

**WEST OXFORDSHIRE DISTRICT COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**MONDAY 25 APRIL 2016**

**AMENDMENT TO SCHEME OF DELEGATION**

**REPORT OF THE HEAD OF PLANNING AND STRATEGIC HOUSING**

**(Contact: Phil Shaw, Tel: (01993 861687)**

(The Committee decision at (a) will be a resolution and (b) will be a recommendation to Council)

**1. PURPOSE**

To enable Members to consider amending the scheme of delegation such that floodlight columns are no longer potentially delegated applications.

**2. RECOMMENDATIONS**

- (a) That the Committee agrees to remove proposals for floodlight columns from the list of potentially delegated applications; and
- (b) That as a consequence of recommendation (a) above, Council be requested to incorporate the amendment into the officer delegation rules contained in Part 4 of the Constitution.

**3. BACKGROUND**

- 3.1. Members will recall that the scheme of delegation which applied to planning and related applications was confirmed in September 2015. However since that time an application for a floodlit sports court has been received in one village and the parish council did not object. As such the application was determined as a delegated item as the recommendation of Officers and the views of the Parish Council were aligned. Representatives of a neighbouring parish were however concerned that the impact of the development was wider than merely that of the host parish and that as such the application was of a more “strategic” than “local” impact. They considered it would be better if such applications were not determined under the scheme of delegation but rather referred to the Area Planning Sub-Committee for decision by Members.
- 3.2. Members will be aware that officers do not wish to be determining applications where Members consider that they should be involved. The scheme of delegation is thus designed to allow delegation to operate at a level that balances the efficiencies, cost and time savings associated with increased delegation against Members retaining sufficient oversight and ability to call in applications. In this instance the call in mechanism did not operate to provide that safeguard and officers accept the basic premise that floodlights have a more than local impact and that as such the impacts beyond the immediate area would warrant delegation not applying in order to ensure that such an issue does not arise again.
- 3.3. The existing scheme of delegation contains a provision that allows most applications to be approved under delegated authority (subject to safeguards and call-ins) but excludes “Applications for telecommunications masts (with the exception that additional antennae may be allowed provided that the Government’s safety guidelines are met)”.

3.4. It is therefore suggested that the clause in the scheme of delegation set out above is amended to read “*Applications for floodlight masts exceeding 8m in height or for all telecommunications masts (with the exception that additional antennae may be allowed provided that the Government’s safety guidelines are met)*”. The effect of this would be to ensure that all floodlight columns over 8m height were automatically referred to Members for a decision.

3.5. Your Officers accept that this reduction in the extent of delegation means that there would be a very marginal additional cost and a time delay to applicants but given the relatively few number of such applications and the wider than local impact this cost and delay is considered to be justified in terms of ensuring that the delegation scheme appropriately balances efficiency with oversight.

#### **4. ALTERNATIVES**

Members could decide not to consider any variations. However this would leave the potential for a similar situation to arise and reduce confidence in the operation of the scheme of delegation as a whole

#### **5. FINANCIAL IMPLICATIONS**

There will be a marginal increase in costs from determining floodlight applications at committee rather than under delegated powers

Giles Hughes  
Head of Planning and Strategic Housing

(Author: Phil Shaw, Tel: (01993) 861687; EMail: [phil.shaw@westoxon.gov.uk](mailto:phil.shaw@westoxon.gov.uk) )  
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Background Papers:  
None