

# PLACE

## DELEGATED POWER – CHIEF OFFICER DELEGATIONS

|                            |                                                                                                                                                                                                          |                        |                |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|----------------|
| Document Baseline Date:    | May 2025                                                                                                                                                                                                 |                        |                |
| Executive Director:        | Paul Lakin – Executive Director of Place                                                                                                                                                                 |                        |                |
| Assistant Director(s):     | Crispian Logue – Assistant Director of Strategy, Planning & Development<br>Sarah Porru – Assistant Director of Regeneration Delivery<br>Robert Summerfield – Assistant Director of Regeneration Delivery |                        |                |
| Specific Functions:        | Function                                                                                                                                                                                                 | Chief Officer:         |                |
|                            | Strategic Transport                                                                                                                                                                                      | Crispian Logue         |                |
|                            | Building Control                                                                                                                                                                                         | Crispian Logue         |                |
|                            | Strategic Planning & Infrastructure                                                                                                                                                                      | Crispian Logue         |                |
|                            | Development Management                                                                                                                                                                                   | Crispian Logue         |                |
|                            | Land & Property                                                                                                                                                                                          | Robert Summerfield     |                |
|                            | Major Projects Delivery [various]                                                                                                                                                                        | Robert Summerfield     |                |
|                            | Housing Development [new]                                                                                                                                                                                | Robert Summerfield     |                |
|                            | Housing Strategy, Policy & Performance                                                                                                                                                                   | Robert Summerfield     |                |
|                            | Schools Capital                                                                                                                                                                                          | Robert Summerfield     |                |
|                            | Economic Development                                                                                                                                                                                     | Sarah Porru            |                |
|                            | Business & Investment                                                                                                                                                                                    | Sarah Porru            |                |
|                            |                                                                                                                                                                                                          |                        |                |
| Financial Approval (limit) | Name                                                                                                                                                                                                     | Status/Level           | Approval Limit |
|                            | Paul Lakin                                                                                                                                                                                               | Executive Director     | £250,000       |
|                            | Crispian Logue                                                                                                                                                                                           | Assistant Director     | £100,000       |
|                            | Sarah Porru                                                                                                                                                                                              | Assistant Director     | £100,000       |
|                            | Robert Summerfield                                                                                                                                                                                       | Assistant Director     | £100,000       |
|                            | Roger Frith                                                                                                                                                                                              | Head of Service        | £50,000        |
|                            | Jacqueline Summerscales                                                                                                                                                                                  | Strategic Lead         | £25,000        |
|                            | Roz Catlow Patterson                                                                                                                                                                                     | Major Projects Manager | £50,000        |
|                            | Richard Spensley                                                                                                                                                                                         | Major Projects Manager | £50,000        |
|                            | Steven Manifold                                                                                                                                                                                          | Major Projects Manager | £50,000        |
|                            | Peter Dentith                                                                                                                                                                                            | Major Projects Manager | £50,000        |
|                            | Elizabeth Gudgeon                                                                                                                                                                                        | Major Projects Manager | £50,000        |

PLACE

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|                   | Hollie Good       |                         | Major Projects Manager                                                                                             | £50,000                           |                                           |
|                   | David Marno       |                         | Head of Service                                                                                                    | £25,000                           |                                           |
|                   | Mark Smith        |                         | Head of Service                                                                                                    | £25,000                           |                                           |
|                   | David Wiggins     |                         | Head of Service                                                                                                    | £25,000                           |                                           |
|                   | Joanne Betts      |                         | Strategic Lead                                                                                                     | £25,000                           |                                           |
|                   | Kausar Thorpe     |                         | Service Manager                                                                                                    | £25,000                           |                                           |
|                   | Rebecca Channings |                         | Service Manager                                                                                                    | £25,000                           |                                           |
|                   | Fiona Kenyon      |                         | Service Manager                                                                                                    | £25,000                           |                                           |
|                   | Sinead Gracey     |                         | Major Projects Manager                                                                                             | £50,000                           |                                           |
|                   |                   |                         |                                                                                                                    |                                   |                                           |
| Delegated Powers: | Land & Property   |                         |                                                                                                                    |                                   |                                           |
|                   | Head of Service   | Title                   | Nature of Delegation                                                                                               | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|                   | Roger Frith       | Head of Land & Property | Acquisition, appropriation & holding of land.                                                                      | No                                | Yes                                       |
|                   |                   |                         | Compulsory Acquisition of Land                                                                                     | No                                | Yes                                       |
|                   |                   |                         | Property Valuation                                                                                                 | No                                | No                                        |
|                   |                   |                         | Office Moves                                                                                                       | No                                | No                                        |
|                   |                   |                         | Property Lettings                                                                                                  | No                                | No                                        |
|                   |                   |                         | Revenue & Capital Expenditure under Contract Procedure Rules                                                       | No                                | No                                        |
|                   |                   |                         | Authorised to order purchasing cards from the issuing bank following request approved by cardholder's line manager | No                                | No                                        |
|                   |                   |                         | Granting of Leases                                                                                                 | No                                | Yes                                       |
|                   |                   |                         | Freehold or leasehold disposal in Community Transfer                                                               | No                                | Yes                                       |
|                   |                   |                         |                                                                                                                    |                                   |                                           |

PLACE

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|  | <b>Major Projects Delivery[Bury Market &amp; Flexi Hall]</b>        |                        |                                                                |                                   |                                           |
|  | Head of Service                                                     | Title                  | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Richard Spensley                                                    | Major Projects Manager | Capital Expenditure under Contract Procedure Rules             | No                                | No                                        |
|  |                                                                     |                        |                                                                |                                   |                                           |
|  | <b>Major Projects Delivery[Radcliffe Hub &amp; Market Chambers]</b> |                        |                                                                |                                   |                                           |
|  | Head of Service                                                     | Title                  | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Peter Dentith                                                       | Major Projects Manager | Capital Expenditure under Contract Procedure Rules             | No                                | No                                        |
|  |                                                                     |                        |                                                                |                                   |                                           |
|  | <b>Major Projects Delivery[Bury Mill Gate Joint Venture]</b>        |                        |                                                                |                                   |                                           |
|  | Head of Service                                                     | Title                  | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Steven Manifold                                                     | Major Projects Manager | Revenue and Capital Expenditure under Contract Procedure Rules | No                                | No                                        |
|  |                                                                     |                        |                                                                |                                   |                                           |
|  | <b>Major Projects Delivery[Prestwich Village Joint Venture]</b>     |                        |                                                                |                                   |                                           |
|  | Head of Service                                                     | Title                  | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Elizabeth Gudgeon                                                   | Major Projects Manager | Revenue and Capital Expenditure under Contract Procedure Rules | No                                | No                                        |
|  |                                                                     |                        |                                                                |                                   |                                           |
|  | <b>Major Projects Delivery[Northern Gateway]</b>                    |                        |                                                                |                                   |                                           |

PLACE

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|  |                                                 |                                                       |                                                                |                                   |                                           |
|  | Head of Service                                 | Title                                                 | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Hollie Good                                     | Major Projects Manager                                | Revenue and Capital Expenditure under Contract Procedure Rules | No                                | No                                        |
|  |                                                 |                                                       |                                                                |                                   |                                           |
|  | <b>Major Projects Delivery– Schools Capital</b> |                                                       |                                                                |                                   |                                           |
|  | Head of Service                                 | Title                                                 | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | TBC                                             | Major Projects Manager                                | Revenue and Capital Expenditure under Contract Procedure Rules | No                                | No                                        |
|  |                                                 |                                                       |                                                                |                                   |                                           |
|  | <b>Strategic Transport</b>                      |                                                       |                                                                |                                   |                                           |
|  | Head of Service                                 | Title                                                 | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | Joanne Betts                                    | Strategic Transport Lead                              |                                                                | No                                |                                           |
|  |                                                 |                                                       |                                                                |                                   |                                           |
|  |                                                 |                                                       |                                                                |                                   |                                           |
|  |                                                 |                                                       |                                                                |                                   |                                           |
|  | <b>Strategic Planning &amp; Infrastructure</b>  |                                                       |                                                                |                                   |                                           |
|  | Head of Service                                 | Title                                                 | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|  | David Wiggins                                   | Service Manager (Strategic Planning & Infrastructure) |                                                                |                                   |                                           |
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PLACE

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|  |                               |                                |                                                                                                           |                                       |                                           |
|  | <b>Building Control</b>       |                                |                                                                                                           |                                       |                                           |
|  | Head of Service               | Title                          | Nature of Delegation                                                                                      | Delegation Time Limited? (yes/no)     | Authorisation – verified by Chief Officer |
|  | Mark Smith                    | Head of Building Control       | Legislation:<br>Building Act 1984<br>Safety at Sports Ground Act<br>Party Wall Act                        | No                                    |                                           |
|  |                               |                                | Legislation:<br>Building Act 1984                                                                         | No                                    |                                           |
|  |                               |                                |                                                                                                           |                                       |                                           |
|  | <b>Development Management</b> |                                |                                                                                                           |                                       |                                           |
|  | Head of Service               | Title                          | Nature of Delegation                                                                                      | Delegation Time Limited? (yes/no)     | Authorisation – verified by Chief Officer |
|  | David Marno                   | Head of Development Management | Delegated decisions on applications as per Council Scheme of Delegation (no time limit see extract below) | Yes – Note: warrant card expiry date. |                                           |
|  |                               |                                |                                                                                                           |                                       |                                           |
|  |                               |                                |                                                                                                           |                                       |                                           |
|  |                               |                                |                                                                                                           |                                       |                                           |
|  | <b>Housing Development</b>    |                                |                                                                                                           |                                       |                                           |
|  | Head of Service               | Title                          | Nature of Delegation                                                                                      | Delegation Time Limited? (yes/no)     | Authorisation – verified by Chief Officer |
|  | TBC                           | TBC                            | Revenue and Capital Expenditure under Contract Procedure Rules                                            | No                                    | No                                        |
|  |                               |                                |                                                                                                           |                                       |                                           |

## DELEGATED POWER – CHIEF OFFICER DELEGATIONS

|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
|--------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------------------------------|-----------------------------------|-------------------------------------------|
|                                                  | <b>Housing Strategy, Policy &amp; Performance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                         |                                                                |                                   |                                           |
|                                                  | Head of Service                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Title                                   | Nature of Delegation                                           | Delegation Time Limited? (yes/no) | Authorisation – verified by Chief Officer |
|                                                  | Jacqueline Summerscales                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Unit Manager                            | Revenue and Capital Expenditure under Contract Procedure Rules |                                   |                                           |
|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
|                                                  | <b>Economic Development</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                         |                                                                |                                   |                                           |
|                                                  | Sinead Gracey                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Head of Economic Development & Projects | Revenue and Capital Expenditure under Contract Procedure Rules |                                   |                                           |
|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
|                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                         |                                                                |                                   |                                           |
| <b>Notes in relation to Building Control:</b>    | <ul style="list-style-type: none"> <li>All staff listed are authorised under the following sections Building Act 1984: <ul style="list-style-type: none"> <li>Section 35, 36, 37, 40, 91(2) and 95 power to enforce the provisions of the Building Regulations 2010</li> <li>Section 77, 78, 79 powers to deal with dangerous and ruinous and dilapidated buildings.</li> </ul> </li> <li>In addition to the above the Head of Building Control and Team Leader are authorised under the following legislation: <ul style="list-style-type: none"> <li>Safety at Sport Ground Act 1975</li> <li>Fire Safety and Safety of Places of Sport Act 1987</li> <li>Party Wall Act 1996</li> </ul> </li> </ul> |                                         |                                                                |                                   |                                           |
| <b>Notes in relation to Development Control:</b> | <b>Planning and Conservation:</b><br>All functions relating to town and country planning and development control as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, (the Functions Regulations).<br>3.3.4. The committee's delegations are:                                                                                                                                                                                                                                                                                                                                                                                  |                                         |                                                                |                                   |                                           |

## DELEGATED POWER – CHIEF OFFICER DELEGATIONS

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>a) To deal with any applications for planning permission under the Town and Country Planning Act 1990 and related legislation or for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990, subject to the inclusion of adequate detailed information relating to the application which is to the satisfaction of the Director for Business, Growth and Infrastructure as follows:</p> <ul style="list-style-type: none"> <li>(i) Any application recommended for approval where there are three or more objections received from third parties from different households, with the exception of any domestic householder planning application which falls within the approved supplementary planning guidance note 6 or otherwise would be accepted under Prior notification procedures in relation to enhanced permitted development rights; and</li> <li>(ii) Any application which has raised a novel planning issue.</li> </ul> <p>b) Any application in respect of which at least one Member of the Planning Control Committee has given prior written notice to the Assistant Director (Localities) / Resource and Regulation that he/she wishes the application to be determined by the Planning Control Committee, which must state clear planning reasons for the call in request and be authorised by the Chair of the Planning Control Committee.</p> <p>c) Any application relating to a development which would constitute a substantial departure from the provisions of any approved plan or policies, in particular the Unitary Development Plan or subsequent adopted Local Plan, which is recommended for approval and/or is not a repeat or duplicate application of one previously refused.</p> <p>d) Any application submitted by or on behalf of a Member of the Council or his/her spouse.</p> <p>e) The application is submitted by a council officer who is employed in the planning service or works closely with it, or is a senior manager as defined in the council's pay policy statement, or by a close family member such that the council officer has a material interest in the application</p> <p>f) Any application over and above the levels defined in (i) and (ii) detailed below, subject to the application not being a repeat or duplicate of an application previously refused: (i) 50 or more dwellings or, if it is known, where the site is 2.5 hectares or more; (ii) for all other uses, where the floor space to be created is 5,000 square metres or more or the site is 0.5 hectares or more.</p> <p>g) (Any other application which, in the opinion of the Director for Business, Growth and Infrastructure merits consideration by the Planning Control Committee.</p> |
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## DELEGATED POWER – CHIEF OFFICER DELEGATIONS

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|  | <p>h) The decision to enter land in Part 2 of the Council's Brownfield Land Register thereby triggering a grant of Permission in Principle where the criteria referred to at (a) to (f) above are met and any application for Technical Details Consent where the criteria at (b) to (f) above are met.</p> <p>i) Any application submitted on behalf of the Council where there is at least one objection received from third parties. Street Naming</p> <p>j) To deal with the naming and re-naming of streets and the numbering and renumbering of properties, where objections have been received to proposals. Tree Preservation Orders</p> <p>k) To deal with the making or confirmation of tree preservation orders, in accordance with Sections 197 to 214D of the Town and Country Planning Act 1990 (or as subsequently amended) and the Tree Regulations 2012 (or as subsequently amended) where objections have been received to proposals. Listed Buildings and Conservation Areas</p> <p>l) To determine applications for grants for repair/maintenance works in respect of listed buildings where the amount of grant requested exceeds £5,000.</p> <p>m) To designate a conservation area under Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (or as subsequently amended). General</p> <p>n) To give directions restricting permitted development under Article 4 of the Town and Country Planning (Development Procedure) (England) Order 2015 (or as subsequently amended).</p> <p>o) To deal with any functions relating to town and country planning and development control (development management) referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers. Commons Registration</p> <p>p) To deal with any functions relating to the registration of common land or Town and Village Greens and to register the variation of the rights of common as set out in Schedule 1 to the Functions Regulations, as amended, where the appropriate officer does not wish to exercise his/her delegated powers. Public Rights of Way</p> <p>q) To deal with any functions relating to public rights of way referred to in the Local Authorities (Functions and Responsibilities) Regulations 2000, as amended, where the appropriate officer does not wish to exercise his/her delegated powers.</p> |
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## PLACE

### DELEGATED POWER – CHIEF OFFICER DELEGATIONS

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| Notes in Relation to Land & Property (Property Protocols) | TBC |
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- Assistant Director Operations

- Head of Commercial
  - Cleaning & Catering
  - Lettings & Public Halls
  - Markets
- Head of Engineering Services
  - Asset Management
  - Bridges and Structures
  - Major Projects design and delivery
  - Network Management
  - Parking
  - Public Rights of Way
  - Street Works
  - Road safety
  - Transportation
- Head of Streetscene
  - Grounds Maintenance – Parks & Countryside Infrastructure
  - Pest Control
  - Highway Maintenance
  - Street Lighting
  - Winter Maintenance
  - Depot
- Head of Waste Management & Transport
  - Stores
  - Street Cleansing

- Transport & Workshop
- Waste Management & Recycling

- Head of Wellness
  - Bereavement Services
  - Libraries
  - Parks and Countryside Strategy
  - Sports and Leisure

- Assistant Director Operations Strategy

- Head of FM
  - Architectural Practice
  - Facilities Management
  - Energy Management
- Head of Public Protection
  - Climate Change
  - Environment
  - Environmental Health
  - Licensing – including Safety at Sports Grounds
  - Private Rented Sector Enforcement
  - Trading Standards

## **PLACE**

### **DELEGATED POWER – CHIEF OFFICER DELEGATIONS**

The scheme of delegation is to be read in conjunction with relevant sections of the Constitution

including: Part 3 – Functions Scheme

Part 4 – Section 6 – Contract Procedure

Rules Part 4 – Section 7 – Financial

Procedure Rules

# PLACE

## COMMERCIAL POWER – CHIEF OFFICER DELEGATIONS

### Markets

|    | What the function/power is <sup>1</sup>                                                                                                                                                                                                                                | Who may carry it out <sup>2</sup>                                                                                          | Any constraints/comments <sup>3</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Decision (E/C/O <sup>4</sup> ) |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| 1. | <ul style="list-style-type: none"> <li>– Exercise the council's powers under section 50 of the Food Act 1984 and the Bury Market Charter 1444 to establish and operate street markets in the county.</li> <li>– Setting up or the relocating of any market.</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul> | <ul style="list-style-type: none"> <li>– The Bury Market Charter and the Food Act 1984 enables the council to operate markets in the town of Bury, namely the livestock market, the general markets held on Murray Road.</li> <li>– All other markets held in the market towns of Radcliffe and Ramsbottom also enabled.</li> <li>– Both of the above state that market shall not be established in pursuance of this act so as to interfere with any rights, powers or privileges enjoyed within the district in respect of a market by any person, without that person's consent and in consultation with traders.</li> </ul> |                                |
| 2. | <ul style="list-style-type: none"> <li>– Operation and regulation of markets under the section 50 of the Food Act 1984 and the Bury Market Charter 1444.</li> </ul>                                                                                                    | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                |

<sup>1</sup> Say what the activity is that is being delegated and the source of the power e.g. decision to instigate care proceedings under s 31 of the Children's Act 1989

<sup>2</sup> Say all the posts to which the activity has been delegated; please refer only to post names and not post holders unless there is a personal delegation

<sup>3</sup> Include any specific conditions or constraints which apply to the delegation e.g. requirement to first consult with xxx

<sup>4</sup> Identify decision type as follows: E = executive function; C = Council function (includes most planning and regulatory activity); O = operational

## PLACE

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| 3. | <p><b>DELEGATED POWER – CHIEF OFFICER DELEGATIONS</b></p> <p>– To negotiate and agree terms regarding the acquisition (including compulsory purchase) and disposal of property assets and legal interests.</p> <p>– Sign Notices to Quit/Terminate Lease.</p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> <li>• Bury Market Manager</li> </ul> |                                |   |
| 4. | <p>– To negotiate and agree terms regarding the acquisition (including compulsory purchase) and disposal of property assets and legal interests.</p> <p>– Sign Notices to Quit/Terminate Lease.</p>                                                           | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> <li>• Bury Market Manager</li> </ul> | In liaison with Legal Services | O |
| 5. | <p>– To negotiate and agree terms for the grant of leases, licences, tenancies, agreement for lease, development agreements and legal consents.</p>                                                                                                           | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>                                | In liaison with Legal Services | O |
| 6. | <p>– To instruct Legal Services to serve legal notices.</p> <p>– Sign Notices to Quit/Terminate Lease.</p>                                                                                                                                                    | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>                                | In liaison with Legal Services | O |
| 7. | <p>– To grant a wayleave easement or deed of access over Council owned land to a third party.</p>                                                                                                                                                             | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Commercial Services</li> </ul>                                | In liaison with Legal Services | O |

## STREETSCENE

### Highways, Street Lighting & Grounds Maintenance

## PLACE

| DELEGATED POWER – CHIEF OFFICER DELEGATIONS |                                                                                                                                                                                                                               |                                                                                                                                                                                    |                                                                                                                                                                                                                                         |  |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1.                                          | To act on behalf of the council in respect of the legislation specified in the foregoing:<br>– Highways Act 1980<br>– National Parks and Access to the Countryside Act 1948                                                   | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> </ul>                                                                 | Duty to maintain the Highway as Highway Authority                                                                                                                                                                                       |  |
|                                             | – New Roads and Street Works Act 1991<br>Wildlife and Countryside Act 1981                                                                                                                                                    | All officers within Streetscene                                                                                                                                                    |                                                                                                                                                                                                                                         |  |
| 2.                                          | To act on behalf of the council in respect of the legislation specified in:<br>– The Local Authorities' Cemeteries Order 1977 – The Council is defined as a burial authority for the provision and maintenance of cemeteries. | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> <li>• Grounds Maintenance Manager</li> <li>Area Supervisor</li> </ul> | The council may do all such things as they consider necessary or desirable for the proper management, regulation and control of a cemetery. Where burials take place the order regulates the process including regulation of memorials. |  |

## Pest Control

|    |                                                                                                                                       |                                                                                                                                                                                                |  |  |
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| 1. | <ul style="list-style-type: none"> <li>- Dogs (Fouling of Land) Act 1996</li> <li>– Prevention of Damage by Pests Act 1949</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Streetscene</li> <li>• Pest Control Operations Manager</li> <li>• Pest Control Officers</li> </ul> |  |  |
|----|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

## ENGINEERING SERVICES

### Highways and Transport

## PLACE

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| 1. | <p><b>DELEGATED POWER – CHIEF OFFICER DELEGATIONS</b></p> <p>To act on behalf of the Council in respect of the legislation specified in the foregoing:</p> <ul style="list-style-type: none"> <li>– Traffic Management Act 2004</li> <li>– Road Traffic Act 1988</li> <li>– Cycle Tracks Act 1984</li> <li>– Highways Act 1980</li> <li>– National Parks and Access to the Countryside Act 1948</li> <li>– New Roads and Street Works Act 1991</li> <li>– Road Traffic Regulation Act 1984</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• Designated Traffic Manager</li> <li>• All officers within Engineering Services</li> </ul> | <p>– The Traffic Manager may, in making arrangements to ensure that the authority has:</p> <ul style="list-style-type: none"> <li>a) determined specific policies or objectives in relation to different roads or classes of road in their road network;</li> <li>b) monitored the effectiveness of –</li> <li>(i) the authority's organisation</li> </ul>                                           | O |
|    | <ul style="list-style-type: none"> <li>– Town and Country Planning Act 1990</li> <li>– Town Police Clauses Act 1847</li> <li>– Traffic Calming Act 1992</li> <li>– Wildlife and Countryside Act 1981</li> </ul>                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                       | <p>and decision-making processes; and (ii) the implementation of their decisions; and</p> <ul style="list-style-type: none"> <li>c) assessed their performance in managing their road network.</li> </ul> <p>– Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.</p> |   |
| 2. | <ul style="list-style-type: none"> <li>– To enter into agreements pursuant to Section 38 and Section 278 of the Highways Act 1980, issue permissions under Section 184 and display notices under Section 228, including the Power to determine the terms and conditions of the above</li> </ul>                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• All officers within Engineering Services</li> </ul>                                       |                                                                                                                                                                                                                                                                                                                                                                                                      | O |

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| 3. | <p><del>DELEGATED POWER FOR THE FLOOD RISK MANAGEMENT</del></p> <p>– <del>Delegated power for the Flood Risk Management in compliance with current legislation and policies of the council (including without limitation the Land Drainage Act 1991, Flood Risk Regulations 2009 and the Flood and Water Management Act 2010).</del></p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• Lead Local Flood Officer</li> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul> | <p>– Delivery of actions under these functions shall be carried out where appropriate by the council's Public Realm provider in accordance with the contract in place for the service.</p> |  |
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## Parking

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| 1. | <p>– Road Traffic Regulation Act 1984 – gives the power to local authorities to make traffic regulation orders which prohibit or restrict the use of a road; and which provide parking places on the highway, and in off-street car parks and set out the term on which such parking places may be used. Permission is also granted to park in contravention by way of a dispensation permit.</p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> </ul>                                                    |                                                                  | O |
|    |                                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>• All officers with Parking Services Team</li> </ul>                                                                                   |                                                                  |   |
| 2. | <p>– Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the issue of a Charge Certificate in order to recover debt from unpaid Parking Penalty Charge Notices.</p>                                                                                                                                                                                          | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers with Parking Services Team</li> </ul> | <p>This document is served in accordance with Regulation 21.</p> | O |

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| 3. | <p><b>DELEGATED POWER – CHIEF OFFICER DELEGATIONS</b></p> <p>– Bury Council Parking Charge Regulations – provides for the enforcement of a Charge Certificate if unpaid, by the issue of an Order for Recovery from a County Court.</p>                                                                | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul> | <p>This is enforced in accordance with Regulation 22.</p>                                                                                                                   | O |
| 4. | <p>– Taking Control of Good Regulations 2013 (as amended) – provides for the execution of a County Court Order to instruct Enforcement Agents to recovery unpaid Parking Penalty Charge Notice debt.</p>                                                                                               | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul> | <p>Bury Council contracts an approved and certified Bailiff company in order to recover debt, including taking control of any goods in accordance with the regulations.</p> | O |
| 5. | <p>– Road Traffic Regulation Act 1984 and associated Off-street Car Park Orders – provides for charges and restrictions to apply at off street car parks.</p> <p>Permission to be granted to use car park for another purpose, hire or to waive the parking fee payable for an event or other use.</p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul> |                                                                                                                                                                             | O |

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| 6. | <p><del>DELEGATED POWER</del> – The Traffic Management Act 2004 (Part 6) – provides for charges to apply at on street parking locations. Permission to be granted to use parking spaces for another purpose, hire or to waive the parking fee payable for an event or other use.</p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> </ul>                                                           |                                                                                                                                                                                                                                                                                                                                                         |   |
| 7. | <p>– The Traffic Management Act 2004 (Part 6) – provides for contraventions of the terms of a traffic regulation order relating to parking places on the highway and off-street, which were made offences in the RTRA (1984), to be subject to civil enforcement.</p>                | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Service</li> <li>• All officers within Parking Services Team</li> <li>• The Council's nominated enforcement contractor</li> </ul> | <p>– These functions/powers are exercised in accordance with the council's single enforcement policy.</p> <p>– The parking offences which we enforce are by way of a PCN and are decriminalised (Civil Parking Enforcement).</p> <p>– NSL employees carry out first stage challenges to penalty charge notices under the management of the council.</p> | O |

## Street Trading

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| 1. | <p>– Section 115E of the Highways Act 1980 – Control of pavement cafes with Highways Amenity Licences</p> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul> | <p>– New applications suspended until 30 September 2021 and replaced with the Business &amp; Planning Act 2020.</p>               |  |
| 2. | <p>– Section 3 of the Business and Planning Act 2020 – Pavement Licences</p>                              | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Engineering Services</li> </ul>                                                                       | <p>– Licences are issued to permit tables and chairs to be placed on the highway in relation to consumption of food and drink</p> |  |

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|  | <b>DELEGATED POWER – CHIEF OFFICER DELEGATIONS</b> | <ul style="list-style-type: none"> <li>• All officers within Engineering Services &amp; Streetscene</li> </ul> | <p>(both alcoholic and non-alcoholic).</p> <ul style="list-style-type: none"> <li>– Applications for premises without alcohol are dealt with by the Licensing Officer (Street Trading).</li> <li>– Applications for premises with alcohol are dealt with by the Principal Licensing Officer.</li> <li>– Appeals are dealt with by the Licensing Subcommittee.</li> </ul> |  |
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## WASTE MANAGEMENT & TRANSPORT

### Waste and Recycling

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| 1. | <ul style="list-style-type: none"> <li>– Environmental Protection Act 1990 Section 45</li> <li>– Environmental Protection Act 1990 Section 46</li> <li>– The Controlled Waste (England and Wales) Regulations 2012</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management</li> <li>• All Officers within Waste Management</li> </ul> | <ul style="list-style-type: none"> <li>– Places a duty on the Council to arrange for the collection of household waste in Bury.</li> <li>– Permits the Council to specify the type of receptacle to be used by the householder for the disposal of their waste.</li> <li>– The Council can require separate receptacles to be used for waste which is to be recycled and waste that is not.</li> <li>– The Council may also specify the size, construction, and maintenance of the receptacles.</li> <li>– The Council may determine the position that Householders place their waste collection receptacles for emptying by the Council and steps to be taken by Householders</li> </ul> |  |
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### DELEGATED POWER – CHIEF OFFICER DELEGATIONS

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|  |  |  | <p>to facilitate the collection of waste from the receptacles.</p> <ul style="list-style-type: none"> <li>– A Householder who fails without reasonable excuse to comply with the Council's requirements under this legislation shall be liable on summary conviction to a fine; and</li> <li>○ The Council can make a charge to Householders for the provision of waste receptacles.</li> <li>○ Definition of waste to be treated as household, industrial and commercial waste.</li> <li>– Household waste for which collection and disposal charges may be made.</li> </ul> |  |
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### Transport

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| 1. | <ul style="list-style-type: none"> <li>– Road Traffic Act 1988</li> <li>– Road vehicle construction and use Regulation Working time Directive 2003</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management &amp; Transport Services</li> <li>• Transport Manager</li> </ul> | <ul style="list-style-type: none"> <li>– An act of Parliament of the United Kingdom, concerning vehicles, insurance, and road regulation.</li> <li>– European Union law Directive and a key part of European labour law.</li> </ul> |  |
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### Street Cleansing

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| 1. | <ul style="list-style-type: none"> <li>– The Environmental Protection Act 1990 Section 89</li> <li>– Litter and refuse: code of practice</li> </ul> | <ul style="list-style-type: none"> <li>• Assistant Director (Operations)</li> <li>• Head of Waste Management</li> </ul> | <ul style="list-style-type: none"> <li>– Imposes duties on certain landowners and occupiers to keep specified land clear of litter and refuse, and on local authorities and the Secretary of State to keep clean public highways for which</li> </ul> |  |
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### DELEGATED POWER – CHIEF OFFICER DELEGATIONS

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|  |  | <ul style="list-style-type: none"> <li>All Officers within Street Cleansing</li> </ul> | they are responsible.<br>– Standards of graffiti and fly posting. |  |
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### Libraries

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| 1. | <p>– To meet the requirements of the Public Libraries and Museums Act 1964; in doing so the Council should consider a number of legal obligations, including the Equality Act 2010, Best Value Duty 2011 guidance, Localism Act 2011, the Human Rights Act 1998 (I have taken this from the front page of <a href="https://www.gov.uk/government/publications/guidance-on-libraries-as-a-statutory-service/libraries-as-a-statutory-service">https://www.gov.uk/government/publications/guidance-on-libraries-as-a-statutory-service/libraries-as-a-statutory-service</a>)</p> | <ul style="list-style-type: none"> <li>All officers of the Libraries &amp; Archives team, Head of Wellness Operations</li> </ul> |  |  |
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