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# STATES OF JERSEY



## STATES OF JERSEY LAW 2005: DELEGATION OF FUNCTIONS – TRANSPORT AND TECHNICAL SERVICES – REVISED DELEGATIONS JANUARY 2012

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Presented to the States on 26th January 2012  
by the Minister for Transport and Technical Services

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STATES GREFFE

## REPORT

On 24th January 2012, the Minister for Transport and Technical Services made a Ministerial Decision delegating certain of his functions under Article 28 of the States of Jersey Law 2005 (MD-T-2012-0006, available at [www.gov.je](http://www.gov.je)).

The terms of the delegations, and the legislation under which those delegations were made, were recorded in a Report attached to the Ministerial Decision, as shown below –

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### Introduction

Article 28 of the States of Jersey Law 2005 permits a Minister to delegate, wholly or partly, functions to an Assistant Minister or an officer.

The Law states, *inter alia* –

#### “28 Power of Minister to delegate functions

- (1) A Minister may delegate, wholly or partly, functions conferred upon or vested in the Minister by or under this Law or any other enactment or any enactment of the United Kingdom having effect in Jersey, to –
  - (a) one of his or her Assistant Ministers;
  - (b) an officer.
- (2) A Minister shall not delegate –
  - (a) any power to make an enactment;
  - (b) any power to decide an appeal under an enactment;
  - (c) any function the delegation of which is prohibited by an enactment.
- (3) The delegation of functions by a Minister under this Article shall not prevent the Minister exercising those functions personally.”

### Background

To allow the efficient and effective administration of the legislation for which the Minister for Transport and Technical Services is responsible, certain matters can be delegated to named officials. The attached list details each of these delegations, the relevant legislation, details of what is being delegated, and the officers who are delegated to make these decisions.

### Main Content/Subject matter

In any event whereby an individual is in an “acting role” for any period of time, that individual is to acquire the delegated functions of the role into which they are acting up as set out in this report.

**Driver and Vehicle Standards**

<b>Legislation:</b>	Motor Vehicles (Driving Licences) (Jersey) Order 2003, Article 13(1).
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
<b>Function delegated:</b>	Approve arrangements and instructors to carry out Compulsory Basic Training (CBT).
<b>Scope of delegation:</b>	The Minister is responsible for holding or arranging courses and approving instructors conducting such courses that provide basic training and test competence to ride a moped or light motorcycle on the road with a provisional licence.

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956, Article 6(1), (3), (4), (5)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
<b>Function delegated:</b>	All matters associated with maintaining a register of driving instructors.
<b>Scope of delegation:</b>	The Minister is required to maintain a register of driving instructors, adding instructors to and removing them from the register.  The Minister would be notified of any person whose application to be on the register has been refused or who has been removed from the register.

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956, Article 8(6) and Motor Cars (Driving Instruction) (Jersey) Order 1982, Article 1
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
<b>Function delegated:</b>	Appointment of examiners to conduct examinations and tests.
<b>Scope of delegation:</b>	The Minister (as the “licensing authority” in the case of granting driving licences) is responsible for appointing persons to conduct examinations and tests for the purposes of testing competence to drive, and for entering a person’s name in the register of driving instructors.

	These persons are invariably officers in the Department, but there may be occasions when it would be desirable to appoint suitably qualified persons who are not from the Department, e.g. when an examiner is on long-term sick leave.
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<b>Legislation:</b>	Motor Cars (Driving Instruction) (Jersey) Order 1982, Article 3(1), (4)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
<b>Function delegated:</b>	Determining particulars to be supplied by candidates for examination and testing to become driving instructors.  Determining the form of examination and tests to be undertaken by candidates wishing to become driving instructors.
<b>Scope of delegation:</b>	The Minister is responsible for determining particulars to be supplied by those wishing to become driving instructors and for determining the form of examination and tests that candidates should undertake successfully to become a driving instructor.

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956, Article 78(3)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Manner of application for licences for vehicles exempting them from complying with the requirements of the Motor Vehicles (Construction and Use) (Jersey) Order 1998 – P30 applications.
<b>Scope of delegation:</b>	The Minister is responsible for determining how applications should be made to exempt vehicles from the requirements of Construction and Use legislation. Invariably (but not exclusively) these tend to be applications for vehicles wider than the normal permitted width to circulate in the Island. Granting approval is the responsibility of the Inspector of Motor Traffic.

<b>Legislation:</b>	Motor Vehicles (Construction and Use) (Jersey) Order 1998, Article 118(2)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Specifying form of defect notice.
<b>Scope of delegation:</b>	A defect notice should state what provision of the Order is contravened, require the owner to remedy the defect and present the vehicle for examination at a date, time and place so that it can be verified that the defect has been rectified or a notice may be issued for the purpose of carrying out a more thorough examination of the vehicle for other defects.

<b>Legislation:</b>	Motor Vehicles (Construction and Use) (Jersey) Order 1998, Article 119(1)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Designating place to impound vehicles for further testing.
<b>Scope of delegation:</b>	If any vehicle is impounded at a road check it should be towed by the owner to a place for examination, a garage for repairs or to be scrapped. The DVS test station at La Collette is specified in the Order for further testing, but it can be such other place as the Minister may designate. There are times when it may be more appropriate to have the vehicle taken to another place for further tests.

<b>Legislation:</b>	Motor Traffic (Jersey) Law 1935, Article 9(1), (2), (3)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Granting public service licences and the conditions attached thereto.
<b>Scope of delegation:</b>	Issuing psv licences (plates) for omnibuses, char-a-bancs and taxicabs.  Subject to the Minister approving policies for granting licences, approving standard conditions of licence.

	Those recommended for refusal of a licence or who appeal against a condition will be notified to the Minister.
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<b>Legislation:</b>	Motor Traffic (Jersey) Law 1935, Article 10(1)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Suspending public service vehicle licences.
<b>Scope of delegation:</b>	Suspending a public service vehicle licence where the conduct of the licence-holder in operating the service, or non-compliance with conditions of licence, warrants it.  The licence-holder can appeal to the Minister.

<b>Legislation:</b>	Motor Traffic (Jersey) Law 1935, Article 30(1)
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic Senior Traffic Officer
<b>Function delegated:</b>	Suspending public service vehicle badges.
<b>Scope of delegation:</b>	Suspending a public service vehicle badge where the conduct or health of the badge-holder warrants it.  The badge-holder can appeal to the Minister.

<b>Legislation:</b>	Motor Traffic Third Party Insurance) (Jersey) Law 1948, Article 4
<b>Delegate:</b>	Inspector of Motor Traffic Deputy Inspector of Motor Traffic
<b>Function delegated:</b>	Approving authorised insurers
<b>Scope of delegation:</b>	All providers of insurance in Jersey are licensed by the Jersey Financial Services Commission (JFSC). However, providers of motor insurance must be approved by the Minister.  Subject to insurers meeting the criteria set out in Article 4(2) of the Law and the application from the insurer

	<p>being supported by the JFSC, approving authorized insurers.</p> <p>Where the application does not comply fully with the criteria or refusal to authorise is considered, the application will be presented to the Minister for decision.</p>
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### Finance

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Finance Director
<b>Function delegated:</b>	Compliance of all Finance Directions issued under Article 34 of the Public Finances (Jersey) Law 2005 where they relate to the finances or operations of the Department.
<b>Scope of delegation:</b>	To enable compliance with all Finance Directions and to ensure specific requirements contained within each of the Financial Directions are delegated to the Chief Officer and or Finance Director.

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Finance Director Finance Officer
<b>Function delegated:</b>	Write off bad debts – <ul style="list-style-type: none"> <li>• Chief Officer/Finance Director for an individual value of less than £25,000 and a combined annual total of less than £200,000.</li> <li>• Finance Officer for any individual value of less than £50.</li> </ul>
<b>Scope of delegation:</b>	Subject to them being reported to the Minister on a quarterly basis with an explanatory report.

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Finance Director
<b>Function delegated:</b>	Approve the Department's authorised signature schedule and approved expenditure limits conditional upon them being within pre-authorised limits.

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport
<b>Function delegated:</b>	Accept tenders not exceeding £200,000.
<b>Scope of delegation:</b>	By formal contract documentation.

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport Finance Director Director of Waste Strategy.
<b>Function delegated:</b>	Responsibility for signing formal engineering contracts, forms of engagement and formal contract signing up to their allocated financial authorisations.
<b>Scope of delegation:</b>	As part of the Departmental quarterly reporting mechanism, the Minister will receive a report showing the number of contracts, their form and contract value.

<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer Director of Operational Services Director of Engineering and Infrastructure Director of Transport
<b>Function delegated:</b>	Appoint consultants for construction and engineering works.
<b>Scope of delegation:</b>	Where the TTS is Client.



<b>Legislation:</b>	Public Finances (Jersey) Law 2005
<b>Delegate:</b>	Chief Officer
<b>Function delegated:</b>	Delegation of the authorisation of non-contentious budget transfers to the Chief Officer up to the value of £200,000 in accordance with Article 28 of the Public Finances (Jersey) Law 2005.
<b>Scope of delegation:</b>	This allows the approval of non-contentious budget transfers up to a specific value, avoiding an undue administrative burden on the Minister.

### Transport and Highways

<b>Legislation:</b>	Highways (Jersey) Law 1956
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Issuing licences under Highways Law.
<b>Scope of delegation:</b>	TTS as highway authority for main roads has powers to issue licences for things to be placed over, on or below main roads.

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Traffic Signs.
<b>Scope of delegation:</b>	Road Traffic Law permits TTS to erect signs (in some circumstances TTS is obliged to erect signs, e.g. Regulatory signs such as speed limits, no entry, etc.).

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Temporary changes to Traffic Orders.
<b>Scope of delegation:</b>	Temporary changes can be made to Parish Orders for a period up to 12 months, are approved by the Connétable and Roads Committee and are not contentious.

<b>Legislation:</b>	Road Traffic (Jersey) Law 1956
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Speed limits – applications from all quarters, including parishes and States members as well as public.
<b>Scope of delegation:</b>	Officer to apply States approved policy and notified to Minister for approval on a quarterly basis.

<b>Legislation:</b>	Road Traffic (Speed Limits) (Jersey) Order 2003
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Approving temporary speed limits at road-works.
<b>Scope of delegation:</b>	The Minister for TTS has powers to introduce mandatory temporary speed limits at road-works. Officers may approve requests from road-works operators for temporary speed limits following consultation with the relevant Connétable.

<b>Legislation:</b>	Highways Road Humps (Jersey) Regulations 2002
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Requests for road humps on Parish by-roads.
<b>Scope of delegation:</b>	The Connétable of a Parish is required to consult the Minister for TTS before installing road humps on a by-road. Officers will advise the Connétable on good practice, legal requirements and consultation with emergency services.

<b>Legislation:</b>	Motor Traffic (Jersey) Law 1935
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Traffic and Street-works Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Install, remove or move Bus-stops.
<b>Scope of delegation:</b>	Bus-stops also require approval of the Connétable of the relevant Parish if on a by-road. Non-contentious measures only.

<b>Legislation:</b>	Customary Law (Choses Publiques) (Jersey) Law 1993
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Director of Transport Manager – Transport Policy
<b>Function delegated:</b>	Approve applications for “al fresco” areas.
<b>Scope of delegation:</b>	Approve non-contentious requests and inform the Connétable of the Parish who issues a permit if approved by the Parish.

<b>Legislation:</b>	Planning and Building (Jersey) Law 2002
<b>Delegate:</b>	Chief Officer Director – Engineering and Infrastructure Manager – Traffic and Street-works Director – Transport Manager – Transport Policy
<b>Function delegated:</b>	<p>Planning Applications – comments.</p> <p>The applications lists issued by the Planning Department are inspected.</p> <p>The Planning Department issues copies of all applications for sites bordering main roads to the Transport and Technical Services Department (TTSD) for comment in respect of Article 14 of the Planning and Building (Jersey) Law 2002 (formerly Article 6(6) of the Island Planning (Jersey) Law 1964). Comment is requested to be returned within 14 days.</p> <p>In addition, officers from TTSD will request applications that while not bordering a main road might generate significant traffic that will have an impact on main roads.</p> <p>The Manager – Traffic and Street-works inspects each planning application and will visit each site.</p> <p>The Manager – Traffic and Street-works will submit comments on the application on the adequacy of visibility, access, servicing and turning facilities. If the development site is subject to any of the Department’s widening lines or policies for provision of footways, this will be highlighted and taken into account when making comment.</p> <p>The Manager – Traffic and Street-works will discuss the comments with the Manager – Transport Policy, in particular, any recommendation to reject the application or stipulation that highway measures are required, for example, provision of a public footway, or where an application may conflict with the Department’s policy on sustainable development.</p> <p>The Manager – Transport Policy or the Manager – Traffic and Street-works will approve the comments, amend the comments or request further investigation.</p> <p>The comments are forwarded to the Planning Department normally within the requested timeframe.</p> <p>The comments are submitted to the Minister for noting.</p>

	In cases where a development will have a very significant impact on the Minister's policy areas, e.g. provision of a major retail outlet, a report will normally be submitted to the Minister for sanctioning.
<b>Scope of delegation:</b>	Provision of Highway and Drainage observations and the comments on Planning Applications. These will be reported to the Minister for noting.

### Parking

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
<b>Delegate:</b>	Chief Officer Director of Operational Services Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Carrying on a trade or business in a parking or public place.
<b>Scope of delegation:</b>	Where non-contentious, e.g. selling JEPs, ice-cream concessions, etc.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control Director of Operational Services Manager – Parks and Gardens
<b>Function delegated:</b>	Charity collections in parking or public places.
<b>Scope of delegation:</b>	Where non-contentious, e.g. poppy appeal, etc.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006 Policing of Parks (Jersey) Regulations 2005
<b>Delegate:</b>	Chief Officer Director of Engineering and Infrastructure Manager – Highways and Infrastructure Maintenance

	Manager – Traffic and Street-works Director of Transport Manager – Parking Control Director of Operational Services Manager – Parks and gardens
<b>Function delegated:</b>	Approval of requests for use of land administered by TTS for events, e.g., Victoria Avenue car parks, other car parks, etc.
<b>Scope of delegation:</b>	Where non-contentious and often annual; reported to the Minister for noting on a quarterly basis.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Indicate the speed and route to be taken and other restrictions to be observed by a person driving a vehicle in a parking place or by pedestrians.
<b>Scope of delegation:</b>	Directional signs within car parks.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Restrict the size or mass of vehicles that may use the whole or any part of the parking place.
<b>Scope of delegation:</b>	Restriction on Commercial and/or agricultural vehicles in certain parking places.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Close for any period and for any purpose the whole or any part of the parking place.

<b>Scope of delegation:</b>	For events, maintenance works, setting aside an area for utility companies to lease as compounds whilst working in the area, etc., when non-contentious.
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<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Set aside permanently or for any period the whole or any part of the parking place for parking vehicles of a type specified in the notice.
<b>Scope of delegation:</b>	Changing of parking space layouts within car parks to move commercial vehicle spaces, motorcycle parking, etc., when non-contentious.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Set aside permanently or for any period the whole or any part of the parking place for parking vehicles on which a valid permit is displayed.
<b>Scope of delegation:</b>	Moving of permit-holder areas within the parking area such as Disabled Bays, States Members Parking, etc., when non-contentious.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Give approval for a boat, trailer or thing to be parked or placed in a parking place.
<b>Scope of delegation:</b>	When non-contentious.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Give permission for advertising material to be placed in a parking place.
<b>Scope of delegation:</b>	When non-contentious.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Use a vehicle in connection with a trade or business while it is parked in a parking space.
<b>Scope of delegation:</b>	When non-contentious.

<b>Legislation:</b>	Road Traffic (Public Parking Places) (Jersey) Order 2006
<b>Delegate:</b>	Chief Officer Director of Transport Manager – Parking Control
<b>Function delegated:</b>	Allow the consumption of alcohol in a parking place.
<b>Scope of delegation:</b>	Allow alcohol to be consumed in a public car park as part of an event such as a Fete in a car park, when non-contentious.

### Drainage

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 8
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Sewers and drains to the sea.
<b>Scope of delegation:</b>	Restricts discharge to sea shore without consent.



<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 12
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Adoption of other sewerage facilities.
<b>Scope of delegation:</b>	Power to adopt sewerage facilities as public.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 13
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Separation of foul and surface water sewers.
<b>Scope of delegation:</b>	Power to reserve sewer for foul or surface water only.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 14
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Obligation to connect to public sewer.
<b>Scope of delegation:</b>	Power to require property-owner to connect to the sewer.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 15
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Senior Engineer – Contracts Management

	Assistant Manager Drainage Assistant Manager Drainage Maintenance Leading Charge-hand Drainage Investigations Charge-hand Drainage Survey Manager – Waste Compliance
<b>Function delegated:</b>	Repair of sewers and drains by owners.
<b>Scope of delegation:</b>	Power to examine sewer or drain and require property-owner to repair.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 16
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Senior Engineer – Contracts Management Assistant Manager Drainage Assistant Manager Drainage Maintenance Manager – Waste Compliance
<b>Function delegated:</b>	Restricted discharges into sewers and drains.
<b>Scope of delegation:</b>	Restricts surface water from being discharged to foul sewers without consent.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 17
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Senior Engineer – Contracts Management
<b>Function delegated:</b>	Disturbance of public sewers.
<b>Scope of delegation:</b>	Restricts building close to sewer, or connecting to sewer, without consent.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 18
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Septic tanks.
<b>Scope of delegation:</b>	Restricts use of septic tanks where property is connected to sewer.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 19
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager
<b>Function delegated:</b>	Abandonment of public sewerage facilities.
<b>Scope of delegation:</b>	Power to discontinue or prohibit use of public sewer.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 22
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Manager – Liquid Waste Treatment Manager – Waste Compliance
<b>Function delegated:</b>	Trade effluent discharge consents.
<b>Scope of delegation:</b>	Power to issue discharge consents.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 23
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Manager – Liquid Waste Treatment

	Senior Engineer – Contracts Management Manager – Waste Compliance
<b>Function delegated:</b>	Production of plans and furnishing of information.
<b>Scope of delegation:</b>	Requirement on owner to provide information on discharge.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 24
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Manager – Liquid Waste Treatment Manager – Waste Compliance
<b>Function delegated:</b>	Variation, suspension and revocation.
<b>Scope of delegation:</b>	Power to amend trade discharge consent.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 25
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Manager – Liquid Waste Treatment Manager – Waste Compliance
<b>Function delegated:</b>	Transfers.
<b>Scope of delegation:</b>	Power to transfer trade discharge consent to new holder.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 26
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Manager – Liquid Waste Treatment Manager – Waste Compliance
<b>Function delegated:</b>	Information about harmful effluent.
<b>Scope of delegation:</b>	Power to request information about nature of trade discharge.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 27
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Manager – Waste Compliance
<b>Function delegated:</b>	Control of harmful effluent.
<b>Scope of delegation:</b>	Power to require person to dispose of harmful trade effluent.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 30
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Senior Engineer – Contracts Management
<b>Function delegated:</b>	Alteration of designated flood defences.
<b>Scope of delegation:</b>	Restricts alterations without consent.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 31
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Senior Engineer – Contracts Management Assistant Manager Drainage Assistant Manager Drainage Maintenance
<b>Function delegated:</b>	Repair of other flood defences.
<b>Scope of delegation:</b>	Power to require work to be undertaken by owner on flood defences.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 34
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management Assistant Manager Drainage Assistant Manager Drainage Maintenance Leading Charge-hand Drainage Investigations Charge-hand Drainage Survey Senior Surveyor Surveyor Departmental Duty Officers Manager – Waste Compliance
<b>Function delegated:</b>	Exercise of ancillary powers.
<b>Scope of delegation:</b>	Powers of entry for inspection, survey purposes, etc.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 35
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management
<b>Function delegated:</b>	Remedial action by person causing damage.
<b>Scope of delegation:</b>	Power to require owner to correct damage.

<b>Legislation:</b>	Drainage (Jersey) Law 2005 – Article 37
<b>Delegate:</b>	Chief Officer Director of Operational Services Principal Engineer, Liquid Waste Senior Engineer, Drainage Design Records Manager Manager – Liquid Waste Treatment Senior Engineer – Contracts Management
<b>Function delegated:</b>	Remedial action by Minister.
<b>Scope of delegation:</b>	Power for TTSD to correct damage at owner's cost.

<b>Legislation:</b>	Planning and Building (Jersey) Law 2002
<b>Delegate:</b>	Chief Officer Director – Waste Management Principal Engineer – Drainage Senior Engineer – Drainage Records Manager
<b>Function delegated:</b>	<p>Planning Applications – comments.</p> <p>The applications lists issued by the Planning Department are inspected.</p> <p>The Planning Department issues copies of all applications to the Transport and Technical Services Department (TTSD) for comment in respect of Article 16 of the Planning and Building (Jersey) Law 2002 (formerly Article 6(7) of the Island Planning (Jersey) Law 1964). Comment is requested to be returned within 14 days.</p> <p>The Records Manager inspects each planning application and will visit site where necessary.</p> <p>The Records Manager will submit comment on the application on the adequacy of drainage provision for the development and proposals for connecting to the mains drainage system. If the development site is subject to any of the Minister’s policies for provision of drainage, this will be highlighted and taken into account when making comment. The Records Manager consults the Senior Engineer (Drainage) prior to submitting his comments.</p> <p>The comments are forwarded to the Planning Department normally within the requested timeframe.</p> <p>The comments are submitted to the Minister.</p> <p>In cases where a development will have a very significant impact on the Minister’s policy areas, e.g. provision of a major retail outlet, a report will normally be submitted to the Minister for sanctioning.</p>
<b>Scope of delegation:</b>	Provision of Highway and Drainage observations and the comments on Planning Applications. These will be reported to the Minister for noting.