

**PEAK DISTRICT NATIONAL PARK AUTHORITY**

**STANDING ORDERS**

**PART 7**

**DELEGATION OF POWERS TO OFFICERS**

**OFFICER DELEGATION SCHEME**

**DELEGATION OF POWERS TO OFFICERS**

**The powers to exercise the functions of the Peak District National Park Authority delegated to me under S.101 Local Government Act 1972 shall be exercised by officers of the Authority in accordance with this Officer Delegation Scheme.**

**Jim Dixon  
Chief Executive  
Peak District National Park Authority  
14 October 2014**

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**OFFICER DELEGATION SCHEME**

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<b><u>PEAK DISTRICT NATIONAL PARK AUTHORITY</u></b> <b><u>DELEGATION OF POWERS TO OFFICERS</u></b> <b><u>OFFICER DELEGATION SCHEME</u></b>							
<b><u>PART A</u></b>	<b><u>CONDITIONS OF DELEGATION</u></b>						
<b>7.A-1</b>	<b>Exercise of Powers</b>						
	The following powers shall be exercised in accordance with  (a) the Standing Orders of the Authority;  (b) the Financial Regulations of the Authority;  (c) the appropriate, policies and internal procedures.						
<b>7.A-2</b>	<b>Consultation</b>						
	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.						
<b><u>PART B</u></b>	<b><u>ESTABLISHMENT AND PERSONNEL</u></b>						
<b>7.B-1</b>	<b>Administration of Powers</b>						
	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.						
<b>7.B-2</b>	<b>Establishment</b>						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;">(a) To approve changes to the staff establishment, below Assistant Director posts, including making temporary posts permanent, to achieve agreed policies and programmes within the approved annual staff budget.</td> <td style="width: 50%; vertical-align: top;">(a) where proposals are permanent changes or temporary changes for a period of more than 2 years delegated to RMT; where proposals are temporary changes to the establishment for 2 years or less delegated to: Director or Assistant Director in consultation with Head of Human Resources and Head of Finance</td> </tr> <tr> <td style="vertical-align: top;">( b) To approve additional temporary posts funded from income, external funding and temporary allocation of non-staff budgets.</td> <td style="vertical-align: top;">(b) where proposals are for a period of more than 2 years delegated to RMT; where the proposals are for a period of 2 years or less delegated to: Director or Assistant Director in consultation with Head of Human Resources and Head of Finance</td> </tr> <tr> <td style="vertical-align: top;">(c) To extend fixed term contract posts for up to 3 years where the posts are fully externally funded from specified sources.</td> <td style="vertical-align: top;">(c) Director or Assistant Director in consultation with Head of Human Resources and Head of Finance</td> </tr> </table>	(a) To approve changes to the staff establishment, below Assistant Director posts, including making temporary posts permanent, to achieve agreed policies and programmes within the approved annual staff budget.	(a) where proposals are permanent changes or temporary changes for a period of more than 2 years delegated to RMT; where proposals are temporary changes to the establishment for 2 years or less delegated to: Director or Assistant Director in consultation with Head of Human Resources and Head of Finance	( 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 RMT; where the proposals are for a period of 2 years or less delegated to: Director or Assistant Director in consultation with Head of Human Resources and Head of Finance	(c) To extend fixed term contract posts for up to 3 years where the posts are fully externally funded from specified sources.	(c) Director or Assistant Director in consultation with Head of Human Resources and Head of Finance
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(c) To extend fixed term contract posts for up to 3 years where the posts are fully externally funded from specified sources.	(c) Director or Assistant Director in consultation with Head of Human Resources and Head of Finance						
	Deputies Chief Executive and Director of Corporate Resources						

<b>Appointments for all posts below Assistant Director level</b>		
<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>	<p>Chief Executive, Director, Assistant Director or Head of Service in accordance with Human Resources Procedures</p>	<p><u>Deputies</u> Chief Executive or Director</p>
<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>	<p>Chief Executive, Director, Assistant Director or Head of Service in accordance with Human Resources Procedures</p>	<p><u>Deputies</u> Chief Executive or Director</p>
<p>(c) To authorise the payment of market supplements and recruitment incentives where there is proven recruitment difficulty in accordance with the agreed principles.</p>	<p>Chief Executive, Assistant Director, Director or Head of Service after approval by Resource Management Team</p>	<p><u>Deputies</u> Chief Executive in consultation with Head of Human Resources, Head of Finance and Director of Corporate Resources</p>
<p>(d) To authorise the payment of overtime to employees.</p>	<p>Director, Assistant Director Head of Service or Team Manager where post has delegated budget responsibility</p>	<p><u>Deputy</u> Relevant Director or Chief Executive.</p>
<p>(e) To authorise the payment of honoraria to employees.</p>	<p>Director of Planning, Assistant Director or Head of Service in consultation with Head of Human Resources and Head of Finance</p>	<p><u>Deputies</u> Chief Executive/Director</p> <p>Director of Corporate Resources for Head of Human Resources and Head of Finance</p>

## Standing Orders – Part 7: Delegation to Officers

	(f) To change the job titles of established posts below the level of Assistant Director.	Director of Planning, Assistant Director or Head of Service with Head of Human Resources	<u>Deputies</u> Relevant Director or Chief Executive with Head of Human Resources
	(g) To determine salary grades of posts through the job evaluation process.	Head of Human Resources	<u>Deputy</u> Director of Corporate Resources
	(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.	Director, Assistant Director or Head of Service after approval by Resource Management Team	<u>Deputies</u> Chief Executive in consultation with Head of Human Resources, Head of Finance and Director of Corporate Resources
<b>7.B-3</b>	<b>Pay Awards and Conditions of Service</b>		
	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.	Head of Human Resources	<u>Deputy</u> Director of Corporate Resources
<b>7.B-4</b>	<b>Superannuation</b>		
	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	Head of Finance	<u>Deputy</u> Director of Corporate Resources
<b>7.B-5</b>	<b>Car Loans</b>		
	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.	Head of Finance	<u>Deputy</u> Director of Corporate Resources
<b>7.B-6</b>	<b>Removal and Lodging Expenses</b>		
	To authorise the payment of removal and lodging expenses to newly appointed, promoted or transferred employees in accordance with the Authority's scheme.	Relevant Director, Assistant Director or Chief Executive with Head of Human Resources	<u>Deputies</u> Chief Executive or Director of Corporate Resources with Head of Human Resources
<b>7.B-7</b>	<b>Leave of Absence for Employees</b>		
	(a) To authorise special leave of absence without pay in line with the Flexible	Director for Head of Service	<u>Deputy</u> Director or Chief

	Working Policy and guidance notes.		Executive
	(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 Director or Assistant Director  Heads of Service, Planning Team Managers or Assistant Director for other staff	
	(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.	Director-for Head of Service  Chief Executive for Director or Assistant Director  Heads of Service, Planning Team Managers or Assistant Director for other staff	<u>Deputy</u> Director or Chief Executive
	(e) To approve applications for flexible retirement below Assistant Director posts.	Resources Management Team	
<b>7.B-8</b>	<b>Training and Development for Employees</b>		
	(a) To agree an annual corporate and vocational training and development programme to meet identified needs within the approved budget.	Head of Human Resources with the Training & Development Officer after approval by Strategic Management Team	

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	(b) To authorise the attendance at courses and conferences and other events including the payment of fees and other expenses.	Assistant Director, Head of Service or Team Manager within delegated budget	<u>Deputies</u> Director, Assistant Director or Chief Executive
	(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).	Assistant Director, Head of Service or Team Manager within delegated budget	<u>Deputies</u> Director, Assistant Director or Chief Executive
	(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.	Head of Human Resources with Head of Finance	Director, Assistant Director or Chief Executive
<b>7.B-9</b>	<b>Grievance and Discipline</b>		
	To take appropriate action in accordance with the employees Grievance and Disciplinary Procedures adopted by the Authority.	Chief Executive, Director, Assistant Director, Head of Service or Team Manager in accordance with roles identified in Procedures	<u>Deputies</u> Chief Executive, Director, Assistant Director, or Head of Service in accordance with roles identified in Procedures
<b>7.B-10</b>	<b>Additional Employment for Employees above Scale H</b>		
	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 Assistant Director, or Relevant Director or Chief Executive	<u>Deputies</u> Relevant Director or Chief Executive
<b><u>PART C</u></b>	<b><u>GENERAL</u></b>		
<b>7.C-1</b>	<b>Response to Proposals Affecting the National Park or the Authority</b>		
	To determine an Authority response in line with the Authority's policies on any central, regional or local government proposal affecting the National Park	Assistant Director or Head of Service	<u>Deputies</u> Relevant Director or Chief Executive

	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.		
<b>7.C-2</b>	<b>External Funding Applications</b>		
	(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 £30,000: Head of Service or team manager with Assistant Director Policy and Partnerships or Inward Investment Officer and Head of Finance  Applications between £30,000 and £50,000 Director or Assistant Director with Assistant Director Policy and Partnerships or Inward Investment Officer and Head of Finance  Applications over £50,000 subject to business case to RMT for approval	<u>Deputies</u> Director or Chief Executive with Inward Investment Officer and Head of Finance
	b) To accept offers of finance or grant aid up to £200,000 for funding including completing any agreements	Acceptance up to £200,000: Director, Assistant Director or Chief Executive with Head of Finance  Acceptance over £200,000: Committee approval required	
<b>7.C-3</b>	<b>Authority Grant and Award Schemes</b>		
	To determine applications for grants under the Authority's grant schemes where the cost to the Authority is £30,000 or less.	Relevant Assistant Director, Head of Service or Team Leader	<u>Deputies</u> Chief Executive or relevant Director or Assistant Director
	To authorise Environmental Quality Mark Awards.	Assistant Director Land Management	<u>Deputies</u> Chief Executive
<b>7.C-4</b>	<b>Recovery of Grant Aid</b>		
	To authorise the raising of accounts for	Relevant Head of	<u>Deputies</u>

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	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.	Service or Team Leader (in consultation with the Chief Finance Officer through the Head of Finance)	Chief Executive or relevant Director
<b>7.C-5</b>	<b>Variation from Decisions of Authority or Committee Meetings</b>		
	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 Director, Assistant Director or Chief Executive in consultation with Head of Law	<u>Deputies</u> Chief Executive in consultation with Director of Corporate Resources
<b><u>PART D</u></b>	<b><u>PROPERTY</u></b>		
	<b>All property powers shall be administered in accordance with the Authority's Asset Management Plan and in consultation with the staff identified in this plan.</b>		
<b>7.D-1</b>	<b>Acquisition of land &amp; property</b>		
	<p>To acquire or renew any interest in or over land, including buildings, on terms to be approved by the Head of Law.</p> <p>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) Estates manager or property support manager in consultation with Head of Finance</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: Assistant Director Land Management and Head of Finance in consultation with Chair and Vice Chair of ARP and asset management member representative</p> <p>Over £50,000 (capital and additional annual revenue cost or total rental payments over the term) subject to business case to RMT for approval – to include consultation with chair and vice chair of ARP and asset management member representative</p>	
<b>7.D-2</b>	<b>Compulsory acquisition of land &amp; property</b>		
	To authorise the acquisition of land &	Resource	

	<p>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.</p> <p>Making, signing and sending Orders and confirmations.</p>	<p>Management Team</p> <p>Head of Law or Assistant Solicitor</p>	<p><u>Deputy</u> Director of Corporate Resources</p>
<b>7.D-3</b>	<b>Disposal of land &amp; property</b>		
	<p>To dispose of or terminate an interest in or over land including buildings on terms to be approved by the Head of Law.</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) Estates manager or property support 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: Assistant Director Land Management and Head of Finance in consultation with Chair and Vice Chair of ARP and asset management member representative</p> <p>Over £50,000 (capital and additional annual revenue cost and/or rental charges) subject to business case to RMT for approval – to include consultation with chair and vice chair of ARP and asset management member representative</p>	<p><u>Deputies</u> Chief Executive</p>

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		The authorisation shall not be given by the person who has carried out the negotiations.	
		Formal signature of legal documents Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.D-4</b>	<b>Applications for Planning Consent</b>		
	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.	Assistant Director Land Management in consultation with the Director of Planning	<u>Deputies</u> Chief Executive in consultation with the Planning Managers
<b><u>PART E</u></b>	<b><u>PLANNING</u></b> Where no Deputy is specified the Deputy is the Director of Planning.		
<b>7.E-1</b>	<b>Agriculture and other Countryside Grant Schemes</b>		
	To respond to notifications and consultations and to raise formal objections under the provisions of Agriculture and other Countryside Grant schemes.	Countryside & Economy Manager	<u>Deputy</u> Assistant Director Land Management or Countryside & Economy Advisor
<b>7.E-2</b>	<b>Forestry Acts</b>		
	(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.	Countryside & Economy Manager	<u>Deputies</u> Countryside & Economy Team Manager/Natural Environment Team Manager/Senior Countryside & Economy Manager
	(b) To submit observations to the Forestry Commission where a Tree Preservation Order is in force.		
<b>7.E-3</b>	<b>Environment Enhancement Scheme Agreements</b>		
	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 £10,000 Countryside and Economy Manager	<u>Deputy</u> Assistant Director Land Management or Senior Countryside & Economy Advisor  Chief Executive
		£10,000-£50,000 Assistant Director Land Management (assuming annual	

		amount less than £30,000)	
		Over £50,000 RMT (assuming annual amount less than £30,000)	
<b>7.E-4</b>	<b>Tree Preservation and Hedgerow Protection Orders</b>		
	(a) To make Tree Preservation Orders and confirm unopposed Orders under the Town and Country Planning Act 1990, Sections 198 to 201.	(a) & (c) Woodland Conservation Officer Tree Conservation Officer	<u>Deputy</u> Assistant Director Land Management
	(b) To make Hedgerow Protection Orders under the Environment Act 1995.	(b) Countryside & Economy Manager	
	(c) To determine applications for consents under Tree Preservation Orders.		
	Making, signing & sending Orders and confirmations.	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.E-5</b>	<b>Development not in accordance with the Development Plan</b>		
	To deal with all matters relating to classification of departures from the development plan and reference of departures to the Secretary of State.	Director of Planning or Planning Managers  Director of Planning or Minerals Team Manager	
<b>7.E-6</b>	<b>Directed Decisions of Secretary of State</b>		
	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.	Director of Planning or Planning Managers  Director of Planning or Minerals Team Manager	
<b>7.E-7</b>	<b>General Development Order – Notification of Agricultural Mineral and Forestry Proposals</b>		
	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 1995.	Director of Planning or Planning Managers  Director of Planning or Minerals Team Manager	
<b>7.E-8</b>	<b>Planning, Advertisement and Listed Building Applications</b>		
	(a) Within the Authority's policies to determine all applications for planning consent, listed building consent,	Director of Planning or Planning Managers	

<p>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>(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 15 metres in height.</p> <p>(vi) Individual free standing wind turbines over 15 metres in hub height.</p>	<p>Director of Planning or Minerals Team Manager</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 Director of Planning may, in consultation with the Chair of the Committee, ask for further information before judging whether or not the application should be withdrawn from delegation. The Director 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</p>	

	<p>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>	
	(2) To determine applications and requests for non-material amendments.	Director of Planning or Planning Managers
	(3) To refuse applications on the basis of inadequate information supplied by the applicant.	Director of Planning or Minerals Team Manager
	(4) To discharge conditions on planning and advertisement permissions and listed building consents, including determination of formal applications for discharge.	
	(5) To grant applications which are for the renewal of unimplemented planning permissions.	
	(6) To sign all decision notices pursuant to a resolution or under this delegation.	
<b>7.E-9</b>	<b>Control of Demolition</b>	
	To exercise the Authority's powers and responsibilities in respect of the control of demolition.	<p>Director of Planning or Planning Managers</p> <p>Director of Planning or Minerals Team Manager</p>
<b>7.E-10</b>	<b>Enforcement Action</b>	
	<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 Authority's approved policies; 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>Director of Planning or Planning Managers or Monitoring &amp; Enforcement Manager</p> <p>Director of Planning or Minerals Team Manager</p>

**Standing Orders – Part 7: Delegation to Officers**

	<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>	
<b>7.E-11</b>	<b>Neighbouring Authority and Agency Consultations</b>	
	<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>Director of Planning or Planning Managers</p> <p>Director of Planning or Minerals Team Manager</p>
<b>7.E-12</b>	<b>Hazardous Substances</b>	
	<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 contravention notices.</p>	<p>Director of Planning or Planning Managers</p> <p>Director of Planning or Minerals Team Manager</p>
<b>7.E-13</b>	<b>Environmental Impact Assessment and Review of Mineral Planning Permissions</b>	
	<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>(i) Director of Planning</p> <p><u>Deputies</u> (i) Minerals Team Manager</p>
	<p>b) To advise the statutory bodies of the requirement for an EIA.</p>	<p>(ii) Countryside &amp; Economy Manager, or</p> <p>(iii) Assistant Director Land Management</p> <p>(ii) Assistant Director Land Management</p> <p>(iii) Woodland Conservation Officer</p>
	<p>c) Following agreement in principle by the Committee, to agree detailed schemes for mineral planning permissions under the Environment Act 1995, schedules 13 and 14.</p>	<p>Director of Planning or Minerals Team Manager</p>

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<b>7.E-14</b>	<b>Fly Posting</b>		
	To exercise the powers of the Authority under s225, s225A to s225K of the Town and Country Planning Act 1990.	Director of Planning or Planning Managers or Monitoring & Enforcement Manager	
<b>7.E-15</b>	<b>Goods Vehicle Operators Licensing Regulations</b>		
	To make representations and to lodge holding objections on applications.	Director of Planning or Planning Managers or Monitoring & Enforcement Manager	
<b>7.E-16</b>	<b>Caravan Rallies</b>		
	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.	Director of Planning or Planning Managers	
<b>7.E-17</b>	<b>Agricultural Operations</b>		
	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).	Countryside & Economy Team Manager/Natural Environment Team Manager	<u>Deputy</u> Assistant Director Land Management or Senior Countryside & Economy Advisor
<b>7.E-18</b>	<b>Agreements under s52 of the Town and Country Planning Act 1971 and s106 of the Town and Country Planning Act 1990</b>		
	(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	Director of Planning	<u>Deputies</u> Planning Managers
	(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.	Director of Planning	Minerals Team Manager
	(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.		
<b>7.E-19</b>	<b>Planning Contravention Notices and Requisitions for Information.</b>		
	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 Head of Law).	Director of Planning or Planning Managers or Monitoring & Enforcement Manager  Director of Planning or Minerals Team Manager	
<b>7.E-20</b>	<b>Applications made under the Localism Act 2011.</b>		

**Standing Orders – Part 7: Delegation to Officers**

	To approve (but not refuse) applications for designation of Neighbourhood Forums.	Head of Law	<u>Deputy</u> Director of Corporate Resources
<b>7.E-21</b>	<b>Review of Minerals Planning Permissions.</b>		
	<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 Heads of Law and Finance 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>	Director of Planning	<u>Deputy</u> Minerals Team Manager
<b><u>PART F</u></b>	<b><u>CORPORATE RESOURCES</u></b>		
<b>7.F-1</b>	<b>Enforcement Action</b>		
	<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</p>	<p>(a) to (g) Head of Law or Assistant Solicitor and Director of Planning</p> <p>Or</p> <p>Director of Planning or</p>	<p><u>Deputies</u></p> <p>Planning Managers or Monitoring and Enforcement Manager</p> <p>Minerals Team Manager</p>

	of compensation.			
	(c) To authorise applications to the Courts for injunctions under Section 187B of the Town and Country Planning Act 1990.	Stop Notices – in consultation with Director of Planning and Chief Finance Officer	Director of Corporate Resources and Planning Managers or Monitoring and Enforcement Manager	
	(d) To issue notices under s215 of the Town and Country Planning Act 1990. (Untidy land and buildings).			
	(e) To authorise the withdrawal of enforcement notices, stop notices, temporary stop notices, listed building enforcement notices, breach of condition notices and s215 notices.			Formal signature: Head of Law or Assistant Solicitor
	(f) To exercise the power to waive or relax the requirements of an enforcement notice under s173A of the Town and Country Planning Act 1990.			
	(g) To apply to the magistrates court for a planning enforcement order under s171BA of the Town and Country Planning Act 1990			
	(h) 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.			
<b>7.F-2</b>	<b>Article 4 Directions</b>			
	<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"> <li>to make modify and cancel Article 4 Directions</li> <li>to confirm unopposed Article 4 Directions</li> </ul> <p>Confirmation of opposed Article 4 Directions to be considered by the Planning Committee. (Authority Meeting 01/07/11)</p>	Director of Planning and Head of Law	<u>Deputies</u> Planning Managers or Monitoring and Enforcement Manager  Assistant Solicitor	
<b>7.F-3</b>	<b>Control of Advertisement Regulations</b>			
	To take action where required under the Town & Country Planning (Control of Advertisements) Regulations 2007 and to	Head of Law or Assistant Solicitor and	<u>Deputies</u> Director of Corporate	

## Standing Orders – Part 7: Delegation to Officers

	issue Discontinuance Orders.  Formal signature.	Director of Planning  Head of Law or Assistant Solicitor	Resources and Planning Managers or Monitoring & Enforcement Manager  Director of Corporate Resources
<b>7.F-4</b>	<b>Mineral Development – Article 7 Directions</b>		
	To make Directions, under Article 7 of the Town and Country Planning (General Permitted Development) Order 1995, in respect of mineral exploration and removal of materials from mineral working deposits.	Head of Law or Assistant Solicitor and Director of Planning	<u>Deputies</u> Director of Corporate Resources and Minerals Team Manager
<b>7.F-5</b>	<b>Works to preserve Listed Buildings</b>		
	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).	Head of Law or Assistant Solicitor and Cultural Heritage Manager  Formal signature: Head of Law or Assistant Solicitor	<u>Deputies</u> Director of Corporate Resources and Assistant Director Land Management Director of Corporate Resources
<b>7.F-6</b>	<b>Building Preservation Notices</b>		
	To authorise the issue of notices under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.  Formal signature	Head of Law or Assistant Solicitor and Cultural Heritage Manager  Head of Law or Assistant Solicitor	<u>Deputies</u> Director of Corporate Resources and Assistant Director Land Management  Director of Corporate Resources
<b>7.F-7</b>	<b>Recovery of Costs</b>		
	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.	Head of Law and Director of Planning or Cultural Heritage Manager	<u>Deputies</u> Assistant Solicitor and Planning Managers or Monitoring and Enforcement Manager or Assistant Director Land Management

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<b>7.F-8</b>	<b>Entry on land</b>		
	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.	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-9</b>	<b>Certificates of Lawfulness of Development</b>		
	a) To determine applications for certificates of lawfulness under Section 191 and 192 of the Town and Country Planning Act 1990 (as amended).	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
	b) To determine applications for certificates lawfulness under The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-10</b>	<b>Planning Contravention Notices and Requisitions for Information</b>		
	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 Head of Planning).	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-11</b>	<b>Proceedings to enforce Planning Control</b>		
	(a) To institute prosecuting proceedings for:  The breach of an enforcement notice.  The breach of a stop notice.  The breach of a listed building enforcement notices.  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.	(a) to (c) Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources

## Standing Orders – Part 7: Delegation to Officers

	<p>Failure to comply with a breach of condition notice.</p> <p>Failure to comply with a notice requiring maintenance of land under s215 of the Town and Country Planning Act 1990.</p> <p>The breach of the requirements of notices under s16 of the Local Government (Miscellaneous Provisions) Act 1976.</p> <p>Contravention of a Tree Preservation Order.</p> <p>Damage to trees in a Conservation Area.</p> <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>		
<b>7.F-12</b>	<b>Trespass</b>		
	To take legal proceedings in respect of trespass or threat of trespass to the Authority's land.	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-13</b>	<b>Proceedings affecting the Authority's Interests</b>		
	<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>	(a) to (b) Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-14</b>	<b>Notices, Orders, Contracts and Agreements</b>		
	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.	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources
<b>7.F-15</b>	<b>Proceeding relating to Access Land.</b>		
	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	Head of Law or Assistant Solicitor	<u>Deputy</u> Director of Corporate Resources

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	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.		
<b>7.F-16</b>	<b>Members' Attendance at Courses and Conferences etc</b>		
	To agree Member attendances at external, courses, conferences and other events as an approved duty.	Democratic Services Manager	<u>Deputy</u> Director of Corporate Resources
<b>7.F-17</b>	<b>Outside Bodies</b>		
	(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.  (b) To authorise the attendance of a substitute, in consultation with the appointed Member.	Democratic Services Manager	<u>Deputy</u> Director of Corporate Resources
<b>7.F-18</b>	<b>Reference to Chief Finance Officer In Standing Orders</b>		
	Head of Finance by specific prior agreement of the Chief Finance Officer except where statute prohibits delegation.		
<b>7.F-19</b>	<b>Local Government Ombudsman – Local Settlement</b>		
	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> Director of Corporate Resources
<b>7.F-20</b>	<b>Recording of Meeting and Proceedings of the Authority</b>		
	To consider and determine requests to record the meetings and proceedings of the Authority.	Head of Law.	<u>Deputy</u> Democratic Services Manager or Director of Corporate Resources.
<b>7.F-21</b>	<b>Power to grant dispensations to Authority Members with disclosable pecuniary interests</b>		
	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> Deputy Monitoring Officer.
<b>7.F-22</b>	<b>Amendments to Standing Orders and Authority Policies</b>		

## Standing Orders – Part 7: Delegation to Officers

	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. (Authority 4/10/13)	Head of Law in Consultation with the Chair of the Authority	Democratic Services Manager in Consultation with the Chair of the Authority
<b><u>PART G</u></b>	<b><u>OTHER</u></b>		
<b>7.G-1</b>	<b>Charges</b>		
	To fix and vary all non 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.	Heads of Service and Director or Assistant Director for Chief Exec's unit in consultation with the Chief Finance Officer.	Chief Executive in consultation with the Chief Finance Officer.
	(b) revised or new income generating proposals with projected annual charges of between £30,000 and £50,000.	Heads of Service with business case for consideration and approval by Director or Assistant Director for Chief Exec's unit and Chief Finance Officer and to include consultation with the Chair and Vice Chair of Audit Resources and Performance Committee	Chief Executive in consultation with the Chief Finance Officer and to include consultation with the Chair and Vice Chair of ARP
	(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 Team and to include consultation with Chair and Vice Chair of Audit Resources and Performance Committee.	
	(d) delegation to implement the national fee structure for Planning fees.	Director of Planning in consultation with Chief Finance Officer.	Chief Executive in consultation with Chief Finance Officer.
<b>7.G-2</b>	<b>Public Rights of Way</b>		
	(a) To respond to consultation enquiries	(a) to (e) Assistant	<u>Deputies</u>

	<p>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.</p>	Director Enterprise and Field Services	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.	Head of Law or Assistant Solicitor	Director of Corporate Resources
	<p>(f) to authorise the making of experimental, temporary or permanent Traffic Regulation Orders under the Road Traffic Regulation Act 1984.</p> <p>In the case of unresolved objections to a proposed Order, a report to be made to the Relevant Committee.</p>	Assistant Director Enterprise and Field Services	<u>Deputies</u> Chief Executive
	Making, signing of Orders and confirmations.	Head of Law or Assistant Solicitor	Director of Corporate Resources
<b>7.G-3</b>	<b>Access Land: Exclusion or Restriction of Access, carrying out of works and Dedication of Access Land.</b>		
	(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.	Assistant Director Enterprise and Field Services	<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.	Assistant Director Enterprise and Field Services	<u>Deputy</u> Chief Executive
	(c) To authorise directions under Section 25 of the Countryside and Rights of Way Act 2000 to exclude or restrict access to		

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	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 Director 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.	Assistant Director Enterprise and Field Services	<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.	Assistant Director Enterprise and Field Services Assistant Director Land Management	<u>Deputies</u> Chief Executive
<b>7.G-4</b>	<b>Land Disposal and Works – Consultation</b>		
	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.	Property Manager	<u>Deputy</u> Assistant Director Land Management

