FRAMEWORK FOR DEVELOPMENT OF PREFERRED SCHEME OF DELEGATION FOR PLANNING APPLICATIONS AND ASSOCIATED WORK FOR CONSIDERATION BY SDNPA

	Preferred Approach	Comment
1 Overall description	NPA determines significant applications itself and exercises an appropriate degree of influence over other applications delegated to LAs, in order to ensure that NP purposes are met. NPA supports all decision making with advice and expertise as appropriate NPA has an active role in pre-and post-application procedures where it is the determining authority, but otherwise this is delegated as for the decisions. NPA has a policy and co-ordinating role in other associated planning functions (enforcement, conservation, trees etc), adding value/resources as appropriate to achieve SDNP objectives	
2 Delegation Scheme	NPA to determine "significant" applications (as set out in delegation scheme), and to retain "call in" power for any other applications which it may wish to determine. All applications submitted to LAs initially, subject to any requirement for the NPA to receive applications itself. Validation and initial consultation undertaken by LA in accordance with standards to be agreed by NPA, including validation training. All apps also entered onto NPA database, with links to LA handling the app for case tracking purposes NPA apps passed to NPA to determine unless agreed that LPA should process it on NPAs behalf. The NPA will need an adequate case handling capacity to deal with applications of NPA significance but there might be some NPA applications which are best dealt with by the LAs Applications initially dealt with under current LA policies, until NP LDF is sufficiently far advanced to be a material	• Major/minor (GDPO) split to be used as basis for significance, with call-in for more significant minors, and some less significant majors to be delegated. Implied caseload for NPA c150 apps/year, remainder of c4,000 to be delegated. Less significant majors only likely to apply in urban areas. Same principle applies to M&W and reg 3 apps. • minimum validation and consultation standards to be agreed from April 2011 • Agreed programme to further converge validation and consultation standards and procedures over three years from April 2011

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	consideration Consider possibility of preliminary statement of policy approach by Shadow Authority early in shadow year, eg broadly supporting Core Strategies, and identifying any policies where there might be differences, for the LPAs to consider as they progress CSs. Work during shadow year on LDS for adoption early in first operative year, possibly including an early 'reconciling' LDD to reconcile significant policy inconsistencies on a shorter timescale than the SDNP Core Strategy ***NB the last 3 points are policy issues really, not delegation issues, but are clearly relevant to the delegation approach.***	• Draw together LA policies and review potential for preliminary statement of policy approach by NPA early in shadow year • Draw up draft LDS, including early 'reconciling' LDD to reconcile any significant policy inconsistencies
3 Application processing responsibilities		
Pre app discussions	NPA likely to advocate DM approach, and to add value by promoting pre-app discussion Pre-app discussions held by LA or NPA depending on determination. NP link officer to play a role in ensuring consistent approach	Pre-application discussions to be required – specific arrangements to be agreed with each LA, and may vary. Charging regimes also to be agreed with NPA and may vary. NPA to establish charging regimes for NPA pre-app discussions
EIA screening and scoping	LA role. Link officer will have a key role in screening, and may need specific authority to decide whether EIA applies. Training of LA staff in EIA scoping and screening to be agreed by NPA	
Reference numbering	LA role	Application referencing system Scheme to be agreed – eg NPA suffix. May be problems of consistency due to variety of systems *(interim solution already agreed)*

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Validation	LA role	NPA to agree minimum validation standards (not necessarily uniform at outset) Officer training to be subject to NPA approval
Registration	LA role	
Online posting	NPA/LA joint role. Preference for applications to be received by LAs, but may be legal requirement for NPA to be recipient, in which case apps would need to be transferred back to LA for validation, or else NA would need validation capacity	Need to develop SDNPA Planning IT System
Consultations	LA role. Protocol to provide for any additional consultations required by NPA to be carried out by either NPA or LA	Minimum consultation standards to be agreed by NPA at outset, with convergence to common standard over time NPA/LA protocol for consultations
Processing (*administration, not professional assessment/advice*)	LA/NPA role according to determination , but LA to process NPA applications where they retain the professional role	Explore option of LAs processing all applications, even where NPA is determining.
Professional assessment and advice and negotiations	Normally LA/NPA role according to determination but LA may retain professional role for NPA apps by agreement for specific applications, with full involvement of NPA link officer, particularly for transitional period, and lesser minors which are 'significant'	
S.106 agreements	LA/NPA role according to determination Applications initially dealt with under current LA s106 policies, until NPA s106 policy is sufficiently far advanced to be a material consideration	Review current s106 (/CIL)policies and develop NPA s106 (/CIL)policy Explore legal consequences of LAs signing agreements on NPAs behalf Monitoring and publication of s106 agreements to be required, and subject to NPA approval.
Officer Report	LA/NPA role according to determination (but where by agreement the LA is handling an NPA application the NPA report may be drafted and presented by LA officers with full involvement of NPA link officer. This may apply, particularly for the transitional period, and lesser minors which are 'significant')	

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Determination	LA/NPA role according to determination	Detailed delegation scheme
Appeals	LA/NPA role according to determination (but if LA substantially process an NPA application, they might also deal with any appeal, with full NPA involvement)	Opportunities for NPA to add value Protocol for appeal (and other legal) costs

Compliance	LAs to take lead on compliance, with NPA providing overview to ensure consistency in meeting NPA objectives. M&W compliance to continue with M&W authorities	Review systems and resources for compliance monitoring and procedural and resource implications of pan-NP compliance standards, noting that charging for compliance/discharge of conditions can raise income
4 Officer procedures and staffing	- Use existing LPA systems and procedures including officer delegation to process and determine most applications, except insofar as standardisation is necessary to meet minimum NPA standards. - Separate teams (in LAs having significant NP workload) or nominated officers (in LAs having small NP workload) (*these are intended as options for discussion*) - Competency standards to be agreed by NPA - Key role for NPA Link Officers for LAs, or groups of LAs to ensure system effectively meets NP purposes - NPA branding and identification for all applications in NP area. - NP Induction training and regular training afterwards	- Systems and procedures for in-house NP planning team - Review LPA procedures and protocols including current delegation arrangements and establish baseline standards for discussion - Need to agree how NPA/LA procedures will inter-relate - Develop options for procedures for delegated applications for discussion with LAs - Competency standards including induction and training requirements to be developed for discussion.
5 Decision Making	- NPA/LA Scheme of delegation to officers. Some NPA matters might be officer-delegated - Use existing LPA format for officer reports on delegated applications subject to agreement of format/content by NPA. - Reports to NPA committee to be to an agreed format - NPA applications referred to NPA planning committee - Delegated Committees, either Part A (NP) and Part B (non-NP) agendas, or two separate committees within the LA, one for NP and one for non-NP.*(NB this might be a menu of alternative options for discussion/agreement)* 'Cooling off' period to be agreed where LA overturns officer recommendation – authority to intervene to be used exceptionally - Appropriate branding of decision procedures and documents - Training/induction for councillors on NP matters. - Forum of NP Committee chairs	- Review existing LPA schemes of delegation to officers, agree 'minimum' delegation requirements - NPA likely to require PAS best practice standards - Develop NPA officer delegation scheme - Report formats – review and agree core components - NPA standards for Committee operation. - Explore legality of co-option on regulatory committees - Review LPA committee formats for delegated items, and agree format for NPA committee items - Develop options for SDNPA Planning Committee structure - Develop menu of committee structure options for delegated decisions for discussion - Develop training/induction programmes for Councillors - Establish forum of NP planning committee chairs

	• Co-opted NPA members for LA Committees?	

6 IT Systems	• New NPA IT-system required to monitor all applications and handle NPA applications • SDNPA website to link with planning pages on LA website(s), particularly for on-line viewing of planning applications. • Separate pages for NP applications on LA websites? • IT protocol for all LAs handling delegated applications.	• Specification for NP IT system for planning. • Develop system to link all relevant planning pages at NPA and in LPAs . • IT protocol for all LPAs handling delegated applications.
7 Finance & Performance Review	• CLG to transfer funds to SDNPA via Defra – LAs lose only small amount of RSG • LAs to be paid for services provided on an 'open book'/ trading account basis, with costs and standards converging over a three year period. • Planning application fees retained by LA, as payment on account. • Financial protocol for non-application processing work (both pre-application and post determination) between NPA and LAs • Service Level Agreement between NPA and LA, setting performance standards , and providing mechanisms for reviewing and achieving agreed standards. • Scrutiny of LA performance by NPA Committee/Panel • Peer Review	• Funding working group developing funding options • Financial protocol between NPA and LAs • Service Level Agreement • NPA likely to require quality assurance mechanisms eg monitoring/reviewing outcomes of delegated decisions • Arrangements for exercise of NPA Scrutiny role • Develop options for Peer Review – between SDNPA member authorities, and with other NPAs

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8 Ancillary planning services		
(a) Conservation Areas/ Listed Buildings/Archaeology/Ecology advisers	• Specialist NPA officers input to planning application process • Local authority specialist officers continue to provide input to the mainstream planning application process • NPA provide policy framework for CA designations, CA Character Appraisals, CA enhancement schemes, CA and LB grant schemes and other conservation work eg BPNs – possibility of 'Heritage at Risk' strategy with EH • LA staff carry out CA/LB work in accordance with NPA policy, making recommendations as appropriate.	• Opportunities for NPA to add value. • NPA to establish key objectives, and resources appropriate to achieve them, including specialist officers who can then support the planning function – delegated or otherwise • Interim agreement on policy framework for CA designations, CA Character Appraisals, CA enhancement schemes, CA and LB grant schemes, pending development of NPA policy – information/policy database required • Liaise with EH to develop Heritage at Risk strategy • Protocol for role of NPA/LA advisers • Review existing resources and establish resource input from NPA
(b) Trees and Landscape	• Specialist NPA officers input to planning application process • Local authority specialist officers continue to provide input to the mainstream planning application process • NPA provide policy framework for TPO designations, TPO works applications, tree works in conservation areas, tree planting schemes; Dutch Elm Disease control etc. • LA staff carry out other tree and landscape work, in accordance with NPA policy, making recommendations as appropriate.	• Opportunities for NPA to add value • NPA to establish key objectives, and resources appropriate to achieve them, including specialist officers who can then support the planning function – delegated or otherwise • Interim agreement on policy framework for TPO designations, TPO works applications, tree works in conservation areas, tree planting schemes, Dutch Elm Disease control etc pending development of NPA policy – information/policy database required. • Protocol for role of NPA/LA specialists • Review existing resources and establish resource input from NPA

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(c) Planning Enforcement	• LA enforcement teams carry out investigation of alleged breaches of planning control (reactive). • LA enforcement staff to undertake compliance monitoring. NPA to set minimum standards, with possibility of convergence over time • NPA to establish policy on enforcement, and to provide any additional resources necessary to achieve it • M&W authority enforcement staff to undertake M&W compliance and enforcement work including site monitoring • Specialist Planning Enforcement team(s) supplement LA enforcement resources • Protocol on formal enforcement action to establish roles of LA/NPA enforcement teams •	• Opportunities for NPA to add value • Protocol for planning enforcement roles of LA/NPA enforcement teams. • Review current approach to compliance monitoring and establish minimum standards • Develop enforcement policy for NPA
(d) Reg 3 applications	LA/NPA role depending on NP significance, as for core delegation principles (*see row 2 – delegation principles)*	•
(e) Customer Care/Complaints	• LAs use existing Customer Care standards for planning service in NP for functions delegated to them, subject to agreement of minimum standards by NPA, with convergence over time • LA/NPA handle complaints relating to cases they have handled • Periodic complaint review to identify opportunities for service improvement, jointly between NPA and LAs. NPA to establish Customer Care standards for its own services, taking into account existing LA standards	• Review current LPA customer care standards and complaints procedures, establish baseline standards and procedures for delegated NPA matters and programme for convergence. • Develop NPA Customer Care standards for NPA matters, taking into account existing LPA standards and procedures • Establish procedures for joint NPA/LA review of customer service (cross-cutting, ie not just planning)Opportunities for NPA to add value
(f) Stakeholder Engagement	• Continue existing User Groups, Design Panels, Conservation Area Advisory Committees run by LAs in the NP area, subject to NPA agreement. Additional NPA representation to be included as appropriate. NPA to consider establishing NP design panel, and to encourage LAs to establish CAACs. • NPA to review stakeholder engagement and	• Opportunities for NPA to add value. • Planning stakeholder engagement procedures for NP and for

	supplement as appropriate	each LA to be reviewed