



Department of Infrastructure

GOVERNMENT DEPARTMENTS ACT 1987

TREES AND HIGH HEDGES ACT 2005

**DELEGATION OF FUNCTIONS CONFERRED ON THE  
DEPARTMENT TO THE BOROUGH OF DOUGLAS 2011**

Under Section 3 of the Government Departments Act 1987<sup>1</sup> ("the 1987 Act"), I hereby delegate to the Borough of Douglas ("the Corporation"), until further notice, the functions of the Department specified in the Schedule, subject to the conditions and limitations set out in that Schedule and also to Standing Orders made by the Department under Section 3(4) of the 1987 Act.

This Delegation replaces the delegation<sup>2</sup> dated 10<sup>th</sup> August 2007 made by the (former) Department of Local Government and the Environment.

Dated:

27.7.11

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is positioned below the date.

**Minister for Infrastructure**

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<sup>1</sup> 1987 c.13

<sup>2</sup> GC 41/07

## SCHEDULE

- 1. Functions delegated**
  - 1.1 All the functions of the Department under the Trees and High Hedges Act 2005<sup>3</sup> except the power to prescribe fees under section 4(1)(b) or to make orders or regulations under section 13 of that Act.
  - 1.2 The collection, retention and, where appropriate, in accordance with the Schedule to the Trees and High Hedges (Fees) Order 2007<sup>4</sup>, refund of fees.
- 2. Area covered by delegation**
  - 2.1 This delegation of functions to the Corporation empowers the Corporation to act in relation to complaints regarding trees and high hedges situated on land within the Borough of Douglas.
- 3. Conditions relating to the delegation of functions**
  - 3.1 The Corporation shall designate such officer, or officers, as they see fit to carry out any or all of the functions delegated and shall forward a copy of the signed instrument/s of designation in relation to those officers to the Department forthwith.
  - 3.2 The Corporation shall ensure that the standing orders made by the Department and found on the Department's website entitled "Standing Orders for Department or Local Authority Officers"<sup>5</sup> are complied with.
  - 3.3 The Corporation shall satisfy itself that there are appropriate procedures in place so as to avoid conflicts, or any suspicion of conflicts, of interest in the exercise of the functions delegated.
- 4. Information**
  - 4.1 The Corporation is requested to maintain data for the use of the Department (and, if necessary or requested, the Branches or the High Court of Tynwald) sufficient to indicate the number of formal complaints received, their outcomes, the amount of officer time required to dispose of each case and the number/amount and circumstances of each refund of fee/s.

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<sup>3</sup> 2005 c.3

<sup>4</sup> SD 331/07

<sup>5</sup> GC 39/07