

Section 6 - Schedule of Functions Delegated to Officers

- 1 Members have the right to ask for a matter to be considered by a Committee even though it may have been delegated to an officer subject to complying with any agreed procedures. Officers may also occasionally refer matters to a Committee where they consider the subject matter to be particularly sensitive and would better be decided by members.
- 2 Where an officer has been given delegated authority to undertake a function the officer shall have the authority to authorise another officer within their department or service to carry out that function on their behalf. In determining the suitability of an officer to be given this authority, regard must be had to the nature of the authority being given, the seniority of the post, the experience of the relevant officer and all other relevant circumstances so as to ensure that the authority and the relevant officer are appropriately matched. This authorisation must:
 - be in writing, dated and signed by the officer giving the authority.
 - specifically identify the post and person authorised to carry out the functions.
 - specifically identify the functions to which the authorisation relates (attach an extract from the scheme as the numbering may change over time).
 - identify any conditions (if any) to which the authorisation is subject.
- 3 A copy of all authorisations under this provision must be provided within seven days of being made to the Specialist - Democratic Services who will provide a copy to the Monitoring Officer.
- 4 The officer who has been given delegated authority under this schedule retains concurrent jurisdiction to act in those matters where that officer has given another officer authority to undertake any function.
- 5 The functions shown in this schedule are specific delegated powers. Officers shall also undertake all the operational duties within the remit of their team or service and all necessary powers to do this are therefore deemed to be delegated to the relevant director or officer who has responsibility for the discharge of the function. Officers shall exercise their delegated powers subject to statutory limitations, duties and responsibilities and in compliance with Council policies, approved budget limitations, the Constitution and Financial Procedure Rules.
- 6 The Chief Executive and Directors must ensure that functions in relation to the management of employees must be carried out in accordance with the Council's approved human resources policies.
- 7 Where legislation specifically referred to in this schedule, is amended or replaced or added to by new legislation and in the event that the powers contained in the new legislation are substantially the same as those which it replaces or relate to the same service areas, then it shall be deemed that the relevant authority delegated in this schedule applies as if the new legislation had been specifically referred to as regards that relevant authority.

No	Function	Delegated to	Delegated By
Chief Executive			
1	As Head of Paid Service to be responsible for the corporate and overall strategic management of the authority and other statutory functions as listed in the Council's Constitution.	Chief Executive	Council
2	To make any decision which has been delegated to any other officer.	Chief Executive	Council
3	To draw up the list of authorised officers in relation to Housing Corporation activity in consultation with the Leader of the Council and relevant Portfolio Holder.	Chief Executive	Executive
4	<p>To take urgent decisions as follows:</p> <ul style="list-style-type: none"> • in relation to Executive matters in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder; • in relation to non-Executive matters in consultation with the Chairman (or Vice-Chairman) of Council or Chairman (or Vice-Chairman) of the relevant committee. <p>An urgent decision is one that is considered by the Chief Executive to be necessary to protect the interests of, or advancing the business of, the Council. All such action shall in all cases be reported to the next appropriate meeting of the Executive, Council or relevant Committee.</p>	Chief Executive	Council / Executive
Chief Executive and all Directors (as indicated)			
5	To authorise proceedings in any Court or Tribunal.	Chief Executive and Director (Strategy & Support Services)	Council
6	To authorise officers to appear in any Court or Tribunal.	Chief Executive and Director (Strategy & Support Services)	Council
7	In the absence of a prior decision of the Council, a Committee or Sub-Committee, to select the most appropriate method of tendering for any contract.	Chief Executive and Directors	Council
8	To invite all or a selected number of persons or firms named in the Standing List to take part in a tendering exercise.	Chief Executive and Directors	Council
9	Acceptance of a tender for works except where a tender other than the lowest value tender is proposed to be accepted and there is sufficient budget provision.	Chief Executive and Directors	Council
10	Purchase at a price not exceeding the District Valuer's or other professionally qualified valuation of property required for schemes, which have been approved by the Council or a Committee, and for which capital finance from any source has been approved.	Chief Executive and Directors in line with the Financial Procedure Rules	Executive

No	Function	Delegated to	Delegated By
11	(a) In conjunction with the Chief Executive to consider claims for compensation up to and including £5,000. (b) To consider claims for compensation up to and including £500.	Chief Executive and Directors	Executive
12	To appoint consultants, provided that the cost is covered by an approved capital or revenue budget.	Chief Executive and Directors	Executive
13	In consultation with the Lead Specialist – Legal:- a. to seek the opinion of Counsel; or b. to appoint outside Solicitors or Counsel provided that the cost can be met from an appropriate heading in a budget.	Chief Executive and Directors	Council
14	To decide staff and expert authorisations to exercise statutory powers in respect of those functional areas that fall within the Directors' respective areas of responsibility, and to make any decision which has been delegated to an officer within their Directorate.	Chief Executive and Directors	Council / Executive
15	All functions in relation to the management of employees. These must be carried out in accordance with the council's approved human resources policies.	Chief Executive and Directors	Executive
16	Disciplinary action subject to compliance with the Council's disciplinary procedures.	Chief Executive and Directors	Executive
17	Power to serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Chief Executive and Directors	Council
18	In consultation with the Director (Service Delivery) authorisation under the Regulation of Investigatory Powers Act to authorise enforcement Officers to carry out surveillance as part of an enforcement investigation.	Chief Executive; Director (Strategy & Support Services); Director (Commercial Services & Income Generation); Lead Specialist - Legal	Executive
19	Attendance by themselves, and to approve the attendance of employees at meetings, courses and conferences in line with the corporate training programme and subject to budget approval.	Chief Executive and Directors	Executive
20	The Portfolio Holders are authorised to respond to consultation documents. The relevant Director or someone authorised by them may respond to consultation documents, after consultation with the Portfolio Holder subject to the Council's consultation protocol set out in Part 5 of this Constitution.	Chief Executive and Directors	Executive
21	To manage budgets and financial transactions in accordance with Financial Procedure Rules.	Chief Executive and Directors	Council

No	Function	Delegated to	Delegated By
22	To let contracts in accordance with Procurement Procedure Rules and the Council's Financial Procedure Rules and other polices which govern the letting of contracts.	Chief Executive and Directors	Council
23	To undertake all functions allocated to their post within Council Financial Procedure Rules and other Council Procedure Rules.	Chief Executive and Directors	Council
24	To authorise others to sign notices and take enforcement action on the Council's behalf subject to approval of a Council officer with suitable qualifications and experience.	Chief Executive and Directors	Council
25	To set fees for chargeable services and revise existing fees on a regular (normally annual) basis.	Chief Executive and Directors	Council
26	To execute all deeds and documents on behalf of the Council (including affixing the Council's Seal thereto) as they consider necessary to implement any decision of the Council or any Committee or any officer of the Council acting under delegated authority. Any documents required to be sealed shall have the seal affixed to them in the presence of any <u>one</u> of the officers referred to in this section. Every such document shall be attested by the signature of the person in whose presence the seal was affixed. <i>Note: When executing documents the person shall include their name or office alongside the unique sealing reference.</i>	Chief Executive; Director (Strategy & Support Services); Director (Service Delivery); Director (Commercial Services & Income Generation); Lead Specialist - Legal	Council
27	To act as a Category One responder, and to take other appropriate action under the Civil Contingencies Act.	Director (Strategy & Support Services)	Council
S151 Officer			
28	As the Council's Chief Financial Officer, to be responsible for the proper administration of the Council's financial affairs and other statutory functions as listed in the Council's Constitution.	Designated S151 Officer	Council
29	Setting the Council Tax Base under the Local Authorities (Calculation of Tax Base) Regulations 1992.	Designated S151 Officer	Council
30	Write off bad debts of £20,000 or less.	Designated S151 Officer	Executive
31	In consultation with the Director concerned, to recover all liquidated and ascertained damages arising from contracts let by any Committee.	Designated S151 Officer	Executive
32	Decisions on applications for the reduction or remittance of non-domestic rates and <i>discretionary rate relief</i> up to £5,000 subject to the conditions and limitations set out in Minute 199 of the District Executive meeting held on 2 nd March 2000.	Designated S151 Officer	Executive
33	Repayment of mortgages on the rates on the death of the mortgagee, and otherwise to prematurely repay mortgages if the mortgagee is prepared to pay the appropriate premium.	Designated S151 Officer	Executive

No	Function	Delegated to	Delegated By
34	Payment of small claims up to the value of £2000, which have not been accepted by the Insurance Company - grievances to be referred to the District Executive.	Designated S151 Officer	Executive
35	Waiving of premiums for premature repayment of loans in appropriate cases where the premium does not exceed £200.	Designated S151 Officer	Executive
36	Implementation of salary and wage awards to employees.	Designated S151 Officer	Executive
37	Day-to-day administration of the Collection Fund including estimating the surplus or deficit as required by the Local Authorities (Funds) (England) Regulations 1992.	Designated S151 Officer	Executive
38	Reimbursement of reasonable Cashier operating shortages.	Designated S151 Officer	Executive
39	To be responsible for all Treasury Management matters including the borrowing of money, management of investment funds and to take all executive decisions on borrowing, investment or financing and to act in accordance with CIPFA's Code of Practice on Treasury Management in Local Authorities.	Designated S151 Officer in consultation with Director (Support Services)	Executive
40	Authorisation of the National Non-Domestic Rates 1 Returns (NNDR1).	Designated S151 Officer in consultation with Portfolio Holder for Finance and Legal Services	Council
Lead Specialist – Legal/Monitoring Officer			
41	To authorise proceedings in any Court or Tribunal.	Lead Specialist - Legal	Council
42	To authorise officers to appear in any Court or Tribunal.	Lead Specialist - Legal	Council
43	Request to Court for warrant for possession in cases where Court Order has not been complied with, subject to right of a member to request referral to a Committee.	Lead Specialist - Legal	Council
44	Authority to make application for costs in connection with court and tribunal proceedings and planning and enforcement appeals in all cases where he/she considers it appropriate.	Lead Specialist - Legal	Council
45	To defend any legal proceedings brought against the Council in any court or tribunal.	Lead Specialist - Legal	Council
46	To seek the opinion of Counsel or to appoint outside Solicitors or Counsel provided that the cost can be met from an appropriate heading in a budget.	Lead Specialist - Legal	Council
47	Power to serve requisitions for information under Section 330 of the Town and Country Planning Act 1990.	Lead Specialist - Legal	Council

No	Function	Delegated to	Delegated By
48	Power to serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Lead Specialist - Legal	Council
Revenues and Benefits			
49	To administer the Council's functions in relation to the collection of non-domestic rates in accordance with the Local Government Act 1988 (as amended) and all relevant regulations made thereunder including the granting of charitable rate relief under the Act.	Specialist Team Manager	Executive
50	Registration of charging orders against properties the subject of rate arrears.	Specialist Team Manager	Executive
51	Determination of benefit claims in accordance with the appropriate regulations.	Lead Specialist – Vulnerable People	Executive
Environmental Services			
52	Provision of Floral Displays on payment of charges.	Environmental Services Manager	Executive
53	In respect of Parks, open spaces and other recreational facilities or establishments for which the Director has managerial responsibility:- (i) the variation, for special events, of the charges and opening hours and (ii) approve the occasional use of the same by outside organisations/bodies	Environmental Services Manager	
54	Powers under the Cleaner Neighbourhoods and Environment Act 2005	Environmental Services Manager	Executive
55	Exercise of the Council's powers under Sections 151-154, 163, 164, 167 of the Highways Act 1980.	Environmental Services Manager	Executive
Land and Property			
56	Use of car parks for purposes other than car parking within the agreed Council policy.	Commercial Property, Land & Development Manager	Executive
57	To review and revise rents in leases and to agree the renewal of leases and lettings in respect of properties owned by the Council in accordance with the Financial Procedure Rules.	Commercial Property, Land & Development Manager	Executive

No	Function	Delegated to	Delegated By
Food Safety			
58	Further to the Food Safety and Hygiene (England) Regulations 2013, the appointment of authorised officers under the Food Safety Act 1990 (as amended), and a) any Orders or Regulations made thereunder or relating to the foregoing or having effect by virtue of the European Communities Act 1972 (see note) and b) any modifications or re-enactment to the foregoing. Note: Providing an officer is suitably appointed to so act, the fact that the enforcement powers are contained in a Regulation or Order, whether made under the European Communities Act 1972 or any other stated Act, is irrelevant for the purpose of acting lawfully.	Lead Specialist – Environmental Health	Council & Area Committees
59	Investigation Powers under The Public Health (Control of Diseases) Act 1984, as amended by the health and Social care Act 2008 and Regulations made thereunder, including The Public Health (Infectious Diseases) Regulations 1988.	Lead Specialist – Environmental Health	Council & Area Committees
60	Powers under the Local Government (Miscellaneous Provisions) Act 1982 and similar Acts containing other powers related to the food safety function in relation to sanitary conveniences in places of entertainment etc. and the protection of buildings.	Lead Specialist – Environmental Health	Council & Area Committees
61	To carry out responsibilities vested to the authority contained within the Food and Environment Protection Act 1985 including any regulations and orders made thereunder.	Lead Specialist – Environmental Health	Council & Area Committees
Health and Safety			
62	Powers under the Health and Safety at Work etc. Act 1974 and Regulations made thereunder (including the investigation of accidents and other relevant statutory provisions).	Lead Specialist – Environmental Health	Council & Area Committees
63	To appoint inspectors under the Health and Safety at Work etc. Act 1974.	Lead Specialist – Environmental Health	Council & Area Committees
64	Powers under the Food and Environment Protection Act 1985, with specific regard to the Control Of Pesticides Regulations	Lead Specialist – Environmental Health	Council & Area Committees
65	To authorise proceedings in any court or tribunal under the Health & Safety at Work Act 1974	Lead Specialist – Environmental Health	Council & Area Committees
66	Powers under The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995	Lead Specialist – Environmental Health	Council & Area Committees
67	To implement the smoke free provisions of the Health Act 2006 relating to smoking in public places and workplaces.	Lead Specialist – Environmental Health	Council & Area Committees

No	Function	Delegated to	Delegated By
Licensing			
68	To carry out all the functions of the Licensing Act 2003 and Gambling Act 2005 and associated legislation not required to be determined by the Council's Licensing Committee including (but not by way of limitation) determining whether any variation is a minor or major and its subsequent handling.	Lead Specialist – Environmental Health	Licensing Committee
69	To determine applications for the grant or renewal of licences and permits for, or registration of: Hackney Carriage Vehicles and Drivers; Private Hire Vehicles, Operators and Drivers; Charitable Collections; Acupuncturists, Electrolysis, Tattooists, Ear Piercers, Body Piercers and semi-permanent skin colouring and enforcement of byelaws for such; Scrap Metal Dealers; Sex Establishments; Street Trading. To carry out the enforcement and reporting of licensed and unlicensed door supervisors and their employers.	Lead Specialist – Environmental Health	Licensing Committee
70	In consultation with the relevant Portfolio holder, to review hackney carriage fares - following representations by taxi operators - and, subject to the necessary consultations, to agree any increases within the cumulative inflation rate which has prevailed since the previous increase.	Lead Specialist – Environmental Health	Executive
71	To approve applications for Road Closures for Special Events under the 1847 Police Clauses Act (power to prevent obstructions)	Lead Specialist – Environmental Health	Executive
72	To carry out the inspection, registration or licensing (including the application of conditions) or other approval of: Pet Animal Shops, Animal Boarding and Breeding Establishments, Riding Establishments, Dangerous Wild Animals, Zoos (renewals and transfers only), and commercial premises for health and safety purposes in accordance with the following Acts, Regulations and associated legislation: The Animal Boarding Establishments Act 1963; The Riding Establishments Acts 1964/1970; The Pet Animals Acts 1951/1983; The Breeding of Dogs Acts 1973/1991; Breeding and Sale of Dogs (Welfare) Act 1999; The Breeding of Dogs (Licensing Records) Regulations 1999; The Dangerous Wild Animals Acts 1976/1984; The Zoo Licensing Act 1981; Animals (Scientific Procedures) Act 1986	Lead Specialist – Environmental Health	Licensing Committee
73	To allow for changes in best practice, and to recognise the diversity of existing construction and operational techniques, to approve variations to conditions for pet shops, dog and cat boarding establishments, dog breeding establishments.	Lead Specialist – Environmental Health	Licensing Committee

No	Function	Delegated to	Delegated By
74	Powers under the Sunday Trading Act 1994 in respect of controls over trading on Sundays at large shops.	Lead Specialist – Environmental Health	Licensing Committee
75	Powers under the Police, Factories etc. (Miscellaneous Provisions) Act 1916, Local Government (Miscellaneous Provisions) Act 1982 and the Highways Act 1980 in respect to Street Trading and charitable collections.	Lead Specialist – Environmental Health	Licensing Committee
76	To licence charity collections under the House to House Collections Act 1939	Lead Specialist – Environmental Health	Licensing Committee
77	Powers under the Road Safety Act 2006 in respect of Hackney Carriages and Private Hire Vehicles	Lead Specialist – Environmental Health	Licensing Committee
78	Powers under the Violent Crime Reduction Act 2006	Lead Specialist – Environmental Health	Licensing Committee
79	Enforcement powers under the Animal Welfare Acts	Lead Specialist – Environmental Health	Licensing Committee
80	The preparation of and changes to policy and procedure documents used in Licensing where not already provided for in legislation.	Lead Specialist – Environmental Health	Licensing Committee
Environmental Protection			
81	The authority to enter premises or go onto land to inspect and/or take action to remedy nuisances, to deal with unsatisfactory housing conditions or to deal with other pollution related matters for which the Council has responsibility.	Lead Specialist – Environmental Health	Executive
82	To serve notices and the taking of prosecutions under Parts III of the Environmental Protection Act 1990 concerning Statutory Nuisances. To take similar action for noise nuisance under The Noise Act 1996 and other appropriate legislation including the seizure of noisy equipment.	Lead Specialist – Environmental Health	Executive
83	To take action in relation to a light noise offence under the Noise Act 1996 including the issuing of fixed penalty notices.	Lead Specialist – Environmental Health	Executive
84	To serve notices and the taking of appropriate action under Public Health Acts 1936/1961, Housing Acts 1985/1988/1996/ 2004, the Building Act 1984, the Prevention of Damage by Pests Act 1949, the Clean Air Act 1993, the Control of Pollution Act 1974, the Noise and Statutory Nuisances Act 1993, the Environmental Protection Act 1990, the Clean Neighbourhoods and Environment Act 2005, Environment Act 1995, Pollution, Prevention and Control Act 1999, The Water Industry Act 1991 and the Anti-Social Behaviour Act 2003 and associated legislation to control pollution, prevent nuisance and maintain public health across the District.	Lead Specialist – Environmental Health	Executive

No	Function	Delegated to	Delegated By
85	To prosecute and undertake work in default in relation to notices served concerning housing and environmental matters delegated to the Lead Specialist - Environmental Health in this document.	Lead Specialist – Environmental Health	Executive
86	To let contracts for rodent control.	Lead Specialist – Environmental Health	Executive
87	To take action under Public Health and Building Act powers to deal with defective drainage of land and buildings.	Lead Specialist – Environmental Health	Executive
88	To carry out of all duties contained within the Public Health (Control of Disease Act) 1984 to control the spread of disease, including the cleansing and disinfection of premises and articles.	Lead Specialist – Environmental Health	Executive
89	To take action under Sections 83, 84 and 85 of the Public Health Act 1936/1961 (Cleansing of verminous articles, persons and clothing).	Lead Specialist – Environmental Health	Executive
90	To take action under the National Assistance Acts 1948 and 1951 to remove people in need of care and attention and to act under other legislation (The Public Health (Control of Diseases) Act 1984) to dispose of dead bodies for which the Council has responsibility.	Lead Specialist – Environmental Health	Executive
91	To enforce legislation related to straw and stubble burning and other smoke nuisance in accordance with The Crop Residues (Burning) Regulations 1993.	Lead Specialist – Environmental Health	Executive
92	To take action under the Water Industry Act 1991 and associated legislation (including the inspection, monitoring and improvement of private water supplies) to ensure the adequacy and wholesomeness of water supplies throughout the district.	Lead Specialist – Environmental Health	Executive
93	<p>The power to grant consents for the operation of loudspeakers contained in Schedule 2 of the Noise and Statutory Nuisance Act 1993 in consultation with the relevant ward member(s), who shall have regard to the following principles: -</p> <p>(a) Consents will not normally be granted other than with respect to traditional carnivals, village fetes, street fairs and charitable fundraising by reputable organisations;</p> <p>(b) Consent is unlikely where the Environmental Health Manager is of the opinion that noise nuisance is likely to arise;</p> <p>(c) Without prejudice to the Environmental Health Manager’s discretion to grant consent subject to conditions, restrictions as to the start and finish times of the consent are likely to be imposed where considered appropriate by that Manager.</p> <p>(Applicants for consent are required to pay such reasonable fees as may be determined by the Environmental Health Manager, such fees to include the cost of a suitable advertisement of the application.)</p>	Lead Specialist – Environmental Health	Executive

No	Function	Delegated to	Delegated By
94	To carry out the granting, variation, transfer or revocation of permits for the control of industrial emissions. The service of notices, prosecution and other enforcement for offences under The Pollution, Prevention and Control Act 1999 and the Environmental Permitting (England and Wales) Regulations 2007.	Lead Specialist – Environmental Health	Executive
95	To take action under the Clean Air Act 1993, the Environmental Protection Act 1990 and other associated legislation (including the approval of chimney heights) to avoid atmospheric pollution.	Lead Specialist – Environmental Health	Executive
96	To carry out the inspection of land and the use of enforcement powers for the remediation of contaminated land under The Contaminated Land (England) Regulations 2000 and Part IIA of the Environmental Protection Act 1990. This concerns the Local Authority's duty to deal with contaminated land.	Lead Specialist – Environmental Health	Executive
97	The review and assessment of air quality (and the production of reports, declaration of air quality management areas and production of action plans thereafter as necessary) under the Environment Act 2005 and associated regulations.	Lead Specialist – Environmental Health	Executive
98	To take action under the Environmental Damage (Prevention and Remediation) Regulations 2009 to deal with incidents causing environmental damage.	Lead Specialist – Environmental Health	Executive
99	Powers Under Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 in relation to Community protection and under section 77 of that Act in relation to the duration of Closure Orders.	Lead Specialist – Environmental Health	Executive
100	Powers Under Part 7 of the Anti-social Behaviour, Crime and Policing Act 2014 in relation to dangerous dogs.	Lead Specialist – Environmental Health	Executive
101	Removal and disposal of abandoned vehicles.	Lead Specialist - Environmental Health	Council
102	Enforcement of Dogs (Fouling of Land) Act 1996, the Dangerous Dogs Act 1991, the Dogs Act 1906 (as amended), Environmental Protection (Stray Dogs) Regulations 1992, The Control of Dogs Order 1992, Road Traffic Act 1988 (Dogs on Roads) and The Control of Dogs on Roads Order (England and Wales) Regulations 1995 and other associated legislation.	Lead Specialist – Environmental Health	Council
103	Discharge of functions under Sections 149 and 151 of the Environmental Protection Act 1990 relating to the control of dogs.	Lead Specialist – Environmental Health	Council
104	Powers under section 80 of the Environmental Protection Act 1990 to enable dog wardens to investigate barking dog issues.	Lead Specialist – Environmental Health	Executive
105	Powers under the Environmental Protection Act 1990 Part II in respect of waste on land and the duty of care.	Lead Specialist – Environmental Health	Executive
106	Powers under the Refuse Disposal Amenity Act 1978 in respect of abandoned vehicles.	Lead Specialist – Environmental Health	Executive

No	Function	Delegated to	Delegated By
107	Service of notice and prosecution for offences under Part IV (litter) and Part VIII (miscellaneous) of the Environmental Protection Act 1990	Lead Specialist – Environmental Health	Executive
108	Powers under the Controlled Waste Regulations 1992	Lead Specialist – Environmental Health	Council
109	Powers under the Street Litter Control Notices Order 1991 (as amended)	Lead Specialist – Environmental Health	Council
110	Powers under The Crime and Disorder Act 1998 in relation to Anti-Social Behaviour	Lead Specialist – Environmental Health	Council
111	To authorise Environmental Enforcement Officers to take action to deal with anti-social behaviour under the Anti-Social Behaviour legislation.	Lead Specialist – Environmental Health	Council
112	To maintain a public register under The Notification of Cooling Towers and Evaporative Condensers Regulations 1992	Lead Specialist – Environmental Health	Executive
Housing			
113	To serve notices and take appropriate enforcement action in relation to the repair and safety of defective, unfit, sub-standard and non-decent housing under Housing and Public Health Act legislation. This includes carrying out work in default. The principal legislation includes the Housing Act 1996/1988, Housing Act 1985, Local Government & Housing Act 1989 and Housing Act 2004.	Lead Specialist – Environmental Health	Executive
114	To carry out the licensing of Houses in Multiple Occupation and the determination and levying of appropriate fees.	Lead Specialist – Environmental Health	Executive
115	To make Management Orders, Control Orders and Direction Orders and the service of other notices to control standards and overcrowding in Houses in multiple occupation under the Housing Act 1985, the Local Government and Housing Act 1989 and associated legislation.	Lead Specialist – Environmental Health	Executive
116	To carry out the approval and payment of Renovation (Empty Property), Disabled Facilities, Common Parts, Houses in Multiple Occupation and Home Repairs Assistance grants. Such grants are made under the Local Government and Housing Act 1989, The Housing Grants Construction and Regeneration Act 1996, and the Regulatory Reform (Housing Assistance)(England and Wales) Order 2002 and associated legislation. The refusal of applications that fail to satisfy the adopted policies of the Council.	Lead Specialist – Environmental Health	Executive
117	To inspect and licence camping, caravan and mobile homes sites under Caravan Sites and Control of Development Act 1960 as amended by the Local Government (Miscellaneous Provisions) Acts 1972/1975/1976/ 1982 and associated legislation.	Lead Specialist – Environmental Health	Executive

No	Function	Delegated to	Delegated By
118	To make payment of compensation under the Land Compensation Act 1961 and associated legislation in relation to unfit properties (including the payment of disturbance and home loss payments).	Lead Specialist – Environmental Health	Executive
119	To make and remove Demolition Orders and Closing Orders and the protection of buildings under the Housing, Building Acts and Local Government (Miscellaneous Provisions) legislation. Also the taking of action in relation to ruinous, dilapidated or dangerous buildings.	Lead Specialist – Environmental Health	Executive
120	To agree loans and the payment of fees for loan payments as part of the Home Loan scheme operated by the Wessex Reinvestment Trust. The provision of other financial assistance as allowed under the Regulatory Reform (Housing Assistance)(England and Wales) order 2002	Lead Specialist – Environmental Health	Executive
121	To take action under the Housing Act 2004 in relation to the Health and Safety Rating System.	Lead Specialist – Environmental Health	Executive
Environmental Health and Community Protection			
122	Powers under the Criminal Justice and Public Order Act 1994 in relation to travellers and unauthorised campers	Lead Specialist – Vulnerable People	Council & Area Committees
123	Powers under The Crime and Disorder Act 1998 in relation to Anti-Social Behaviour	Specialist Team Manager	Council & Area Committees
124	Powers of inspection under Section 19(2) of the Private Security Industry Act 2001 by Officers authorised by the Security Industry Authority.	Lead Specialist – Environmental Health	Council & Area Committees
125	To authorise Environmental Health Officers to take action to deal with anti-social behaviour under the Anti-Social Behaviour legislation.	Lead Specialist – Environmental Health	Council & Area Committees
126	The preparation of and changes to policy and procedure documents used in Environmental Health	Lead Specialist – Environmental Health	Council
Strategic Planning			
127	To assess housing need for the district in accordance with approved policies.	Lead Specialist – Strategic Planning	Executive
128	Management of Goldenstones Pool, Wincanton Sports Centre and Westlands Sports & Fitness Centre (currently contracted to LED)	Lead Specialist – Strategic Planning	Executive
129	In consultation with the relevant Portfolio Holder to assess need and set appropriate local standards for open space, sport and recreation facilities for the district in accordance with approved policies.	Lead Specialist – Strategic Planning	Executive
Housing & Welfare			
130	To authorise expenditure within delegated cash limits on the repair, maintenance and improvement of those properties leased or managed on behalf of the Council	Commercial Property, Land and Development Manager	Executive

No	Function	Delegated to	Delegated By
131	In consultation with the relevant Portfolio Holder agree minor changes to the Allocations Scheme and other agreements in place with partner landlords participating in the South Somerset Housing Register (or any replacement therefore) where these changes are required as a result of changes to statutory obligations or requirements.	Specialist Team Manager	Executive
132	To determine applications for capital subsidy towards social housing (RSL etc.) provision in accordance with approved policies and authorise approved expenditure; agree requisite nomination rights where appropriate.	Specialist Team Manager	Executive
133	To authorise the allocation of additional capital subsidy towards social housing (RSL etc.) provision of up to 10% of the original approved allocation.	Specialist Team Manager	Executive
134	In consultation with the relevant Portfolio Holder agree terms (and any Service Level Agreements) with anybody to use the Housing Advice Centre where their presence or work contributes towards the prevention or resolution of homelessness and other personal crises or is otherwise in accordance with any relevant strategy or policy then in place.	Lead Specialist – Vulnerable Customers	Executive
135	To consider and determine upon homelessness and housing register appeals if applicant remains dissatisfied after review - Housing Act 1996, Part VI & VII (as amended by Homelessness Act 2002)	Lead Specialist – Vulnerable Customers	Executive
136	To recover bed & breakfast, removal and storage costs.	Lead Specialist – Vulnerable Customers	Executive
137	To set fees for Careline services.	Lead Specialist – Vulnerable Customers	Executive
138	To enter into agreements with suppliers in relation to services for upgrading and maintaining Careline equipment subject to strict compliance with the Council's Standing Orders	Lead Specialist – Vulnerable Customers	Executive
139	To recover debts from clients of Careline	Lead Specialist – Vulnerable Customers	Executive
140	To manage, repair, maintain and improve within delegated cash limits all equipment relating to the operation of the Control centre and Careline	Lead Specialist – Vulnerable Customers	Executive
141	To approve revenue subsidy to various partner agencies where their work is directly contributing towards the prevention or resolution of homelessness and other personal housing crises and/or towards any relevant strategy or policy then in place, within overall budget limits	Lead Specialist – Vulnerable Customers	Executive
142	To set pitch fees and other related charges for Gypsy and Traveller sites.	Commercial Property, Land and Development Manager	Executive

No	Function	Delegated to	Delegated By
Sport, Arts, Leisure and Countryside			
143	Management of Octagon Theatre and Westlands Entertainment Venue	Arts & Entertainment Manager	Executive
144	Management of Yeovil Recreation Centre and Country Parks	Leisure & Recreation Manager	Executive
145	In respect of swimming pools, public halls, parks, open spaces and other recreational facilities or establishments for which the Director (Commercial Services & Income Generation) has managerial responsibility:- (i) the variation, for special events, of the charges and opening hours and (ii) approve the occasional use of the same by outside organisations/bodies	Leisure & Recreation Manager; Environmental Services Manager	Executive
146	The loan of museum exhibits.	Leisure & Recreation Manager	Executive
147	Erection of stiles, gates and other structures on Council owned land.	Leisure & Recreation Manager	Executive
148	The award of tourism grants up to £500.	Director (Commercial Services & Income Generation)	Executive
Locality			
149	The award of grants to area based organisations up to £1,000 in accordance with the Council's policy on grants.	Locality Team Manager	Executive
150	Management of Equipped Play Area and Youth Facilities	Locality Team Manager	Executive
Highways and Streets			
151	Applications for diverting, stopping up and extinguishment of public rights of way and confirmation of consequent orders, subject to consultation with Ward Members.	Case Team Manager	Council
152	Making of orders temporarily closing bridleways and footpaths subject to closure not exceeding three months, including the giving of notice to Ward Member(s) and Parish Council	Case Team Manager	Council
153	Temporary closures of highways by reason of works.	Case Team Manager	Executive
154	Numbering of properties in street not involving changes in existing numbers.	Case Team Manager	Council
155	Street naming and numbering where the developer, the Parish Council and the Area Chairman are in agreement.	Case Team Manager	Executive

No	Function	Delegated to	Delegated By
Development Management (Planning)			
156	<p>The determination of all applications made to the District Council for planning permission, the approval of reserved matters, the display of advertisements, works to trees with Tree Preservation Orders, listed building and conservation area consents, is delegated to the Assistant Director Economy except in the following cases: -</p> <ul style="list-style-type: none"> (a) A Ward Member makes a specific request for the application to be considered by the Area Committee and the request is agreed by the Area Chairman or, in their absence, the Vice Chairman in consultation with the Director (Service Delivery). (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). In the absence of the Chair and Vice Chairman there should be nominated substitutes to ensure that 2 other members would be available to make decisions. All assessments and decisions to be in writing. (b) Director (Service Delivery) in consultation with the relevant Area Chairman considers that, due to the nature of the application, the Committee should consider it. (c) The application is recommended for approval and would represent a significant departure from the policies of the development plan or from the views of a technical statutory consultee (e.g. the County Highway Authority, the Environment Agency, Natural England). (Refusals for proposals directly in conflict with local plan policy to be delegated) (d) The application is recommended for approval and falls into the category of a 'major major' application (e) The proposal involves either Council as applicant or landowner, except in the case of small-scale proposals and where no objections have been received when the Director (Service Delivery) will take the decision in consultation with the Chairman of the Regulation Committee and the relevant Ward and Divisional Member(s), and subject to the decision being signed off by the Monitoring Officer of the District Council (f) The applicant is a councillor of Council. (g) The applicant is a member of either Council's management team, a service manager, or is a member of either Council's staff who, in the course of their duties, has an input in to the planning application process. (h) Any other application from employees of either Council may be delegated, subject to prior notification to the Monitoring Officer of the District Council. (i) Any application where an employee of either Council is involved in any capacity as either agent or consultant. <p>See the General Principles of operation of this part of the Scheme as set out after No. 190 below.</p>	Director (Service Delivery); Lead Specialist - Planning	Area Committees and Regulation Committee

Tree Preservation Matters			
157	The making of Tree Preservation Orders under Section 198 and provisional Tree Preservation Orders under Section 201 of the Town and Country Planning Act 1990 subject to where objections to the Order are received from the Town/Parish Council or any other interested persons, the Director (Service Delivery) must refer the matter to the Area Committee, prior to the Order being confirmed, unless after consultation with the Area Chairman and relevant Ward Members, it is considered not to be necessary.	Director (Service Delivery); Lead Specialist - Planning	Area Committees & Regulation Committee
158	The approval of the lopping, topping and felling of trees not subject to such Orders in conservation areas, after consultation with the Ward Member(s).	Lead Specialist – Planning; Environment Services Manager <i>(where tree is on public open space)</i>	Area Committees & Regulation Committee
159	To act as a Proper Officer for the issue of Tree Preservation Orders.	Lead Specialist - Planning	Area Committees & Regulation Committee
Other Matters Relating to Development Management			
160	The determination of all notifications.	Lead Specialist - Planning	Area Committees and Regulation Committee
161	The approval of minor amendments to approved plans (within the agreed protocol)	Lead Specialist - Planning	Area Committees and Regulation Committee
162	The making of observations on minor development proposals by local authorities or statutory undertakers.	Lead Specialist - Planning	Area Committees and Regulation Committee
163	The making of observations on minor applications upon which the Council is consulted by a neighbouring planning authority.	Lead Specialist - Planning	Area Committees and Regulation Committee

164	The approval of minor overhead lines where they are not contentious.	Lead Specialist - Planning	Area Committees and Regulation Committee
165	The making of representations to the Licensing Authority on applications for goods vehicle operators' licences, in consultation with the Ward Member(s).	Specialist Team Manager	Area Committees and Regulation Committee
166	Acceptance of non-contentious proposals for development submitted for consultation by Government Departments and agencies entitled to Crown exemption.	Lead Specialist - Planning	Area Committees and Regulation Committee
167	The determination of Certificates of Lawfulness of existing and proposed uses or development.	Lead Specialist - Planning	Area Committees and Regulation Committee
168	The approval or refusal of items reserved for further approval by a condition attached to a planning permission or approval, or an advertisement or listed building consent (for example, details of landscaping or materials).	Lead Specialist - Planning	Area Committees and Regulation Committee
169	Issue of Building Preservation Notices and the issue of Urgent Works Notices under s.54 Planning (Listed Buildings and Conservation Areas) Act 1990 (after consultation with Area Chairman and/or Ward Member(s)).	Lead Specialist - Planning	Area Committees and Regulation Committee
170	All forms of planning enforcement action and Stop Notice action.	Lead Specialist - Planning	Area Committees and Regulation Committee
171	The making and amendment/variation of Section 106 Agreements, agreeing consents to the release of land from such agreements and the making of Revocation and Discontinuance Orders (subject to there being no compensation payable in respect of such Orders).	Lead Specialist - Planning	Area Committees and Regulation Committee

172	Grants and loans under the Planning (Listed Buildings and Conservation Areas) Act 1990, in consultation with Ward Members if necessary, subject to report on decisions being submitted to the Area Committee.	Director (Service Delivery)	Area Committees and Regulation Committee
173	The making of Article 4 Directions (after consultation with Area Chairman and/or Ward Member(s)).	Lead Specialist - Planning	Area Committees and Regulation Committee
174	Power to serve requisition for information under Section 330 of the Town and Country Planning Act 1990 and Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 and the service of contravention notices under Section 1 of the Planning and Compensation Act 1991.	Lead Specialist - Planning	Area Committees and Regulation Committee
175	Passing of second resolutions for deemed planning permission in respect of applications not regarded as significant - in consultation with the Chairman of the Regulation Committee, the chairman of the relevant Area Committee and the relevant Ward Member(s).	Lead Specialist - Planning	Regulation Committee and Area Committees
176	To authorise officers to carry out the functions set out in Section 88 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Lead Specialist - Planning	Executive
177	Decisions under the Planning (Hazardous Substances) Act 1990.	Lead Specialist – Environmental Health	Area Committees and Regulation Committee
178	The serving of Hedgerow Retention Notices in accordance with the criteria and requirements of the Hedgerow Regulations 1997, after consultation with the relevant Ward Member(s) where practicable.	Lead Specialist - Planning	Area Committees and Regulation Committee
179	To provide scoping and screening opinions under the provisions of the Town and Country Planning Act (Environmental Impact) Regulations 1999.	Lead Specialist - Planning	Area Committees and Regulation Committee
180	Power under Section 23 of the Local Government (Miscellaneous Provisions) Act 1976 to deal with dangerous trees.	Lead Specialist - Planning	Council
181	All powers under Part 8 of the Anti-Social Behaviour Act 2003 relating to complaints about high hedges	Lead Specialist - Planning	Council

Building Control			
182	Notices requiring works to be carried out in connection with demolition of buildings pursuant to Sections 81 & 82 of the Building Act 1984.	Specialist - Building Control	Executive
183	The approval and rejection of plans under Section 16 of the Building Act 1984.	Specialist - Building Control	Council
184	The approval and refusal of an extension of time during which temporary buildings can be retained under Section 19 of the Building Act 1984.	Specialist - Building Control	Council
185	The approval and rejection of means of escape in case of fire under Section 72 of the Building Act 1984.	Specialist - Building Control	Council
186	The service of notices requiring the exposure or demolition of works where contravention is suspected under Section 36 of the Building Act 1984.	Specialist - Building Control	Council
187	Dispensation and relaxation of requirements under Regulation 11 of the Building Regulations 2000 (as amended).	Specialist - Building Control	Council
188	The issue of Completion Certificates or certificates of final inspection under Regulation 17 of the Building Regulations 2000 (as amended)	Specialist - Building Control	Council
189	Authority under Section 78 of the Building Act 1984 in respect of emergency powers to deal with dangerous structures.	Specialist - Building Control	Council
190	Service of Notice to uncover work requiring inspection under Regulation 15(6) of the Building Regulations 2000 (as amended).	Specialist - Building Control	Council
191	To act as the 'Appointing Officer' as required under S.10 (8) of the Party Wall Etc. Act 1996.	Specialist - Building Control	Council

Applications, Approvals and Consent – General Principles of Operation within Delegated Scheme

1. All Members are notified of applications within their wards. Members can subscribe to a weekly list of applications through the District Council's web site.
2. Members are encouraged to view the plans either in the offices, with their parish councils or via the internet. Members are also encouraged to contact the case officer if there are any queries or if they want to discuss issues of principle or detail.
3. Officers are encouraged to contact Members where they feel that the matter may be contentious and this should be done as soon in the process as possible.
4. If any conflicting view is expressed on an application (i.e. if there is a letter of support on an application which officers recommend for refusal or an objection letter where the officer wishes to approve) the officer will email the Ward member a copy of their report.
5. A 7-day turnaround for responses will be strictly applied.
6. If any of the Ward Members consulted disagree with the Officer's recommendation on a Level 1 application, they should advise the case officer in writing on the relevant proforma, with clearly stated planning issues that give them concern. This should be done as soon in the process as possible.
7. The Case Officer will then send the report to the relevant Area Chair with a risk assessment if necessary. Should the Area Chair agree with the Ward Member rather than the Case Officer, then he/she should discuss with the Director (Service Delivery) whether a decision can be issued in accordance with the Ward Member's views under delegated powers.
8. In the case of Level 2 applications, if a Member wishes any application to be considered by the Area Committee, they should advise the Case Officer in writing on the relevant proforma, with clearly stated planning issues that give them concern. This should be done as soon in the process as possible.
9. Where the request by a Ward Member for an application to be considered by the Area Committee is agreed by the Area Chairman, or in their absence, the Vice Chairman, the reason given by the Ward Member should be included in the report.
10. If a scheme is capable of minor revision to overcome the Members' concerns (such as the addition of a condition) the Case Officer will seek to achieve such revisions with the applicant, provided it can be achieved within the deadline for decision.

11. Where Members have spoken to the officers they must exercise care not to go on public record with their views of a planning application, as this could mean that they may be excluded from the process later on (predetermination).
12. Members should not enter into any negotiations or discussions relating to planning applications with applicants or agents, as this will mean that they may be excluded from the process later on.
13. Householder/Other applications will not normally be presented to a committee as they raise issues of only local impact. It is expected that Members will work through any issues arising from the proposal with the Case Officer managing that process and with the involvement of applicants/agents as appropriate.
14. Where a decision is made that is contrary to the view of the Parish Council the Case Officer will write to the Parish Council and explain their reasons for taking a contrary view. A copy of the Case Officer's report may be sufficient in these circumstances.

Statutory and Proper Officers Appointed by Council

Section A

Proper Officers for the purposes of signing any Notice, Order or other document (apart from those under seal) which a local authority is authorised or required to serve under any enactment.

Chief Executive
Director (Support Services)
Director (Service Delivery)
Director (Commercial Services & Income Generation)
Lead Specialist - Legal

The signing of documents under seal.

Chief Executive
Director (Support Services)
Director (Service Delivery)
Director (Commercial Services & Income Generation)
Lead Specialist - Legal

Section B

Schedule of Consultants

Dr Chitra Arumugam	Consultant in Communicable Disease Control
Dr Toyin Ejidokun	Consultant in Communicable Disease Control
Dr Charles Irish	Consultant in Communicable Disease Control
Dr Chaamala Klinger	Consultant in Health Protection
Dominic Mellon	Consultant in Health Protection
Dr Fiona Neely	Consultant in Health Protection
Dr Bayad Nozad	Consultant in Health Protection
Jenny Taylor	Consultant in Health Protection
Mike Wade	Deputy Director of Health Protection
Dr Nick Young	Consultant in Communicable Disease Control

Are appointed as “Proper Officers” of South Somerset District Council for the purposes of the following Legislation:

Legislation	Part, Section or Regulations	Effect
Public Health (Control of Disease) Act 1984 as amended by the Health and Social Care Act 2008	Parts II and III Section 35	Notification and control powers for Communicable Diseases. Medical Examination.
Public Health (Infectious Diseases) Regulations 1988	Regulations 6,8,9,10 Schedules 3 and 4	Additional powers to the above

The Director (Service Delivery) shall authorise staffing changes in relation to Proper Officers in Section B above.