


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u> Certificate of proposed lawful development for a change of use for 2 Butler Crescent, Exhall, Warwickshire, CV7 9DA	
<u>DECISION REFERENCE</u> DO/89/2025 (MW)	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc. Part 3E.3 a)
<u>DATE OF DECISION</u> 11 th April 2025	<u>DECISION MAKER (Name and Job Title)</u>  Matt Wallbank <u>Assistant Director – Democracy & Governance</u>

<p><u>RECORD OF THE DECISION</u></p> <p>a) The issue</p> <p>Under section 192 of the Town and Country Planning Act 1990, an applicant can ascertain whether any change of use or operations which are to be carried out in, on, over or under land are lawful. This can be done by applying for a certificate of lawfulness.</p> <p>An application has been received together with supporting evidence for a legal determination as to whether to issue a Certificate of Proposed Lawful Use for the proposed use of the dwelling as a home for the care of up to two children.</p> <p>The original application requested determination for a change of use from C3(a) to C3(b); however, after careful consideration between legal services and planning, and with consent from the applicant, the change of use for determination was updated to change from C3 to C2.</p> <p>b) The Decision</p> <p>The Certificate be issued for the proposed change of use</p>	<p><u>REASON FOR THE DECISION</u></p> <p>Compliance with Section 192 Town and Country Planning Act 1990</p>	<p><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION</u></p> <p>Reject the application. This was not an option in view of the submitted proposals.</p>	<p><u>WARD RELEVANCE</u></p> <p>Bede</p>	<p><u>FINANCIAL AND BUDGET IMPLICATIONS</u></p> <p>None</p>	<p><u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u></p> <p>This is a legal determination but is published on the weekly list to all Councillors. Consultation has been undertaken with the Legal Services Team and the Planning Services Team.</p>	<p><u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u></p> <p>None</p>
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<p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given).</p> <p>Not applicable</p>
<p><u>EQUALITIES IMPLICATIONS</u></p> <p>None</p>
<p><u>HUMAN RESOURCES IMPLICATIONS</u></p> <p>None</p>
<p><u>FINANCIAL IMPLICATIONS</u></p> <p>None</p>
<p><u>HEALTH EQUALITIES IMPLICATIONS</u></p> <p>None</p>
<p><u>SECTION 17 CRIME & DISORDER IMPLICATIONS</u></p> <p>None</p>
<p><u>RISK MANAGEMENT IMPLICATIONS</u></p> <p>None</p>
<p><u>SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS</u></p> <p>None</p>
<p><u>ENVIRONMENTAL IMPLICATIONS</u></p> <p>None</p>
<p><u>LEGAL IMPLICATIONS</u></p> <p>This decision complies with Section 192 of the Town & Country Planning Act 1990. Not to issue the Certificate may result in an Appeal and Costs against the Council</p>
<p><u>ANY OTHER COMMENTS</u></p> <p>None</p>
<p><u>PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER</u></p>