

**To: Council**

**On: 1 March 2018**

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**Report by: Director of Finance and Resources**

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**Heading: Governance Arrangements**

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## **1. Summary**

### **1.1 Scheme of Delegated Functions – Planning**

1.1.1 The Council at its meeting held on 21 December 2017 agreed that the Scheme of Delegated Functions as it relates to the planning function be amended as set out in the appendix to this report. It was noted that these changes required to be referred to Scottish Ministers for approval and that confirmation of this process would be reported to a future meeting of the Council.

1.1.2 Correspondence dated 22 January 2018 has now been received from the Planning and Architecture Division of the Local Government and Communities Directorate of the Scottish Government confirming on behalf of Scottish Ministers approval of the revised Scheme of Delegation and advising that Renfrewshire Council may now proceed to adopt the revised scheme with a view to its operation from the formal date of adoption.

1.1.3 In terms of Regulation 5 of the Town and Country Planning (Schemes of Delegation and Local Review Procedures) (Scotland) Regulations 2008 the updated scheme will be made available for inspection.

### **1.2 Police and Fire and Rescue Scrutiny Sub-committee**

1.2.1 The Police and Fire and Rescue Scrutiny Sub-committee as it is currently established comprises five fixed members of the Communities, Housing and Planning Policy Board. It is proposed that, rather than the sub-committee having a fixed membership, that the members are drawn for each meeting from the pool of members of the Policy Board. This would still be on the same basis as the fixed membership, ie three members from the Administration including the Convener or Deputy Convener of the Policy Board and two members from the opposition groups or parties.

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### **1.3 Appointment Board for Directors and Heads of Service**

- 1.3.1 The Council has established an appointment board for vacant posts at Chief Executive, Director, Assistant Director - Schools and Head of Service level to shortlist and interview candidates for these posts. It is proposed that the Convener and Depute Convener of the Appointment Board be Councillors Nicolson and Paterson respectively.

### **1.4 Flag Pole, Ferry Green, Renfrew**

- 1.4.1 The Renfrew and Gallowhill Local Area Committee previously recommended an award of £5,330 from the Renfrew Burgh Citizens Fund to cover the cost of removal and reinstatement of the flagpole at Ferry Green, which was subsequently approved by the Finance & Resources Policy Board. Members of the community have requested that the Renfrew 600 flag (appendix 2) be flown from this flagpole. The office of the Lord Lyon has been contacted and they do not have any objections to this. It is proposed therefore that the Council approve that the Renfrew 600 flag be flown from the Ferry Green flagpole, subject to any requirement on the Council to fly a different flag.

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## **2. Recommendations**

- 2.1 That it be noted that the Scottish Ministers have approved the revised Scheme of Delegation in relation to the planning function as set out in Appendix 1 to this report.
- 2.2 That it be noted that the updated Scheme will be made available for inspection as required in terms of Regulation 5 of the Town and Country Planning (Schemes of Delegation and Local Review Procedures) (Scotland) Regulations 2008;
- 2.3 That the membership of the Police and Fire & Rescue Sub-committee be drawn from the pool of members of the Communities, Housing & Planning Policy Board on the basis of three members of the opposition, including the Convener or Depute Convener of the Policy Board and two members of the opposition;
- 2.4 That Councillors Nicolson and Paterson be the Convener and Depute Convener respectively on the Appointment Board for vacant posts of Chief Executive, Director, Assistant Director - Schools and Head of Service.
- 2.5 That the Renfrew 600 flag, as shown in Appendix 2 to this report, be flown from the Ferry Green, flagpole, Renfrew, subject to any requirement on the Council to fly a different flag.

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## **Implications of this report**

1. **Financial Implications** – none
2. **HR and Organisational Development Implications** – none

3. **Community Plan/Council Plan Implications** – none
4. **Legal Implications** – as detailed in the report.
5. **Property/Assets Implications** – none
6. **Information Technology Implications** – none
7. **Equality and Human Rights Implications**
  - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health and Safety Implications** – none
9. **Procurement Implications** – none
10. **Risk Implications** – none
11. **Privacy Impact** – none
12. **CoSLA Policy Position** – not applicable

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**List of Background Papers** – letter dated 22 January 2018 from Local Government and Communities Directorate Planning and Architecture Division

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## APPENDIX 1

- “3. All planning and related decisions, including the signing and service of notices, within the scope of the Planning (Hazardous Substances) (Scotland) Act 1997.

### Exceptions

The above delegations are subject to the exception of the following categories of application, which are for decision by elected members, as follows:

#### **To be determined by the Council:**

- (a) national development as specified in the National Planning Framework; and
- (b) major developments which are significantly contrary to the local development plan.

#### **To be determined by a Board of the Council:**

- (a) which the Planning authority decides to determine which would otherwise fall to be determined by a person appointed to do so under this scheme;
- (b) major developments as set out in the Schedule to the Town and Country Planning (Hierarchy of Developments) (Scotland) regulations 2009;
- (c) listed building consent for demolition of listed buildings and conservation area consent for demolition of a building in a conservation area;
- (d) applications involving residential development of 10 or more units on greenfield or undeveloped land; or on a site greater than 0.5 ha which is greenfield or undeveloped land;*
- (e) applications involving residential development of five or more units on sites within the greenbelt; or on a site greater than 0.3 ha which is within the green belt;*
- (f) applications which if approved are considered to be significantly contrary to the Local Development Plan and also those applications which, if approved, would be significantly contrary to the overall objectives, and would undermine the aims and strategic priorities, of the Local Development Plan.*
- (g) where, within 21 days of an application appearing on the Weekly List, a letter signed by three members is received, and where it sets out reasons why the matter should go before the Board, the Convenor in consultation with the Head of Planning and Housing shall consider such a request and shall be authorised to decide whether or not to agree to the request.”*

