

## APPENDIX 3

### THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

#### ADMINISTRATION COMMITTEE – 16 FEBRUARY 2011

#### CHANGES TO THE CONSTITUTION

#### REPORT BY DIRECTOR OF LEGAL SERVICES

This report recommends changes to the Constitution in respect of the scrutiny of the Planning Department's performance.

**FOR DECISION**

### 1. Performance of the Planning Department

- 1.1 The scrutiny of the performance of the Planning Department is currently a function of the Regulation and Enforcement Review Committee. That Committee's terms of reference are:

"To consider the efficiency and effectiveness of the Council's regulatory and enforcement activity, including *the performance of the planning department and* the need for effective co-operation and collaboration between licensing and planning enforcement, and to exercise the following enforcement functions..."

- 1.2 In order to realign the scrutiny of an Executive function with a scrutiny committee it is recommended that the responsibility for scrutinising the Planning Department's performance be transferred to the Public Realm Scrutiny Committee. That Committee's terms of reference would then read (with a new paragraph 3):
1. the preservation, enhancement and protection of the built and natural environment;
  2. the scrutiny of any partnerships associated with the delivery of services within the Committee's remit;
  3. the performance of the planning department;
  4. the provision, planning and management of measures for the protection and enhancement of the quality of life in the Borough, including
    - i tourism and visitor management;
    - ii environmental quality and cleanliness;

- iii. control of pollution and contaminated land;
- iv. transport, streets and highways;
- v. traffic management and parking;
- vi. waste management;
- vii. licensing policy;
- viii. planning policy;
- ix. museums, arts and cultural services
- x. leisure services, parks and open spaces;
- xi. burials, cremation, mortuaries and coroners services;
- xii. Notting Hill Carnival.

1.3 The scrutiny of planning enforcement will remain a function of the Regulation and Enforcement Review Committee.

1.4 The Administration Committee is therefore asked to recommend the Council to amend the terms of reference of the Regulation and Enforcement Review Committee and the Public Realm Scrutiny Committee as set out above.

**FOR DECISION**

**MICHAEL COGHER  
DIRECTOR OF LEGAL SERVICES**

**Background papers:** None