

## **ADDENDUM TO AMENDMENTS TO THE CONSTITUTION AND APPOINTMENT OF INDEPENDENT PERSON TO STANDARDS REPORT**

### **1 RECOMMENDATIONS**

- (1) To note the following new executive responsibility and delegation as agreed by the Leader of the Council:

<b>Number</b>	<b>Description</b>	<b>Legislation</b>	<b>Executive or Non-Executive</b>	<b>Officer(s) to whom function delegated</b>
208a	Determination of applications for Certificates of Appropriate Alternative Development	Section 17 of the Land Compensation Act 1961	Executive	Corporate Director for Development and Growth  Chief Planner

- (2) To approve the amendment of the Constitution required by the above change.

### **2 REASONS FOR RECOMMENDATIONS**

- 2.1 The Land Compensation Act 1961 provides a procedure whereby both the owners of a site which is being compulsorily purchased or the body which is acquiring it may apply to the Local Planning Authority for a certificate indicating what development would have been appropriate for the land were it not being acquired. Effectively this requires a consideration of the type of development that the land could have been used for in a “no scheme” scenario and an assessment against the Policies and Guidance that were in place at the time the Compulsory Purchase Order was made and advertised. The certificate is then used as a tool in assessing the compensation due to the land owner. Such applications are quite rare but the Council has recently received an application for a Certificate of Appropriate Alternative Development (CAAD).
- 2.2 Although the processes and considerations involved in the determination of a CAAD are similar to those involved in the determination of a planning application, the determination of a CAAD, unlike a planning application, is an executive function. They do not therefore fall within the remit of the Planning Committee and are not currently addressed under the Scheme of Delegation. It is therefore appropriate for the Scheme of Delegation to be amended to allow any future applications to be determined by either the Corporate Director for Development and Growth or the Chief Planner in a similar manner as other planning applications.