

Scheme of Delegation to Officers

Assistant Director (Operations)

All of the following powers and duties are delegated to the Assistant Director (Operations), as well as to the specified Officers:

(a) All Operations Service Managers Waste and Street Scene - Business, Waste and Street Scene – Operations, Property Services and Estate Management, Leisure and Culture - Operations)

1. To sign contracts pursuant to the Local Authorities (Goods and Services) Act 1970 or any other related or amending legislation.

(b) Service Manager (Waste and Street Scene - Business)

2. To determine, as part of budget consultation with the Assistant Director (Resources and Performance), an appropriate scale of charges for trade refuse to reflect the actual average costs of collection, disposal, administration and the prices charged by local companies with which we are in competition.
3. To serve Litter Abatement Notices and Street Litter Control Notices, in appropriate cases, under Section 92 of the Environmental Protection Act 1990.
4. To negotiate and agree an appropriate level of recycling credit to reflect the actual saving on waste collection and waste disposal and average costs of administration.
5. To serve Fixed Penalty Notices under Section 88 of the Environmental Protection Act 1990.
6. To negotiate and determine charges for materials collected at the recycling centres.
7. To set the charges for replacement wheeled bins.
8. To exercise the Council's functions and duties pursuant to the Refuse Disposal (Amenity) Act 1978; including the service of Notices relating to the removal of abandoned vehicles.
9. To serve a Graffiti Removal Notice upon any person responsible for a defaced surface requiring the defacement to be removed, under Section 49 of the Anti-Social Behaviour Crime and Policing Act 2014.
10. To seek to recover from the person on whom a Graffiti Removal Notice was served expenditure reasonably incurred in exercising the remedying of the defacement.

11. Where appropriate, to impose fixed penalties on those responsible for a relevant offence falling under Section 132 of the Highways Act 1980 or Section 224(3) of the Town and Country Planning Act 1990.
12. To set and review the fee to be paid to a private contractor for the collection of abandoned vehicles in accordance with the budget.
13. To charge the sum for the removal, storage and disposal of abandoned vehicles, as prescribed by the appropriate Regulations where the owner of a vehicle is known.
14. To review on an annual basis the costs of supplying sacks and the charge for emptying a bin in accordance with the budget.
15. To take enforcement action under Section 46 of the Environmental Protection Act 1990, against householders who repeatedly contaminate their blue bin.

(c) Service Manager (Waste and Street Scene - Business) and the Fleet and Technical Manager

16. To give advice to client departments on the purchase of vehicles and plant.
17. To purchase vehicles and plant from the Vehicles and Plant Renewals Provision up to a maximum of £175,000 per item.

(d) Service Manager (Operations - Waste and Street Scene)

18. To manage the Council's Trade, Refuse and Recycling collection services, Cleansing, Bulky and bin delivery services.
19. To manage the Council's Grounds Maintenance and Tree services in accordance with the relevant Service Level Agreements.
20. To ensure frontline staff comply with Health and Safety Regulations.
21. To manage the Council's Provisions Markets, within the Market Licence Regulations, byelaws and business plan, including the grant of licences and permissions to trade. Review fees and charges in consultation with the Assistant Director (Operations) and markets traders, to determine the charges to be levied.

(e) Service Manager (Property Services and Estate Management)

22. To approve expenditure from a building repairs reserve working balance (if any) for urgent repair work after consultation with the Chief Finance Officer.
23. To submit applications for planning permission.

24. To carry out all consultations in relation to the naming and renaming of streets and public buildings in accordance with the West Suffolk Procedure (<http://www.westsuffolk.gov.uk/planning/upload/Street-Naming-and-Numbering-Procedures.pdf>)
25. To review the service charges relating to the CCTV system, on an annual basis, to reflect the actual cost of providing the control room service and the prices charged by other organisations that are in competition.
26. To approve the temporary restrictions of traffic or closure of highways and the making of the necessary orders and to sign notices required to implement such restrictions as a matter of urgency.
27. To authorise entry on the Council's landholdings for works pursuant to the Land Drainage Act 1976.
28. To make submissions to the relevant Government Department in connection with asset management planning.
29. To approve, after such consultation as considered necessary, the grant, renewal or variation of leases and grant of wayleaves over £50,000 annual value per transaction and the terms and conditions of sales, purchases, leases and other transactions relating to the Council's landholdings.
30. To approve the grant, renewal or variation of leases and grant of wayleaves and the terms of other transactions relating to the Council's landholdings up to £50,000 (annual value per transaction).
31. To approve terms and conditions of miscellaneous agreements relating to the Council's landholdings, including the grant of Wayleaves or Easements to statutory undertakers, after consultation with the relevant Assistant Director where appropriate.
32. To dispose of open space land in accordance with the Council's policy.
33. To approve as Estate Owner designs and site layouts of residential and industrial proposals on Council owned development land.
34. Manage in accordance with approved budgets and policies the maintenance, improvement and repair of the Council's housing properties.

(f) Service Manager (Property Services and Estate Management) and the Car Park Services Manager

35. To deal with day to day management of the Council's Car Parks including enforcement of the traffic orders and, after consultation with the Portfolio Holder and Assistant Director (Resources and Performance), to determine all parking fees and excess charges to be levied.
36. To set the annual level of charge for residents' parking permits for those householders where a charge is levied, in consultation with Suffolk County Council Highways, Assistant Director (Resources and Performance), the Local County Division Member and the Local Ward Member(s).
37. To carry out all consultations in relation to Traffic Regulation Orders (TROs) and speed limit orders on the Council's landholdings and respond on behalf of the Council to on-street TROs.
38. To issue permits in relation to Traffic Regulation Orders (TROs).

(g) Service Manager (Operations - Leisure and Culture)

39. In consultation with the relevant Portfolio Holder and the Assistant Director (Resources and Performance), to review and amend the policy framework for the hiring of, and charging, catering and contracting at, the Council's public halls and ticket pricing for its arts programming (including the Bury St Edmunds Festival), within existing Financial and Contact Procedure Rules.
40. To use income from the Gershom Parkington Bequest for the acquisition of appropriate additions to, and the maintenance of, the museum collection after such consultation as he considers necessary.
41. To purchase exhibits in consultation with the Assistant Director (Resources and Performance) for the museums from provisions set up for the purpose.
42. To make arrangements for the provision of entertainments subject to any limitations imposed by the Cabinet and after consultation with relevant Assistant Directors.
43. To dispose of items in accordance with Guideline 181 of the Museums and Galleries Registration Scheme for Museums in the United Kingdom.
44. To manage, maintain and control sports grounds, sports centres, parks, open spaces, cemeteries, disused churchyards and allotments in accordance with the agreed property strategy.

45. To liaise with the Abbeycroft Leisure Trust, and in consultation with the Assistant Director (Resources and Performance), in respect of the scale of charges for admission to the Leisure Centres and associated facilities necessary to achieve the Council's Corporate Leisure, Sport and Health Objectives.
46. To set and adjust, after consultation with the Assistant Director (Resources and Performance), the charges for use of sports pitches in line with market forces and within the approved annual guide to the level of income.
47. To set and adjust, after consultation with the Assistant Director (Resources and Performance), the scale of cemetery charges.
48. To set and adjust, after consultation with the Assistant Director (Resources and Performance), the charges for tours and payments to guides in respect of the Bury St. Edmunds "Blue Badge" Guide Scheme.
49. To adjust fees, charges and hours of opening of the Council's Museums and related facilities, in consultation with the Assistant Director (Resources and Performance).
50. To approve terms and conditions of loans and gifts of works of art and museum exhibits.
51. To amend stockholding levels in consultation with the Assistant Director (Resources and Performance).
52. With regard to Play Schemes, subject to a report being submitted to the subsequent meeting of the Cabinet:
 - (i) to accept, in appropriate circumstances, tenders other than the lowest; and
 - (ii) by negotiation, to omit from a successful tender scheme discretionary items above the minimum specified and substitute other equipment, provided the submitted tender price is not exceeded.
53. To deal with day to day management of Shopmobility.
54. To discharge the relevant duties under the Localism Act 2011 relating to the Assets of Community Value (England) Regulations 2012.

(h) Service Manager (Operations - Leisure and Culture) and the Entertainment and Events Manager

55. In accordance with the Council's Financial and Contract Procedure Rules, to interpret and implement the Council's agreed policy

framework (and to review, amend and implement operational policies and procedures) for:

- (a) catering; and
- (b) charging, hiring, contracting and ticketing.

at each of its public halls, and for its arts programming generally, in order to:

- (i) deliver the agreed objectives and financial targets of the public halls;
 - (ii) achieve best value for local taxpayers and maintain the competitiveness of the public halls and the Council's arts programming;
 - (iii) maintain the good reputation of the Council and help deliver its policy objectives;
 - (iv) maximise the standards and consistency of service received by users of the public halls; and
 - (v) reflect current and emerging practice in the public halls and arts markets.
56. To sign artists' agreements for all of the Council's arts programming (including festivals), subject to consultation with the Service Manager (Shared Legal) in respect of any agreement which is created by the artist or the artist's agents.
57. To interpret and implement the Council's agreed policies for charging, contracting and ticketing in relation to the Bury St Edmunds Festival and for any other arts programming arranged by the Council.
58. To sign artists' agreements for all of the Council's arts programming (including festivals), subject to consultation with the Assistant Director (Human Resources, Legal and Democratic Services) in respect of any agreement which is created by the artist or the artist's agents.

Enforcement

59. In accordance with the following Acts, as amended by the Clean Neighbourhoods and Environment Act 2005:
- (a) Environmental Protection Act 1990 [Section 88(1)]
 - (b) Anti-Social Behaviour Act 2003 [Section 43]
 - (c) Anti-Social Behaviour Act 2003 [Section 43]
 - (d) Clean Neighbourhoods and Environment Act 2005 [Section 59]
 - (e) Dogs (Fouling of Land) Act 1996

The following suitably trained officers are authorised to issue fixed penalty notices:-

- Car Parks Manager
- Assistant Parking Services Manager
- Car Park Attendants
- Markets Supervisor
- Markets Officers
- Parks Manager
- Parks Development Manager
- Parks Development Officer
- Park Keepers
- Rangers
- Heritage Manager
- Heritage Officers
- Assistant Operations Managers
- Waste and Street Scene Enforcement Officers
- Waste and Street Scene Advisors
- Waste Development Officers
- Waste Strategy Officers

60. The following posts be authorised to inspect, test and where appropriate issue unfit vehicle notices, which may include a suspension of the vehicle under s.68 of the Local Government (Miscellaneous Provisions) Act 1976:-

- Fleet and Technical Manager
- Assistant Fleet Manager
- Fleet Workshop Manager
- HGV Vehicle Fitters