

## Report Cover Sheet

<b>Name of Meeting:</b>	<b>Executive</b>
<b>Date of Meeting:</b>	<b>23<sup>rd</sup> July 2007</b>
<b>Report Title:</b>	Scheme of Delegation - Amendment
<b>Summary of report:</b>	The report proposes amendment of the Scheme of Delegation to allow for the revocation and variation of Tree Preservation Orders in accordance with the Town Country Planning Act 1990
<b>For Further Information Please Contact (report author):</b>	Robert Toll
<b>Would the recommended decision be contrary to the Policy Framework:</b>	No
<b>Would the recommended decision be contrary to the Budgetary framework:</b>	No
<b>Wards of the District directly affected by this decision:</b>	All
<b>Key Decision?</b>	No
<b>Included within the Forward Plan?</b>	No
<b>Is the report Private &amp; Confidential</b>	No
<b>Background Papers:</b>	

## Consultation Undertaken

Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.

Consultees	Yes/ No	Who
Other Committees	N/A	
Ward Councillors	N/A	
Portfolio Holders	Yes	Cllr John Hammon
Other Councillors	N/A	
Warwick District Council recognised Trades Unions	N/A	
Other Warwick District Council Service Areas	Legal, Leisure	
Project partners	N/A	
Parish/Town Council	N/A	
Highways Authority	N/A	
Residents	N/A	
Citizens Panel	N/A	
Other consultees	N/A	

## Officer Approval

With regard to officer approval all reports must be approved by the report authors relevant director, Finance Services and Legal Services.

Officer Approval	Date	Name
Relevant Director(s)	26 <sup>th</sup> June 2007	Craig Anderson
Chief Executive		
CMT	28 <sup>th</sup> June 2007	
Section 151 Officer	N/A	
Legal	20 <sup>th</sup> June 2007	Simon Best
Finance	25 <sup>th</sup> June 2007	Marcus Miskinis
Final Decision?		
Suggested next steps (if not final decision please set out below)		

## **1. RECOMMENDATION**

- 1.1 That the amendments to the Scheme of Delegation, as referred to in the appendix, be recommended to Council for approval.

## **2. REASONS FOR RECOMMENDATION**

- 2.1 The current scheme of delegation in relation to Tree Preservation Orders allows the creation of new Tree Preservation Orders and if no objections are received, to confirm orders. With the on going review of orders and the necessity to change or discard old or obsolete orders the delegation of powers to revoke or vary orders is essential.
- 2.2 Tree Preservation Orders need to be revoked and varied in certain situations to keep in line with government best practice as set out in the Tree Preservation Orders: A Guide to the Law and Good Practice.

## **3. ALTERNATIVE OPTIONS CONSIDERED**

- 3.1 The changes need to be made to ensure that we have delegation to fulfil our statutory duties and to perform the duties expected of us.

## **4. BUDGETARY FRAMEWORK**

- 4.1 There is no budgetary implication in making the changes.

## **5. POLICY FRAMEWORK**

- 5.1 Effective and efficient enforcement of legislation is part of our service to the community.

RELEVANT SECTIONS OF EXISTING

SCHEME OF DELEGATION

PLANNING

Trees and Hedgerows

- |       |   |   |
|-------|---|---|
| P(10) | Authority to approve the making of Tree Preservation Orders if no objections are received, to confirm the orders. | Head of Planning and Engineering, Group Leader: Development Control and his Principal Planning Officers |
|-------|---|---|

AMENDED SECTIONS

SCHEME OF DELEGATIONS

PLANNING

Trees and Hedgerows

- |       |  |   |
|-------|--|---|
| P(10) | Authority to approve the making varying and revoking of Tree Preservation Orders. In the case of making and varying (where new trees are added to an existing order) and if no objections are received, to confirm the orders. | Head of Planning and Engineering, Group Leader: Development Control and his Principal Planning Officers |
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