance	Proposed Approach – Highland-wide Local Development Plan	Proposed Approach – policy-based Supplementary Guidance
Approval of Main Issues Report incl. Call for Sites feedback	Area Committee	Local Committee	Local Committee	Planning, Development & Infrastructure Committee	Planning, Development & Infrastructure Committee
Approval of Proposed Plan	Area Committee consideration and recommendation to PDI for decision	Local Committee	Local Committee	Planning, Development & Infrastructure Committee	Planning, Development & Infrastructure Committee
Approval for Examination incl. Proposed Plan feedback	PDI Committee	Local Committee	Local Committee	Planning, Development & Infrastructure Committee	Planning, Development & Infrastructure Committee
Intention to Adopt	PDI Committee	Full Council (stages combined)	Local Committee	Full Council (stages combined)	Planning, Development & Infrastructure Committee
Adoption	Full Council				