

## **CITY DEVELOPMENT**

### **Head of City Development**

#### **PART A – The Scope of Delegated Authority**

The following functions are delegated to Head of City Development as set out below subject to limits on delegated authority as set out in **Part B**:

##### **1. Decision making**

1.1 Undertaking all actions in determining applications of whatever nature in relation to any Town and Country Planning legislation, the Building Act and subordinate legislation arising therefrom and in accordance with the Council's scheme of delegation.

1.2 Undertaking all actions in exercising the powers relating to the preservation of trees and important hedgerows.

*Deputies - all those holding Managerial posts, all Planning Project Officers of whatever level of seniority and all Building Control Officers of whatever level of seniority*

##### **2. Revocation**

Undertaking all actions in revoking planning consents, certificates of lawfulness or hazardous waste consents in accordance with any Town and Country Planning legislation and subordinate legislation arising therefrom.

*Deputies – Assistant Service Lead – (DM) City Development, Assistant Service Lead – Development Management (Major Projects)*

##### **3. Enforcement**

Undertaking all actions in relation to enforcement against suspected breaches of planning control and notices pursuant to the Council's power to require information as to interests in land under the Town and Country Planning Legislation or Local Government (Miscellaneous Provisions) Act 1976.

*Deputies – Assistant Service Lead – (DM) City Development, Assistant Service Lead – Development Management (Major Projects)*

##### **4. Entering Land**

The entering of land for the purposes of carrying out any function in relation to any Town and Country Planning legislation, The Building Act and subordinate legislation arising therefrom and in accordance with the Council's scheme of delegation.

*Deputies - all those holding Managerial posts, all Planning Project Officers of whatever level of seniority and all Building Control Officers of whatever level of seniority.*

#### **PART B – The Limit on Delegated Authority**

##### **1. Matters reserved**

No delegated decision shall be made in the following instances:

1. Any item considered by the Head of City Development, Chair, or Vice Chair of Planning Committee or Portfolio Holder City Development to be significant, controversial or sensitive.
2. Applications referred by the Chair or Vice-Chair of Planning Committee following Delegation Briefing.
3. City Council applications subject to objections.
4. Applications from councillors, planning officers and their close relatives (parents, children, siblings and partners).
5. Applications from members of staff which, in the opinion of the Head of City Development, are considered to be major in nature whether or not they are subject to objections.

and in such cases shall be determined by the planning committee.

## 2. Exceptions

Where compensation is payable by the Council pursuant to a revocation of whatever nature under paragraph 2 of Part A.

## 3. Matters requiring consultation or agreement

No delegated decision or function can be exercised except subject to consultation or agreement as set out below:

Function	Consultation/ Agreement	With Postholders / Group
<b>Applications</b>		
Applications that: i) Members of the Planning Committee or Ward Members have requested the application be brought to the Delegation Briefing within two working days after the formal consultation period ends (with notification to the planning officer and Head of City Development); AND ii) raise concerns of material planning considerations (which have been specified to the planning officer and Head of City Development); AND iii) officers are minded to approve under delegated powers.	Consultation	Delegation Briefing
City Council applications not subject to any objections.	Consultation	Delegation Briefing
Applications from members of staff which in the opinion of the Head of City Development are minor in nature whether or not subject to any objections.	Consultation	Delegation Briefing
Applications that have been subject to representations from a statutory consultee that express views contrary to the officer recommendation.	Consultation	Delegation Briefing
Applications that have been subject to objections from a Neighbourhood Forum (where that Neighbourhood has an adopted Neighbourhood Plan) that officers are minded to approve under delegated powers.	Consultation	Delegation Briefing

<b>Enforcement</b>		
Issue of: <ul style="list-style-type: none"> <li>Breach of Condition Notices</li> <li>Completion Notices</li> <li>Enforcement Notices</li> <li>Hazardous Substances Contravention Notices</li> <li>Stop Notices</li> <li>Temporary Stop Notices</li> <li>Urgent Works and Repairs Notices</li> </ul>	Agreement	Head of Legal & Democratic Services
Commencement of: <ul style="list-style-type: none"> <li>Injunctions</li> <li>Prosecutions</li> <li>Other formal legal proceedings or action relating to planning enforcement</li> </ul>	Agreement	Head of Legal & Democratic Services
<b>Planning Obligations (s106 Agreements)</b>		
New agreements: <ul style="list-style-type: none"> <li>securing minor infrastructure (such as BNG);</li> <li>involving sums of less than £200,000; and/or</li> <li>considered necessary with regard to planning appeals.</li> </ul>	Consultation	Chair of the Planning Committee (or Vice-Chair of the Planning Committee in their absence)
Minor variations of existing Section 106 agreements.	Consultation	Chair of the Planning Committee (or Vice-Chair of the Planning Committee in their absence)
Decisions on use of Section 106 funding where the terms are not prescribed by the agreement.	Consultation	Executive Member with relevant portfolio
Approve the use of commuted sums, as required, to acquire new affordable housing	Consultation	Executive Member with relevant portfolio and Finance and Estates Officers
<b>Neighbourhood Planning</b>		
Publicity, consideration of representations and decisions in respect of applications for neighbourhood plan areas and forums.	Agreement	Executive Member with relevant portfolio
<b>Miscellaneous</b>		
Publication of the Local Infrastructure Funding Statements (including 'Infrastructure Lists')	Agreement	Leader of the Council and Executive member with relevant portfolio
Decisions regarding the Local Infrastructure Fund not considered by the Panel	Agreement	Executive Member with relevant portfolio
Publication of: <ul style="list-style-type: none"> <li>the Brownfield Land Register</li> <li>the Custom and Self-Build Register</li> <li>Advice notes regarding new planning policy or legislation</li> <li>Five-year land supply statements</li> <li>Authority and annual monitoring reports</li> </ul>	Consultation	Executive Member with relevant portfolio

• Planning policy evidence		
Review decisions to list assets of community value and compensation reviews in relation to Assets of Community Value	Consultation	Executive Member with relevant portfolio
Provide responses on behalf of the Council to consultations from Government, government agencies, regional bodies, other Councils and local planning authorities	Consultation	Executive Member with relevant portfolio

***Deputies** – the relevant officer post holder Assistant Service Leads - City Development and/or Assistant Service Lead (Building Control), Assistant Service Lead (Local Plans) and in relation to Annual Infrastructure Funding Statement Principal Project Manager (Strategic Infrastructure Planning)*