

TABLE 5

**DELEGATIONS TO THE DIRECTOR FOR ECONOMY, INFRASTRUCTURE
AND SKILLS**

	DELEGATION	OVERALL RESPONSIBLE BODY
	HIGHWAYS	
1	To exercise all the powers and duties of the County Council under the Highways Act 1980 (other than Sections 90A to 90i), the Countryside and Rights of Way Act 2000, the Rights of Way Act 1990 and the Traffic Management Act 2004 in relation to roads, highways, linked footpaths and byways open to all traffic and to serve all notices and take all steps as the Acts may require in connection with the exercise of such powers and duties	COUNCIL
2	After seeking the views in each case of the local member(s) of the County Council affected thereby and the relevant District Council and Parish Council, and provided the local member(s) of the County Council so consulted do not object thereto, to exercise, the powers and duties of the County Council under Sections 90A to 90i of the Highways Act 1980 (Road Humps and other Traffic Calming Works); and under the Road Traffic Regulation Act 1984 (as amended) or any subsequent re-enactment thereof	COUNCIL
3	To determine objections to proposed Traffic Regulation Orders under paragraph 2 above (other than those made by the local members of the County Council affected thereby) <i>Objections made by Local Members of the County Council which cannot be resolved to be referred to the Planning Committee for consideration</i>	COUNCIL
4	After seeking the views in each case of the local member(s) of the County Council affected thereby and provided the local member(s) so consulted do not object thereto, to authorise: (a) Neighbouring Authority to discharge the County Council's Highway functions and powers on 'cross boundary' contiguous sections of road (b) To authorise the County Council to discharge a neighbouring Authority's Highways functions and powers on 'cross boundary' contiguous sections of road	COUNCIL
5	In consultation with the Chief Constable, District Councils, County Teachers (and other representatives of organisations concerned with road safety) to maintain, monitor, review and implement a road safety strategy within the County Council's	COUNCIL

	DELEGATION	OVERALL RESPONSIBLE BODY
	road safety policies	
6	To approve District Councils' proposals under Sections 23 (market places) and 38 (cycling in pedestrian areas) of the Staffordshire Act 1983	COUNCIL
7	To approve District Councils' applications for Orders to amend charges for parking places in accordance with the powers contained in Section 35 of the Road Traffic Regulation Act 1984	COUNCIL
8	To take action on behalf of the County Council, after consultation where appropriate with District Councils, under Sections 5 (traffic signs), 6 (damage to footways), 7 (plans of new streets), 8 (vesting of former highway land) & 10 (grass verges etc) of the Staffordshire Act 1983	COUNCIL
9	To grant street works licences under the New Roads and Street Works Act 1991	COUNCIL
10	To issue charges and Fixed Penalty Notices under Section 95 of the New Roads and Street Works Act as amended by Section 41 of the Traffic Management Act 2004 including waiver of fines and charges against agreed guidelines	
11	To deal with individual cases where an altered highway produces a significant and obvious hardship either by the alteration directly or by a substantial increase in traffic which has been triggered by the alteration and where the total cost of providing discretionary noise insulation does not exceed the current cost of £5,000 per scheme (index linked in subsequent years by the national GDP)	COUNCIL
12	To take and implement any decisions necessary to fulfil the obligations of the County Council pursuant to, and in accordance with, a Service Level Agreement relating to the Council's participation in the Staffordshire Road Safety Partnership, including approving the annual operational plan for the Partnership.	COUNCIL
13	To adopt new streets and private streets as highways maintainable at public expense, subject to public record being kept of the date of the adoption	COUNCIL
14	To make temporary closure orders for public paths under Section 14 of the Road Traffic Regulation Act 1984 because of works on, or near, the path or because of the likelihood of danger or damage	COUNCIL
15	To authorise the stopping up of parts of the highway network under the provisions of Section 247 of the Town and Country Planning Act 1990	COUNCIL
16	To exercise all the powers and duties of the County Council under the <ul style="list-style-type: none"> • Flood and Water Management Act 2010 • Flood Risk Regulations 2009 	COUNCIL

	DELEGATION	OVERALL RESPONSIBLE BODY
	<ul style="list-style-type: none"> Land Drainage Act 1991 Or any subsequent re-enactment thereof.	
	PLANNING	
17	Unless the observations which the Director for Economy, Infrastructure and Skills proposes to give would represent a material departure from a planning policy for which the County Council is responsible:- <ul style="list-style-type: none"> To give the County Council's observations to District Councils, adjoining authorities, Government Departments and Statutory Undertakers/Public Utilities in response to consultations on planning, planning-related or environmental applications or policy documents To give the County Council's observations to District Councils on highway and highway-related matters To give the County Council's observations to the Environment Agency in response to consultations on Environmental Permits and policy documents. 	COUNCIL/ CABINET (LOCAL CHOICE)
18	To refer to the Secretary of State for Communities and Local Government any District Council's proposal for its own development which would be detrimental to the County Council's interests or which would be contrary to the County Council's views	COUNCIL
19	To authorise the Peak Park Authority to discharge the County Council's powers and functions under the Ancient Monuments and Archaeological Areas Act 1979 in respect of that part of the Peak District National Park which is within Staffordshire, without prejudice to the exercise concurrently by the County Council within that area of their powers under the Act.	COUNCIL
20	Where there is no objection to the application or matter in question from: <ul style="list-style-type: none"> The Chairman of the Planning Committee or the nominated opposition spokesperson; or The relevant District Council or Parish Council; or The Local Member of the County Council; or A statutory consultee other than Sport England and no more than four representations raising objections on material planning grounds have been received, then the Director may (subject to the director's discretion to consult with the Chairman or Vice-Chairman of the Planning Committee) decide to: <ul style="list-style-type: none"> Grant planning permission for the County Council's own development Grant planning permission for minerals and waste developments, including the approval of Schemes of Conditions under the Environment Act which do not 	COUNCIL/ CABINET (LOCAL CHOICE)

	DELEGATION	OVERALL RESPONSIBLE BODY
	<p>involve the development of a substantial new site or the significant extension of an existing site</p> <ul style="list-style-type: none"> • Refer applications to the Secretary of State when necessary in accordance with the relevant regulations where the application involves Green Belt development, development outside town centres, world heritage sites development, playing fields development or flood risk area development in accordance with the relevant statutory consultation arrangements • To refuse planning permission or not approve the matter in question, except in the case of a substantial new site. The significant extension of an existing site 	
21	<p>Subject to first consulting the Director of Corporate Services:</p> <ul style="list-style-type: none"> • To grant or refuse a Certificate of Lawfulness (CLU) for minerals and/or waste development. • To determine whether or not to take formal action • To issue or withdraw an Enforcement Notice, or waive or relax any requirements of the Notice • To serve a Planning Contravention Notice • To serve a Breach of Condition Notice • To seek an Injunction in respect of an actual breach or an apprehended breach of planning control • To serve a Notice relating to replacement of trees • To serve a Temporary Stop Notice • To issue notices seeking details of the ownership of a site • To approve the commencement of legal proceedings for non-compliance with any notice 	COUNCIL
22	To sign decision notices following the decision of the Planning Committee or (as authorised) by officers.	COUNCIL
23	To authorise the serving of a Stop Notice in conjunction with an Enforcement Notice, subject to the approval of the Chairman or (in his absence) the Vice-Chairman of Planning Committee and to consultation with the Director of Corporate Services and the Local Member. Sub delegated only to the Commissioner for the Sustainable County.	COUNCIL
24	To consider any representations or offers received from any person upon whom a Planning Contravention Notice has been served and to make decisions as to what action should be taken in response to those representations.	COUNCIL
25	<p>In relation to County Council planning permissions, to approve,</p> <p>subject to the limitations referred to in 19 above:</p> <ul style="list-style-type: none"> • Reserved Matters following the grant of outline planning Permission 	COUNCIL

	DELEGATION	OVERALL RESPONSIBLE BODY
	<ul style="list-style-type: none"> • Details submitted pursuant to conditions imposed by the planning permissions • Minor material amendments and non-material amendments to planning permissions 	
26	To approve submissions by mineral undertakers and the Coal Authority under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and subsequent orders and applications for prior notification under Parts 6, 19, 20 21, 22, 23 and 31 of that order, and to determine applications for prior approval	COUNCIL
27	In relation to a particular application/scheme of conditions/planning or enforcement appeal to <ul style="list-style-type: none"> • Issue a 'screening opinion' on the need for an environmental impact assessment • Issue a 'scoping opinion' on the range of matters to be addressed in the Environmental Impact Assessment 	COUNCIL
28	In the case of extreme urgency and in consultation with the Chairman of the Planning Committee to issue directions under the Town and Country Planning (General Permitted Development) Order 1995 with regard to a restriction of permitted development	COUNCIL
29	To give, in consultation with the Chairman of the Planning Committee, a Direction that a Tree Preservation Order shall have immediate effect without previous confirmation, subject to and under Section 201 of the Town and Country Planning Act 1990	COUNCIL
30	To arrange for a site visit to be held in connection with any development control matter where in the opinion of the Director for Economy, Infrastructure and Skills the consideration of that matter would be facilitated or enhanced by such visit; and on any such site visit to arrange for the attendance of the Chairman of the Planning Committee and such Members of the Planning Committee as may be appropriate, and the local member(s) of the County Council affected by the matter, and where the Director for Economy, Infrastructure and Skills considers it appropriate, for the relevant District Council and/or Parish Council to be represented, provided that no decision in relation to that matter shall be taken on the site visit	COUNCIL
31	In relation to Schemes of Conditions under the Environment Act 1995, in accordance with government guidance, to: <ul style="list-style-type: none"> • Agree to requests to postpone the date for the submission of Schemes of Conditions; or • Make requests to extend the date for determination of Schemes of Conditions 	COUNCIL

	DELEGATION	OVERALL RESPONSIBLE BODY
	TRANSPORT	
32	To exercise all the powers and duties of the County Council under the Transport Acts 1985 and 2000, Local Transport Act 2008 and Competition Act 1998, and any subsequent re-enactment thereof, in the provision of transport services within the county.	
	RESERVOIRS AND WATER BODIES	
33	To exercise all the powers and duties of the County Council under the Reservoirs Act 1975 and the Mines and Quarries Act 1954 in relation to the management of the Reservoirs and water bodies on its country parks and public access lands	CABINET
	W2R	
34	To make any decisions classified as “Authority Representative Matters” on behalf of Staffordshire County Council and the Contract Management Board in connection with the operation of Project W2R except where such matters have been specifically reserved for Cabinet decision	CABINET
35	The Director for Economy, Infrastructure and Skills and the Contract Manager be authorised to make any decisions on “Contract Board Matters” on behalf of Staffordshire County Council in connection with the operation of Project W2R except where such matters are reserved for Cabinet decision	CABINET
	LAND AND PROPERTY	
36	Jointly with the Director for Finance and Resources, the approval of short term licences (up to three months) for car parking	Council/Cabinet
37	To authorise the Peak Park Authority to discharge the County Council’s functions, as contained in the Countryside Act 1968, in relation to land at the former Waterhouses Railway Station	Council/Cabinet
Delegation Nos. 38 - 48 below refer to Economic Regeneration Properties including Physical Regeneration Schemes, County Farms and Enterprise Centres ONLY		
38.	To take all steps to administer and manage the Council’s property estate	
39	To approve all acquisitions at market value of up to £200,000 and all terms for those transactions	
40	To approve the terms of all disposals for best consideration at a market value of below £200,000 and all terms for those transactions	
41.	To approve all leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of below £200,000, and all Terms for those transactions including Right of Renewal	
42	To approve any Easement or Wayleave where the total premium, consideration and/or rent over the term is below £200,000	
43	To approve any lease/tenancy entered into where the total rent	

	over the term or a premium plus the total rent is below £200,000	
44	To approve any licence where the total licence fee over the licence period is below £200,000	
45.	To settle any claim for dilapidations totalling less than £200,000 where the County Council has been the tenant	
46.	To approve the removal of Restrictive Covenants where the total payment is below £200,000	
47.	To approve Pre-emptions and Options where the total value of the property is below £200,000	
48.	the granting of consent for alterations in the property or its use	
GENERAL		
49	To be authorised by the Director of Corporate Services to attest the affixation of the Common Seal of the County Council.	COUNCIL