

**Section 1.2 Planning Delegations**

Officer Scheme of Delegation amendments

Additions in italics

The Head of Place, Arts and Economy be authorised to:

- DS (70) Determine all applications submitted to Warwick District Council as required by the Town and Country Planning Act 1990 (as amended), Town and Country Planning (Control of Advertisement) Regulations 1992, and Planning (Listed Buildings and Conservation Areas) Regulations 1990, with the exception of the following:
- (i) Applications where a written request is received from a member of Warwick District Council within the specified consultation period i.e. 21 days that Committee referral is required. Such requests should clearly state the reasons why a Committee referral is required.
  - (ii) Applications where 5 or more valid representations are received where these are contrary to the officers' recommendation unless the Head of Development is satisfied that the plans have been amended to address the concerns raised so that there are no more than four contrary representations.
  - (iii) Applications where the recommendation of the Head of Place, Arts and Economy i.e. Grant/Refuse is contrary to the representations made by a Parish/Town Council, i.e. Object/Support, except in the following circumstances:
    - a. the Head of Place, Arts and Economy is satisfied that the plans have been amended to address the concerns of the Parish/Town Council;
    - b. where the representations made by the Parish/Town Council do not raise any issues which are material to the planning assessment of the particular application; or
    - c. where the concerns of the Parish/Town Council have been previously considered as part of the assessment of an extant permission on the site and there has been no change in circumstances
  - (iv) Applications where the principle of development would represent a material departure from any policy within the Development Plan.
  - (v) Applications known to be submitted by or on behalf of a Warwick District Councillor, Warwick District Council employee or former employee of the Council, or the spouse/partner of any such person.
  - (vi) Applications submitted by Warwick District Council, *Milverton Homes (either solely or as part of another Joint Venture), any Joint Venture (or similar) the Council is part of or Warwickshire County Council*, other than for approval of routine minor developments.
  - (vii) Where applications are to be refused and enforcement action is being recommended, following consultation with the Chairman and Vice-Chairman of the Committee and the relevant ward member(s) except in the circumstances where the Head of Place, Arts and Economy considers it appropriate for that matter to be determined by Planning Committee.
  - (viii) Applications where an Environmental Impact Assessment has been provided.

- (ix) Any application which raises significant issues such that in the opinion of the Head of Place, Arts and Economy, it would be prudent to refer the application to Planning Committee for decision.
- DS (70a) In consultation with the Portfolio Holder for Place and relevant Ward Councillors, to
- (i) determine minor variations to S106 agreements
  - (ii) to enter into section 106 agreements when the application has been determined by the Head of Place, Arts and Economy under delegated authority DS(70)

### **Planning Committee Responsibility For functions**

- i. To determine planning applications and applications for listed building consent, which are not delegated to the Head of Place, Arts and Economy Development Services as set out in the Scheme of Delegation.
- V. To enter into Planning Agreements under S106 of the Town and Country Planning Act and to modify or discharge obligations contained in such agreements *which are not delegated to the Head of Place, Arts and Economy.*
- ~~vi. To determine applications for planning permission made on behalf of the District Council which are not delegated to the Head of Development Services.~~

### **Section 1.3 Licensing Panel Delegations**

#### **The Head of Safer Communities, Leisure & Environment:**

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| Number to be confirmed | Formulate and issue decision notices following consideration by the Licensing & Regulatory Committee or one of its Sub-Committees in accordance with the resolution of the Committee or Sub-Committee after consultation with the Chair of that meeting.   |
| Number to be confirmed | After consultation with the solicitor representing the Council and the Licensing Sub-Committee Members that took the decision (or in their absence, the Chair of the Licensing Committee), make minor changes to any proposed licence to mitigate the need for an appeal hearing following an appeal against a Licensing Sub-Committee decision. |

NB: where such a change is made this will be reported back to the next meeting of the Licensing & Regulatory Committee

**Delegation of Executive Functions**

**Section 1.1**

That authority be delegated to the Chief Executive, in consultation with the Leader, to agree the terms of reference for the Leamington Transformation Board.

That authority be delegated to the Chief Executive, following recommendation from the Leamington Transformation Board, to appoint the Independent Chair of the Transformation Board and agree their fee (so long as it is within the agreed budget), and conditions of appointment.

**Section 1.4**

That authority be delegated to the Head of Place, Arts & Economy in consultation with the Leader and Portfolio Holder for Planning & Place, to sign Statements of Common Ground in respect of plan-making activities, or to respond to consultations from adjacent authorities in relation to Statements of Common Ground on which the Council are consulted, except where, in the judgement of the Leader, Portfolio Holder for Planning & Place and the Head of Place Arts & Economy, the issues arising from the consultation are such that they have important strategic implications for Warwick District. Where they relate to joint plan-making work that Stratford-on-Avon District Council will be consulted prior to signing such Statements.

**Section 1.5**

The Head of Housing be delegated authority to produce, adopt and revise a Banning Order Policy, after consultation with the Housing PAB, Legal services and Housing Portfolio Holder.

The Head of Housing be delegated authority, after consultation with the Portfolio Holder for Housing, to apply for a Banning Order under the Housing and Planning Act 2016, where the criteria of the Council Banning Order Policy has been met.