

APPENDIX 2

ASSISTANT CHIEF EXECUTIVE - REGENERATION

The Assistant Chief Executive or in his/her absence the nominated Officer has delegated powers to :-

Delegated Power	Formally Reported	Council Executive
(A) in respect of Planning Matters		Council
Subject to a decision not being contrary to		
<ul style="list-style-type: none"> • the provisions of any development plan in force, 		
<ul style="list-style-type: none"> • any other approved policies of the Council, 		
<ul style="list-style-type: none"> • the recommendation of a consultee, or 		
<ul style="list-style-type: none"> • representations made by neighbouring residents or other members of the public; 		
and, in the absence of a notification from a Member of the Council that the application must be determined by the Planning Applications Committee, the Assistant Chief Executive has delegated powers to :-		
1. determine minor applications made under Part III of the Town and Country Planning Act 1990 and Part II of the Planning (Listed Buildings and Conservation Areas) Act 1990 (other than where the development has already been undertaken and the decision is to refuse planning permission);		Council
2. determine applications for the approval of reserved matters or details required by conditions imposed on any permission;		Council

Delegated Power	Formally Reported	Council Executive
3. determine applications to cut down, top, lop or remove trees in conservation areas, trees protected by Tree Preservation Orders, or protected by conditions imposed on planning permission;		Council
4. determine applications for consent under the Town and Country Planning (Control of Advertisement) Regulations 1992;		Council
5. determine all applications for prior approval made under the Town and Country Planning (General Permitted Development) Order 1995;		Council
6. determine all applications for prior notification under the Town and Country Planning (General Permitted Development) Order 1995 following consultation with the relevant Cabinet Member even when objections are received;	✓	Council
7. comment on minor :-		Council
(a) applications/consultations by Statutory Undertakers; and		Council
(b) proposals on which the Borough is consulted by adjoining Councils;		Council

Delegated Power	Formally Reported	Council Executive
8. determine applications made under Part III of the Town and Country Planning Act 1990, which are of economic development significance (following consultation with the Chair and Vice-Chair of the Planning Applications Committee);	✓	Council
9. determine applications for Certificates of Lawfulness of Proposed Use or Development and Certificates of Lawfulness of Existing Use or Development;		Council
10. serve Repairs Notices under Section 48 of the Planning (Listed Building and Conservation Areas) Act 1990;		Council
11. take all enforcement action permitted by the Planning (Listed Building and Conservation Areas) Act 1990 including (without implying any limitation) the issue, withdrawal and variation of listed building enforcement notices;		Council
12. issue, withdraw or vary statutory notices relating to the preservation or restoration of amenity or the completion of work on land under Section 215 of the Town and Country Planning Act 1990;		Council
13. authorise expenditure on grant earning services and surveys on all reclamation schemes approved in the short-term programme (three years), up to pre-tender approval stage;		Council

Delegated Power	Formally Reported	Council Executive
14. publicise planning applications in accordance with legislation and Council practice;		Council
15. determine applications for variations, modifications or minor amendments to approved plans and minor details reserved for approval, where these do not materially alter the form of the approved development and do not give rise to any objection from neighbouring residents or members of the public, subject to the right of any Member of the Council to refer the matter to the Planning Applications Committee for determination;		Council
16. object to the grant of Heavy Goods Vehicles Operators' s when necessary;		Council
17. undertake action to discontinue the display of an advertisement for which deemed consent is granted under the Town and Country Planning (Control of Advertisements) Regulations 1992 and to undertake enforcement action (including the authorisation of prosecutions) in all other advertisement matters;		Council
18. determine applications in respect of the display of advertising banners over the highway;		Council
19. authorise all necessary action under the Town and Country Planning Act 1990 in respect of :-		

Delegated Power	Formally Reported	Council Executive
(a) requiring information about activities on land - Section 171C;		Council
(b) requiring information as to interests in land - Section 330;		Council
(c) the issue of enforcement notices - Section 172;		Council
(d) the variation of withdrawal of enforcement notices - Section 173A;		Council
(e) the issue of stop notices - Section 183;		Council
(f) the enforcement of conditions - Section 187A; and		Council
(g) injunctions restraining breach of planning control - Section 187B;		Council
(h) temporary stop notices – Section 171E		Council
20. require the submission of an Environmental Impact Statement and the issue of screening and scoping opinions in accordance with the Town and Country (Environmental Impact Assessment) (England and Wales) Regulations 1999;		Council
21. serve Notices under Section 54 (urgent repairs) of the Planning (Listed Building and Conservation Areas) Act 1990;		Council
22. secure (in consultation with the relevant Cabinet Member) any temporary contract for socially necessary bus services not provided commercially;	✓	Cabinet
23. negotiate complete vary discharge or amend planning obligations under section 106 of the Town and Country Planning Act 1990;		Council

Delegated Power	Formally Reported	Council Executive
24. release future funding from developers and other organisations for specified works under £50,000 to be carried out as a result of planning decisions by the Council's Planning Committee (in consultation with the relevant Cabinet Member);		Council
25. decide high hedges complaints under Part 8 of the Anti-Social Behaviour Act 2003;		Cabinet
26. approve Conservation Area Character Appraisals for consultation purposes.		Council
27. make comments/representations on adjoining authorities' Local Development Framework documents, in consultation with the relevant Cabinet Member, subject to the issues raised not being significant to the strategic objectives of the Council.		Council