

PEAK DISTRICT NATIONAL PARK AUTHORITY

STANDING ORDERS

PART 7 b

DELEGATION OF POWERS TO OFFICERS

OFFICER DELEGATION SCHEME

DELEGATION OF POWERS TO OFFICERS

Pursuant to section 101 Local Government Act 1972, the Authority, at the meeting held 10 November 2023 (minute 99/23), delegated as follows:

1. To amend the Scheme of Delegation to the Chief Executive set out in Part 7 of Standing Orders to authorise the Chief Executive, in consultation with the Chair and Deputy Chair of the Authority, to amend Standing Orders and Authority Policies to reflect any approved changes in job titles and changes to legislation if those changes do not have a significant effect on operational matters.
2. The Standing Orders are otherwise confirmed.

Following consultation with the Chair and Deputy Chair, I determine that the following powers and functions shall be delegated to Officers of the Authority, in accordance with this Officer Delegation Scheme, following recent organisational changes and changes to job titles.



Phil Mulligan Chief Executive
Peak District National Park Authority
November 2023

23/11/2023 – Amendments made to reflect organisational changes agreed by the Authority on 28/07/23 and new job titles. 7.E-7 & 7.E-8 – temporary delegation to Senior Planners and Principal Planners in any absence of Area Team Managers for the period 30th June – 31st December 2023 remain in place and job titles updated where required.

23/11/23 – 7.F-21 – Amended to reflect new delegation.

17/06/2025 – Amendments made to reflect organisational changes agreed by the Authority on 24/01/2025.

CONTENTS

DELEGATION OF POWERS TO OFFICERS
OFFICER DELEGATION SCHEME

Standing Order		Page No
PART A	CONDITIONS OF DELEGATION	
7.A-1	Exercise of Powers	1.7.22
7.A-2	Member Involvement	1.7.22
7.A-3	Routine Consumable Expenditure	1.7.23
7.A-4	Consultation	1.7.23
7.A-5	Emergency Delegation	1.7.23
PART B	ESTABLISHMENT AND PERSONNEL	
7.B-1	Administration of Powers	1.7.24
7.B-2	Establishment	1.7.24
7.B-3	Pay Awards and Conditions of Service	1.7.26
7.B-4	Superannuation	1.7.26
7.B-5	Car Loans	1.7.27
7.B-6	Removal and Lodging Expenses	1.7.27
7.B-7	Leave of Absence for Employees	1.7.27
7.B-8	Training and Development for Employees	1.7.28
7.B-9	Grievance and Discipline	1.7.29
7.B-10	Additional Employment for Officers above Scale H	1.7.29
PART C	GENERAL	
7.C-1	Response to Proposals Affecting the National Park or the Authority	1.7.29
7.C-2	External Funding Applications	1.7.29
7.C-3	Authority Grant and Award Schemes Applications	1.7.30
7.C-4	Recovery of Grant Aid	1.7.30
7.C-5	Variation from Decisions of Authority or Committee Meetings	1.7.30
7.C-6	Capital Programme	1.7.30
PART D	PROPERTY	
7.D-1	Consultation	1.7.32
7.D-2	Acquisition of land and property	1.7.33
7.D-3	Compulsory acquisition of land and property	1.7.33
7.D-4	Disposal of land and property	1.7.33
7.D-5	Applications for Planning Consent	1.7.34
PART E	PLANNING	
7.E-1	Agriculture and other Countryside Grant Schemes	1.7.34
7.E-2	Forestry Acts	1.7.35
7.E-3	Environment Enhancement Scheme Agreements	1.7.35

7.E-4	Tree Preservation and Hedgerow Protection Orders	1.7.35
7.E-5	Development not in accordance with the Development Plan	1.7.35
7.E-6	Directed Decisions of the Secretary of State	1.7.367
7.E-7	General Development Order – Notifications and Prior Approvals	1.7.36
7.E-8	Planning, Advertisement and Listed Building Applications	1.7.36
7.E-9	Control of Demolition	1.7.39
7.E-10	Enforcement Action	1.7.39
7.E-11	Neighbouring Authority and Agency Consultations	1.7.40
7.E-12	Hazardous Substances	1.7.40
7.E-13	Environmental Impact Assessment and Review of Mineral Planning Permissions	1.7.40
7.E-14	Fly Posting	1.7.41
7.E-15	Goods Vehicle Operators Licensing Requirements	1.7.41
7.E-16	Caravan Rallies	1.7.41
7.E-17	Agricultural Operations	1.7.41
7.E-18	Agreements under s52 of the Town and Country Planning Act 1971 and s106 of the Town and Country Planning Act 1990	1.7.41
7.E-19	Planning Contravention Notices and Requisitions for Information	1.7.41
7.E-20	Applications made under the Localism Act 2011	1.7.41
7.E-21	Review of Minerals Planning Permissions.	1.7.42
7.E-22	Conservation of Habitats and Species Regulations 2017	1.7.44
7.E-23	Business and Planning Act 2020	1.7.45
PART F	LEGAL	
7.F-1	Enforcement Action	1.7.47
7.F-2	Article 4 Directions	1.7.49
7.F-3	Control of Advertisement Regulations	1.7.49
7.F-4	Mineral Development Article 5 Directions	1.7.49
7.F-5	Works to preserve Listed Buildings	1.7.50
7.F-6	Building Preservation Notices	1.7.50
7.F-7	Recovery of Costs	1.7.50
7.F-8	Entry on Land	1.7.50
7.F-9	Certificates of Lawfulness of Development	1.7.50
7.F-10	Planning Contravention Notices and Requisitions for Information	1.7.51
7.F-11	Proceedings to enforce Planning Control	1.7.51
7.F-12	Trespass	1.7.52
7.F-13	Proceedings affecting the Authority's Interests	1.7.52
7.F-14	Notices, Orders, Contracts and Agreements	1.7.52
7.F-15	Proceeding relating to Access Land	1.7.53
7.F-16	Members' attendance at Courses, Conferences etc.	1.7.53

7.F-17	Outside Bodies	1.7.53
7.F-18	Reference to Chief Finance Officer In Standing Orders	1.7.54
7.F-19	Local Government & Social Care Ombudsman – Local Settlement	1.7.54
7.F-20	Power to grant dispensations to Authority Members with Disclosable pecuniary interests	1.7.54
7.F-21	Amendments to Standing Orders and Authority Policies	1.7.54
PART G	OTHER	
7.G-1.	Charges	1.7.54
7.G-2.	Public Rights of Way	1.7.55
7.G-3.	Access Land: Exclusion or Restriction of Access, carrying out of works and Dedication of Access Land	1.7.56
7.G-4	Land Disposal and Works – Consultation	1.7.57

	<p style="text-align: center;"><u>PEAK DISTRICT NATIONAL PARK AUTHORITY</u> <u>DELEGATION OF POWERS TO OFFICERS</u> <u>OFFICER DELEGATION SCHEME</u></p>
<u>PART A</u>	<u>CONDITIONS OF DELEGATION</u>
7.A-1	Exercise of Powers
	<p>The following powers have been delegated by the Authority to the Chief Executive under s101 of the Local Government Act 1972. The Chief Executive has been authorised to delegate these powers to another Officer. This Officer Delegation Scheme is a record of such delegations.</p> <p>These delegated powers shall be exercised in accordance with:</p> <ul style="list-style-type: none">(a) the Standing Orders of the Authority;(b) the Financial Regulations of the Authority;(c) the appropriate, policies and internal procedures. <p>Where appropriate this record identifies the Officers who may deputise should an Officer be unable to act. No other alternative delegations may be made without the consent of the Chief Executive or their deputy.</p>
7.A-2	Member Involvement
	<p>In exercising these delegations Officers should make sure that, where appropriate, Member input has been considered.</p> <p>For guidance this means that in exercising delegated authority the proposed decision is in accordance with the POLICY framework agreed by the Authority and the APPROACH agreed by the relevant Committee. Where an Officer intends to make a decision outside of either the agreed Policy or Approach it must be taken back to a meeting of the Authority or relevant Committee as appropriate.</p> <p>A general principle of any delegation to an Officer is that there will be occasions when, for example due to reputational risks, they decide it may be prudent not to exercise their delegation and refer a matter back to a meeting involving Members for a decision. In exercising this judgement the Officer should have regard to the following risk matrix, with impact and likelihood testing the impact/likelihood on Authority Plan aim delivery or the Authority's reputation.</p>

	<table><tr><th colspan="2" rowspan="2"></th><th colspan="3">Impact</th></tr><tr><th>Low</th><th>Medium</th><th>High</th></tr><tr><th rowspan="3">Likelihood</th><th>High</th><td>Accept but monitor</td><td>Manage and monitor</td><td>Significant focus and attention</td></tr><tr><th>Medium</th><td>Accept but review periodically</td><td>Management effort worthwhile</td><td>Manage and monitor</td></tr><tr><th>Low</th><td>Accept</td><td>Accept but monitor</td><td>Closely monitor</td></tr></table>			Impact			Low	Medium	High	Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor	Low	Accept	Accept but monitor	Closely monitor
				Impact																		
		Low	Medium	High																		
Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention																		
	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor																		
	Low	Accept	Accept but monitor	Closely monitor																		
	<p>If an item is identified as red it should automatically come to Members, if it is amber Officers should speak to the relevant Chair to decide on whether Member input is needed and what form it should take.</p>																					
7.A-3	Routine Consumable Expenditure																					
	<p>The Chief Executive or a Head of Service may authorise the placing of orders for routine consumable expenditure up to the amounts provided in the detailed annual budget, provided that such orders conform to Standing Orders, Financial Procedure Rules and this Scheme of Delegation.</p> <p>Any expenditure, either in the form of an individual item or combination of items which form a scheme or project, within the agreed policies and programmes:</p> <p>(a) Over the value of £30,000 but below £50,000 must be the subject of a business case agreed with the relevant Head of Service and the Chief Finance Officer.</p> <p>(b) Over the value of £50,000 but below £150,000 must be the subject of a business case consulted with the Resource Management Meeting</p> <p>(c) All other expenditure over £150,000 requires the authority of the relevant Committee.</p>																					
7.A-4	Consultation																					
	<p>Where any matter involves professional or technical considerations not within the sphere of competence of the relevant Officer that Officer shall consult with the appropriate professional or technical Officer of the Authority before authorising action.</p>																					
7.A-5	Emergency Delegation																					
	<table><tr><td><p>(a) In the event of any emergency the Chief Executive is authorised to take any necessary action which is deemed essential for the wellbeing of the Authority or its employees where a decision is required on a matter that cannot reasonably be referred to the</p></td><td><p>This delegation is only to be used following consultation with the Chair of the Authority (or in their absence the Deputy Chair) and with the Chief Finance Officer whenever urgent action has a financial consequence for the Authority, and with the Monitoring Officer.</p></td></tr></table>	<p>(a) In the event of any emergency the Chief Executive is authorised to take any necessary action which is deemed essential for the wellbeing of the Authority or its employees where a decision is required on a matter that cannot reasonably be referred to the</p>	<p>This delegation is only to be used following consultation with the Chair of the Authority (or in their absence the Deputy Chair) and with the Chief Finance Officer whenever urgent action has a financial consequence for the Authority, and with the Monitoring Officer.</p>																			
<p>(a) In the event of any emergency the Chief Executive is authorised to take any necessary action which is deemed essential for the wellbeing of the Authority or its employees where a decision is required on a matter that cannot reasonably be referred to the</p>	<p>This delegation is only to be used following consultation with the Chair of the Authority (or in their absence the Deputy Chair) and with the Chief Finance Officer whenever urgent action has a financial consequence for the Authority, and with the Monitoring Officer.</p>																					

	Authority or a Committee.	<p>If the Chief Executive is unavailable or unable to act the Head of Resources or in their absence the Head of Planning, Head of Landscape and Engagement or Head of Assets and Enterprise are authorised to make a decision in their absence.</p> <p>If both the Chair and Deputy Chair are unavailable or unable to act Officers are authorised to contact alternative Members such as a Committee Chair/Vice Chair or a Member Champion.</p> <p>Authority (4/12/15 – 126/15)</p>
	(b) All Members are to be advised as soon as practicable of any decisions made under Paragraph (a) and the details then reported to a meeting of the National Park Authority at the earliest opportunity.	The Head of Resources or in their absence the Head of Planning, Head of Landscape and Engagement or Head of Assets and Enterprise if the Chief Executive is unavailable or unable to act.
	(c) To make an urgent decision relating to the immediate suspension of the Chief Executive, a statutory officer or non-statutory chief officer following receipt of allegations of misconduct by the Relevant Officer which are such that their remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Authority and it is not possible to delay that decision until a meeting of the Investigating and Disciplinary Committee can take place. Any decision to suspend under this delegation should be reviewed by the Investigating and Disciplinary Committee on the earliest date on which a quorate meeting of the Committee can be convened.	The People Manager, in consultation with the Chair of the Authority and (as appropriate) the Chief Executive or the Monitoring Officer
<u>PART B</u>	<u>ESTABLISHMENT AND PERSONNEL</u>	
7.B-1	Administration of Powers	
	All general establishment and personnel powers shall be administered in accordance with the Authority's Human Resources policies and procedures and appropriate National and Local Conditions of Service.	
7.B-2	Establishment	
	(a) To approve changes to the staff establishment, below Heads of Service post,	(a) where proposals are permanent changes or temporary changes for a period of more than 2 years delegated to RMM; where proposals are

	including making temporary posts permanent, to achieve agreed policies and programmes within the approved annual staff budget.	temporary changes to the establishment for 2 years or less delegated to: Head of Service in consultation with People Manager and Finance Manager or in their absence Head of Resources	
	(b) To approve additional temporary posts funded from income, external funding and temporary allocation of non-staff budgets.	(b) where proposals are for a period of more than 2 years delegated to RMM; where the proposals are for a period of 2 years or less delegated to relevant Head of Service in consultation with People Manager and Finance Manager or in their absence Head of Resources	
	(c) To extend fixed term contract posts for up to 3 years where the posts are fully externally funded from specified sources.	(c) Relevant Head of Service in consultation with People Manager and Finance Manager	<u>Deputies</u> Chief Executive; Authority Solicitor for People Manager and Head of Resources for Finance Manager
Appointments for all posts below Head of Service level			
	<p>(a) To appoint or authorise the appointment of all employees including secondment, making internal promotions and the temporary appointment of contractors or agency staff:</p> <p>(i) to permanent established posts or temporary posts.</p> <p>(ii) to existing or new posts funded from income and external funding and temporary allocation of non-staff budget.</p>	Head of Service in accordance with Human Resources Procedures	<u>Deputy</u> Chief Executive
	<p>b) To make temporary appointments, including the appointment of contractors or agency staff to cover:</p> <p>(i) a vacancy arising out of an employee being absent through maternity leave or long-term sickness.</p> <p>(ii) for an appropriate period to cover a recruitment handover.</p> <p>(iii) vacancies arising out of secondments.</p>	Head of Service in accordance with Human Resources Procedures	<u>Deputy</u> Chief Executive

	(c) To authorise the payment of market supplements and recruitment incentives where there is proven recruitment difficulty in accordance with the agreed principles.	Head of Service after approval by Resource Management Meeting	<u>Deputy</u> Chief Executive in consultation with People Manager and Finance Manager
	(d) To authorise the payment of overtime to employees.	Head of Service	<u>Deputy</u> Chief Executive
	(e) To authorise the payment of honoraria to employees.	Head of Service in consultation with People Manager and Finance Manager	<u>Deputy</u> Chief Executive for People Manager and Finance Manager
	(f) To change the job titles of established posts below the level of Head of Service.	Head of Service in consultation with People Manager	<u>Deputies</u> Chief Executive Head of Resources for People Manager
	(g) To determine salary grades of posts through the job evaluation process.	People Manager	<u>Deputy</u> Chief Executive for People Manager
	(h) To implement, as a consequence of Authority decisions, changes to the establishment structure in accordance with the Authority's managing change policy including the approval of redundancy and redundancy payments where appropriate.	Head of Service after approval by Resource Management Meeting (RMM)	<u>Deputy</u> Chief Executive in consultation with People Manager and Finance Manager
7.B-3	Pay Awards and Conditions of Service		
	To implement any pay awards and conditions of service agreed by national negotiating bodies on behalf of the Authority where no discretionary action is involved.	People Manager	<u>Deputy</u> Finance Manager
7.B-4	Superannuation		
	To authorise the payment of any pensions, gratuities, grants, etc. provided for in the Superannuation Acts and Regulations subject to the pensions etc. being in accordance with the Acts, Regulations or agreed policy of the Authority	Finance Manager	<u>Deputy</u> People Manager

7.B-5	Car Loans		
	To make loans to officers for the purchase of cars for the purposes of their employment in accordance with the policy approved by the Authority, from time to time.	Finance Manager	<u>Deputy</u> Head of Resources
7.B-6	Removal and Lodging Expenses		
	To authorise the payment of removal and lodging expenses to newly appointed, promoted or transferred employees in accordance with the Authority's scheme.	Relevant Head of Service or Chief Executive in consultation with People Manager	<u>Deputies</u> Chief Executive Finance Manager for People Manager
7.B-7	Leave of Absence for Employees		
	(a) To authorise special leave of absence without pay in line with the Flexible Working Policy and guidance notes.	Chief Executive for Head of Service, Head of Service for other staff	<u>Deputies</u> Head of Resources or People Manager
	(b) To authorise leave of absence with or without pay for a period not exceed 18 days or 36 half days in any period of 12 months: (i) to perform jury service. (ii) to undertake magisterial duties. (iii) to serve on a judicial panel or tribunal. (iv) to attend meetings or conferences, as a member of a public body including essential commitments as a School Governor (v) to attend meetings of or arranged by National or Provincial Joint Councils.	Chief Executive for Head of Service Head of Service for other staff	<u>Deputies</u> Head of Resources or People Manager
	(c) To authorise leave of absence with pay for up to five half days in any year for a union representative to participate in union activities, as guided by ACAS Code of Practice.		

	(d) To authorise unpaid release for staff to carry out public, civic and community duties and other duties of a voluntary or charitable nature, where such release is operationally possible and does not affect the Authority's provision of services.	Chief Executive for Head of Service Head of Service for other staff	<u>Deputies</u> Head of Resources or People Manager
	(e)To approve applications for flexible retirement below Heads of Service posts.	Resources Management Meeting	
7.B-8	Training and Development for Employees		
	(a) To agree an annual corporate and vocational training and development programme to meet identified needs within the approved budget.	People Manager after approval by the Senior Management Team	<u>Deputy</u> Chief Executive
	(b) To authorise the attendance at courses and conferences and other events including the payment of fees and other expenses.	Head of Service within delegated budget	<u>Deputy</u> People Manager
	(c) to authorise the undertaking of: (i) courses of study for appropriate qualifications. (ii) courses or other training events, or work experience in relation to personal development. (iii) courses or other training events for specific personal specialist needs. Including the payment of fees and other expenses (If a replacement employee is required specific Committee authority will be necessary).	Head of Service within delegated budget	<u>Deputies</u> People Manager
	(d) to approve applications for an interest free study loan up to a total cumulative value of £100,000 and for a maximum loan period of 5 years.	People Manager with Finance Manager	<u>Deputy</u> Chief Executive

7.B-9	Grievance and Discipline		
	To take appropriate action in accordance with the employees Grievance and Disciplinary Procedures adopted by the Authority.	Chief Executive, Head of Service in accordance with roles identified in Procedures	<u>Deputies</u> Chief Executive or People Manager in accordance with roles identified in Procedures
7.B-10	Additional Employment for Employees above Scale H		
	To authorise employees above Scale H to engage in any other business or take up any additional appointment of a casual nature so long as such work does not prejudice their service with the Authority. Authorisation for the Chief Executive to be given by the Chair and Deputy Chair of the Authority.	Head of Service or Chief Executive	<u>Deputies</u> Chief Executive or People Manager

<u>PART C</u>	<u>GENERAL</u>		
7.C-1	Response to Proposals Affecting the National Park or the Authority		
	To determine an Authority response in line with the Authority's policies on any central, regional or local government proposal affecting the National Park including those concerning the Authority's powers, duties, functions and responsibilities where at least the appropriate Chair and Deputy or Vice Chair should be consulted.	Head of Service	<u>Deputies</u> Chief Executive
7.C-2	External Funding Applications		
	a) In consultation with the Chair of the relevant committee to make applications to external bodies or organisations for finance or grant aid up to any value.	Applications up to £50,000 Head of Service and Finance Manager Applications over £50,000 subject to business case to RMM for approval	<u>Deputies</u> Chief Executive for Head of Service and Head of Resources for Finance Manager.
	b) To accept offers of finance or grant aid up to £200,000 for funding including completing any agreements	Acceptance up to £200,000: Chief Executive with Finance Manager	<u>Deputy</u> Head of Resources

		Acceptance over £200,000: Committee approval required	
7.C-3	Authority Grant and Award Schemes		
	The Authority agreed to temporarily suspend 7.C3 for the delivery of the Farming in Protected Landscapes programme only. (Agreed on 02/07/21 Minute No 57/21)		
	To determine applications for grants under the Authority's grant schemes where the cost to the Authority is £30,000 or less.	Relevant Head of Service	<u>Deputy</u> Chief Executive
	To authorise Environmental Quality Mark Awards.	Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
7.C-4	Recovery of Grant Aid		
	To authorise the raising of accounts for the recovery of the appropriate amounts and seek recovery as a debt if necessary, in cases where the conditions attached to the grant aid made by the Authority have not been complied with. Such action to be taken following consultation with the Chief Finance Officer.	Head of Service (in consultation with the Chief Finance Officer)	<u>Deputy</u> Chief Executive
7.C-5	Variation from Decisions of Authority or Committee Meetings		
	To authorise action on a decision of an Authority or committee meeting where any variation from that decision is insignificant and has no implications for the Authority.	Relevant Head of Service or Chief Executive in consultation with Monitoring Officer	<u>Deputies</u> Chief Executive for relevant Head of Service and Head of Resources for Monitoring Officer
7.C-6	Capital Programme		
	Where the project cost is under £150,000 to determine whether Individual Capital projects included in the approved Capital Programme are supported by either borrowing or the Capital Fund subject to the Authority's Prudential Framework Authorised Limit and the Chief Finance Officer's assessment that future estimated Capital Fund receipts will be achieved and are	Resources Management Meeting with Chief Finance Officer approval	

	available for allocation	
	Where the project cost is over £150,000 or not included in the approved Capital Programme Committee approval is required.	

PART D	PROPERTY																							
	<p>All property powers shall be administered in accordance with the Authority’s Asset Management Plan (along with the Asset Disposal Procedure and Disposal ‘Tool Kit’) and in consultation with the Officers identified in this Plan. Where the Head of Assets and Enterprise is named in the delegation but unable to act the Chief Executive may substitute. (subject to Standing Order 7.D-1 set out below).</p> <p>In exercising any delegation under part D please note the following extract from Standing Order 7.A-2 regarding consultation:</p> <p><i>“In exercising these delegations Officers should make sure that, where appropriate, Member input has been considered.</i></p> <p><i>For guidance this means that in exercising delegated authority the proposed decision is in accordance with the POLICY framework agreed by the Authority and the APPROACH agreed by the relevant Committee. Where an Officer intends to make a decision outside of either the agreed Policy or Approach it must be taken back to a meeting of the Authority or relevant Committee as appropriate.</i></p> <p><i>A general principle of any delegation to an Officer is that there will be occasions when, for example due to reputational risks, they decide it may be prudent not to exercise their delegation and refer a matter back to a meeting involving Members for a decision. In exercising this judgement the Officer should have regard to the following risk matrix, with impact and likelihood testing the impact/likelihood on Authority Plan aim delivery or the Authority’s reputation.</i></p> <table><tr><td colspan="2"></td><th colspan="3">Impact</th></tr><tr><td colspan="2"></td><th>Low</th><th>Medium</th><th>High</th></tr><tr><th rowspan="3">Likelihood</th><th>High</th><td>Accept but monitor</td><td>Manage and monitor</td><td>Significant focus and attention</td></tr><tr><th>Medium</th><td>Accept but review periodically</td><td>Management effort worthwhile</td><td>Manage and monitor</td></tr><tr><th>Low</th><td>Accept</td><td>Accept but monitor</td><td>Closely monitor</td></tr></table> <p><i>If an item is identified as red it should automatically come to Members, if it is amber Officers should speak to the relevant Chair to decide on whether Member input is needed and what form it should take.”</i></p>			Impact					Low	Medium	High	Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor	Low	Accept	Accept but monitor	Closely monitor
		Impact																						
		Low	Medium	High																				
Likelihood	High	Accept but monitor	Manage and monitor	Significant focus and attention																				
	Medium	Accept but review periodically	Management effort worthwhile	Manage and monitor																				
	Low	Accept	Accept but monitor	Closely monitor																				

7.D-1	Consultation		
	Where any matter involves professional or technical considerations not within the sphere of competence of the relevant Officer that Officer shall consult with the appropriate professional or technical Officer of the Authority before authorising action.		
7.D-2	Acquisition of land & property		
	<p>To acquire or renew any interest in or over land, including buildings, on terms to be approved by the Authority Solicitor. To accept surrender of interests and serve notices to terminate interests,</p> <p>(a) where the purchase price does not exceed £150,000 or;</p> <p>b) the total rental over the term does not exceed £150,000 or;</p> <p>c) in the case of a periodic tenancy the overall rental charge does not exceed £150,000 and the tenancy is reviewed by officers at three yearly intervals.</p> <p>This delegation includes transfers, leases, licences, easements and way-leaves.</p>	<p>Up to £30,000 (capital and additional annual revenue cost or total rental payments over the term) Head of Assets and Enterprise in consultation with the Finance Manager.</p> <p>Between £30,000 and £50k (capital and additional annual revenue cost or total rental payments over the term) subject to a business case approved by: Head of Assets and Enterprise and Finance Manager in consultation with Chair and Vice Chair of Programmes & Resources Committee.</p> <p>Over £50,000 (capital and additional annual revenue cost or total rental payments over the term) subject to business case to RMM for approval – to include consultation with the Head of Assets and Enterprise and the Chair and Vice Chair of Programmes & Resources Committee.</p>	<p><u>Deputies</u> Chief Executive for the Head of Assets and Enterprise</p> <p>Head of Resources for Finance Manager</p>

		The Authorisation shall not be given by the person who has carried out the negotiations	
	Formal signature of legal documents	Authority Solicitor	<u>Deputy</u> Chief Executive or Senior Lawyer
7.D-3	Compulsory acquisition of land & property		
	To authorise the acquisition of land & property using powers under s226 of the Town and Country Planning Act 1990, s89 of the National Parks and Access to the Countryside Act 1949, or s47 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where the total value of the land or property does not exceed £20,000.	Resource Management Meeting in consultation with the Head of Assets and Enterprise	Chief Executive for Head of Assets and Enterprise
	Making, signing and sending Orders and confirmations.	Authority Solicitor	<u>Deputy</u> Chief Executive or Senior Lawyer
7.D-4	Disposal of land & property		
	<p>To dispose of or terminate an interest in or over land including buildings on terms to be approved by the Authority Solicitor.</p> <p>a) where the sale value does not exceed £100,000 or</p> <p>b) where the total lease value over the term does not exceed £100,000 and the term is less than 7 years, or</p> <p>c) In the case of a periodic tenancy the overall rental charge does not exceed £100,000 and the tenancy is reviewed by officers at three yearly intervals</p> <p>This delegation includes transfers, leases, licences, easements and way-leaves.</p>	<p>Up to £30,000 (capital and additional annual revenue cost and/or rental charges) Head of Assets and Enterprise in consultation with the Finance Manager</p> <p>Between £30,000 and £50,000 (capital and additional annual revenue cost and/or rental charges) subject to a business case approved by: Head of Assets and Enterprise and Finance Manager in consultation with Chair and Vice Chair of Programmes &</p>	<p><u>Deputies</u> Chief Executive for Head of Assets and Enterprise</p> <p>Head of Resources for Finance Manager</p>

		<p>Resources Committee</p> <p>Over £50,000 (capital and additional annual revenue cost and/or rental charges) subject to business case to RMM for approval – to include consultation with Head of Assets and Enterprise and Chair and Vice Chair of Programmes & Resources Committee</p> <p>The authorisation shall not be given by the person who has carried out the negotiations.</p> <p>Authority Solicitor</p>	<p><u>Deputy</u> Chief Executive or Senior Lawyer</p>
7.D-5	Applications for Planning Consent		
	To make applications under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 for planning and listed building consent for development of the Authority's properties where the capital value of the proposed works does not exceed £150,000.	Head of Assets and Enterprise and Development and Enforcement Manager or Area Team Managers or Principal Planners	<u>Deputies</u> Chief Executive for Head of Assets and Enterprise. Head of Planning for the Development and Enforcement Manager, Area Planning Managers and Principal Planners

<u>PART E</u>	<p><u>PLANNING</u></p> <p>Where no Deputy is specified the Deputy is the Head of Planning or the Chief Executive</p>		
7.E-1	Agriculture and other Countryside Grant Schemes		
	To respond to notifications and consultations and to raise formal objections under the provisions of Agriculture and other Countryside Grant schemes.	Head of Landscape and Engagement	<u>Deputy</u> Head of Planning or Chief Executive

7.E-2	Forestry Acts		
	(a)To submit observations to the Forestry Commission and raise formal objections on their Forestry Grants Schemes and on felling licence applications or notifications where no Tree Preservation Order exists.	Head of Landscape and Engagement	<u>Deputies</u> Head of Assets and Enterprise or Chief Executive
	(b) To submit observations to the Forestry Commission where a Tree Preservation Order is in force.		
7.E-3	Environment Enhancement Scheme Agreements		
	To complete Environment Enhancement Scheme Agreements where the total cost to the Authority is less than £150,000 and the annual amount no greater than £30,000.	Up to £50,000 Head of Landscape and Engagement or Senior Farm Adviser (assuming annual amount less than £30,000)	<u>Deputy</u> Chief Executive
		Over £50,000 RMM (assuming annual amount less than £30,000)	
7.E-4	Tree Preservation and Hedgerow Protection Orders		
	(a) To make Tree Preservation Orders and confirm unopposed Orders under the Town and Country Planning Act 1990, Sections 198 to 201.	(a), (b) & (c) Head of Landscape and Engagement or Head of Planning	<u>Deputies</u> Cultural Heritage Team Manager, or Land and Nature Manager for Head of Landscape and Engagement or Head of Planning
	(b) To make Hedgerow Protection Orders under the Environment Act 1995.		
	(c) To determine applications for consents under Tree Preservation Orders.		
	(d) Making, signing & sending Orders and confirmations.	(d) Authority Solicitor	<u>Deputies</u> Chief Executive, Senior Planning Lawyer or Senior Lawyer
7.E-5	Development not in accordance with the Development Plan		
	To deal with all matters relating to classification of departures	Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Policy and	

	from the development plan and reference of departures to the Secretary of State.	Communities Manager, Area Team Manager or Principal Enforcement Planner
7.E-6	Directed Decisions of Secretary of State	
	To refuse applications on which a direction of refusal has been made by the Secretary of State under Articles 25 and 26 of The Town and Country Planning (Development Management Procedure) (England) Order 2010.	Head of Planning, Development and Enforcement Manager, Policy and Communities Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner
7.E-7	General Development Order – Notifications and Prior Approvals	
	To respond to notifications and to decide whether planning applications should be required as a result of notifications received under the Town and Country Planning (General Permitted Development) Order 2015 or other relevant legislation.	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p> <p>Senior Planners (South Team) in temporary absence of AreaTeam Manager (South Team), in any absence of the Team Manager (North Team) and Principal Planners for both areas for period 30th June – 31st December 2023.</p>
7.E-8	Planning, Advertisement and Listed Building Applications	
	<p>(a) Within the Authority's policies to determine all applications for planning consent, listed building consent, conservation area consent, overhead electricity lines and consent under the Advertisement Regulations other than those in the following categories:</p> <p>(i) Residential development proposing a net increase over existing commitments of more than two new build dwellings or the conversion of traditional buildings to more than four units of accommodation.</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p> <p>Senior Planners (South Team) in temporary absence of Area Team Manager (South Team) and in any absence of the Team Manager (North Team) and Principal Planners for both areas for period 30th June – 31st December 2023.</p>

	<p>(ii) Commercial or industrial development proposing a net increase over existing commitments of more than 1,000 sq m floor area.</p> <p>(iii) New sites for the extraction of minerals or the disposal of waste.</p> <p>(iv) The extension of existing sites for mineral extraction and waste disposal with an increase in site area greater than 0.1ha.</p> <p>(v) New telecommunications masts over 20 metres in height.</p> <p>(vi) Individual free standing wind turbines over 15 metres in hub height.</p>	
	<p>Provided that any delegated action above shall be subject to the following provisions:</p> <p>(a) That all new applications are reported in the week of receipt, or as soon as possible thereafter, in a list to be circulated to all Members</p> <p>(b) That any Member can by written notice, stating clear material planning reasons, ask that an otherwise delegated application be determined by the Committee. If such a request is made the Head of Planning may, in consultation with the Chair of the Planning Committee, ask for further information before judging whether or not the application should be withdrawn from delegation. The Head of Planning will inform the Member the reasons for a decision not to withdraw an application from delegation.</p> <p>(c) Applications shall not be determined in a manner substantially contrary to the planning views of the relevant local authority, Town Council, Parish Council or Parish Meeting, provided that those views are based on material planning considerations relevant to the application and are consistent with planning policies. In interpreting the word 'substantially' this clause shall not prevent either the approval or refusal of applications where the consultee response is either 'no comment' or 'no objections', or the approval of applications where objections can be overcome by the imposition of conditions or amendments to the proposal. If the consultee response is either 'support' or 'oppose' the application, or other similar simple expression in favour or against, and is contrary to the proposed officer determination the consultee will be expected to also provide material planning reasons for its view. In addition this clause shall not prevent the determination of applications where differences of view are solely on design issues, for example single, small-scale isolated issues. Cases will be considered with reference to the Authority's adopted Design Guide.</p>	

	<p>(d) Applications shall not be determined when more than three substantial planning objections or representations are received which are contrary to the intended decision. In interpreting the word 'substantial' this clause shall not prevent the determination of applications where objections do not relate to material planning considerations, or can be overcome by the imposition of conditions, or where the objections or representations are solely on basic design issues.</p> <p>(e) That all decisions are reported to Members for information on a monthly basis on the Authority's website.</p>	
	<p>(2) To determine applications and requests for non-material amendments.</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner Senior Planners (South Team) in temporary absence of Area Team Manager (South Team) and in any absence of the Team Manager (North Team) and Principal Planner for any area for period 30th June – 31st December 2023.</p>
	<p>(3) To refuse applications on the basis of inadequate information supplied by the applicant.</p>	
	<p>(4) To discharge conditions on planning and advertisement permissions and listed building consents, including determination of formal applications for discharge.</p>	
	<p>(5) To grant applications which are for the renewal of unimplemented planning permissions.</p>	
	<p>(6) To sign all decision notices pursuant to a resolution or under this delegation.</p>	
7.E-9	Control of Demolition	
	<p>To exercise the Authority's powers and responsibilities in respect of the control of demolition.</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>
7.E-10	Enforcement Action	
	<p>To decide not to pursue enforcement action in cases of breaches of planning control where:</p> <p>(a) The unauthorised development does not conflict with the</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>

	<p>Authority's approved policies;</p> <p>And</p> <p>(b) The effect of the breach is considered not to be significantly harmful to public amenity or safety or the existing use of land or buildings meriting protection in the public interest.</p> <p>And</p> <p>(c) There is no substantial neighbourhood objection. "Substantial" shall be interpreted as more than 3 objections to the unauthorised development provided those objections relate to material planning considerations. In interpreting the word "substantial" this clause shall not prevent a decision being made not to pursue enforcement action where the objections are solely on design issues.</p>	
7.E-11	Neighbouring Authority and Agency Consultations	
	<p>Except where Officers consider that these are of major significance, to respond in line with the National Park Authority's policies to consultations, received from neighbouring authorities and agencies, on planning applications and on policy documents and to lodge objections where appropriate.</p>	<p>Head of Planning, Policy Planning Manager, Policy and Communities Manager, Strategic Planning Manager, Development & Enforcement Manager Area Team Manager, Principal Enforcement Planner or Head of Landscape and Engagement</p>
7.E-12	Hazardous Substances	
	<p>To administer the Authority's powers and duties relating to hazardous substances under the Planning (Hazardous Substances) Act 1990 including the determination of applications for hazardous substance consent, claims for deemed consent and the issue of hazardous substance</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>

	contravention notices.	
7.E-13	Environmental Impact Assessment and Review of Mineral Planning Permissions	
	<p>(a) To determine the requirement for an Environmental Impact Assessment including decisions as to all matters relating to screening and scoping of EIA.</p> <p>b) To advise the statutory bodies of the requirement for an EIA.</p>	<p>(i) Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p> <p>(ii) Head of Landscape and Engagement</p> <p><u>Deputies</u> (i) Head of Planning. (ii) Chief Executive</p>
7.E-14	Fly Posting	
	To exercise the powers of the Authority under s225, s225A to s225K of the Town and Country Planning Act 1990.	Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner
7.E-15	Goods Vehicle Operators Licensing Regulations	
	To make representations and to lodge holding objections on applications.	Head of Planning Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner
7.E-16	Caravan Rallies	
	To consider the annual draft programme of caravan rallies for the National Park submitted by the Clearing Houses and to make recommendations to the Clearing Houses on changes and improvements to the draft programme.	Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner
7.E-17	Agricultural Operations	
	To determine the requirement for action under Section 42 of the Wildlife and Countryside Act 1981 and the Peak District National Park Authority Restriction of Agricultural Operations (Order 2002).	<p>Head of Landscape and Engagement</p> <p><u>Deputy</u> Chief Executive</p>

7.E-18	Agreements under s52 of the Town and Country Planning Act 1971 and s106 of the Town and Country Planning Act 1990		
	(a) To authorise entry into and agree the terms of agreements under S106 of the Town and Country Planning Act 1990 for development where applications are determined under delegated powers	Head of Planning	<u>Deputies</u> Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner
	(b) To authorise the variation and/or modification of the terms of agreements under s52 of the Town and Country Planning Act 1971 and s106 of the Town and Country Planning Act 1990.	Head of Planning	
	(c) To authorise the rescission/discharge of agreements under s52 of the Town and Country Planning Act 1971 and s106 of the Town and Country Planning Act 1990.	Head of Planning	
7.E-19	Planning Contravention Notices and Requisitions for Information.		
	To issue Planning Contravention Notices and requisitions for information under s330 of the Town and Country Planning Act 1990 and s16 of the Local Government (Miscellaneous Provisions) Act 1976. (Concurrent power with the Authority Solicitor).	Head of Planning Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner	
7.E-20	Applications made under the Localism Act 2011.		
	To approve (but not refuse) applications for designation of Neighbourhood Forums.	Authority Solicitor	<u>Deputy</u> Chief Executive

7.E-21	Review of Minerals Planning Permissions.		
	<p>To serve written notice on owners of land or the operator, for the submission of new conditions.</p> <p>To determine, in respect of periodical reviews of minerals planning permissions:</p> <p>(a) whether or not the Authority will carry out a first, second or subsequent periodic review and to set the dates for that review,.</p> <p>(b) whether it is expedient to treat as a single site for the purposes of the review, the aggregate of the land to which two or more mineral permissions relate,</p> <p>(c) requests for postponement of minerals reviews,</p> <p>(d) whether or not to extend the period for submission of a new Environmental Statement, and</p> <p>(e) reviews where no Environmental Statement is required (subject to consultation with the Authority Solicitor and and Finance Manager in cases it is proposed to apply conditions which are different from those applied for and the effect of the new conditions, except insofar as they are restoration or aftercare conditions, is to restrict working rights in respect of the site)</p>	Head of Planning	<u>Deputy</u> Strategic Planning Manager
	f) Following agreement in principle by the Committee, to agree detailed schemes for mineral planning permissions under the Environment Act 1995, schedules 13 and 14.	Head of Planning or Strategic Planning Manager	

7.E-22	Conservation of Habitats and Species Regulations 2017		
	a) To determine whether an appropriate assessment is required under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended)	Head of Planning	<u>Deputy</u> Chief Executive
	b) To carry out appropriate assessments under regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 (as amended) including, without limitation, to require further information, to carry out consultations (and for that purpose to determine whether the opinion of the general public should be taken) and to have regard to any representations received.	Head of Planning	<u>Deputy</u> Chief Executive

7.E-23	Business and Planning Act 2020	
	<p>A. Modification of conditions relating to construction working hours:</p> <ol style="list-style-type: none"> 1. To give written notice under s 74C TCPA 1990 upon an application under 74B (Modification of conditions relating to construction working hours) either to <ol style="list-style-type: none"> a) Modify conditions or the approved document in accordance with the application as applied for, b) Refuse to modify the conditions as applied for, or c) Make a determination under s74C (2) as to <ul style="list-style-type: none"> - The times that construction activities may be carried out - The dates date from which modifications are to take place - The date at the end of which the modifications are to cease to have effect <p>And for the purposes of (c) to seek the agreement of the applicant to the terms of the determination.</p>	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>

	<p>B. Matters relating to automatic extension of certain planning permissions: additional environmental approval applications under s93B(3) TCPA 1990:</p> <ol style="list-style-type: none"> 1. To grant, or refuse to grant the additional environmental approval in relation to the relevant planning permission 2. To agree in writing extensions of time for determining the application (not exceeding 21 days) 3. Where the development to which the relevant planning permission relates is EIA development, to determine whether a reasoned conclusion on the significant effects of the proposed development on the environment was reached and integrated into the decision and is up to date. 4. To determine whether the Authority is satisfied that a previous assessment under regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, of the implications of the development to which the permission relates for a European site, was carried out; that, in light of the assessment, the development to which the permission relates would not adversely affect the integrity of the European site and that the assessment remains up to date. 	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>
--	---	--

	<p>C. Outline planning permission: extension of limits for beginning development with additional environmental approval: applications for additional environmental approval under s 93F(3) TCPA 1990:</p> <ol style="list-style-type: none"> 1. To grant, or refuse to grant the additional environmental approval in relation to the relevant planning permission 2. To agree in writing extensions of time for determining the application (not exceeding 21 days) 3. Where the development to which the relevant planning permission relates is EIA development, to determine whether a reasoned conclusion on the significant effects of the proposed development on the environment was reached and integrated into the decision and is up to date 4. To determine whether the Authority is satisfied that a previous assessment under regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, of the implications of the development to which the permission relates for a European site, was carried out; that, in light of the assessment, the development to which the permission relates would not adversely affect the integrity of the European site and that the assessment remains up to date. 	<p>Head of Planning, Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner</p>
--	---	--

<u>PART F</u>	<u>LEGAL</u>		
7.F-1	Enforcement Action		
	<p>(a)To authorise the issue of enforcement notices, listed building enforcement notices and breach of condition notices in relation to development in breach of planning control.</p> <p>(b) To authorise the issue of stop notices and temporary stop notices. Before a stop notice is issued consultations shall be held with the Chief Finance Officer to consider the implications of the payment of compensation.</p> <p>(c) To authorise applications to the Courts for injunctions under Section 187B of the Town and Country Planning Act 1990.</p> <p>(d) To issue notices under s215 of the Town and Country Planning Act 1990. (Untidy land and buildings).</p> <p>(e) To apply to the magistrates court for a planning enforcement order under s171BA of the Town and Country Planning Act 1990</p> <p>(f) To authorise the execution of works in default under s178 Town and Country Planning Act 1990 where the cost can be accommodated within current budgets or where the cost is expected to be recovered from the landowner.</p> <p>(g) To authorise the withdrawal of enforcement notices, stop notices, temporary stop notices, listed building enforcement notices, breach of condition notices and s215 notices.</p> <p>(h)To exercise the power to waive or relax the requirements of an enforcement notice under</p>	<p>(a) to (f) Authority Solicitor</p> <p>And</p> <p>Head of Planning</p> <p>Stop Notices – in consultation with Chief Finance Officer</p> <p>Formal signature: Authority Solicitor</p> <p>(g) to (h) Head of Planning in consultation with Authority Solicitor</p>	<p><u>Deputies</u> Chief Executive for Authority Solicitor Head of Resources for Chief Finance Officer.</p> <p>Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner for Head of Planning .</p> <p><u>Deputy</u> Senior Planning Lawyer</p> <p><u>Deputy</u> Development and Enforcement Manager, Strategic Planning Manager, Area Team Manager or Principal Enforcement Planner for Head of Planning and Chief Executive for Authority Solicitor</p>

	s173A of the Town and Country Planning Act 1990.		
7.F-2	Article 4 Directions		
	<p>Following consultation with the Chair and Vice Chair of the Planning Committee to exercise the powers of the Authority:</p> <ul style="list-style-type: none"> to make modify and cancel Article 4 Directions to confirm unopposed Article 4 Directions <p>Confirmation of opposed Article 4 Directions to be considered by the Planning Committee.</p> <p>(Authority Meeting 01/07/11)</p>	Head of Planning and Authority Solicitor	<p><u>Deputies</u> Development and Enforcement Manager, Area Team Manager or Principal Enforcement Planner for Head of Planning</p> <p>and</p> <p>Chief Executive for Authority Solicitor</p>
7.F-3	Control of Advertisement Regulations		
	<p>To take action where required under the Town & Country Planning (Control of Advertisements) Regulations 2007 and to issue Discontinuance Orders.</p> <p>Formal signature.</p>	<p>Authority Solicitor and Head of Planning</p> <p>Authority Solicitor</p>	<p><u>Deputies</u> Chief Executive for Authority Solicitor</p> <p>and</p> <p>Development and Enforcement Manager, Area Team Manager or Principal Enforcement Planner for Head of Planning</p> <p>Chief Executive or Senior Planning Lawyer</p>
7.F-4	Mineral Development – Article 5 Directions		
	<p>To make Directions, under Article 5 of the Town and Country Planning (General Permitted Development) Order 2015, in respect of mineral exploration and removal of materials from mineral working deposits.</p>	<p>Authority Solicitor and Head of Planning</p>	<p><u>Deputies</u> Chief Executive for Authority Solicitor</p> <p>And</p> <p>Strategic Planning Manager for Head of Planning</p> <p>.</p>

7.F-5	Works to preserve Listed Buildings		
	To issue notices under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (subject to a report on action taken to the next appropriate meeting of the Committee).	Authority Solicitor and Cultural Heritage Manager	<u>Deputies</u> Chief Executive for Authority Solicitor and Head of Planning for Cultural Heritage Manager
	Formal signature	Authority Solicitor	Chief Executive or Senior Planning Lawyer
7.F-6	Building Preservation Notices		
	To authorise the issue of notices under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Authority Solicitor and Cultural Heritage Manager	<u>Deputies</u> Chief Executive for Authority Solicitor and Head of Planning for Cultural Heritage Manager
	Formal signature	Authority Solicitor	Chief Executive or Senior Planning Lawyer
7.F-7	Recovery of Costs		
	To institute legal proceedings for the recovery of costs incurred for works undertaken in accordance with powers under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990.	Authority Solicitor in consultation with Cultural Heritage Manager	<u>Deputies</u> Chief Executive for Authority Solicitor Head of Planning for Cultural Heritage Manager
7.F-8	Entry on land		
	To authorise the entry of persons to land and buildings in connection with the Authority's functions under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Wildlife and Countryside Act 1981 and any other statutory provisions that permit entry to land for investigation purposes.	Authority Solicitor	<u>Deputy</u> Chief Executive
7.F-9	Certificates of Lawfulness of Development		
	a) To determine applications for certificates of lawfulness under	Authority Solicitor	<u>Deputy</u> Head of Planning

	Section 191 and 192 of the Town and Country Planning Act 1990 (as amended).		
	b) To determine applications for certificates lawfulness under The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014	Authority Solicitor	<u>Deputy</u> Head of Planning
7.F-10	Planning Contravention Notices and Requisitions for Information		
	To issue Planning Contravention Notices and requisitions for information under s330 of the Town and Country Planning Act 1990 and s16 of the Local Government (Miscellaneous Provisions) Act 1976. (Concurrent power with the Director of Conservation and Planning).	Authority Solicitor	<u>Deputy</u> Head of Planning
7.F-11	Proceedings to enforce Planning Control		
	<p>(a) To institute prosecution proceedings for:</p> <ul style="list-style-type: none"> • The breach of an enforcement notice • The breach of a stop notice. • The breach of a listed building enforcement notice. • The breach of planning contravention notice requirements. • The breach of the requirements of a notice requesting information under s330 of the Town and Country Planning Act 1990. • Unauthorised works to listed buildings. • The breach of advertisement control. • Failure to comply with a 	Authority Solicitor	<u>Deputy</u> Chief Executive

	<p>breach of condition notice</p> <ul style="list-style-type: none"> • Failure to comply with a notice requiring maintenance of land under s215 of the Town and Country Planning Act 1990. • The breach of the requirements of notices under s16 of the Local Government (Miscellaneous Provisions) Act 1976 • Contravention of a Tree Preservation Order. • Damage to trees in a Conservation Area. <p>(b) To institute proceedings to require compliance with an agreement made under s 106 of the Town and Country Planning Act 1990.</p> <p>(c) To institute other proceedings pursuant to decisions of the Authority or Committee or delegated decisions of officers to enforce the Authority's powers of planning control.</p>		
7.F-12	Trespass		
	To take legal proceedings in respect of trespass or threat of trespass to the Authority's land.	Authority Solicitor	<u>Deputy</u> Chief Executive
7.F-13	Proceedings affecting the Authority's Interests		
	<p>(a) To defend any court action appearing adversely to affect the Authority's interests.</p> <p>(b) To make applications to a court in relation to the renewal of leases and tenancies of the Authority's properties.</p>	Authority Solicitor	<u>Deputy</u> Chief Executive

7.F-14	Notices, Orders, Contracts and Agreements		
	<p>To sign orders, contracts, agreements and notices (except for planning and listed building determinations) pursuant to a resolution or policy of the Authority or its committees or authorised by an appropriate officer under the scheme of delegation.</p> <p>To complete grant agreements authorised in accordance with the National Framework for the delivery of the Farming in Protected Landscapes programme only. (Agreed by the Authority on 02/07/21, Minute No 57/21).</p>	<p>Authority Solicitor</p> <p>Head of Landscape and Engagement</p>	<p><u>Deputy</u> Chief Executive or Senior Lawyer</p> <p>Chief Executive</p>
7.F-15	Proceeding relating to Access Land.		
	<p>To commence proceedings under Section 14 of the Countryside and Rights of Way Act 2000 in respect of false or misleading notices relating to access land and to take legal action under Section 39 of the Act to secure court orders for the removal of obstructions to access land and court orders not to obstruct access to access land at any time.</p>	<p>Authority Solicitor</p>	<p><u>Deputy</u> Chief Executive</p>
7.F-16	Members' Attendance at Courses and Conferences etc.		
	<p>To agree Member attendances at external, courses, conferences and other events as an approved duty.</p>	<p>People Manager</p>	<p><u>Deputy</u> Head of Resources</p>
7.F-17	Outside Bodies		
	<p>(a) Where a vacancy or a new appointment arises on an outside body in between Authority meetings, in consultation with the appropriate Chair, Deputy or Vice-Chair, to nominate a Member to attend meetings until the appointment is considered at the next Authority meeting.</p>	<p>(a)-(b) People Manager</p>	<p><u>Deputy</u> Head of Resources</p>

	(b) To authorise the attendance of a substitute, in consultation with the appointed Member.		
7.F-18	Reference to Chief Finance Officer In Standing Orders		
	Finance Manager or in their absence the Head of Resources by specific prior agreement of the Chief Finance Officer except where statute prohibits delegation.		
7.F-19	Local Government & Social Care Ombudsman – Local Settlement		
	To agree Local Settlement compensation payments up to the sum of £5,000 in settlement of a Local Ombudsman case.	Monitoring Officer	<u>Deputy</u> Chief Executive
7.F-20	Power to grant dispensations to Authority Members with disclosable pecuniary interests		
	To consider and grant requests for dispensations to Members of the Authority where the circumstances are such that so many Members of the decision making body have a disclosable pecuniary interest that it would impede the transaction of the business	Monitoring Officer.	<u>Deputy</u> Chief Executive
7.F-21	Amendments to Standing Orders and Authority Policies		
	To amend Standing Orders and Authority Policies to reflect any approved changes in job titles and changes to legislation if those changes do not have a significant effect on operational matters.	Monitoring Officer in Consultation with the Chair and Deputy Chair of the Authority	<u>Deputy</u> Chief Executive

<u>PART G</u>	<u>OTHER</u>		
7.G-1	Charges		
	To fix and vary all non planning and discretionary planning related charges within statutory powers with the following financial limits:		
	(a) revised or new income generating proposals with projected annual charges of up to £30,000.	Relevant Head of Service in consultation with the Chief Finance Officer.	<u>Deputy</u> Chief Executive
	(b) revised or new income generating proposals with projected annual charges of between £30,000 and £50,000.	Relevant Head of Service with business case for consideration and	<u>Deputy</u> Chief Executive

		approval by Chief Finance Officer and to include consultation with the Chair and Vice Chair of Programmes and Resources Committee	
	(c) revised or new income generating proposals with projected annual charges of over £50,000 up to the limit £150,000	Subject to a business case for consideration and approval by Resources Management Meeting and to include consultation with Chair and Vice Chair of Programmes and Resources Committee.	
	(d) delegation to implement the national fee structure for Planning fees.	Head of Planning in consultation with Chief Finance Officer.	<u>Deputy</u> Chief Executive
	(e) delegation to make changes to the pre-application charging schemes for developments.	Head of Planning in consultation with Chair and Vice Chair of Planning Committee, with any significant changes reported to the Planning Committee.	<u>Deputy</u> Chief Executive
7.G-2	Public Rights of Way		
	(a) To respond to consultation enquiries from other statutory authorities concerned with creation, alteration or closure of public rights of way. Any formal objection made shall be reported to the next meeting of the relevant Committee	(a) to (e) Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
	(b) To complete Public Path Creation Agreements under Section 25 of the Highways Act 1980.		
	(c) To complete Public Path Diversion Orders under S.119 of the Highways act and Orders under S.257 of the Town and		

	Country Planning Act 1990.		
	(d) To create concession footpaths on the Authority's land.		
	(e) To dedicate, concession footpaths on the Authority's land as public rights of way.		
	Making, signing of Agreements, Orders and confirmations.	Authority Solicitor	<u>Deputies</u> Chief Executive, Senior Planning Lawyer or Senior Lawyer
	(f) To authorise the making of experimental, temporary or permanent Traffic Regulation Orders under the Road Traffic Regulation Act 1984. In the case of unresolved objections to a proposed Order, a report to be made to the Relevant Committee.	Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
	Making, signing of Orders and confirmations	Authority Solicitor	<u>Deputies</u> Chief Executive or Senior Lawyer
7.G-3	Access Land: Exclusion or Restriction of Access, carrying out of works and Dedication of Access Land.		
	(a) To authorise directions under Section 69 of the National Parks and Access to the Countryside Act 1949 suspending access to land comprised in Access Agreements or Orders in the event of the risk of fire by reason of any exceptional weather conditions.	(a) to (d) Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
	(b) To authorise directions under Section 24 of the Countryside and Rights of Way Act 2000 to exclude or restrict access to land to for the purpose of land management.		
	(c) To authorise directions under Section 25 of the Countryside and Rights of Way Act 2000 to exclude or restrict access to land to avoid the risk of fire or danger to the public		

	(d) To authorise directions under Section 26 of the Countryside and Rights of Way Act 2000 to exclude or restrict access to land in order to conserve flora, fauna or geological or physiographical features or preserve scheduled monuments or other features of historic interest.		
	Before giving a direction under section 24, 25 or 26 of the Countryside and Rights of Way Act 2000 so as to exclude or restrict access indefinitely, or for over 6 months, the Head of Landscape and Engagement shall consult the Chair and Vice Chair of the relevant Committee. Cases where the Local Access Forum disagrees with Officer recommendations, or contentious cases are to be reported to the relevant Committee for determination.		
	(e) To authorise the completion of agreements for works with landowners or occupiers under Section 35 of the Countryside and Rights of Way Act 2000.	(e) to (g) Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
	(f) To authorise the issue of notices under Sections 36 and 37 of the Countryside and Rights of Way Act 2000 and to authorise the carrying out of works on access land and the recovery of costs.		
	(g) To authorise a person to enter land under Section 40 of the Countryside and Rights of Way Act 2000.		
	(h) To authorise the dedication of the Authority's land as access land under S.16 of the Countryside and Rights of Way Act 2000.	Head of Landscape and Engagement	<u>Deputy</u> Chief Executive
7.G-4	Land Disposal and Works – Consultation		
	To respond to any consultations received by the Authority from any local authority, statutory undertaker, public body or agency relating to land disposals and site works.	Head of Assets and Enterprise.	<u>Deputy</u> Chief Executive