

Place Directorate

Introduction and Context

The Executive Director has overall responsibilities within the Council for Place Directorate functions. The Executive Director is able to onward delegate these functions to other officers. This document seeks to capture those onward delegations.

The Executive Director (Place) is given delegated power to exercise all the Authority's powers, functions and responsibilities and to take any decisions in relation to the following areas of the Council's operations and services, subject to the Constitution:

-Growth and Enterprise - Housing, Economic Development, Rural and Cultural Economy, Estates.

-Planning and Environment - Neighbourhood Services, Environmental Services, Regulatory Services, Planning.

-Infrastructure and Highways - Strategic Transport and Parking, Rail and Transport Integration, Strategic Infrastructure, Highways.

The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation.

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
Growth and Enterprise		
<u>Housing</u>	<p>This service area delivers:</p> <ul style="list-style-type: none"> – Housing Strategy and Affordable Housing Development – Housing Standards and Adaptations – Housing Options and Homelessness 	
Strategic Housing	<p>To ensure the effective operation of Strategic Housing within the Place Directorate.</p> <p>All areas in relation to the Strategic Housing area of the Council's operations.</p>	Service Director, Head of Housing
Housing Strategy and Affordable Housing Development	To undertake all functions including those under legislation in response to addressing housing need within the borough including the following functions:	Service Director, Head of Housing, Senior Affordable Housing Officer

Housing Strategies and Policies	To develop, formulate and adopt statutory and non-statutory Housing strategies and policies.	Service Director, Head of Housing, Housing Options and Homelessness Manager, Housing Standards and Adaptations Manager
Enabling Functions	To liaise with Registered Housing Providers, Developers, Homes England, Town and Parish Councils etc to bring forward affordable housing to meet specific needs.	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Local Authority Housing Statistics Data Return	To collate the required information and submit to Government in line with their guidance.	Service Director, Head of Housing, Senior Affordable Housing Officer, Housing Policy officer

Affordable Housing Schemes	<p>To administer affordable housing schemes pursuant to:</p> <ul style="list-style-type: none"> – Town and Country Planning Act 1990 (as amended) 	<p>Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers</p>
Self-Build Register	<p>To administer the Self-Build Register pursuant to:</p> <ul style="list-style-type: none"> – Self-Build and Custom Housebuilding Act 2015 	<p>Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers</p>
Section 106 payments in lieu of affordable housing	<p>To develop and review policies to allocate Section 106 contributions in lieu of affordable housing.</p>	<p>Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers</p>

Affordable Housing	To develop initiatives to address shortfalls in affordable housing supply.	Service Director, Head of Housing, Senior Affordable Housing Officer, Affordable Housing Officers
Transit site	To manage Cheshire East's Gypsy and Traveller Transit site.	Service Director, Head of Housing, Cheshire and Warrington Traveller Team

Housing Standards and Adaptations	To undertake all functions including those under legislation in response to assessing and reviewing housing conditions and enforcing housing standards including inspection and the power to enter premises and carry out work.	Service Director, Head of Housing, Housing Standards and Adaptations Manager
Entering Premises	<p>To enter premises to carry out official duties pursuant to relevant legislation including but not limited to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Environmental Protection Act 1990 – Local Government (Miscellaneous Provisions) Act 1982 – Housing Act 1985 – Town and Country Planning Act 1990 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/ Team Leader/Officer, Assistant Housing Standards Officer
Production of Documents	<p>To require the production of documents and/or information pursuant to relevant legislation including but not limited to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Housing and Planning Act 2016 – Town and Country Planning Act 1990 	As above

Hazard Awareness Notice	To issue a Hazard Awareness Notice in relation to Category 1 and Category 2 Hazards pursuant to the Housing Act 2004.	As above
Remedial Notice: Smoke and Carbon Monoxide	To issue a Remedial Notice pursuant to: <ul style="list-style-type: none"> – Smoke and Carbon Monoxide Alarm (England) Regulations 2015. 	As above
Compliance Notice: Energy Efficiency	To serve a Compliance Notice pursuant to: <ul style="list-style-type: none"> – Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. 	As above
Serve, confirm, and withdraw a remedial notice: Electrical Safety - Private Rental	To serve, confirm and withdraw a remedial notice pursuant to: <ul style="list-style-type: none"> – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020. 	As above

Serve, reduce, and withdraw a Notice of Intent: Lettings/Property Management	<p>To serve, reduce and withdraw a Notice of Intent pursuant to:</p> <ul style="list-style-type: none"> – Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014. 	As above
Information about a person's interest in land/premises	<p>To require information about a person's interest in land or premises pursuant to:</p> <ul style="list-style-type: none"> – Housing Act 2004 – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020 – Town and Country Planning Act 1990 	As above
Cleanse/repair drains	<p>To cleanse or repair drains etc pursuant to:</p> <ul style="list-style-type: none"> – Public Health Act 1961. 	As above
Cleanse filthy/verminous premises	<p>To cleanse filthy and verminous premises pursuant to:</p> <ul style="list-style-type: none"> – Public Health Act 1936 	As above

Abatement of overcrowded premises	To serve a notice requiring the abatement of overcrowding of premises pursuant to the Housing Act 1985.	As above
Enforcement: Category 1 or Category 2 hazard	To take appropriate enforcement action in relation to a Category 1 or 2 hazard pursuant to: – Housing Act 2004	As above
Enforcement: Category 1 or Category 2 hazard	To take appropriate enforcement action in relation to a Category 1 or 2 hazard pursuant to: – Housing Act 2004	As above
Refuse or revoke a licence for HMO	To grant, refuse or revoke a licence for a House of Multiple Occupation (HMO) pursuant to: – Housing Act 2004	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Temporary Exemption Notice: HMO licence	<p>To serve a temporary exemption notice for the purpose of exempting the requirement for a HMO licence pursuant to:</p> <ul style="list-style-type: none"> – Housing Act 2004 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Financial Penalties	<p>To issue and recover a Financial Penalty pursuant to:</p> <ul style="list-style-type: none"> – Housing and Planning Act 2016 – Smoke and Carbon Monoxide Alarm (England) Regulations 2015 – Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 – Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 – Electrical Safety Standards in the Private Rental Sector (England) Regulations 2020 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Rent repayment order	<p>To apply for a Rent Repayment Order pursuant to:</p> <ul style="list-style-type: none"> – Housing and Planning Act 2016 	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Banning Order	<p>To apply for a Banning Order pursuant to:</p> <ul style="list-style-type: none"> – Housing and Planning Act 2016 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Abatement Notice: EPA and Building Act 1984	<p>To serve an Abatement Notice pursuant to:</p> <ul style="list-style-type: none"> – Environmental Protection Act 1990 (EPA) – Building Act 1984. 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Notice to secure a dangerous building	<p>To serve a notice for the purpose of securing a building against unauthorised entry or for the purpose of preventing it becoming a danger to public health pursuant to:</p> <ul style="list-style-type: none"> – Local Government (Miscellaneous Provisions) Act 1982. 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>
Proper maintenance of land detrimental to visual amenity	<p>To require proper maintenance of land pursuant to:</p> <ul style="list-style-type: none"> – Section 215 Town and Country Planning Act 1990 (TCPA). 	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p>

Make/remove entry in Rogue Landlord Database	To make or remove an entry in the Rogue Landlord Database pursuant to: Housing and Planning Act 2016.	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader
Enact a Publication Penalty	To enact a Publication Penalty pursuant to: Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.	Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader

Home Repairs and Adaptions	To administer the Home Repairs and Adaptions under the Council's Financial Assistance Policy.	<p>Service Director, Head of Housing, Housing Standards and Adaptations Manager/Team Leader</p> <p>Housing Standards and Adaptations Officer Other Officers: Senior Technical Officer Senior Case Worker Sustainable Warmth Officer Assistant Technical Officer</p>
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ECO Flexible Eligibility Statement of Intent	To administer the ECO Flexible Eligibility Statement of Intent.	Service Director, Head of Housing, Housing Standards and Adaptations Manager Other Officers: Sustainable Warmth Officer
Housing Options and Homelessness	To undertake all functions including those under legislation in response to the administration of the social housing waiting list, preventing and relieving homelessness and providing emergency temporary accommodation.	Service Director, Head of Housing, Housing Options and Homelessness Manager
The allocation of Social Housing	To administer the social housing waiting list in accordance with the approved Cheshire East Common Allocations Policy pursuant to: <ul style="list-style-type: none"> – Housing Act 1996 (Part VI) – Localism Act 2011 	Service Director, Head of Housing, Housing Options and Homelessness Manager, Homechoice and Prevention Team Leader, All officers of the Housing Options service

<p>The Prevention and Relief of Homelessness</p>	<p>To undertake all associated duties in relation to the prevention and relief of homelessness pursuant to:</p> <ul style="list-style-type: none"> – Housing Act 1996 (Part VII) – Homelessness Act 2002 – Homelessness Reduction Act 2017 – Localism Act 2011 – Homelessness Code of Guidance for Local Authorities 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homeless Relief Team Leader, Homechoice and Prevention Team Leader, All officers of the Housing Options service</p>
<p>Homelessness and Rough Sleeper Strategy</p>	<p>To undertake a Homelessness Review to inform the development and formulation of a Homelessness Strategy in pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Housing Options Policy Lead, Housing Options Policy Officer</p>

<p>To provide emergency accommodation</p>	<p>To provide temporary accommodation to people who are homeless and in priority need, pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homelessness Relief Team Leader, Housing Support Team Leader, All officers of the Housing Options service</p>
<p>Housing Related Support Contracts</p>	<p>To commission the provision of both accommodation-based housing support and floating support, undertake contract monitoring and address any issues of poor performance.</p> <p>Administration of the Single Point of Access.</p>	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Accommodation supply team lead</p>

Duty to Refer	<p>To provide a mechanism for and a response to all agencies required to undertake the duty to refer households who are homeless or at risk of homelessness, pursuant to:</p> <ul style="list-style-type: none"> – Homelessness Act 2002 – Homelessness Reduction Act 2017 	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homelessness relief team leader</p>
Illegal Eviction	<p>To exercise the Council's powers under the protection from Eviction Act 1977(strengthened by the Housing Act 1988.)</p> <p>This includes prosecution of landlords.</p>	<p>Service Director, Head of Housing, Housing Options and Homelessness Manager, Homechoice and prevention team leader</p>

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Economic Development</u>		
Development and Regeneration	To manage and deliver development and regeneration.	Service Director, Head of Service, Team Leader/Manager.
	To deliver development projects including delivery of major housing and employment and regeneration sites.	Service Director, Head of Service, Team Leader/Manager.
	To deliver strategies to enhance major towns and promote economic development and investment to enable business growth	Head of Service, Team Leader/Manager.
	To develop and deliver a strategy which maximises the financial returns the council makes from its assets whilst supporting the strategic objectives of the Council.	Service Director, Head of Service, Team Leader/Manager.

	To develop and deliver effective strategies and plans that support the regeneration, growth and development of the whole Borough.	Service Director, Head of Service, Team Leader/Manager.
	To manage delivery of the Council's Economic Growth Strategy, through innovation and major economic growth initiatives, business engagement; and creating investment and business growth opportunities.	Service Director, Head of Service, Team Leader/Manager.
	To bid for and manage capital and revenue regeneration programmes and external funding in accordance with the funders rules and regulations, and the financial regulations of the council to achieve to support the delivery effective strategies plans and projects.	Service Director, Head of Service, Team Leader/Manager.
	To commission and contract manage all professional services required to enable the successful delivery of the major programmes allocated to the service in compliance with the council's rules and procedures.	Head of Service, Team Leader/Manager.

	To support the promotion of Technology and Energy strategies across Cheshire East and the wider sub region.	Head of Service, Team Leader/Manager.
	To provide appropriate, timely and impartial advice to senior officers and members of the council in relation to the delivery of projects and programmes allocated to the service.	Head of Service, Team Leader/Manager.
Business and Growth, Inward Investment and Skills	To manage and deliver business growth, inward investment.	Service Director, Head of Service, Team Leader/Manager.
Major Projects – Priority Sectors	To manage and deliver major projects and to support third party projects that benefit the economic growth of the borough and the Councils economic growth strategy, including Handforth Garden Village and South Macclesfield Development Area.	Service Director, Head of Service, Team Leader/Manager, Principal Officer, Senior Officer in consultation with Heads of Service and other service leads.

Connecting Cheshire	To manage and deliver the Connecting Cheshire Programme, for Cheshire, Warrington and Halton or any successor geography. To support the strategies, funding opportunities and delivery programmes to provide digital connectivity solutions to premises that are outside of mainstream and national contracts.	Service Director, Head of Service, Team Leader/Manager.
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Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Rural & Cultural Economy</u>	<p>To ensure the effective operation of:</p> <ul style="list-style-type: none"> – Tatton Park – Green Infrastructure (including Public Rights of Way (PROW) and the Countryside Management Service) – Cultural Economy and Visitor Economy. 	
Visitor and Commercial Operations	To manage and deliver visitor and commercial Operations.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Visitor and Commercial Operations Manager.
Business Support Functions at Tatton Park	To manage and deliver business support functions at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Business Support Manager.

Business Development at Tatton Park	To manage and deliver business development at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Business Development Manager.
Catering facility at Tatton Park	To manage and deliver catering facilities at Tatton Park.	Service Director, Head of Service, Team Leader/Manager, Tatton Park Visitor and Commercial Operations Manager, Tatton Park Enterprises Ltd
Countryside Management and Public Rights of Way	To manage the countryside Ranger Service, and Public Rights of Way, including determination of non-contentious Public Path Order and Definitive Map Modification Order applications.	Service Director, Head of Service, Team Leader/Manager, Green Infrastructure Manager, Public Rights of Way Manager.

<p>Arts Programme, Museums, Theatres etc</p>	<p>To manage the:</p> <ul style="list-style-type: none"> – Arts Programme – Youth Theatre – Silk Heritage Museum Trust – Lyceum Theatre – County Archives Service – Cultural Framework – Commissioning and – Cultural Events Strategy 	<p>Service Director, Head of Service, Team Leader/Manager, Cultural Economy Manager</p>
<p>CEC Visitor Economy & wider CEC Events Strategy</p>	<p>To manage and deliver Cheshire East Council's Economy & wider CEC Events Strategy.</p>	<p>Service Director, Head of Service, Team Leader/Manager, Visitor Economy Development Manager</p>

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Estates</u>	<p>To ensure the effective operation of services within Estates namely:</p> <ul style="list-style-type: none"> – Facilities Management – Property Management – Capital Property Projects – Acquisitions and Disposals – Property related activities on third party owned land and Farms. 	
Facilities Management	<p>To include facilities management of all Cheshire East owned property, or third-party own property as contracted to do so (including procurement, tendering and contract management).</p>	<p>Service Director, Head of Service, Team Leader/Manager</p>

Property Services	<p>To include estate management of all Cheshire East owned land and property (including procurement, tendering and contract management) and all property transactions, including all property related activities and transactions on third party owned land, and all acquisitions and disposals of land and property.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies, procedures and member decision making rules in the constitution.</p>	Service Director, Head of Service, Team Leader/Manager
	<p>To include considering, negotiating and settling any CPO related transactions and Part 1 Land Compensation Act 1973 claims that the Council receives in relation to highway/public works schemes.</p>	Service Director, Head of Service, Team Leader/Manager
Property Projects	<p>To include management of construction related capital projects, (including procurement, tendering and contract management) on Cheshire East owned land and property specified via a Work Package Instruction or Authority to Let.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies and procedures.</p>	Service Director, Head of Service, Team Leader/Manager

<p>County Land Agent functions</p>	<p>To include management of Cheshire East owned farms land and property including acquisitions and disposals, new lettings, review of rents, service of contractual and statutory notices, grant of Landlord consents, negotiation and settlement of contractual claims and proceedings, granting and amending wayleaves/easements and rights associated with properties within the farms portfolio.</p> <p>All such activity to be undertaken in accordance with the council's financial rules, policies, procedures and member decision making rules in the constitution.</p>	<p>Service Director, Head of Service, Team Leader/Manager, County Land Agent</p>
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Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Planning and Environment</u>		
<u>Neighbourhood Services</u>	<p>This Directorate delivers the following services:</p> <ul style="list-style-type: none"> – Libraries – Leisure Services – Antisocial Behaviour – Community Enforcement. 	Director of Planning and Environment
Libraries	To deliver the council's library service.	Library Services Team
Leisure Services	To have responsibility for leisure services including management of leisure centres and delivery of a range of health and wellbeing programmes.	Everybody Health and Leisure Trust
Antisocial Behaviour	To exercise community safety responsibilities and authorisation of action in connection with the Authority's duties under Section 17 of the Crime and Disorder Act 1998 and their service specific enforcement policy.	Anti-Social Behaviour (ASB) Team working with partnership agencies (e.g. police.)

Antisocial Behaviour (cont.)	To exercise all relevant powers and take enforcement action where appropriate under the Anti-Social Behaviour Crime and Policing Act 2014 i.e. Injunctions, Criminal Behaviour Orders, Closure Notices and Orders, Public Spaces Protection Orders and Community Protection Notices.	Anti-Social Behaviour (ASB) Team working with partnership agencies (e.g. police) in conjunction with the Governance Compliance and Monitoring Officer.
	To resolve to prosecute persons found in breach of a Cheshire East Council issued Notice, Order or Court Order relating to anti-social behaviour (ASB) matters.	ASB and Community Enforcement Manager In consultation with the Governance Compliance and Monitoring Officer.
Community Enforcement Team	To undertake investigations in relation to a number of environmental and ASB matters as listed in main below and in line with their service specific enforcement policy.	Community Enforcement Team
Removal and enforcement of abandoned vehicles Refuse Disposal (Amenity) Act 1978 as amended by section 10 Clean Neighbourhoods and Environment Act 2005.	To exercise the council's duty to investigate and where applicable, remove abandoned vehicles from land in the open air (including private land) and roads (including private roads.) This also includes serving relevant notices, disposing of the said vehicles if necessary, claiming fixed costs and where applicable issuing fixed penalty notices/referring for prosecution	Community Enforcement Team

<p>Exposing vehicles for sale on a road.</p> <p>Clean Neighbourhoods & Environment Act 2005</p>	<p>To exercise the council's duty to investigate 2 or more vehicles for sale on the highway by the same vendor/person at any one time. Taking relevant enforcement action where applicable which could include the issuing of a fixed penalty notice or referring for prosecution where applicable.</p>	<p>Community Enforcement Team</p>
<p>Repairing vehicles on a road</p> <p>Clean Neighbourhoods & Environment Act 2005</p>	<p>To exercise the council's duty to investigate restricted work to vehicles on the highway that are not part of an emergency repair. Taking relevant enforcement action where applicable which could include the issuing of a fixed penalty notice or referring for prosecution where applicable.</p>	<p>Community Enforcement Team</p>
<p>Littering, Fly tipping and other waste offences. (Environmental Protection Act 1990 and Clean Neighbourhoods & Environment Act 2005.)</p>	<p>To exercise the council's powers to deal with littering and waste issues including public or private fly tipping ('illegal deposit of any waste onto land that has no licence to accept waste') in line with its service specific enforcement policy.</p>	<p>Community Enforcement Team</p>
<p>Dog fouling and Dog control</p> <p>Anti-Social Behaviour Crime and Policing Act 2014</p>	<p>To exercise the council's powers to deal with dog fouling and dog control under its relevant Public Spaces Protection Order (PSPO) including issuing fixed penalty notices.</p>	<p>Community Enforcement Team</p>

<p>Powers under the ASB Crime and Policing Act 2014</p>	<p>To exercise the council's powers to deal with any of the above matters either within the Community Enforcement Team or working alongside the ASB Team to deal with Environmental/ASB matters by means of: Civil injunction, Criminal Behaviour Order, Community Protection Notice, Closure notice or any other relevant power or amendment within this legislation where applicable and in line with its services specific enforcement policy.</p>	<p>Community Enforcement Team</p>
<p>Stray dogs</p> <p>Environmental Protection Act 1990</p>	<p>To exercise the council's powers in relation to the seizure and kennelling of stray dogs.</p>	<p>ASB and Community Enforcement Manager (via external contract.)</p>

Waste Management	To manage the disposal of municipal waste and, if requested, of commercial and industrial waste (under the Environmental Protection Act 1990 'EPA').	Head of Environmental Services
	To manage the collection of municipal waste and, if requested, of commercial and industrial waste (under the Environmental Protection Act 1990 'EPA').	Head of Environmental Services Operations
	To charge for collection of certain items of household waste, subject to the Controlled Waste (England and Wales) Regulations 2012.	Head of Environmental Services
	To require waste to be collected in receptacles of a specified kind and number.	Head of Environmental
	To comply with the Waste Framework Directive 2008 which sets the basic concepts and definitions related to waste management, such as definitions of waste and recycling and a legally-binding five step waste hierarchy.	Head of Environmental

Waste Management (cont.)	<p>To undertake assessments to ascertain whether separate collections are required where they are technically, environmentally and economically practicable (TEEP) and appropriate to meet the necessary quality standards for the relevant recycling sectors.</p> <p>This determines the Council's route and justifies comingled collection if chosen.</p>	Head of Environmental Services
	<p>To manage Civic Amenity Household Waste Recycling Centres in accordance with statutory responsibilities for disposal authorities Environmental Protection Act 1990.</p>	Head of Environmental Services
	<p>To manage and remain compliant with the Council's fleet licence and maintain the Council fleet.</p>	Head of Environmental Services Operations

Waste Management (cont.)	To hold and maintain the Councils Environmental Waste permits ensuring sufficient technically competent management cover to undertake waste operations.	Head of Environmental Services Operations
Fly tipping	To assess and remove fly tipping and discharge all other Council responsibilities related to this in accordance with government guidance etc (operational only-enforcement dealt with by Neighbourhoods - please see above.)	Head of Environmental Services Operations
Fly posting	To remove fly posting from public buildings and street furniture.	Head of Environmental Services Operations
Street cleansing	Sweeping roads, pavements and public land.	Head of Environmental Services Operations
Greenspace Management	To manage development of the Council's Parks, Playing fields, Cemeteries and open spaces.	Head of Environmental Services

Greenspace Management (cont.)	To maintain the Council's parks and open spaces.	Head of Environmental Services Operations
Bereavement Services	To deliver bereavement services.	Head of Environmental Services
Energy and Carbon Strategy	To deliver the Council's Energy and Carbon Strategy, pledging to make the entire Borough carbon neutral by 2045.	Head of Environmental Services through Carbon Manager
Markets	To manage the Council's Markets.	Head of Environmental Services Operations
Emergency Planning	To be the Council's lead on the Emergency Planning Team which is a service shared with Cheshire West and Chester.	Director of Planning and Environment

Type of Activity	Specific Function or Decision Making	Officer Responsible for that Function
<u>Regulatory Services</u>	<p>This section of the Place Directorate delivers the following services:</p> <ul style="list-style-type: none"> – Environmental Protection – Commercial Services – Animal Health and Welfare – Trading Standards – CCTV – Licensing 	<p>Director of Planning and Environment</p>

Environmental Protection	<p>To exercise the Council's functions in respect of environmental protection matters.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Air Quality – Contaminated Land – Pest Control – Prevention of Damage by Pests – Environmental Health – Public Health – Scrap Metal Dealer Licensing – Public Funerals – Statutory Nuisance – Environmental Permitting – Private Water Supplies 	<p>Head of Regulatory Services with further delegation to Environmental Protection Team Leader (EPTL.)</p>
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<p>Air Quality</p> <p>(Note: The Local Air Quality Management Framework underpinned by the Environment Act 1995 prescribes air quality standards and objectives through the Air Quality (England) Regulations 2000 (as amended in 2002).</p>	<p>To have regard to the Government's Air Quality Strategy Framework for Local Authority delivery when exercising public functions that could affect air quality.</p> <p>To assess local air quality against relevant air quality standards and objectives, identify any exceedance and implement actions in accordance with the Local Air Quality Management regime.</p>	<p>EPTL</p>
<p>Contaminated Land</p>	<p>To inspect land in the Council's area and identify any areas that could be defined as statutory 'contaminated land'.</p> <p>To ensure when land is contaminated, that it is remediated to reduce or remove risks to people and the environment.</p>	<p>EPTL</p>
<p>Filthy and verminous premises</p>	<p>To take action to cleanse filthy (prejudicial to health) and verminous (infested by rats, mice and insects including insect eggs) premises under section 83 Public Health Act 1936.</p>	<p>EPTL</p>

Prevention of damage by pests	To discharge the Council's duty to take such steps as may be necessary to secure as far as practicable that the district is kept free from rats and mice and to exercise other powers under the Prevention of Damage by Pests Act 1949.	EPTL
Environmental Health	To exercise the Council's functions in respect of environmental health matters.	Head of Regulatory Services
	To appoint and designate officers as inspectors, or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To exercise the power to issue and sign notices and orders in respect of environmental health matters and to take all other necessary steps to discharge the Council's enforcement powers in this area.	Head of Regulatory Services with delegation to suitably qualified officers.
Scrap Metal Dealer Licensing (Scrap Metal Dealers Act 2013)	To licence scrap metal dealers and collectors and enforce the licensing regime, alongside relevant enforcement partners.	Head of Regulatory Services (Officers issue licences, Licensing Committee deals with removals, refusals, and appeals.)

Public Funerals	<p>To authorise the granting of exclusive rights of burial, exhumations and pauper's burials.</p> <p>To authorise Public Health funerals under the Public Health (Control of Diseases) Act 1984.</p>	EPTL
<p>Statutory Nuisance</p> <p>(Section 79 Environmental Protection Act 1990 'EPA').</p>	<p>To discharge the Council's statutory duties under the EPA and investigate complaints about issues that could be a 'statutory nuisance' e.g. noise from premises, odours from business premises.</p> <p>To serve abatement notices and take enforcement action-carrying out work in default and charging the relevant person etc.</p>	EPTL
<p>Environmental Permitting</p> <p>(Environmental Permitting (England and Wales) Regulations 2016)</p>	<p>To exercise the Council's regulatory responsibility for the environmental permitting regime including granting and revoking licences, enforcement and maintaining a public list of such permits.</p>	EPTL

Private Water Supplies	<p>To ensure that private water supplies are subject to a risk assessment and to assess the quality of water by means of a sampling regime.</p> <p>To exercise powers under relevant regulations to require that a supply is improved.</p> <p>To discharge the council's duty to use enforcement powers (including the Council carrying out works at cost to relevant person) if a person fails to carry out improvement works in accordance with the council's action plan.</p>	EPTL
Commercial Services	<p>Delivering the following services:</p> <ul style="list-style-type: none"> – Food Safety – Health and Safety – Environmental Health – Public Health – Caravan Site Licensing 	Head of Regulatory Services with further delegation to Commercial Services Team Leader (CSTL.)
Food Safety (Hygiene)	<p>To educate, advise, guide, send warning letters, issue formal cautions, improvement and emergency prohibition notices or prosecutions in relation to safe food handling to seek to avoid food-related illness and dangers.</p> <p>This includes responsibility for food hygiene and the delivery of official controls.</p>	<p>Head of Regulatory Services with delegation to suitably qualified officers.</p> <p>Working with the Food Standards Agency.</p>

<p>Health and Safety (external)</p> <p>(Health and Safety at Work Act 1974 etc. - covers occupational health and safety.)</p> <p>(Responsibilities are set through the Enforcing Authority Regulations 1998)</p>	<p>To ensure compliance with legislation and enforcing as necessary via prosecution, identifying and mitigating risks to ensure safe working practices and environments, advising businesses and promoting a culture of safety at work (including health and well-being) and good practice.</p>	<p>Head of Regulatory Services with delegation to suitably qualified officers.</p> <p>Working with Health and Safety Executive (HSE.)</p>
<p>Communicable Disease</p>	<p>To deal with notifiable incidents of communicable disease including food poisoning.</p>	<p>CTSL</p> <p>UK Health Security Agency</p>
<p>Caravan Site Licensing</p>	<p>To discharge statutory duties which include assessing fit and proper person applications, publishing/maintaining a public register of said persons and fees policy, issuing licences (with conditions if necessary) inspecting caravan and motor home sites and investigating complaints.</p>	<p>CSTL</p>

Animal Health and Welfare	<p>To discharge the Council's statutory responsibilities under the Animal Health and Welfare Framework covering:</p> <ul style="list-style-type: none"> – Farmed animals – Animal Welfare Licensing – Feed hygiene <p>This includes identifying high risk businesses and activities on an annual basis, sharing intelligence, ensuring staff are suitably trained and qualified, completing statutory data returns in a timely manner and having an up-to-date animal disease contingency plan.</p>	Head of Regulatory Services with further delegation to Animal Health and Welfare Team Leader (AHWTL.)
	To appoint and designate officers as inspectors, or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To respond to complaints about animal welfare on farms.	AHWTL

Trading Standards	<p>To exercise the council's functions with regard to trading standards.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Advising and enforcing laws that govern how we buy, sell, rent and hire goods and services – Food Standards (composition and labelling, food fraud) – Consumer and product safety – Intellectual Property – Fair Trading, Weights and Measures 	Head of Regulatory Services with further delegation to Trading Standards and Community Protection Manager (TSCPM.)
	To appoint and designate officers as inspectors, sampling officers or authorised officers in respect of the appropriate legislation.	Director of Planning and Environment
	To educate, advise, guide, send warning letters, issue formal cautions, improvement notices or prosecutions in relation to safe food standards.	Head of Regulatory Services with delegation to suitably qualified officers.

Trading Standards (cont.)	<p>To grant, amend, refuse, suspend and transfer licenses or certificates.</p> <p>To include the issue of General Safety Certificates for admitting spectators to any regulated sports grounds or stands on behalf Cheshire East Council as certifying authority, as required under the Safety of Sports Ground Act 1975 (as amended by the Fire Safety and Safety of Places of Sport Act 1987).</p> <p>To appoint and designate officers as authorised officers to monitor compliance with the conditions of a General Safety Certificate.</p>	Head of Regulatory Services
	To register persons or premises, pursuant to legislation made in relation to the above areas.	TSCPM
	To apply for warrants, to seize and detain goods and documents and carry out test purchases of goods and services relating to trading standards.	Head of Regulatory Services with delegation to suitably qualified officers.

Trading Standards (cont.)	To be the officer to take particular actions in their own name and to charge people at police stations. (This applies in rare cases where a defendant has been arrested and is considered a potential flight risk. Custody Sergeant will then agree to charge that defendant as opposed to bailing them.)	Head of Regulatory Services with delegation to suitably qualified officers.
	To personally or, where legislation requires it, through the Trading Standards Manager, authorise suitably qualified members of staff in the Trading Standards Service to carry out enforcement functions as authorised officers under trading standards, consumer and related legislation.	Director of Planning and Environment
	To utilise powers provided by the Proceeds of Crime Act 2002 (POCA).	Accredited Financial Investigator (NB Officers must be accredited by the National Crime Agency as Financial Investigators.)

CCTV	To exercise and oversee the Council's powers and duties relating to CCTV and adhere to Regulation of Investigatory Powers Act 2000 (RIPA) and any other relevant legislation and guidance.	Head of Regulatory Services with further delegation to Trading Standards and Community Protection Manager.
Licensing	<p>To carry out all licensing functions other than any specifically delegated to other Directors.</p> <p>Delivering the following services:</p> <ul style="list-style-type: none"> – Alcohol, Entertainment, and Late-Night Refreshment – Hackney Carriage and Private Hire – Gambling – Street Trading – Sex Establishments – Charitable Collections 	Head of Regulatory Services with further delegation to Licensing Team Leader (LTL.)
	To determine and issue licences and permits to individuals, businesses and other organisations, on the proviso that contested matters must be submitted to the Licensing Committee or Sub-committee in accordance with provisions in the constitution and any formally approved policies including Statement of Licensing Policy, Statement of Gambling Principles etc	LTL

Licensing (cont.)	To investigate complaints in relation to licensing matters including non-compliance with licensing conditions and to take appropriate enforcement action (which could include immediate suspension of a licence).	LTL
Prosecution	To prosecute or institute other relevant legal action for enforcement of legislation exercisable by Regulatory Services.	Head of Regulatory Services in consultation with the Governance Compliance and Monitoring Officer.
Planning Services		
<p><i>(The following delegations do not include the final determination of matters reserved to Strategic Planning Board or Planning Committee and the Nominated Officer should not take the final, substantive decision regarding any matter for which they have acted as case officer. The powers delegated are wide and inclusive and are not listed by reference to each and every statute, function or regulation and include all those Council functions set out in the Local Authorities (Functions & Responsibilities)(England) Regulations 2000 in respect of the following types of activities listed at A – N below and subject to compliance with the Constitution, any relevant provisions of the Financial Regulations and any legal requirements.)</i></p>		
Type of Activity	Specific Function or Decision Making	Nominated Officer Responsible for that Function
	This service area delivers: -Development Management Services -Building Control -Planning Systems -Strategic Planning	

A. GENERAL		
	To exercise any function that has not been specifically delegated below in relation to the Council's role as a local planning authority.	Director of Planning and Environment
	To authorise rights of entry provided for under sections 196A-196C, 324, 214(b) and (c) of the Town and Country Planning Act 1990 ('1990 Act') sections 88-88C Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).	Head of Planning
B. ENFORCEMENT	Enforcement powers include but are not limited to:	
1.	To issue, serve and withdraw-Discontinuance Notices (s102 of the 1990 Act), Enforcement Stop Notices (s183(1) 1990 Act), Temporary Stop Notices (s171E 1990 Act) and s44AA Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager
2.	To issue, serve and withdraw Planning Contravention Notices (s171C 1990 Act), Enforcement Warning Notices (s172ZA 1990 Act) and Notices under s330 1990 Act and s16 of the Local Government (Miscellaneous Provisions) Act 1976.	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader, Principal Planning Officer (Enforcement)
3.	To issue, serve and withdraw Breach of Condition Notices (s187A 1990 Act), Enforcement Notices (s172 1990 Act) and Listed Building Enforcement	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader

	Notices (s38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)).	
4.	To issue and serve Notices requiring the proper maintenance of land adversely affecting the amenity of the area (s215 1990 Act).	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader
5.	To authorise prosecution proceedings for all offences under the 1990 Act, Planning (Listed Buildings and Conservation Areas Act 1990 and s16 of the Local Government (Miscellaneous Provisions) Act 1976 in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager
6.	To determine not to take any form of enforcement action where it is considered NOT to be expedient to do so having regard to the development plan and any other material planning considerations.	Head of Planning, Planning & Enforcement Manager, Planning Enforcement Team Leader, Principal Planning Enforcement Officer
7.	To determine to take enforcement action in relation to breaches of s106 of the 1990 Act obligations, and to decide NOT to take action to enforce obligations. To initiate formal legal action to secure compliance with obligations in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning
8.	To make applications for and enforce injunction(s) (s187B 1990 Act), (Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and taking direct action, in	Director of Planning and Environment, Head of Planning, Planning & Enforcement Manager

	consultation with the Compliance Governance and Monitoring Officer.	
9.	To take appropriate action (whether prosecution, injunction proceedings or other enforcement action) under Part 8 Chapter 3 of the 1990 Act in respect of the unauthorised display of an advertisement in consultation with the Compliance Governance and Monitoring Officer, and/or require discontinuance of an advertisement display under regulation 8 the Town and Country Planning (Control of Advertisements) Regulations 2007.	Head of Planning, Planning & Enforcement Manager
10.	To serve a Building Preservation Notice, and related powers (sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	Head of Planning, Planning & Enforcement Manager
11.	To take action in response to listed building purchase notices served on the Council (section 33 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.)	Head of Planning, Planning & Enforcement Manager
C. LISTED BUILDINGS and CONSERVATION AREAS		
1.	To determine and make decisions in connection with applications and all forms of consent, notices and other notifications submitted under the Planning (Listed Buildings and Conservation Areas) Act 1990.	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officer

2.	To exercise duties relating to applications for listed building consent (s13(1), s14 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and the Arrangements for Handling Heritage Applications Direction 2021.	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officers
3.	To determine applications for variation of a condition imposed on a grant of Listed Building Consent (s19 Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager, Team Leader, Principal Planning Officers
4.	To revoke or modify a listed building consent or conservation area consent (s23 Planning (Listed Buildings and Conservation Areas) Act 1990).	Head of Planning, Planning & Enforcement Manager, Team Leader
5.	To acquire a listed building in need of repair and to serve a repairs notice- s47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	Director Planning & Environment, Head of Planning
6.	To submit applications to the Secretary of State for Scheduled Monument Consent to carry out minor works of repair and minor alterations to Council owned buildings (Ancient Monuments and Archaeological Areas Act 1979.)	Head of Planning, Planning & Enforcement Manager
7.	To issue and serve Urgent Works and Repair Notices in respect of Listed Buildings in cases of	Head of Planning, Planning & Enforcement Manager, Strategic

	urgency. Power to execute urgent works - s54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).	and Environmental Planning Manager
D. PLANNING APPLICATIONS, PRIOR APPROVALS, OTHER RELATED APPLICATIONS, ADVERTISEMENTS, SUBMISSIONS AND MISCELLANEOUS	To determine, and to make decisions in connection with the determination of, all forms of planning and other applications, and all forms of consent and other notifications and make recommendations to the Strategic Planning Board or relevant Planning Committee for the determination of applications submitted under the Town and Country Planning Act 1990 Act (as amended) and related legislation including not limited to the following:	
1.	To determine applications for planning permission pursuant to sections 70(1)(a) and (b) and 72 of the 1990 Act, except for the minerals, aggregates, cement and waste applications described at section 1 of Schedule 1 of the 1990 Act, including conditions as appropriate.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
2.	To determine applications to develop land without compliance with conditions previously attached, pursuant to s 73 of the 1990 Act.	Head of Service, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
3.	To determine applications for planning permission for development already carried out pursuant to s73A of the 1990 Act, including conditions as appropriate.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers

4.	To decline to determine application for planning permission pursuant to s70A of the 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
5.	To exercise duties relating to the requirements for and making of determinations of planning applications (sections 69, and 92 of the 1990 Act and the Town and Country Planning (General Development Procedure) Order 2015 and directions made thereunder.)	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
6.	To determine applications for planning permission made by a local authority, alone or jointly with another person (s316 of the 1990 Act and the Town and Country Planning General Regulations 1992).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
7.	To make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights pursuant to the Town and Country Planning (General Permitted Development) (England) Order 2015).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
8.	To determine all matters concerning certificates of lawfulness of existing use or certificates of lawfulness of proposed use or development (s191 and s192 of the 1990 Act)	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
9.	To determine applications for the discharge of details required by a condition imposed on the grant of Planning Permission.	All Planning Officers (<u>only exception when an officer is the case officer</u>)

10.	To revoke/modify planning permission pursuant to s97 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders
11.	To serve a completion notice pursuant to s94(2) 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
12.	To determine applications for non-material amendments (s96A 1990 Act) to proposals which have been previously approved under the provisions of the 1990 Act.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
13.	To exercise all functions of the Council in respect of applications for development consent for Nationally Significant Infrastructure Projects made to the Examining Authority under the provisions of the Planning Act 2008.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers (Significant NSIPs within the Borough will be referred to Committee)
14.	To determine applications for Certificates of Appropriate Alternative Development under s17 Land Compensation Act 1961.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
15.	To make and confirm and withdraw Article 4 directions restricting or removing permitted development rights - Town and Country Planning	Head of Planning, Planning & Enforcement Manager.

	(General Permitted Development) (England) Order 2015.	
16.	To make changes to planning conditions approved at the Strategic Board or Planning Committee in light of changing circumstances between the meeting and issue of decision (provided in line with the principles of Board or Committee's decision).	Head of Planning, Planning and Enforcement Manager in consultation with relevant Chair of committee
17.	To take action in response to purchase notices served on the Council (s137 of the 1990 Act.), blight notices served on the Council (s150 of the 1990 Act.)	Head of Planning, Planning & Enforcement Manager,
18.	To respond to consultations from neighbouring local planning authorities on planning applications and consultations on proposed changes to relevant legislation or national guidance.	Head of Planning, Planning & Enforcement Manager, Strategic and Environmental Planning Manager, Team Leaders
19.	<p>To deal with all types of appeal and their format – present and defend the Council's case in any appeal made against planning decisions including appeals against non-determination and enforcement appeals.</p> <p>To set out the position of the Local Planning Authority in respect of an appeal against non-determination of a planning application (that would fall within the scheme of delegation) as it would have determined the application if it had been able</p>	<p>Head of Planning, Planning and Enforcement Manager, Team Leaders to liaise with relevant Chair of Committee as appropriate.</p> <p>Individual case officers will defend appeals subject to discussion with above.</p> <p>Discussion with the Compliance Governance and Monitoring</p>

	<p>to (in consultation with the Compliance Governance and Monitoring Officer)</p> <p>In appeals in which the advice of the Compliance Governance and Monitoring Officer is that that the specific reasons for refusal are unreasonable and/or likely to undermine or weaken the Council's case; in consultation with the Chair of the Strategic Planning Board or Planning Committee agree to amend/remove reasons for refusal relating to appeals where the application has been decided by the Strategic Board or Planning Committee or by officers under the scheme of delegation.</p>	Officer where appropriate on defending reasons for refusal and liaison with relevant Chair of Committee as appropriate.
E. HAZARDOUS SUBSTANCES		
1.	To deal with all aspect of Hazardous Substances consent including the power to determine applications, revocation for hazardous substances consent, and related powers (s 9(1),10 and 14 of the Planning (Hazardous Substances) Act 1990.	Head of Planning, Planning and Enforcement Manager, Team Leaders, Principal Planning Officers
2.	To serve hazardous substances contravention notices under s24 of the Planning (Hazardous Substances) Act 1990.	Head of Planning, Planning and Enforcement Manager, Enforcement Team Leader
F. ENVIRONMENTAL STATEMENTS (EIA)		

1.	To decide on the need for Environmental Impact Assessment (EIA) and the extent of an Environmental Statement, including the provision of a screening opinion and scoping opinion in connection with any planning application and to agree any necessary subsequent updates to such environmental information.	Head of Planning, Planning and Enforcement Manager, Team Leaders, Principal Planning Officers
G . JUDICIAL REVIEWS		
1.	To institute and defend Judicial Reviews and Statutory challenges in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager
H . TREES AND WOODLANDS		
1.	To exercise powers relating to the preservation of trees (Sections 197 to 214D of the 1990 Act and the Town and Country Planning (Tree Preservation) (England) Regulations 2012) including applications for and confirmation of Tree Protection Orders, variation or modification to existing orders and to make such tree preservation orders under s198 1990 Act as appear necessary.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk) Subject to the decision regarding confirmation of a Tree Preservation Order shall be referred up to the Head of Planning if any objections have

		been received (with ability to refer to Committee where appropriate.)
2.	To revoke Tree Preservation Orders except where objections are received (Town and Country Planning (Tree Preservation) (England) Regulations 2012) and Schedule 1 paragraph 13 1990 Act.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader
3.	To resolve not to confirm Tree Preservation Order.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader
4.	To determine applications for works to trees covered by Tree Preservation Orders and decide upon notifications made of proposed works to trees in conservation areas.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers
5.	To issue tree replacement notices and take legal action and/or action in default for any failure to comply.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers, Planning Enforcement Team Leader in consultation with the Compliance Governance and Monitoring Officer.
6.	To investigate and take legal action in respect of any action or contravention of a Tree Preservation	Head of Planning, Strategic and Environmental Planning

	Order or unlawful works to trees in a conservation area.	Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officers, Planning Enforcement Team Leader in consultation with the Compliance Governance and Monitoring Officer.
7.	To authorise an application and apply for an injunction to restrain an actual or apprehended offence to trees under sections 210 or 211 of the 1990 Act in consultation with the Compliance Governance and Monitoring Officer.	Head of Planning, Planning & Enforcement Manager, Strategic and Environmental Planning Manager
8.	To take all actions to ensure dangerous trees are made safe and to reclaim costs pursuant to sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboricultural Officer (Tree Risk)
9.	To exercise powers relating to the protection of important hedgerows (The Hedgerows Regulations 1997).	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk)
10.	To exercise powers relating to complaints about high hedges (Part 8 of the Anti-Social Behaviour Act 2003) and all rights of entry provided for under section 74 of the Anti-Social Behaviour Act 2003.	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal

		Arboriculture Officer, Principal Arboriculture Officer (Tree Risk)
11.	To obtain information about interests in land and take legal action for failure to comply pursuant to s 330 1990 Act and S16 of the Local Government (Miscellaneous Provisions) Act 1967).	Head of Planning, Strategic and Environmental Planning Manager, Arboriculture & Ecology Team Leader, Principal Arboriculture Officer, Principal Arboriculture Officer (Tree Risk) in consultation with the Compliance Governance and Monitoring Officer.
I. Planning Performance Agreements		
1.	To negotiate, enter into and implement Planning Performance Agreements (PPAs).	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
J. Planning Agreements		
1.	To enter into, modify, discharge or enforce planning or legal agreements securing controls over development (e.g. s106 1990 Act, Biodiversity Net Gain) or accept a unilateral undertaking in connection with a planning permission and also for planning appeals. In the event that a s106 Agreement has been entered into, thereafter to monitor and secure compliance with the planning obligation contained therein.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers (Including Principal Obligations Officer) in consultation with the Compliance Governance and Monitoring Officer.

2.	To refuse applications following a resolution to grant permission at the Strategic Board or Planning Committee if the required legal agreements are not completed by the applicant within the timeframe set out in the officer's report and provide information report to the relevant Strategic Planning Board or Planning Committee.	Head of Planning, Planning & Enforcement Manager, Team Leaders, Principal Planning Officers
3.	To make changes to s106 planning obligations approved at the Strategic Board or Planning Committee in light of changing circumstances between the meeting and issue of decision (provided in line with the principles of board or committee's decision). Any such change will be reported back to members at the next relevant Strategic Board or Planning Committee for member's information.	Head of Planning, Planning and Enforcement Manager, Team Leaders to liaise with relevant Chair of Committee as appropriate.
K. COMMUNITY INFRASTRUCTURE LEVY (CIL)		
1.	<p>In accordance with the Community Infrastructure Levy Regulations 2010 (as amended) or any relevant regulations that replace them and the requirements of the government Planning Practice Guidance relevant to the Community Infrastructure Levy (CIL):</p> <p>a. to oversee and implement the operation, enforcement and review of CIL charging schedule and all associated documents</p>	Head of Planning, Planning and Enforcement Manager, Planning Enforcement Team Leader, Principal Obligations Officer

	<p>b. to liaise with Legal Services the Compliance Governance and Monitoring Officer in respect of CIL debt recovery</p> <p>c. to prepare all required statements of evidence for the CIL Charging Authority in respect of CIL appeals</p> <p>d. to exercise rights of entry provided for under Regulation 109 of the Community Infrastructure Levy Regulations 2010 (as amended)</p> <p>e. to produce and publish reports on CIL receipts as required by the Government.</p>	
L . NEIGHBOURHOOD PLANNING		
1.	To receive, consider, publicise and determine (approve/reject) area designation requests from qualifying bodies for proposed neighbourhood development plans and neighbourhood development orders (including community right to build orders) and Neighbourhood Forum designation requests and publicise decisions made,	Head of Planning
2.	To carry out screening and if appropriate a strategic environmental assessment and habitats regulations assessment of neighbourhood development plans and neighbourhood development orders (including community right to build orders) and provide a statement of reasons for determination.	Head of Planning

3.	To receive and consider, including making comments on, final draft neighbourhood development plans and neighbourhood development orders (including community right to build orders), and to inform and invite representations from people who live, work or carry on business in the area to which the plan or order relates by appropriate advertising.	Head of Planning
4.	To select and appoint a suitably qualified and experienced person to conduct the independent examination of a neighbourhood development plan or neighbourhood development order (including a community right to build order) in agreement with the Parish or Town Council.	Head of Planning
5.	To implement referendum and 'make' the Neighbourhood Plan.	Head of Planning (in consultation with Chair of Committee)
M. BUILDING CONTROL		
1.	To determine applications for building control approval with full plans, with/without a requirement under the Building Regulations 2010 (as amended), subject to any other section of the regulations or other Act that expressly requires or authorises the rejection of such plan in certain cases.	Director, Head of Planning, Building Control Manager, Area Team Leader
2.	To exercise the power under section 8(1) of the Building Act 1984 to dispense with or relax any	Director, Head of Planning, Building Control Manager

	requirement contained within the Building Regulations 2010 (as amended.)	
3.	To issue completion certificates under Regulation 17 of the Building Regulations 2010 where satisfied, after taking all reasonable steps, that the relevant provisions have been complied with in relation to the building.	Director, Head of Planning, Building Control Manager, Area Team Leader
4.	To enter premises under section 95 of the Building Act 1984, authorising an officer or agent of the council to enter land under the aforementioned.	Director, Head of Planning, Building Control Manager, Area Team Leader, Principal Building Inspector, Building Inspector, Building control technician.
5.	To exercise local authority powers in relation to partly completed work under regulation 22 of the Building (Registered Building Control Approvers etc.) (England) Regulations 2024.	Director, Head of Planning, Building Control Manager
6.	To receive, accept or reject, on prescribed grounds and where appropriate, various notices under Part 2 of the Building Act 1984 and the Building (Registered Building Control Approvers etc.) (England) Regulations 2024 in connection with the supervision of plans and work by registered building control approvers.	Director, Head of Planning, Building Control Manager
7.	To take appropriate enforcement action in cases where the provisions of the building regulations and other related legislation have not been complied with, including instituting proceedings in the	Director, Head of Planning, Building Control Manager

	magistrate's court under sections 35 and 36 of the Building Act 1984.	
8.	To serve notices under sections 35, 35B, 35C and 36 of the Building Act 1984, compliance notices and stop notices and the removal or alteration of offending work.	Director, Head of Planning, Building Control Manager
9.	To deal with applications and enforcement in relation to unauthorised works under regulation 18 of the Building Regulations 1984 (as amended).	Director, Head of Planning, Building Control Manager
10.	To deal with dangerous structures by acting under Section 77 of the Building Act 1984 to secure removal of the dangerous conditions in buildings or structures through an application to magistrate's court for an order to remove such danger.	Director, Head of Planning, Building Control Manager
11.	To take emergency action under section 78 of the Building Act 1984 in such cases where immediate action is necessary to remove danger.	Director, Head of Planning, Building Control Manager
12.	To serve notices under Section 81 of the Building Act 1984 relating to intended demolition of buildings or structures.	Director, Head of Planning, Building Control Manager
13.	To authorise and serve any notice or requirement under Section 59 of the Building Act 1984(Drainage of a building) and the subsequent enforcement of such notice together with recovery of expenses reasonably incurred by the council.	Director, Head of Planning, Building Control Manager

N. STREET NAMING AND NUMBERING		
1.	To determine street naming requests.	Head of Planning (in consultation with Chair of Committee)

<u>Transport and Infrastructure</u>		
<u>Strategic Transport and Parking</u>	To ensure the effective operation of services within Strategic Transport and Parking within Place, namely Parking Services and Strategic Transport and Local Transport Plan.	Director of Transport and Infrastructure (Director)
Parking Services	To be responsible for on-street and off-street car parking operations and enforcement including strategy and policy (subject to approval by the relevant committee), issuing permits and blue badges, maintenance and charges, including Penalty Charge Notices.	Director, Head of Strategic Transport and Parking, Parking Services Manager
	To manage undertaking parking reviews and consultations including managing procedures for making and/or varying Traffic Regulation Orders and/or the Cheshire East Off-Street Consolidated Parking Order.	Head of Strategic Transport and Parking, Parking Services Manager

Strategic Transport and Local Transport Plan	To draft prepare and manage the Council's Local Transport Plan as required by statute, setting out its vision for future transport and travel infrastructure.	Director Head of Strategic Transport and Parking, Policy & Strategy Manager.
	To develop design and deliver sustainable multi-model transport strategies, policies, solutions and schemes as stated in the Local Transport Plan and in accordance with relevant national guidelines and standards.	Head of Strategic Transport & Parking, Policy & Strategy Manager
	To determine local non-statutory concessions policy and administer both statutory (English National Concessionary Travel Scheme 'ENCTS') and non-statutory travel concessions (via Traffic Concession Authorities).	Head of Strategic Transport & Parking, Contracts and Performance Manager
	To identify and commission socially-necessary bus services, including demand-responsive transport services (DRT), in accordance with legislation and Council policies.	Head of Strategic Transport & Parking, Contracts and Performance Manager
	To commission, maintain, coordinate and manage local passenger transport facilities, in the role of the Passenger Transport Authority, including bus stations, shelters and timetable displays.	Head of Strategic Transport & Parking, Contracts and Performance Manager

Strategic Transport and Local Transport Plan (cont.)	<p>To represent the Council on The Cheshire East Bus Partnership-a statutory 'Enhanced Partnership' between Cheshire East Council (as the Local Transport Authority) and local bus operators to work together to improve local bus services as described in the Bus Service Improvement Plan.</p>	<p>Director Head of Strategic Transport</p>
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<p><u>Rail and Transport Integration</u></p>	<p>To lead the council's role in working with relevant partners to establish the Crewe 360 Hub as a substantial development opportunity in the region, leveraging public and private sector investment to kick-start wider regeneration and development. The Crewe 360 Hub programme will:</p> <ul style="list-style-type: none"> • Establish a major growth opportunity in the UK • Secure recognition of the regional and national significance of Crewe Interchange, the Station, and its wider environs • Leverage public and private sector investment to drive regeneration and development • Set an ambitious and positive trajectory for the future prosperity of the future city and its communities 	<p>Head of Rail and Transport Integration</p>
<p><u>Strategic Infrastructure</u></p>	<p>To ensure the effective operation of services within` Infrastructure within Place, namely:</p> <ul style="list-style-type: none"> – Infrastructure Delivery – Major Projects – Highways Development Management. 	<p>Director</p>

Infrastructure Delivery	To manage and deliver all Capital Projects.	Director, Head of Strategic Infrastructure, Team Leader/ Manager, Principal Officer subject to the levels specified in the Financial Schemes of Delegation.
Highways Development Management	To manage Highways Development.	Director, Head of Strategic Infrastructure, Team Leader / Manager, Principal Officer subject to the levels specified in the Financial Schemes of Delegation.
Highways Development Management (cont.)	To approve the adoption of land as a Highway Maintainable at Public Expense.	Head of Strategic Infrastructure
Execution of work on highways	To manage and discharge the Council's legal responsibilities in relation to execution of work on highways. This includes completion of agreements for the execution of works on a highway maintainable at public expense under section 278 of the Highways Act 1980, in consultation with the Governance Compliance and Monitoring Officer.	Director, Head of Strategic Infrastructure.

	To discharge duties in relation to street works in private streets under section 205(3) and (5) of the Highways Act 1980.	Director, Head of Strategic Infrastructure.
	To certify documents giving details of any amendments to estimate of costs and provisional apportionment of costs of street works in private streets under section 210(2) of the Highways Act 1980.	Director, Head of Strategic Infrastructure.
	To make a final apportionment of costs of street works under the private street works code under sections 211(1), s212(4), s216(2) and (3) of the Highways Act 1980.	Director, Head of Strategic Infrastructure

<u>Highways</u>	<p>To ensure the effective operation of services within Highways within Place, namely:</p> <ul style="list-style-type: none"> – Contract Operations Management – Contract Asset Management – Flood Risk Management. 	Director
	To approve contractual payments under the Highway Services Contract.	Director, Head of Highways.

Contract management actions relating to the Highway Service Contract, to include:		Subject to the financial levels specified in the Financial Schemes of delegation, the contract procedure rules and recording details of assurance checks undertaken and detail of non-compliance identified.
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Contract management actions relating to the Highway Service Contract, to include: (cont.)	To undertake the following contract management actions under the Highway Services Contract: <ul style="list-style-type: none"> – Issue Service Manager Instructions. – Approve Task Orders. – Issue and agree response to Early Warning Notices. 	Director, Head of Highways, Contract Managers.
	To approve initiation of formal contractual dispute proceedings.	Director, Head of Highways, in consultation with the Governance Compliance and Monitoring Officer. Once informal steps exhausted, if applicable.
Asset management actions to include:	To receive certificates approving dedication of highways to be maintainable at public expense and making certificates available for inspection under s37(5) of the Highways Act 1980.	Director, Head of Highways.
	To approve programmes (and revisions) of highway maintenance and safety capital works within the allocated budget.	Director, Head of Highways, Contract Managers.

Asset management actions to include: (cont.)	To maintain and to keep an accurate list of streets which are maintainable highways at public expense under s36(6) of the Highways Act 1980	Director, Head of Highways. Contract Managers.
	To approve acceptance of maintenance and liability (revenue) implications resulting from change to highway infrastructure.	Director, Head of Highways, Contract Managers. In line with the approved business case.
	To approve changes to winter maintenance routes or the provision of grit bins.	Director, Head of Highways, Contract Managers. In line with the Winter and Adverse Weather Policy.
	To approve and sign notices under Highways Act 1980	Director, Head of Highways, Contract Managers.

Asset management actions to include: (cont.)	To approve statutory action taken by the council as Lead Local Flood Authority under the Flood and Water Management Act 2010, and the Land Drainage Act 1991 including section 19 flooding investigations and taking necessary enforcement action with serving of notices.	Head of Highways
	To provide technical advice for insured and uninsured claims relating to highways to manage pre-proceedings and in-trial, the council's interests in the conduct of claims.	Head of Highways, Contract Managers
Performance and customer experience actions, to include:	To approve contract annual performance framework.	Director, Head of Highways, Contract Managers.
	To approve the annual contractual performance payments in accordance with the contract.	Director, Head of Highways subject to the levels specified in the Financial Schemes of Delegation and Contract Procedure Rules.
Network management actions, to include:	To sign and approve Temporary Traffic Regulation Orders.	Director, Head of Highways, Contract Managers in consultation with the

		Governance Compliance and Monitoring Officer.
Network management actions, to include: (cont.)	To take action to manage the performance of statutory undertakers to discharge statutory obligations under the New Roads and Street Works Act 1991 and Traffic Management Act 2004.	Director, Head of Highways, Contract Managers.
	Approval of formal action to enforce the provisions of the Highways Act 1980, New Roads and Street Works Act 1991 or Traffic Management Act 2004.	Director, Head of Highways.
	To progress any applications in relation to stopping up of the highway maintainable at public expense including s116 and s117	Director, Head of Highways, Contract Managers.
	To approve road closures under section14 of the Road Traffic Regulation Act 1984 or the Town and Police Clauses Act 1847.	Director, Head of Highways, Contract Managers in consultation with the Governance Compliance and Monitoring Officer.

Network management actions, to include: (cont.)	<p>To approve the siting of statutory undertakers' apparatus in the highway to discharge statutory obligations under the New Roads and Street Works Act 1991. Approve the issue of specified licences under the Highways Act 1980:</p> <p>Section 115E: Production of income, providing information or advertising.</p> <p>Section 139: Placement of skips.</p> <p>Section 142: Planting trees or shrubs.</p> <p>Section 169: Scaffolding.</p> <p>Section 171: Deposit of building materials and making of excavations in streets.</p> <p>Section 172: Hoardings.</p> <p>Section 177: Oversailing.</p> <p>Section 184: Light vehicle crossover.</p>	<p>Director, Head of Highways, Contract Managers, other officer.</p>
	<p>To approve charges for street works permits the issue of specified licences under New Roads and lane rental Street Works Act 1991:</p> <p>Section 50: Siting of statutory undertakers' apparatus.</p>	<p>Director, Head of Highways, Contract Managers, other officer.</p>

Network management actions, to include: (cont.)	<p>To approve charges for and issue:</p> <p>Any of the following specified licences above issued under the Highways Act and 1980 or New Roads and Street Works Act: 1991.</p> <p>[Details] Street works permits or lane rental under the Traffic Management Act 2004.</p>	Director, Head of Highways
	To approve enforcement for breach of the conditions of any of the specified licences above issued under the Highways Act 1980 or New Roads and Street Works Act 1991.	Director, Head of Highways, Contract Managers.
	To issue a notice to require owners to remove materials from streets in which works are due to take place under section 295 of the Highways Act 1980.	Director, Head of Highways
	To sign and authenticate notices, consents, approvals, orders, demands, licences, certificates, or other documents under section 321 of the Highways Act 1980.	Director, Head of Highways