

14 AUGUST 2023

REPORT OF THE CHIEF EXECUTIVE

APPOINTMENT OF HEAD OF PLANNING AND SCHEME OF DELEGATION

SUMMARY

The purpose of this report is to seek confirmation of the appointment of the Head of Planning of Hartlepool Development Corporation (HDC) and to seek Board approval of the Scheme of Delegation.

RECOMMENDATIONS

It is recommended that the Board:

- i. Confirms the appointment of Helen Kemp as the Head of Planning for Hartlepool Development Corporation;
- ii. Approves the Planning Scheme of Delegation (Appendix 1).

DETAIL

Head of Planning

1. Pursuant to the Hartlepool Development Corporation (Functions) Order 2023, HDC is responsible for determining planning applications within the redline boundary of the Development Corporation area. In line with statutory requirements, HDC is required to confirm the appointment of a Head of Planning who will be responsible for the provision of its planning function. The Head of Planning will discharge this responsibility by outsourcing the day-to-day planning function for services to Nathaniel Litchfield & Partners ('Lichfields').
2. The Head of Planning for HDC is responsible for:
 - Ensuring the provision of an adequate planning function.
 - Signing off decisions in accordance with the Scheme of Delegation (Appendix 1), having sought appropriate advice.
 - Advising and reporting to the HDC Board, having sought appropriate advice.

- Dealing with complaints regarding the planning service delivered by HDC.
 - Authorising the taking of Enforcement Action where it is expedient and in the public interest to do so.
3. Helen Kemp, Business Solutions Director at Tees Valley Combined Authority, is recommended to the Board as the Head of Planning for HDC.
 4. Helen was previously the Director of Economy and Planning for Hambleton District Council, which included Planning, Building Control, Strategic Housing and Homelessness services. During this time the planning service was realigned to improve customer service and a Local Plan was developed to support the authority's economic growth ambitions.
 5. The principle of appointing TVCA Group Directors to undertake required statutory roles is well established, with the Group Chief Executive and the Group Finance and Resources Director both fulfilling the statutory roles of Chief Executive and Section 73 Officer roles for HDC.

Scheme of Delegation

6. Planning powers were conferred on to HDC on 1 June 2023 giving HDC the power to determine planning applications within the redline boundary of the Development Corporation area. The Board is presented with a Scheme of Delegation for the determination of planning applications (Appendix 1).
7. The Scheme of Delegation sets out the criteria for those applications that the Board has delegated to the Head of Planning for determination on behalf of the Development Corporation and those which will be reserved for determination by the Board.
8. In line with the scheme of delegations for Local Authorities, the Scheme of Delegation sees the responsibility for the determination of the majority of applications delegated to the Head of Planning, with determination by the Board to be reserved for applications made by a HDC decision maker and those with 5 or more objections from different households.

FINANCIAL IMPLICATIONS

9. It is expected that it will cost HDC around £1m per annum to run the planning function and these costs will be covered through the fees collected for planning applications. It should be noted that planning fees are variable meaning the cost of larger applications are required to cover the volume of smaller, lower revenue generating applications, and therefore any surplus would be held to cover costs. It is the expectation is the position would be neutral. This position will be reviewed by the Board annually through the budget, but interim updates on the financial position may be requested by Board Members at any time.

LEGAL IMPLICATIONS

10. Planning Powers were conferred on to HDC on 1 June 2023 giving HDC the power to determine planning applications within the redline boundary. To ensure compliance with statutory requirements, HDC must appoint a Head of Planning to oversee and be responsible for the planning function.
11. In addition to the above, Lichfields has been procured to provide day to day planning services for HDC.
12. In line with statutory requirements, HDC is required to have a Scheme of Delegation (Appendix 1) for the determination of planning applications. This is presented for Board approval with this report.
13. The Board should note that it may review the Planning Scheme of Delegation from time to time.

RISK ASSESSMENT

14. HDC has procured Lichfields to run the day-to-day planning services for the Development Corporation. The planning function will be overseen by the Head of Planning. Therefore, the subject matter of this report is categorised as low risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

CONSULTATION & COMMUNICATION

15. The subject of this report is a matter for HDC Board approval therefore no additional consultation and communication has been undertaken.

EQUALITY & DIVERSITY

16. This report does not impact on groups of people with protected characteristics.

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