Directorate Scheme of Delegations: Growth and Regeneration Directorate

Introduction

In the Constitution, Full Council delegate certain powers and functions to the Executive Directors.

This is the Growth and Regeneration Directorate Scheme of Delegation to officers. It:

i) Summarises the powers and functions delegated to the Executive Director of Growth and Regeneration, in Part 1
ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the Council's Constitution, including the Council Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders. This Scheme of Delegation will need to be read in conjunction with the Finance Scheme of Delegation.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, or Full Council. Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Growth and Regeneration or via changes to the Council Schemes of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the Source.

Part 1: Functions delegated under the Constitution to the Executive Director of Growth and Regeneration

Any function of a committee falling within the portfolio of the Growth and Regeneration Directorate including functions relating to:
(a) Economy of Place;
(b) Management of Place;
(c) Property, Assets and Infrastructure
shall be executed by the Executive Director – Growth and Regeneration notwithstanding its onward delegation in the officer schemes of delegation.

Licensing Functions
All those functions set out in the terms of reference of the Licensing Committee which full council has arranged for that committee to discharge are the responsibility of the Executive Director Growth and Regeneration except for the power to institute proceedings (s. 346 Gambling Act 2005) which is the responsibility of the Director Legal and Democratic Services.

Planning and Development Control Functions
All the functions set out in the terms of reference of the Development Control Committees are delegated to the Executive Director Growth and Regeneration

Public Safety & Protection Functions
All functions set out in the Public Safety & Protection Committee terms of reference are delegated to the Executive Director Growth and Regeneration.

C.5 Public Rights of Way & Greens Functions
(a) All the functions set out in List A of the Public Rights of Way & Greens Committee are delegated to the Chief Executive.
(b) All the functions set out in List B of the Public Rights of Way & Greens Committee are delegated to the Executive Director Growth and Regeneration.

Part 2: Delegations to Officers from the Executive Director

1. Economy of Place

A. **Function:** Economic Development including (but not exclusively):
   i. European Funding Management, Delivery, and resource procurement
   ii. Managed workspace provision and management
   iii. Economic development strategy and policy
   iv. Inward investment and business retention
   v. Business Support
   vi. Business Engagement
   vii. Destination management and tourism
   viii. Sector development
   ix. High Streets and Local Centres development
   x. City Centre development

   Post holder authorised to carry out function: Economic Development Manager

B. **Function:** the delivery of BTQEZ
   Post holder authorised to carry out function: Director: Economy of Place and EZ Programme Director

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C. **Function:** To make all day-to-day management decisions relating to the Council's functions as they relate to Markets
Post holder authorised to carry out function: Director: Economy of Place

D. **Function:** City Transport
Post holder authorised to carry out function: Head of City Transport

E. **Function:** Transport Development Management
   i. To make act on behalf of Highway and Transport Authority on transport matters as a statutory consultee on planning applications
   ii. To be responsible for making and administering highway agreements related to planning matters
   iii. To supervise highway works and issue Certificates in respect of the Highways Act 1980.
Post holder authorised to carry out function: Head of City Transport

F. **Function:** Gating Orders
   i. To prepare and advertise a Draft Order proposing closure of highway for 28 days consultation.
   ii. Decision to authorise the making of Gating Order to allow the closure of highway (to be reviewed annually).
Post holder authorised to carry out function: Head of City Transport

G. **Function:** Flood Risk Management
   i. Discharging of the duties placed on Bristol City Council as the Lead Local Flood Authority as defined in the Flood and Water Management Act 2010.
Post holder authorised to carry out function: Head of City Transport

H. **Function:** Flood Risk Management
   i. Discharging of duties placed on Bristol City Council as defined in the Land Drainage Act 1991.
Post holder authorised to carry out function: Flood Risk and Data Manager

I. **Function:** Concessionary Bus Travel
   i. To determine applications for passes which provide entitlement to concessionary bus travel
Post holder authorised to carry out function: Information and Engagement Group Manager

J. **Function:** Traffic Regulation and Management Orders
   i. Authority to prepare, consult upon and advertise permanent orders and statutory notices
Post holder authorised to carry out function: Head of Traffic and Highways Maintenance and Head of City Transport

K. **Function:** Traffic Regulation and Management Orders
   i. Prepare consult and design any traffic regulation or management scheme which is included in any Traffic Management Work Programme or is intended to facilitate the carrying out of any new development
Post holder authorised to carry out function: Head of Traffic and Highways Maintenance and Head of City Transport

L. **Function:** Traffic Regulation and Management Orders
   i. To authorise the variation of the effect of any Experimental Traffic Regulation Order made pursuant to Ri below

   Post holder authorised to carry out function: Head of City Transport

M. **Function:** Traffic Regulation and Management Orders
   i. To advertise, consult, notify and otherwise carry out all statutory procedures (including the making of any required Experimental Traffic Regulation Order) in respect of any scheme for which the preparatory work has been carried out.

   Post holder authorised to carry out function: Head of City Transport and Director: Economy of Place

N. **Function:** Traffic Regulation and Management Orders
   i. Where a Permanent Traffic Regulation Order is required in respect of the scheme and the Director does not wish to discuss any objections with the Executive Director or no objections are received to the proposal to make the order, **decision to** make and seal the order; and
   ii. Where an Experimental Traffic Regulation Order has been made and the Director does not wish to discuss any objections with the Executive Director or no objections have been received in response to it, **decision to:**
   iii. Make and seal a further Order modifying the provisions of the Order pursuant to (c) above; and
   iv. Make and seal a Permanent Order continuing indefinitely the provisions of the Experimental Order.

   Post holder authorised to carry out function: Director: Economy of Place

O. **Function:** Traffic Regulation and Management Orders
   i. Decision to carry out all necessary notification and other statutory procedures in respect of the installation of any pedestrian crossing.

   Post holder authorised to carry out function: Director: Economy of Place

P. **Function:** Traffic Regulation Orders for Parking Restrictions
   i. Authority to prepare detailed designs in respect of any traffic regulation order that is required as a result of reviewing existing parking restrictions within the Civil Enforcement Area and Special Enforcement Area as required under the Road Traffic Act 1991.
   ii. Where any traffic regulation order or parts of an order advertised is unopposed, and it appears to the Service Director Transport expedient to introduce all or some of those parts immediately and before the introduction of the remainder of the proposal, **decision to** authorise the sealing of an Order in respect of those parts.

   Post holder authorised to carry out function: Head of City Transport

Q. **Function:** Minor changes to the Controlled Parking Zone
   i. Authority to implement minor changes to the extent and operation of the Controlling Parking Zone.

   Post holder authorised to carry out function: Head of City Transport and Head of Traffic and Highways Maintenance

R. **Function:** Minor changes to the Controlled Parking Zone

i. **Where** an order or notice pursuant to the Road Traffic Regulation Act 1984 or otherwise is necessary to implement a minor change, **decision to** carry out statutory advertisement, consultation and notification and all other measures required prior to making the order or notice and, where a Traffic Regulation Order is required in respect of the minor change and no substantial objections are received to the proposal, to make and seal the order.

Post holder authorised to carry out function: Director: Economy of Place

S. **Function:** Stopping Up Orders
   i. To make comments to the relevant Government Office in respect of highway closures under the Town and Country Planning Act 1990.

   Post holder authorised to carry out function: Head of City Transport

T. **Function:** Speed Limits
   i. To initiate Speed Limit Orders together with the advertisement and sealing of these orders if no substantial objections are received.

   Post holder authorised to carry out function: Head of City Transport

U. **Function:** Sustainable Transport, including:
   i. Passenger Transport
   ii. Infrastructure
   iii. Engagement and Support Services
   iv. Public Transport

   Post holder authorised to carry out function: Head of City Transport

V. **Function:** Bus and Coach Stops & Stands, Taxi Ranks
   i. To exercise powers for installation, maintenance, re-siting and removal including poles and flags, shelters, raised platforms, road markings, information displays, CCTV and litter bins.
   ii. Determining service allocations.

   Post holder authorised to carry out function: Group Manager: Public Transport

W. **Function:** Traffic Regulation Conditions
   i. To make an application to the Traffic Commissioner for the imposition of conditions on local bus services where required to regulate their routes and/or stopping place / locations / times / duration.

   Post holder authorised to carry out function: Head of City Transport

X. **Function:** Development Management

   Post holder authorised to carry out function: Chief Planner / Head of Planning Services; Development Management Team Managers and Principal Development Management Officers

Y. **Function:** Authority for the making of comments on planning applications situated within the boundary of neighbouring local planning authorities

   Post holder authorised to carry out function: DM Team Managers and Chief Planner / Head of Planning Services

Z. **Function:** Building Regulations and Standards, including:
   i. Statutory building control service
   ii. Enforcement of the building regulations

iii. Control of demolitions

iv. Appointee of 3rd Party Wall surveyor under the Party Wall Act 1996

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; Building Control Managers and Building Control Team Managers

AA. **Function:** Control of Dangerous Structures - to exercise powers contained Section 78(1) of the Building Act 1984 (Dangerous Buildings – emergency measures).
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers, Principal Structural Engineer, Dangerous Structure call out team. (Designated Proper Officers).

BB. **Function:** To authorise proceedings for contravention of Section 37 of the Public Health Act 1890 ('Safety of Platforms, &c. erected or used on public occasions')
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers. (Designated Proper Officers).

CC. **Function:** Authentication of documents, etc. Building Act 1984 – Section 93
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers, Principal Structural Engineer, Dangerous Structure call out team. (Designated Proper Officers).

DD. **Function:** To issue requisitions for information pursuant to the provisions of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976
Post holder authorised to carry out function: Building Control Manager and Building Control Team Managers. (Designated Authorised Officers)

EE. **Function:** Sustainable City and Climate Change
Post holder authorised to carry out function: Sustainable City and Climate Change Manager, Sustainable City Team Manager, Environmental Performance Manager and Climate Change Team Manager

FF. **Function:** Strategic Planning, including:

i. Neighbourhood Planning
ii. Strategic Planning at sub regional and local level
iii. Maintenance of statutory local development plan, excluding matters relating to the adoption of the Site Allocations and Development Management Policies Local Plan and other Development Plan Documents, which require approval by Full Council, in accordance with the Council's Constitution.

Post holder authorised to carry out function: Chief Planner / Head of Planning Services,

GG. **Function:** The making of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 as amended
Post holder authorised to carry out function: Director: Economy of Place

HH. **Function:** Community Infrastructure Levy and Planning Obligations
Post holder authorised to carry out function: Director: Economy of Place; Planning Obligations Manager

II. **Function:** Designation of the boundary of a Neighbourhood Planning Area (NPA)
Post holder authorised to carry out function: Chief Planner / Head of Planning Services

JJ. **Function:** Designation of the 'Qualifying Body' to act as Neighbourhood (Planning) Forum for a determined NPA
Post holder authorised to carry out function: Chief Planner / Head of Planning Services

KK. **Function:** Residual planning functions such as preparation of supplementary planning guidance, designation of conservation areas, areas of archaeological interest and nature reserves and making compulsory purchase orders.
Post holder authorised to carry out function: Director: Economy of Place

LL. **Function:** Culture including (but not exclusively):
a. bidding for small scale funding Bids
b. Awarding of small scale arts grants
c. Support of the cultural sector
d. Operational running of our Cultural Venues
e. The SLA Service Delivery for Bristol Beacon / Bristol Music Trust
f. Approval of policies and plans for Bristol Museums service and Bristol Archives

Post holder authorised to carry out function: Head of Culture and Creative Industries

MM. **Function:** To make all day-to-day management decisions relating to the Council's functions as they relate to Events and Conferences (at Bristol Museum and Art Gallery and M-Shed.
Post holder authorised to carry out function: Head of Culture and Creative Industries

2. Management of Place

A. **Function:** Traffic and Highways
Post holder authorised to carry out function: Head of Highways and Head of City Transport

B. **Function:** Adoption of private streets after execution of street works.
i. To serve statutory notices in accordance with s.228 of the Highways Act 1980.
Post holder authorised to carry out function: Head of Highways

C. **Function:** Parking, Bus Lane, Moving Traffic and Clean Air Zone Enforcement
To carry out all necessary work with regard to de-criminalised parking, bus lane, moving traffic and clean air zone enforcement within the Civil Enforcement Area and Special Enforcement Area under the provisions of the Road Traffic Regulation Act 1984 the Traffic Management Act 2004, the Transport Act 2000 and any other enactment to include the following:
i. To deal with all matters relating to the issuing and processing of Penalty

Charge Notices, including determining representations made against the Notices, cancellation of Penalty Charge Notices and all subsequent actions regarding non-payment of notices.

ii. To deal with all matters relating to the processing of appeals against the issue of Penalty Charge Notices that have been made to the Traffic Penalty Tribunal, including where necessary, not to contest appeals and cancellation of Penalty Charge notices.

Post holder authorised to carry out function: Head of Highways; Parking Manager; PCN Appeals & Moving Traffic Enforcement Manager and Senior PCN Appeals Team Officer (BG11 only).

D. **Function:** Parking Facilities

i. To determine requests for the use of off-street car parks and on-street parking where restrictions are in place under a traffic regulation order, and to grant or refuse permission to individuals or organisations for their use.

Post holder authorised to carry out function: Head of Highways; Parking Manager; Parking Services Infrastructure Team Manager

E. **Function:** Disabled Persons Parking Badges (Blue Badge Scheme)

i. To determine applications for and to issue Blue Badges, and to withdraw the facilities offered under the Blue Badge Scheme if there is evidence of on-going misuse, (even if the badge is not issued by the authority).

Post holder authorised to carry out function: Head of Highways; Parking Manager; Parking Services Business and Permit Manager

F. **Function:** Issuing of Parking Permits

i. To carry out all necessary work relating to the issue of parking permits within designated controlled parking zones (permitted parking areas and residents' parking schemes) within the Civil Enforcement Area and Special Enforcement area.

Post holder authorised to carry out function: Head of Highways; Parking Manager; Parking Services Business and Permit Manager

G. **Function:** Off-Street Parking Orders

i. To include land within an appropriate parking order and designate land as an off-street parking place.

Post holder authorised to carry out function: Head of Highways; Parking Manager; Parking Services Infrastructure Team Manager

H. **Function:** Advisory Disabled Parking Bays

i. To administer and process (including approval or refusal of) all applications for disabled persons parking bays and white line advisory markings.

Post holder authorised to carry out function: Head of Highways; Head of City Transport; Parking Manager; Parking Services Infrastructure Team Manager; Group Manager Road Safety and Local Engineering

I. **Function:** Erection of Traffic Signs

i. To deal with all matters relating to the erection, alteration, maintenance and removal of traffic signs, signals and road markings.

Post holder authorised to carry out function: Network Operations Team

Manager; Head of Highways ; Head of City Transport

J. **Function:** Temporary Traffic Orders / Notices
   i. To carry out all preparatory work for the making of Temporary Traffic Regulation Orders and Notices under the Road Traffic Regulation Act 1984 or otherwise and to determine and levy charges.

   Post holder authorised to carry out function: Director: Management of Place; Head of Highways and Networks Operation Team Manager

K. **Function:** Temporary Traffic Orders / Notices
   i. Decision to authorise the making and sealing of Temporary Traffic Regulation Orders and Notices under the Road Traffic Regulation Act 1984 or otherwise.

   Post holder authorised to carry out function: Director: Management of Place; Head of Highways and Networks Operation Team Manager

L. **Function:** Temporary Traffic Orders / Notices
   i. To make and execute Temporary Traffic Notices under the Road Traffic Regulation Act 1984.

   Post holder authorised to carry out function: Head of Highways; Networks Operation Team Manager; Network Management lead officers and Emergency Highways Officers

M. **Function:** Street Fairs – Temporary Road Closure
   i. To approve applications for temporary road closures under Section 21 of the Town Police Clauses Act 1847 if no substantial objections arise from the consultative process.

   Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

N. **Function:** Stopping Up and Diversion Orders
   i. To confirm any public footpath, bridleway or road used as a public path or byway stopping up or diversion orders where no substantial objections have been received or where the objections made have been withdrawn.

   Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

O. **Function:** Creation / Diversion or Extinguishment
   i. To exercise powers to effect the creation, diversion, extinguishment or stopping-up of adopted highways and footpaths which are directly associated with planning applications determined under delegated authority.

   Post holder authorised to carry out function: Director: Management of Place

P. **Function:** Adoption of Highways
   i. To be responsible for issuing Certificates under the Highways Act 1980 in respect of the adoption of highways.

   Post holder authorised to carry out function: Head of City Transport; Transport Development Management Manager

Q. **Function:** Adoption of Highways

i. Duty to keep register of adopted highways.

Post holder authorised to carry out function: Head of Highways and Highway Maintenance and Assets Manager

R. **Function:** Street Naming and Numbering
   i. To serve statutory notices, the naming of streets and numbering of properties under any duty or power contained in the following Acts:
      a. Public Health Act 1925
      b. Towns Improvement Clauses Act 1847

   Post holder authorised to carry out function: Head of Highways and Highway Maintenance and Assets Manager

S. **Function:** Designation of Principal Roads
   i. To review, revise and make applications for Principal Road status for those routes which are considered appropriate.

   Post holder authorised to carry out function: Head of Highways and Highway Maintenance and Assets Manager

T. **Function:** Goods Vehicles Operators' Licences
   i. To make representations about, negotiate improvements or submit objections to any licence application where considered necessary. Present evidence at any subsequent public inquiry.

   Post holder authorised to carry out function: Director: Management of Place

U. **Function:** Duty to serve notice of proposed action in relation to obstruction (section 115E of the Act).
   Post holder authorised to carry out function: Head of Highways and Network Operations Manager

V. **Function:** Functions relating to the making good of damage and the removal of obstructions (section 135B of the Act).
   Post holder authorised to carry out function: Head of Highways and Network Operations Manager

W. **Function:** Powers relating to the removal of things so deposited on highways as to be a nuisance (section 149 of the Act).
   Post holder authorised to carry out function: Head of Highways and Network Operations Manager

X. **Function:** Powers to remove structures from the highway (s.143 of the Highways Act)
   Post holder authorised to carry out function: Head of Highways (Designated Proper Officer).

Y. **Function:** Power to approve Pavement Licences under Part 1 and Section 3 of the Business and Planning Act 2020
   Post holder authorised to carry out function: Head of Highways, Team Manager - Highway Maintenance and Assets, Network Operations Team Manager

Z. **Function:** City Events and Festivals (and any other events as the need arises)

i. Site Permissions and contracts for events & festivals on City Council land

Post holder authorised to carry out function: Regulatory Services & City Events Manager and Head of Highways

AA. **Function:** Management and Maintenance of Parks and Green Spaces including trees, allotments and small holdings, children's play and associated youth facilities, outdoor sports pitches, buildings and facilities.
Post holder authorised to carry out function: Head of Parks and Green Spaces Parks Services Manager; Area Parks Managers; Parks Development Manager; Parks Assets and Projects Manager; Landscape Works and Play Manager; Trees and Woodlands Manager; Allotments and Smallholdings Manager; and Allotments Officer

BB. **Function:** Management and Maintenance of Cemeteries and Crematoria
Post holder authorised to carry out function: Head of Parks and Green Spaces; Parks Commercial Manager; Business Unit Manager - Cemeteries and Crematoria

CC. **Function:** Management and Maintenance of Blaise Nursery
Post holder authorised to carry out function: Head of Parks and Green Spaces; Parks Commercial Manager; Business Unit Manager - Nursery

DD. **Function:** Management of catering in Parks and Green Spaces
Post holder authorised to carry out function: Head of Corporate Landlord, Senior Operations Manager, Business Unit Manager - Catering

EE. **Function:** Management of concessions in Parks and Green Spaces
Post holder authorised to carry out function: Head of Parks and Green Spaces; Senior Operations Manager; Commercial Development Manager

FF. **Function:** Tree management in parks, green spaces and other council land
Post holder authorised to carry out function: Head of Parks and Green Spaces; Parks Estates Manager; Area Parks Managers; Trees and Woodlands Manager; and Tree Officer

GG. **Function:** Harbour

i. City Docks and Port Authority functions
Functions include those where legislation confers duties or powers upon the Council in its capacity to act as Port Authority for the Bristol City Docks, including the following acts and all other legislation of a like kind:
- Bristol Docks Acts and Orders 1848 to 1998,
- Harbours Docks and Piers Clauses Act 1847,
- The Bristol City Docks Harbour Revision Order 1998

Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master and Harbour Estate Manager

HH. **Function:** Harbour

i. Management and Maintenance of Harbours Estate, building, facilities, open space, events, and commercial property.

Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master and Harbour Estate Manager

II. **Function:** Harbour
   i. To issue licences for “works” within the provisions of the City Docks Harbour Revision Order 1988.
   Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master.

JJ. **Function:** Harbour
   i. To licence Pilots and Hobblers
   Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master.

KK. **Function:** Harbour
   i. To be the Duty Holder under the provisions of the Port Marine Safety Code.
   Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master.

LL. **Function:** Harbour
   i. Power for the enforcement of Local Harbour Byelaws.
   Post holder authorised to carry out function: Director Bristol Harbour Authority/Harbour Master.

MM. **Function:** Harbour
   i. Power to licence pleasure boats, live aboard boats and pleasure vessels Section 94 of the Public Health Acts Amendment Act 1907 (c.53).
   Post holder authorised to carry out function: Director Management of Place, Director Bristol Harbour Authority/Harbour Master.

LL. **Function:** To make all day-to-day management decisions relating to the Council’s functions as they relate to Docks Estates
   Post holder authorised to carry out function: Director: Management of Place

MM. **Function:** Civil Contingencies (Emergency Preparedness & Resilience Team)
   Post holder authorised to carry out function: Head of Service, City Management & Response and Emergency Preparedness, Risk, Resilience & Continuity Manager

NN. **Function:** Bristol Operations Centre (BOC)
   Post holder authorised to carry out function: Head of Service, City Management & Response and BOC Manager

OO. **Function:** Libraries including (but not exclusively):
   i. Management and maintenance of Libraries
   ii. Maintenance and purchasing of materials for reference and loan
   iii. Statutory responsibility for providing a library service
   iv. Partner of Libraries West 7 authority consortium
   Post holder authorised to carry out function: Head of Libraries, Libraries Management Team

3. Property, Assets and Infrastructure

A. **Function:** Major Projects including (but not exclusively):
   i. Avonmouth and Severnside Enterprise Area (ASEA)

Post holder authorised to carry out function: Director: Property, Assets and Infrastructure

Energy

The Head of City Leap Client and Energy Service is delegated by the Director: Property, Assets and Infrastructure to manage the proper use of the operational, budgetary, staffing and other resources of the City Leap Client and Energy Service as outlined below.

B. **Function:** City Leap Client Team including
(i) City Leap strategic partnership relationship management, assurance and delivery
(ii) Energy supply
To make all day to day management decisions as they relate to the operation of the council's City Leap Client and Energy Service Team.
Post holder authorised to carry out function: Head of City Leap Client and Energy Service

C. **Function:** Energy
   i. Functions relating to signing and management of works, funding, loans, carbon purchases or services contracts for work carried out for the City Leap Client and Energy Service, including any goods, works or services to be provided by City Leap.

Post holder authorised to carry out function: Works funding, loans, purchases or services of between £100,000 and £250,000 - Director: Property, Assets and Infrastructure
Works, funding, loans, purchases or services up to £100,000 – Head of City Leap Client and Energy Service provided either i a detailed investment appraisal (where appropriate) have been carried out and agreed with colleagues from Resources Directorate or (ii) the City Leap Project Acceptance Process has been completed.

D. **Function:** Energy
   i. Functions relating to the installation of energy infrastructure, energy efficiency or renewable energy measures, including such schemes delivered under the City Leap Partnership, including all elements of approval of projects under the Project Acceptance Process.

Post holder authorised to carry out function:
Programmes of work or individual projects of more than £100,000 - £250,000 - Director: Property, Assets and Infrastructure, provided that in relation to projects delivered by the City Leap strategic partner they are satisfied that the Project Approval Process has been completed.

Programmes of work or individual projects of more than £25,000 - £100,000 – Head of City Leap Client and Energy Service, provided that in relation to projects delivered by the City Leap strategic partner they are satisfied that the Project Approval Process has been completed.

Programmes of work and individual work packages up to £25,000 – City Leap Programme Assurance Managers

F. **Function:** Functions related to the operation and maintenance (O&M) of council owned energy infrastructure assets, and delivery of the council's energy, heat and water supplies.

Post holder authorised to carry out function:
Works funding, loans, purchases or services relating to operation and maintenance contracts for low carbon energy infrastructure assets or energy, heat and water supplies of more than £100,000 - £250,000 - Director: Property, Assets and Infrastructure, provided that in relation to projects delivered by the City Leap strategic partner they are satisfied that the Project Approval Process has been completed.

Works funding, loans, purchases or services relating to operation and maintenance contracts for low carbon energy infrastructure assets or energy, heat and water supplies of more than £25,000 - £100,000 – Head of City Leap Client and Energy Service , provided that in relation to projects delivered by the City Leap strategic partner they are satisfied that the Project Approval Process has been completed.

Works funding, loans, purchases or services relating to operation and maintenance contracts for low carbon energy infrastructure assets or energy, heat and water supplies of up to £25,000 – Energy Supply Manger.

E. **Function:** Neighbourhood Enforcement and Street Scene
   i. Clean Streets, Enforcement Concession, Community Toilet Scheme, collecting charges for chargeable domestic waste, bulky waste.

Post holder authorised to carry out function: Neighbourhood Enforcement and Street Scene Manager; Street Scene Team Leader; Project Development Officer and Project Support Officer

F. **Function:** Neighbourhood Enforcement and Street Scene
   i. Neighbourhood Enforcement including waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, accumulations which are detrimental to the amenity of an area, highways obstructions & unauthorised works or damage to highways.

Post holder authorised to carry out function: See Regulatory enforcements delegations below.

G. **Function:** Facilities Management
   i. Functions relating to Facilities Management

Post holder authorised to carry out function: Head of Corporate Landlord

H. **Function:** Facilities Management
   i. To authorise changes under maintenance contracts

Post holder authorised to carry out function: Head of Corporate Landlord

I. **Function:** Facilities Management
   i. To make all day-to-day management decisions relating to the Council's functions as they relate to Cash in Transit

Post holder authorised to carry out function: Head of Corporate Landlord

J. **Function:** Facilities Management
   i. To make all day-to-day management decisions relating to the Council's functions as they relate to Fleet Services

   Post holder authorised to carry out function: Head of Corporate Landlord

K. **Function:** Facilities Management
   i. To make all day-to-day management decisions relating to the Council's functions as they relate to Events and Conferences (including the Create Centre)

Post holder authorised to carry out function: Head of Corporate Landlord

I. **Function:** Management of catering in Parks and Green Spaces
   Post holder authorised to carry out function: Head of Corporate Landlord, Senior Operations Manager, Business Unit Manager- Catering

Property Scheme of Delegations

The Director: Property, Assets, and Infrastructure, will undertake the role of 'corporate landlord'.

In this scheme the term 'land' means real estate of whatever nature including land, buildings, or structures, plus any rights over, under or through the land.

Property Transactions
In the course of its day-to-day business, the Council enters into a variety of land agreements and performs a number of transactions, including those listed below:

1. Freehold acquisitions, disposals, including agreements for the exchange of assets; (will be authorised by Service Manager and / or above)
2. Leasehold acquisitions and disposals, including disposals by way of a short tenancy as defined by S123 of the Local Government Act 1972; (will be authorised by Service Manager and /or above)
3. Agreeing terms for the completion of all rent reviews, renewals of leases, the granting and renewals of licences including referrals to court or, for independent determination;
4. Undertaking transactions including agreeing compensation, issuing notices, entering into deeds of variation or rectification and the giving and withholding of consents under the Landlord and Tenant Act 1954 and other relevant Legislation e.g., Section 146 of the Law of Property Act 1925;
5. Agreeing terms for the sale of freehold reversions under the Leasehold Reform Act 1967 and sale of rent charges;
6. Taking action to safeguard Council land and buildings including taking entry into tenant's premises for the purpose of executing emergency works;
7. Entering into planning agreements as landowner;
8. Release of covenants;

9. Taking and granting easements, way leaves and rights of way;
10. Options Agreements; (will be authorised by Service Manager and / or above)
11. Lease surrenders and exit agreements (including dilapidations);
12. Changes under maintenance contracts i.e., only where there is an existing condition of contract (and in accordance with Corporate Procurement Rules);
13. Appointing agents and procuring consultants and contractors in accordance with Corporate Procurement Rules and Finance Regulations
14. To write-off rent arrears in respect of any single lease / tenancy. Not exceeding the greater of 2-years rent or, £10,000 (will be authorised by Service Manager and / or above);
15. Issuing instructions to the Legal Team to take possession proceedings against lessees, tenants or licensees for breach of covenant including taking actual possession;
16. Authorising applications in landowner capacity for consent or change of use under the Town and Country Planning Act 1990;
17. Authorising the transfer of land between consenting executives and the associated appropriation of statutory purpose;
18. Advertising proposals to appropriate and / or dispose of public open space land, subject to any objections being subsequently reported to the appropriate Committee.
19. Authorising the transfer of purpose for holding land (and the associated appropriation) to defend against possible T&VG's and to prevent objections to developments being anything other than a compensatable matter (rather than being able to prevent developments taking place) and
20. Compulsory acquisitions and land compensation claims (will be authorised by Service Manager and / or above).

Conditions

1. All Key decisions will be taken by the relevant Policy Committee. The Council's constitution defines a Key decision as one that is likely to:

   a) result in expenditure or savings of £500,000 or more (this excludes the sale of land) or,
   b) be significant in terms of its effect on communities living or working in an area comprising two or more wards.

2. The reporting of transactions will be in accordance with the requirements of 'Key' and 'Officer Decision Notices". This could be quarterly if volume is significant.

3. Officers will brief the relevant Committee Chair on the following before making delegated decisions:

    a) decisions that are not Key decisions but are otherwise significant (e.g., because they are controversial, or of particular interest to the public and / or councillors);
    b) the medium-term corporate property disposal plan (updated quarterly).

4. Whenever any of the Property transactions above (Nos. 1-19) have a direct positive or neutral financial consequence for the Council and are in compliance with S123 of the Local Government Act 1972 (and any subsequent variations) namely a disposal of land for the 'best consideration that can reasonably be obtained', authorisation will be at the discretion of the Service Manager or Head of Corporate Landlord, at BG14 (and above) with the minimum qualification of MRICS, unless otherwise stated.

5. Whenever any of the Property transactions above (Nos. 1-19) have a direct negative financial consequence for the Council, whereby less than 'best consideration is to be obtained' (thereby creating an undervalue, subsidy, compensation or rent reduction) approval will be required to authorise such property transactions prior to completion, as below.

6. In the case of Property transaction No. 20. All acquisitions of property through compulsory acquisition will require authority from the relevant Policy Committee. Following approval by the Policy Committee, the level and payment of compensation and other costs within the approved budget for compulsory acquisition will require Service Manager or Head of Corporate Landlord approval.

Amount (capitalised)	**Approval required**
Up to £25,000	Property Service Manager with the minimum qualification of MRICS
In excess of £25,000 but less than £100,000	Head of Corporate Landlord with the minimum qualification of MRICS
£100,000 but less than £250,000	Director: Property, Assets and Infrastructure in consultation with Service Manager or Head of Corporate Landlord with the minimum qualification of MRICS
£250,000 but less than £500k	Director: Property, Assets and Infrastructure in consultation with Service Manager or Head of Corporate Landlord with the minimum qualification of MRICS and with approval of the Section 151 Officer and relevant Committee Chair

Amount (capitalised)	**Approval required**
£500,000 and above, but not more than £1m	Policy Committee. Post approval of the Key decision - the requisition or payments can only be authorised by: Executive Director (following consultation with the Budget Holder)
Over £1m	Policy Committee. Post approval of the Key decision - the requisition or payments can only be authorised by: Section 151 Officer, in consultation with the Director: Property, Assets and Infrastructure
Over £2m	Policy Committee. Post approval of the Key decision - the requisition or payments can only be authorised by: Section 151 Officer, in consultation with the Director: Property, Assets and Infrastructure. Once Council authority is obtained the Secretary of State's approval to be obtained before implementation.

In the event for example, that sales at undervalue give rise to a state aid or other issue, all issues will be resolved or resolution actions agreed before delegation is sought. All risks to proceeding to transact will be stated in the valuation and delegated authority request so the prospective signatory will be advised of the risks and be able to consider before signing or, not.

Notes

1. Best consideration will be as defined by S123 of the Local Government Act 1972 (and any subsequent variations).

2. All transactions will be accompanied by a signed and countersigned valuation in accordance with RICS best practice.

3. In all cases of a request for authority to act under delegated powers, the form will be signed by separate parties therefore; the requester shall not be the decision-maker.

   All expenditure will be in accordance with the Financial Regulations.

4. Where property is acquired for the purpose of investment, the role of the Committee Chair with responsibility for Property shall be discharged in consultation with the Committee Chair with responsibility for Finance and written delegated authority will be obtained from the Councils Chief Finance Officer.

5. Any moveable assets located within properties proposed for sale, that would be included as part of the sale (e.g. paintings) will be subject to

separate consideration and in accordance with paragraph seven of the Finance Scheme of Delegations

6. Under Section 123 of the Local Government Act 1972, local authorities (LA) have powers to dispose of land and buildings (including the sale of freeholds, granting and assigning of leases and the granting of easements) for the best consideration reasonably obtainable. A Discount (Undervalue) of up to £2m may be agreed, under the General Disposal Consent (England) 2003, subject to the LA being satisfied that the disposal will secure the promotion or improvement of the economic, social or environmental well-being.

7. If the undervalue exceeds £2m Government approval will be required.

8. Additionally, certain types of disposal may require Statutory consent e.g., Education sites, playing fields and allotments.

9. Once land and buildings have been declared surplus to requirements, the Head of Corporate Landlord or Director with responsibility for Property will arrange for the disposal of these assets in accordance with the Council's property strategy.

10. The proceeds from the sale of all land and buildings (subject to certain statutory limitations) will not be earmarked for use by a specific service but will be pooled and applied to finance future capital investment or, for any other purpose permitted by Regulation (which may if approved, include investment / re-investing into investment property).

Delegated Officers

The Executive Director, Growth and Regeneration has authorised the delegated officers identified in schedule 2 to exercise the functions set out in the Terms of Reference of the Public Rights of Way and Greens and Development Control Committees including, but not restricted to:

- imposing any condition, limitation or restriction on an approval, consent, licence, permission, or registration.
- determining whether and in what manner to enforce a failure to comply with an approval, consent, licence, permission or registration.
- amending, modifying, varying, or revoking an approval, consent, licence, permission or registration.

1. Economy of Place

A. **Function:** Planning
   i. Power to determine application for planning permission.
   Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)

   Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

B. **Function:** Planning
   i. Power to determine applications to develop land without compliance

with conditions previously attached.
Section 73(A) of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

C. **Function:** Planning
   i. Power to grant planning permission for development already carried out.
   Section 73(A) of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

D. **Function:** Planning
   i. Power to decline to determine application for planning permission
   Section 70A of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

E. **Function:** Planning
   i. Duties relating to the making of determinations of planning applications.
   Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure Order 1995 (S.I. 1995/419 and directions made there under).

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

F. **Function:** Planning
   i. Power to determine application for planning permission made by a local authority, alone or jointly with another person.
   Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

G. **Function:** Planning
   i. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.
   Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and country Planning (General Permitted Development) Order 1995

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator. Team Leader, Admin & Business Support

H. **Function:** Planning
   i. Power to enter into agreement regulating development or use of land.
   Section 106 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

I. **Function:** Planning
   i. Power to issue a certificate of existing or proposed lawful use or

development.
Section 191(4) and 192(2) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

J. **Function:** Planning
   i. Power to serve a completion notice
   Section 94(2) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

K. **Function:** Planning
   i. Power to grant consent for the display of advertisements
   Section 220 the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

L. **Function:** Planning
   i. Power to authorise entry onto land.
   Section 196A of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

M. **Function:** Planning
   i. Power to require the discontinuance of a use of land.
   Section 102 of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

N. **Function:** Planning
   i. Power to serve a planning contravention notice, breach of condition notice or stop notice
   Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

O. **Function:** Planning
   i. Power to issue a temporary stop notice
   Section 171 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

P. **Function:** Planning
   i. Power to issue an enforcement notice
   Section 172 of the Town and Country Planning 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

Q. **Function:** Planning
   i. Power to apply for an injunction restraining a breach of planning control
   Section 187B of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

R. **Function:** Planning
   i. Power to determine applications for hazardous substances consent, and related powers
   Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10).

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

S. **Function:** Planning
   i. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject
   Paragraph 2(6)(a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; and DM Team Managers

T. **Function:** Planning
   i. Power to require proper maintenance of land.
   Section 215(1) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

U. **Function:** Planning
   i. Power to determine application for listed building consent, and related powers.
   Sections 16(1) and (217, 27(2) and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

V. **Function:** Planning
   i. Power to issue Certificate of Lawful works to listed buildings
   The Planning (Listed Buildings and Conservation Areas) Act 1990: sections 26H and 26I, as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013. The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

W. **Function:** Planning
   i. Duties relating to applications for listed building consent and certificates of lawful works
   Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings in Conservation

Areas) Regulations 1990 and paragraphs 8, 15 and 22 of Dept. of the Environment Circular 14/97

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

X. **Function:** Planning
   i. Power to serve a building preservation notice, and related powers
   Sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

   Post holder authorised to carry out function: Head of Development Management and Urban Design Team Manager

Y. **Function:** Planning
   i. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area
   Section 38 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

   Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

Z. **Function:** Planning
   i. Powers to acquire a listed building in need of repair and to serve a repairs notice
   Section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

   Post holder authorised to carry out function: Director: Economy of Place

AA. **Function:** Planning
   i. Power to apply for an injunction in relation to a listed building
   Section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990

   Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

BB. **Function:** Planning
   i. Power to execute urgent works to unoccupied listed buildings
   Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990

   Post holder authorised to carry out function: Chief Planner / Head of Planning Services;

CC. **Function:** Planning
   i. Power to authorise stopping up or diversion of footpath, bridleway or restricted byway
   Section 257 of the Town and Country Planning Act 1990

   Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

DD. **Function:** Planning
   i. Powers relating to the protection of important hedgerows
   Hedgerows Regulations 1997 (S.I. 1997/1160)

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

EE. **Function:** Planning

i. Powers relating to the preservation of trees.
Sections 197 to 214D of Town & Country Planning Act 1990

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; t, DM Team Managers,

FF. **Function:** Planning

i. Powers relating to complaints about high hedges.
Part 8 of the Anti-social behaviour Act 2003

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

GG. **Function:** Planning

i. Power to include modifications in other orders.
Section 53A of the Wildlife and Countryside Act 1981.

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers and Network Operations Team Manager

HH. **Function:** Planning

i. Power to revoke or modify planning permission
Section 97 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: Director: Economy of Place

II. **Function:** Planning

i. The making of Local Development Orders under Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Post holder authorised to carry out function: Chief Planner / Head of Planning Services

JJ. **Function:** Planning

i. Power to exercise functions relating to Nationally Significant Infrastructure Projects and Development Consent Orders as contained in the Planning Act 2008.

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

KK. **Function:** Economy of Place

ii. Powers relating to the preservation of trees.
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Post holder authorised to carry out function: Chief Planner / Head of Planning Services;

2. Transport

A. **Function:** Power to grant a street works license (section 50 of the New Roads and Street Works Act 1991 (c.22)).
Post holder authorised to carry out function: Network Operations Team

Manager

B. **Function:** Power to permit deposit of builder's skip on highway (section 139 of the Highways Act 1980 (c.66) ("the Act")).
Post holder authorised to carry out function: Network Operations Team Manager

C. **Function:** Duty to publish notice in respect of proposal to grant permission under section 115E of the Act (section 115E of the Act).
Post holder authorised to carry out function: Network Operations Team Manager

D. **Function:** Power to license planning, retention and maintenance of trees etc. in part of highway (Section 142 of the Act).
Post holder authorised to carry out function: Head of Highways

E. **Function:** Power to authorise erection of stiles etc. on footpaths or bridleways (section 147 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

F. **Function:** Power to license works in relation to buildings etc. which obstruct the highway (Section 169 of the Act).
Post holder authorised to carry out function: Head of Highways, Structures Team Manager

G. **Function:** Power to consent to temporary deposits or excavations in streets (section 171 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager and Head of Highways

H. **Function:** Power to dispense with obligation to erect hoarding or fence (section 172 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

I. **Function:** Power to restrict the placing of rails, beams etc over highways (section 178 of the Act).
Post holder authorised to carry out function: Head of Highways and Structures Team Manager

J. **Function:** Power to consent to construction of cellars etc. under street (section 179 of the Act).
Post holder authorised to carry out function: Head of Highways and Structures Team Manager

K. **Function:** Power to consent to the making of openings into cellars etc. under streets and pavement lights and ventilators (section 180 of the Act).
Post holder authorised to carry out function: Head of Highways and Structures Team Manager

L. **Function:** Power to create footpath, bridleway or restricted byway by agreement (section 25 of the Act (C.66)).

Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

M. **Function:** Power to stop up footpaths, bridleways and restricted byways (section 118 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

N. **Function:** Power to determine application for public path extinguishment order (sections 118ZA and 118C(2) of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

O. **Function:** Power to make a rail crossing extinguishment order (section 118A of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

P. **Function:** Power to make special extinguishment order (section 118B of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

Q. **Function:** Power to divert footpaths, bridleways and restricted byways (section 119 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

R. **Function:** Power to make a public path diversion order (sections 119ZA and 119C(4) of the Act)
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

S. **Function:** Power to make a rail crossing diversion order (section 119A of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

T. **Function:** Power to make a special diversion order (section 119B of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

U. **Function:** Power to require applicant for order to enter into agreement (section 119C(3) of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

V. **Function:** Power to make an SSSI diversion order (section 119D of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

W. **Function:** Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Act (section 121B of the Act).

Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

X. **Function:** Power to decline to determine certain applications (section 121C of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

Y. **Function:** Duty to assert and protect the rights of the pubic to use and enjoyment of highways (section 130 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

Z. **Function:** Duty to serve notice of proposed action in relation to obstruction (section 115E of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager, Structures Team Manager

AA. **Function:** Power to apply for variation of order under section 130B of the Act (section 130B(7) of the Act).
Post holder authorised to carry out function: Network Operations Team Manager

BB. **Function:** Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway (section 135 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

CC. **Function:** Power to temporarily divert footpath, bridleway or restricted byway (section 135A of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

DD. **Function:** Functions relating to the making good of damage and the removal of obstructions (section 135B of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

EE. **Function:** Powers relating to the removal of things so deposited on highways as to be a nuisance (section 149 of the Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

FF. **Function:** Power to extinguish certain public rights of way (section 32 of the Acquisition of Land Act 1981 (c.67)).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

GG. **Function:** Power to designate footpath as cycle track (section 3 of the Cycle Tracks Act 1984 (c.38)).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

HH. **Function:** Power to make limestone pavement order (section 34(2) of the Wildlife and Countryside Act 1981 (c.69)).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

II. **Function:** Power to make Modification Orders under section 53(2)(b) of the Wildlife and Countryside Act 1981 following a legal event that has already occurred under section 53 (3)(a) of the same Act).
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

JJ. **Function:** Power to discharge and acquire from other authorities, functions relating to Definitive Map Modification Orders and Public Path Orders (section 101 of the Local Government Act 1972.
Post holder authorised to carry out function: Head of Highways and Network Operations Team Manager

3. Regulatory functions

This section contains all the regulatory functions within the Growth and Regeneration Directorate. It must be read in conjunction with the Limitations set out in Appendix 1.

For the avoidance of doubt, where legislation is not specified or identified, authorisation extends to all other legislation of a like kind under which the Council is authorised to exercise any of its functions.

A. **Function:** Consumer Protection Legislation
   i. Authorised Functions contained in this paragraph are those arising under Consumer Protection legislation and includes powers arising under the Explosives Acts which can be enforced by local authority officers, together with the Council's powers relating to age restricted sales and all legislation which confers duties and powers upon the Council in its capacity as Weights and Measures Authority as defined under Section 69 of the Weights and Measures Act 1985, including the Consumer Rights Act 2015 and Digital Markets, Competition and Consumers Act 2024.

   Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Trading Standards Investigator/Financial Investigator; South West Regional Investigation Team Manager; Investigator; Investigator- Lettings Lead Enforcement Authority; Specialist Regulatory Solicitor.

B. **Function:** Animal Welfare Legislation and Relevant Licensing
   i. Authorised Functions contained in this paragraph are those arising under legislation governing animal licensing and animal welfare, including the Animal Welfare Act 2006, the Veterinary Medicines Regulations 2006, the Animal Health Act 1981, the Animal Health and Welfare Act 1984, the Animal Boarding Establishments Act 1963, the Breeding of Dogs Act 1973 and 1991, the Breeding and Sale of Dogs

(Welfare) Act 1999, the Performing Animals (Regulation) Act 1925, the Slaughterhouses Act 1974, the Dangerous Wild Animals Act 1976, the Pet Animals Act 1951, the Riding Establishments Act 1964 and 1970; The Dogs Act 1906; The Dangerous Dogs Act 1991; The Zoo Licensing Act 1981; and all other legislation of a like kind.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Trading Standards Investigator/Financial Investigator; Team Leader, Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer

C. **Function:** Animal Welfare Legislation and Relevant Licensing
   i. Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the of the said Act.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer, Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Team Leader, Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer;

D. **Function:** Food Safety Legislation and Relevant Licensing Provisions
   i. Authorised functions contained in this paragraph include those arising under The Food Safety Act 1990, The General Food Regulations 2004, The Food Safety and Hygiene (England) Regulations 2013, The Official Feed and Food Controls (England) Regulations 2009, The Trade in Animals and Related Product Regulations 2011 and other legislation governing food and food hygiene, including all legislation which confers duties or powers upon the Council in its capacity as Food Authority as described under Section 5 of the Food Safety Act 1990 and in its capacity as enforcement authority for such legislation.
   ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer, Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; North Somerset Officers for duration of Bristol International Balloon Fiesta as determined in S113 agreement between Bristol City Council & North Somerset Council.

E. **Function:** Agriculture Standards and Relevant Registration Provisions
   i. Authorised functions contained in this paragraph are those arising under the Agriculture Act 1970 and legislation governing the importation, manufacture, storage and marketing of animal feed materials, animal feeding stuffs and related materials and fertilizers, and

include all legislation which confers duties or powers upon the Council in its capacity as enforcement authority in accordance with Section 67 of the Agriculture Act 1970 or competent body in accordance with Regulation 3 of The Official Feed and Food Controls (England) Regulations 2007 and Regulation 4 of The Feed (Hygiene and Enforcement) (England) Regulations 2005. This officer is appointed as an inspector pursuant to section 67(3)(a) of the Act.

ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer, Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Trading Standards Investigator/Financial Investigator; Senior Investigator; Investigator; Trading Standards Manager North Somerset Council subject to S113 LGA agreement.

F. **Function:** Health and Safety at Work

i. Appointed in exercise of the power conferred upon the council by Section 19(1) of the Health and Safety at Work etc. Act 1974 to act as an inspector for the purposes of the Act.

ii. Parag. 8a To sign, on behalf of the authority, authorisations of persons to accompany appointed inspectors in the exercise of their functions under the Act.

iii. Parag. 8b To approve, on behalf of the authority, transfer and assignments of premises between Bristol City Council and the Health and Safety Executive in accordance with Regulations 5 and 6 of The Health and Safety (Enforcing Authority) Regulations 1998.

Post holder authorised to carry out function - subject to limitations in Appendix 1:
Senior Trading Standards Officer; Trading Standards Officer; North Somerset Officers for duration of Bristol International Balloon Fiesta and other major events taking place at Ashton Court and surrounding area as specified in S113 agreement between Bristol City Council & North Somerset Council.

G. **Function:** Public Health legislation, Health Protection Regulations and Relevant Licensing or Registration

i. Public Health (Control of Disease) Act 1984 (as amended including as amended by the Health and Social Care Act 2008) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010, International Health Regulations 2005 and Health Act 2006. Tobacco and Vapes Act 2026

ii. * Appointment of proper officers of the local authority

    i. The local authority appoints a proper officer for the purpose of receiving and forwarding information about notifications within their area. In the majority of cases, local authorities have decided to appoint a consultant in communicable disease control/health protection based within the local Public Health England (PHE) office as their proper officers.

iii. Appointment in exercise of the power conferred upon the council by section 7 of the Sunbeds (Regulation) Act 2010 to act as an “authorised

officer" for the purposes of the said Act.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer, Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer Licensing Manager; Senior Licensing Officer; Licensing Officer.

H. **Function:** Pest Control
   i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to pest control, disinfection disinfestations and public health, including but not limited to those contained in the Prevention of Damage by Pest Act 1949, Public Health Acts 1936 & 1961, The Environmental Protection Act 1990 (as amended), The Clean Neighbourhoods and Environment Act 2005.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer.

I. **Function:** Dog Warden
   i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to dog wardens, stray dogs, dog fouling, dangerous dogs, including but not limited to those contained in the Dogs Act 1871, Dogs Act 1906, Road Traffic Act 1988, Animal Health Act 1981, Environmental Protection Act 1990 (as amended), Dangerous Dogs Act 1991, The Clean Neighbourhoods and Environment Act 2005, The Animal Welfare Act 2006, and other legislation of a like kind.
   ii. Paragraph 13a Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the said Act.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Trading Standards Investigator/Financial Investigator; Team Leader; Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer;

J. **Function:** Port Health Authority Functions
   i. Authorised functions contained in this paragraph comprise functions assigned to the Council as Port Health Authority under Paragraph 4 of SI 2010/1214, together with all other functions, rights and liabilities of the Council as Port Health Authority conferred by or under any other legislation.
   ii. This officer is appointed, pursuant to Regulation 12(2) of The Trade in Animals and Related Products Regulations 2011 as an official veterinary surgeon.

iii. This officer is appointed, pursuant to Regulation 12(4) of The Trade in Animals and Related Products Regulations 2011 as an official fish inspector.

Post holder authorised to carry out function - subject to limitations in Appendix 1:
Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer;Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator

K. **Function:** Scrap Metal

i. Authorised function contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to licensing and regulation of persons engaged scrap metal dealing including but not limited to those contained in the Scrap Metal Dealers Act 2013.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Trading Standards Investigator/Financial Investigator; South West Regional Investigation Team Manager; Investigator; Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Licensing Manager; Senior Licensing Officer; Licensing Officer

L. **Function:** Licensing Functions incl Taxi Licensing & Regulation

i. Authorised functions contained in the paragraph are those arising under legislation which confers functions upon the Council with respect to the Licensing and regulation of those engaged with Hackney Carriages, Private Hire Vehicles, Private Hire Operators including but not limited to provisions contained in the Local Government (Miscellaneous Provisions) Act 1976 and Town Police clauses Act 1847.

ii. All functional responsibilities in respect of Street Trading activities and Sexual Entertainment Venue activities administered under the provisions of the Local Government Miscellaneous Provisions Act 1982), Charity Street Collections under the provisions of the Police Factories Etc (Miscellaneous Provisions) Act 1916, and collections from houses or premises under the House to House Collections Act 1939.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Licensing Team Leader; Senior Licensing Officer; Licensing Officer; Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Fleet Manager; Fleet Technical Operations Manager, Operations Manager Fleet Workshops, Workshop Co-ordinator

M. **Function:** Parks Byelaws

i. Authority to exercise the duties and powers contained in Bristol City Council's Parks Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces. To include authority to:

i. Designate routes for the purpose of byelaws 12 and 13; (ii) designate areas for the purpose of byelaws 9, 22 and 25; (iii) issue consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.

ii. Remove from the ground any person offending against any of the byelaws.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Area Manager- Parks; Contract Manager- Parks; Operational Co-coordinators- Parks

N. **Function:** Environmental Protection, Nuisance, Clean Neighbourhoods, Building safety, Highways Enforcement and Relevant Licensing or Registration

i. Authorised functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to any of the following: waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, accumulations which are detrimental to the amenity of an area, Community Protection Notices, highways obstructions & unauthorised works or damage to highways including but not limited to those contained in the Control of Pollution Act 1974, Refuse Disposal (Amenity) Act 1978, Highways Act 1980, Building Act 1984, the Town and Country Planning Act 1990, the Environmental Protection Act 1990 (as amended), the Clean Air Act 1993, Criminal Justice & Public Order Act 1994, the Noise Act 1996 (as amended), the Pollution Prevention and Control Act 1999, the Clean Neighbourhoods and Environment Act 2005, the Environmental Permitting (England and Wales) Regulations 2010 (as amended), Anti-social Behaviour, Crime and Policing Act 2014. All other legislation of a like kind under which the Council is authorised to exercise any of its functions.

Post holder authorised to carry out function - subject to limitations in Appendix 1:
Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Waste Enforcement Officer; a contractor. Regulatory Services & City Events Manager; Trading Standards Manager; Principal Trading Standards Officer; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee/Apprentice Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; South West Regional Investigation Team Manager; Investigator; Investigator- Lettings Lead Enforcement Authority; Specialist Regulatory Solicitor.

O. **Function:** Lead Enforcement Authority- Tenants Fees Act 2019

i. All general and enforcement responsibilities duties of the Lead enforcement authority as conferred by the Tenants Fees Act 2019.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Regulatory Services & City Events Manager;; Investigator-Lettings Lead Enforcement Authority; Specialist Regulator Solicitor.

P. **Function:** Psychoactive Substances Act 2016

i. Issuing of Prohibition Orders

Post holder authorised to carry out function subject to limitations in Appendix 1: Regulatory Services & City Events Manager, Neighbourhood Enforcement and Street Scene Manager

Appendix 1

Schedule of Posts and Limitations of Regulatory Functions

Post	Limitation
Neighbourhood Enforcement and Street Scene Manager	A, D, L, M, P
Team Leader Neighbourhood Enforcement	A, B, D, L, M, P
Senior Neighbourhood Enforcement Officer	A, B, D, L, M, P
Neighbourhood Enforcement Officer	A, B, D, L, M,
Waste Enforcement Officer	A, B, D, L
Regulatory Services & City Events Manager	A, F, G,
Director Management of Place	A, F, G
Trading Standards Manager	A, C, F, G,
Principal Trading Standards Officer	A, C, F,G
Senior Trading Standards Officers	A, B, H, I,
Trading Standards Officer	A, B, F, G, H, I,
Fair Trading Officer	A, B, C
Animal Health Officer	A, B, C, F, G, H, I
Trainee/Apprentice Trading Standards Officer	A, B, C, F, G, J, K
Trading Standards Investigator/Financial Investigator	A, B, C, F, G,
South West Regional Investigation Team Manager	A, C
Investigator	A, B, C, H, I
Investigator- Lettings Lead Enforcement Authority	A, B, C, F, G
Intelligence Officer- Lettings Lead Enforcement Authority	A, B, C, F, G
Senior Manager, Powys	A, C, F, G
Operations Manager, Powys	A, B, C, F, G
Investigators, Powys	A, B, C, F, G
Licensing Manager	A,
Senior Licensing Officer	A, B, L
Licensing Officer	A, B, L

Limitations

Institution of Proceedings & Disposal.

(A) This authorisation shall not extend to the institution of proceedings, save in respect of proceedings instituted by inspectors under Health & Safety Work, etc. Act 1974, where the power to institute proceedings shall be subject to prior consultation with the Council's Head of Legal Services or his duly authorised representative.

(B) This authorisation shall not extend to the giving of Home Office cautions, such as Simple Cautions.

Weights & Measures.

(C) This authorisation shall not extend to the exercise of any function contained in the Weights and Measures Act 1985.

Environmental Protection, Clean Neighbourhoods etc

(D) Save with the prior express permission of the Council's Executive Director: Growth and Regeneration, this authorisation shall not extend to the exercise of any power of the Council in its capacity as the Local Planning Authority other than enforcement action arising under Sections 215 & 330 of the Town and Country Planning Act 1990.

Food Safety, Agriculture and Port Health.

(E) This authorisation shall not extend to the undertaking of any Food Hygiene activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained to satisfy the provisions of the Food Law Code of Practice.

(F) This authorisation shall not extend to the undertaking of any Food Standards activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained having regard to the Guidelines contained in the Food Law Code of Practice.

(G) This authorisation shall not extend to the undertaking of any Feed Law activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, experienced and competent having regard to the Guidelines contained in the Feed Law Code of Practice.

Health & Safety.

(H) This appointment shall not extend to sections 21, 22, 25 and 39 of the Health & Safety at Work etc. Act 1974, unless they are suitably qualified having regard to HSE guidance

(I) This appointment is limited to the powers specified in section 20 (2) (a) (c) (d) (f) (g) (l) and (k) of the Health and Safety at Work etc Act 1974 for the express purposes of taking environmental, chemical or physical samples, as well as the making of any such scientific examination (including taking measurements,

photographs, examining documentation, and the like) as may be required by a fully authorised Health and Safety inspector in the course of their investigations.

Trainee /Apprentice Officers & Contractors.

(J) The exercise of any powers conferred upon the Officer by virtue of this Scheme shall only be exercisable when under the supervision or direction of a fully authorised and competent colleague.

(K) This authorisation shall not extend to the service of any notices for which a failure to comply may result in an offence or the taking of any other legal action by the council, except under the supervision or direction of a fully authorised and competent colleague.

Neighbourhood Enforcement Officers.

(L) Authorisation shall not extend beyond provisions relating to the Health Act 2006 and smoking legislation made thereunder.

Parks Byelaws

(M) This authorisation shall not extend to (i) designating routes for the purpose of byelaws 12 and 13; (ii) designating areas for the purpose of byelaws 9, 22 and 25; (iii) issuing consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.

(N) This authorisation shall not extend to removal from the ground of any person offending against any of the byelaws.

(O) Authorisations under Paragraph 16 shall not extended provisions relating to the service of notices in relation to S43-58 of the Anti-Social Behaviour, Crime & Policing Act 2014.

Authorised by:

John Smith
Executive Director Growth and Regeneration

Dated: 6 October 2026