

Scheme of Delegations: Strategic Director Place, Prosperity and Sustainability

The Strategic Director Place, Prosperity and Sustainability is authorised in accordance with Part E: Officer Delegation Scheme to carry out functions on behalf of Full Council and the Executive. The Strategic Director has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the Strategic Director delegates functions to a fellow Strategic Director/Director he/she makes it clear in this sub-delegation scheme whether that Strategic Director/Director can sub-delegate those functions.

This scheme details the officers who can carry out each function on the Strategic Director's behalf, together with the details of any terms and conditions which the Strategic Director has imposed on that sub-delegation.

Even though the Strategic Director has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme. An officer with sub-delegated authority may decide not to exercise that authority, or the Strategic Director may indicate that the authority should not be exercised, in respect of any individual matter. In either case that matter should be referred to the Strategic Director for a decision or for referral to the relevant Committee if appropriate.

Signed:



Philip Nell, Strategic Director of Place, Prosperity & Sustainability

Date: 15/07/2024



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Heads of Service Place, Prosperity and Sustainability (£200,000)	Head of Transport Projects Head of Major Transport Projects Head of Transport Planning & Network Strategy Head of Clean Air Zone Head of Transport Development & Information Head of HS2 Head of Project Delivery Head of Housing Development Head of Property Valuation & Sales Head of Investment Property Management Head of Operational Property Management	
Heads of Service Place, Prosperity and Sustainability (£100,000)	Housing Development Managers Head of City Centre & Design Head of Enterprise Zone and Curzon Development Head of East Birmingham Development	Head of Development Policy Head of Business and Innovation Head of European Affairs Property Strategy Delivery Manager

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Part E 3.2 (i)	To make decisions and approve expenditure relating to the functions of the Directorate providing: that the sum expended is within the approved budget for the Directorate and/or relevant portfolio, and the amount in relation to any single matter equal or exceed £200,000 or in 0 GQexce1 0 0 3.06 gorate 06 gorate 06 gorate 06 goJy

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Part E 3.2 (iv)	Where no other viable alternative exists to approve contract extensions, where no extension option in the contract exists, in accordance with the Procurement Governance Arrangements where the supplies, materials, or services to be purchased or the works to be executed do not exceed £500,000	
1.	<p>Approval of Contract extensions as above in accordance with Part D Financial, Contract and Procurement Regulations</p> <p>Note: The report author (or team member) cannot approve their own report – this should be done by another officer with appropriate delegations</p>	<p>Strategic Director or deputising officer</p> <p>in conjunction with the City Solicitor and Monitoring Officer and Strategic Director of Council Management (or their delegates)</p>
Part E 3.2 (v)	To write off any individual debts of income (including any associated court costs and bailiffs fees) within their service directorate responsibility, and after consultation with the Strategic Director of Council Management, up to the sum of £25,000 per individual or organisation, which in the opinion of the Director is considered to be uneconomical to collect or is irrecoverable. <i>All individual debts above this amount can only be written off by the Strategic Director of Council Management.</i>	
1.	Write-off debts up to £25,000 for each debtor.	Strategic Director (or deputising officer)

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Part E 3.2 (vi)	The Chief Executive and Chief Officers have delegated authority to approve and make payments in connection with the duties of the council where it holds monies in the capacity of an "Accountable Body". In all such cases where the Council is the Accountable Body, the Chief Executive or any Chief Officer has authority to make lawful payments in compliance with the terms under which the Council holds monies as the Accountable Body and in accordance with any requirements approved by the Council as Accountable Body, up to but not exceeding the total amount held under each agreement with the grant giver.	
1.	To approve and make payments in connection with the duties of the council where it holds monies in the capacity of an "Accountable Body" as above and in accordance with Part D Financial, Contract and Procurement Regulations	Strategic Director Place, Prosperity and Sustainability Director Planning, Transport and Sustainability Director Property and Investment Assistant Directors Place, Prosperity and Sustainability Heads of Service Place, Prosperity and Sustainability (£200,000)

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<p>Part E 3.2 (x)</p>	<p>The Chief Executive and the Strategic Director Place, Prosperity and Sustainability have the following additional powers to make decisions in relation to:</p> <p style="padding-left: 40px;">The acquisition and disposal of leasehold interests for rent (including the granting and surrendering of any rights over such land and property) provided that any rental does not exceed £200,000 p.a.;</p> <p style="padding-left: 40px;">The acquisition and disposal of freehold and leasehold interests at a premium, provided that the premium does not exceed £1,000,000;</p> <p style="padding-left: 40px;">The management of all of the Council’s land and properties, including the authorising and payment of discretionary contributions towards trade/loss and or removal expenses and all payments due under an approved Compulsory Purchase Order, provided that the cost does not exceed £200,000;</p> <p style="padding-left: 40px;">Save that land and property held by the Council as Trustee shall be the responsibility of the Trusts and Charities Committee</p>

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1.	As above	<p>for capital transactions (above this and below £1m will be in conjunction with the relevant Cabinet Member. For freehold and leasehold transactions, the limit is £1m for premiums on sales):</p> <p>The primary authority for these decisions is the Strategic Director Place, Prosperity and Sustainability, Director Property and Investment and Assistant Director Investment and Valuation, Assistant Director Corporate Landlord and Property and Investment Heads of Service.</p> <p>Up to £200,000 in relation to property transactions (subject to prior valuation advice being obtained from the relevant Strategic Director: Directors, Assistant Directors Place, Prosperity and Sustainability, and Property and Investment: Heads of Service Place, Prosperity and Sustainability (£200,000)</p> <p>Up to £100,000 (subject to prior valuation advice being obtained from the relevant Strategic Director: Heads of Service Place, Prosperity and Sustainability (£100,000)</p> <p>Up to £50,000 appropriate Prosperity and Investment Managers</p>

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<p>9.</p>	<p>Deal with, make, issue, review, approve, grant, allocate, refuse and decline applications, notifications and certificates in relation to the Council’s planning and development function, EXCEPT applications or notifications:</p> <p>9a) That any member of the Council requests be determined by the Planning Committee (such request to be made by email to the Director Planning, Transport and Sustainability specifying the planning grounds on which the request is made and received by the Director Planning, Transport and Sustainability within the specified consultation period for the application or notification) with the agreement of the Director Planning, Transport and Sustainability in consultation with the Chair of the Planning Committee.</p> <p>Note: The referral process does not apply to applications for Lawful Development Certificates or Lawful Use Certificates as they involve a legal determination based on the evidence submitted.</p> <p>9b) Where there is substantial local public opposition to the officer’s recommendation. ‘Substantial’ shall be considered as 20 or more representations against the recommendation or where a valid petition of more than 20 signatories has been submitted in accordance with the Council’s Rules</p> <p>9c) Where a member of the Council or an officer in the Planning Service has an interest in the property or land which is the subject of the application or notification, save for applications for householder developments where:</p> <ul style="list-style-type: none"> All other criteria within the Scheme of Delegation are met 	<p>Director Planning, Transport and Sustainability Assistant Director Development Assistant Director Planning Head of City Centre & Design Head of Enterprise Zone & Curzon Development Development Planning Managers Head of City Centre & Design City Design Manager Planning Management Specialist HS2 Householder Manager Head of Enforcement & Planning Technician Planning Management Specialist Langley & Peddimore Curzon Development Manager Enterprise Zone Programme Manager Head of East Birmingham Development East Birmingham Programme Manager East Birmingham Development Manager Head of Development Policy Head of Business and Innovation Head of European Affairs Project Manager Athletes Village Planning Policy Manager Specialist Energy Manager Area Planning Managers Development Planning Manager Capital Investment Officer</p>
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EXCEPT for:

- a variation or removal of condition,
- the renewal of an extant permission
- a minor material amendment, where the change is not substantial, and no significant objections have been received.
- reserved matters applications where the layout is policy compliant, no significant objections from consultees and the number of 3rd party objections is not substantial.

9h) Relating to Grade I and Grade II* Listed Buildings, other than minor works (including those applications or notifications relating to Grade II Listed Buildings where objection has been made through the Conservation Area Advisory process, and those applications where the relevant Secretary of State has decided to

education establishments where:

- All other criteria within the scheme of delegation are met
- There are no significant objections from consultees and the number of 3rd party objections is not substantial.

9l) requiring authorisation to enter into a S106 planning obligation (or accept a Unilateral Undertakings)

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13.	Issue a screening opinion to determine whether an Environmental Impact Assessment is required and to issue a scoping opinion;	
14.	Authorise individual named officers to exercise powers of entry;	
15.	Determine any applications where information requested has not been submitted within the specified timescale;	
16.	Determine to refuse all planning applications and other related consents where the Section 106 planning obligation has not been signed within the prescribed time and no extension of time has been agreed and;	
17.	Agree extensions of time for the completion of S106 Agreements and prepare Deeds of Variation to allow residual balances of up to £100,000 to be used in a manner to be agreed with the relevant spending department, and other Deeds of Variation where the value is similar or to increase the spend period for 106 sums, or following a section 73 application	
18.	The issue of notices and the taking of enforcement action in accordance with the Council's Planning Enforcement Policy, including instructing the City Solicitor to commence or defend any legal proceedings brought by or against the Council, including proceedings under the Town & Country Planning Act 1990, as well as instructing the City Solicitor to consider offers to settle proceedings and to conclude, sign, make, vary or seal any legal documents on behalf of the Council.	
19.	Powers and obligations relating to operational and enforcement activities under the Highways Act 1980 including (but not exclusive to) obligations, duties and powers contained from Section 139 through to Section 185 and under the New Roads and Street Works Act 1990	

<p>19a) To take action to deal with dangerous trees (including authorising officers to enter relevant premises);</p>	<p><i>For highway trees:</i></p>
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27. Invite, accept and appoint consultants for a specified period for the development and execution of approved projects;	
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31.	Issue responses to planning applications and development plan consultations received from neighbouring authorities where such responses are of strategic concern, following consultation with the relevant Cabinet Member;	Assistant Director Transport & Connectivity
32.	Issue a response to Department for Transport and other transport planning bodies on transport policy development matters where such responses raise matters of strategic design, following consultation with the relevant Cabinet Member;	Assistant Director Transport & Connectivity

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	32f) Powers and duties relating to rights of way (including closures) under the Wildlife and Countryside Act, Highways Act, Town and Country Planning Act or Clean Neighbourhoods Act	Assistant Director Transport & Connectivity Head of Major Transport Projects Head of Transport Projects Head of Transport Planning & Network Strategy Network Strategy Manager Head of Transport Development and Information
	32g) Street naming and property numbering	Assistant Director Transport & Connectivity Head of Transport Development and Information Property & Technical Development Manager
	32h) Rights of entry	Assistant Director Transport & Connectivity Head of Major Transport Projects Head of Transport Projects Head of Transport Planning & Network Strategy Head of Transport Development and Information Network Strategy Manager
	32i) Traffic Regulation Orders pursuant to the Road Traffic Regulations Act 1984	Assistant Director Transport & Connectivity Head of Major Transport Projects Head of Transport Projects Head of Transport Planning & Network Strategy Network Strategy Manager Head of Transport Development and Information

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Deal with relevant questions of design, project management, cost

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	Safety of Sports Grounds Act 1975;	
	West Midlands County Council Act 1980;	
	Local Government (Miscellaneous Provisions) Act 1982;	
	Building Act 1984;	
	Fire Safety and Safety of Places of Sport Act 1987	
	Party Wall etc Act 1996; and	
	Regulatory Reform (Fire Safety) Order 2005	
	Exercising building and consultancy services functions under the following Acts of Parliament and subordinate legislation:	
	Public Health Acts Amendment Act 1890	
	Safety at Sports Grounds Act 1975	
	West Midlands County Council Act 1980	
	Local Government (Miscellaneous Provisions) Act 1982	
	Building Act 1984	
	Fire Safety and Safety of Places of Sports Act 1987	
	Party Wall etc Act 1996	
	Regulatory Reform (Fire Safety) Order 2005	
	Regulation 16 of the Building Regulations 2010 with regard to giving notices and requiring the laying open, cutting into and pulling down the building, works or fittings	