

Appendix 4

This document is split into three parts:

Part 1 - requirements applying to all delegations

Part 2 – delegations of executive (i.e. Cabinet) functions

Part 3 – delegations of non-executive (i.e. non Cabinet) functions

Part 4 - appointment of statutory and proper officers

NB: delegations of executive functions have been approved by the Leader of the Council and delegations of non-executive functions have been agreed by the full Council

Part 1

All delegations to officers are subject to the terms of the particular delegation and to the following general conditions:

- (i) When exercising their delegated powers officers must act in accordance with the law, the Council's constitution (with specific regard to the Financial and Contract Procedure Rules) and the Council's other policies and procedures and must act within the budget for the relevant service area.
- (ii) an officer to whom a function is delegated may authorise another officer to exercise that function, provided that the other officer reports to or is responsible to the officer in question. In the absence of the relevant officer, the Chief Executive shall have power to act in default.
- (iii) references to any enactment, regulation order or by-law shall include any amendment or re-enactment, whether or not with amendments
- (iv) If authority is delegated to two or more officers, then in the event of a failure to agree, the decision will be taken by the Chief Executive or relevant Chief Officer.
- (v) Where the exercise of powers is to be subject to prior consultation with another officer or Portfolio Holder, that officer or Portfolio Holder may give his or her views in general

terms in advance to apply to any particular circumstance, to remove the need for consultation for each proposal.

- (vi) Any heading or sub-heading used to categorise the type of power, duty or functions being delegated, is for description only, and shall not be taken to limit or qualify it in any way.
- (vii) Subject to any express instructions to the contrary any power to approve also includes the power to refuse and the power to impose appropriate conditions.
- (viii) All delegated functions shall be exercised on behalf of and in the name of the Council.
- (ix) **Emergency Action / Emergency Powers**

Executive / Cabinet functions

In cases of emergency, each Chief Officer is authorised to take any necessary action in the interests of the Council or the residents or other persons having interests within the Borough provided that:

- The action is within the powers of the Leader and Cabinet;
- The emergency is certified as such by the Chief Executive (or his/her nominated deputy) and the Chief Officer concerned (or his / her nominated Deputy);
- The Leader, Deputy Leader and relevant Portfolio Holder are consulted and give approval in principle to the proposed action. In the absence of any of these, another member of the Cabinet shall be consulted
- The approval of the Executive Director (Resources) is obtained to any expenditure involved.

Non-executive / Non-Cabinet functions

In cases of emergency, each Chief Officer is authorised to take any necessary action in the interests of the Council or the residents or other person having interests within the Borough provided that:

- The action is within the powers of the Council;
- The emergency is certified as such by the Chief Executive (or his nominated Deputy) and the Chief Officer concerned (or his/her nominated Deputy);
- The Chair and Vice-Chair of relevant committees and the Leader of the main opposition group are consulted and give approval in principle to the proposed

action. In their absence, two substitutes shall be consulted from a panel comprising:-

- Chairs of any other Committee (excluding the Leader and Cabinet members)
 - Deputy Leader of the opposition
 - Opposition spokesperson on any committee
- The approval of the Executive Director (Resources) is obtained to any expenditure involved.

(x) **Limit on all delegations of executive functions**

The functions set out in column (1) below are not the responsibility of the Leader and Cabinet if any of the circumstances in column (2) apply. In such circumstances the officer concerned **does not** have any delegated authority and the matter **must** be referred to full Council for a decision.

| (1) Function | (2) Circumstances |
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| <p>A decision which is delegated to an officer by the Leader and Cabinet; and which is concerned with the Council's budget, or its borrowing or capital expenditure.</p> | <p>The officer to whom the decision is delegated is minded to determine the matter contrary to, or not wholly in accordance with:- (i) the Council's budget; or (ii) the plan or strategy for the time being approved or adopted by the Council in relation to its borrowing or capital expenditure; and the decision is not authorised by the Council's constitution as being something that can be decided by the Leader and Cabinet.</p> |
| <p>A decision which is the responsibility of the Leader and Cabinet and in relation to which a plan or strategy (whether statutory or non-statutory) has been adopted or approved by the full Council</p> | <p>The officer to whom the decision is delegated is minded to determine the matter in terms contrary to the plan or, as the case may be, the strategy adopted or approved by the Council</p> |

Part 2 - Delegation of Executive Functions to Officers

DELEGATIONS TO ALL CHIEF OFFICERS

Chief Officer for these purposes means the Chief Executive, the Executive Director (Resources), the Executive Director (Legal & Democratic), the Executive Director (Environment), the Head of Environmental Services, the Head of Regeneration and Housing, the Head of Environmental Health, the Head of Policy & Organisational Development and the Chief Planning & Transportation Officer

| Summary of Delegation | Comments |
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| <p>To perform and / or carry out those functions of the Council within the Chief Officers service area</p> <p>. “Functions” are to be construed in a broad and inclusive fashion and include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the relevant functions</p> <p>In exercising their delegated powers Chief Officers may:</p> <p>a. incur, vary and discontinue expenditure</p> <p>b. manage the staffing, property, financial and other resources within the Chief Officers’ control</p> <p>c) procure works, goods and services, including accepting tenders and signing contracts/agreements, subject to all necessary approvals being received</p> <p>d) terminate contracts</p> <p>e) exercise virement within the limits set out in the Finance Procedure Rules</p> <p>f) serve, receive and act upon notices, give or refuse consents, issue determinations, apply for permissions and make orders in the exercise of the Council’s powers and duties</p> <p>g) set, vary and waive fees and charges for the delivery of services and for the issue of any licence, permit, consent or approval subject to any statutory requirements and following consultation with the relevant portfolio holder</p> <p>h) charge for services, where a service beyond that normally supplied free of charge is requested, subject to the prior agreement of the person to be charged</p> | <p>In exercising their delegated powers Chief Officers must:</p> <p>i) act within the law and in accordance with any statutory requirements and procedures</p> <p>ii) comply with the Council’s constitution, paying particular regard to the Financial Procedure Rules and the Contracts Procedure Rules</p> <p>iii) comply with the Council’s other policies and procedures</p> <p>iv) act within the budget for the relevant service area</p> <p>v) consult the relevant portfolio holder in respect of significant decisions and, where requested by the portfolio holder, refer the matter to Cabinet for decision</p> <p>vi) consult appropriate colleagues if the proposed decision may have significant financial, legal, property or staffing implications</p> <p>v) keep a written record of the decision taken and the reasons for it</p> |

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| <p>i) provide services to other local authorities and organisations</p> <p>j) respond to consultation from Government or other public bodies</p> <p>k) prepare bids for lottery and other funding</p> <p>l) accept offers of grant funding made to the Council by the Government, Government agencies or charitable bodies and enter into grant agreements in respect of the same</p> <p>m) be responsible as client under the Construction (Design & Management) Regulations 1994 for all relevant projects undertaken by the Council within their service areas</p> <p>n) enter into data sharing agreements with third parties pursuant to the Data Protection Act 2018 or the General Data Protection Regulations</p> | |
| <p>In so far as they are executive functions, to authorise in accordance with any legal requirements or restrictions, any officer or other suitably qualified and/ or experienced person to exercise any of the functions delegated to that Chief Officer.</p> | <p>The Chief Officer must maintain a proper record of such authorisation</p> <p>Such officers / authorised persons to be suitably qualified and/or experienced.</p> <p>The exercise of delegated powers by these individuals is subject to the same restrictions as apply to the relevant Chief Officer</p> |
| <p>To deal with the following employment issues within the Chief Officers service area :</p> <ul style="list-style-type: none"> i) make changes to staffing structures within the relevant service budget ii) approve honoraria payments not exceeding £2000 iii) make arrangements for maternity leave and staffing cover iv) approve applications for leave of absence in cases not covered by Council policy | <p>In exercising their delegated powers Chief Officers must:</p> <ul style="list-style-type: none"> i) act within the law and in accordance with any statutory requirements and procedures iii) comply with the Council's policies and procedures iv) act within the budget for the relevant service area |

DELEGATIONS TO THE CHIEF EXECUTIVE

| Summary of Delegation | Comments |
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| To act as the head of paid service under section 4 of the Local Government and Housing Act 1989 | |
| To guide and where appropriate, direct chief officers in the exercise of their delegated functions in order to achieve the overall corporate aims and objectives of the Council | |
| To carry out any function which is delegated to a particular chief officer subject to any limits or conditions attaching to that delegation | |
| To grant exemptions on the political restriction of officer posts under the Localism Act 2011 | |
| To grant dispensations to Cabinet members prior to the taking of an executive decision in respect of which they have a conflict of interest pursuant to regulations 12 and 13 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 | In consultation with the monitoring officer |
| Designation of reserve delegated officers in absence of the relevant Chief Officer | |
| To keep under review the terms and conditions of the Executive Director Resources, the Executive Director (Legal & Democratic Services) and the Executive Director (Environmental Services) and make such revisions as considered appropriate within the resources available | |
| Attestation of the Common Seal and authorisation of other officers for this purpose in connection with the exercise of executive functions | |
| Appointment of officers(s) to act as deputy in respect of delegated functions in this constitution or in accordance with Cabinet minutes | |
| Exceptions to Flying the Flag policy | Consult with Mayor, Leader of the Council and Group Leaders |
| Applications for marches under Public Order Act 1936 | Consult with Leader, Deputy Leader and relevant Portfolio Holder. |
| To take action within the Council's powers in cases of emergency or in the absence or incapacity of the designated decision taker or in the failure of the Council in any year to agree executive arrangements by the statutory deadline for the holding of the Council's annual meeting | After consulting as widely as is practicable in the circumstances |
| Power to authorise directed surveillance and to authorise the conduct of covert intelligence sources pursuant to sections 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| To exercise powers under the Civil Contingencies Act 2004 | |
| To receive and respond to expressions of interest under the | |

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| Community Right to Challenge under Part 5 Chapter 2 Localism Act 2011 | |
| To designate approved duties for the purpose of the Council's members allowances scheme | |
| To review decisions to include land and / or buildings on the list of assets of community value pursuant to section 92 Localism Act 2011 and to review decisions relating to compensation pursuant to section 99 Localism Act 2011 in respect of assets of community value | These functions may be delegated by the Chief Executive to the Executive Director (Resources) and the Executive Director (Legal & Democratic Services) |
| To authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 | Subject to compliance with the Council's guidance for officers on the application and use of surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 Subject to approval by the Executive Director (Legal & Democratic Services), or the Legal Services Manager or a solicitor within the Council's Legal Services Section |
| (Subject to the delegation in Part 2 paragraph 4.20 of this scheme of delegation) to exercise the powers conferred on the Council by the Anti-Social Behaviour Crime and Policing Act 2014 and to appoint and authorise officers of the Council to exercise any of the powers and duties of the Council under that Act | |
| To ensure appropriate risk management arrangements are in place across the Council | |

DELEGATIONS TO HEAD OF REGENERATION AND HOUSING

| Summary of Delegation | Comments |
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| <p>To approve housing renewal assistance as defined in the Council's Housing Renewal Policy up to the following maximums</p> <ul style="list-style-type: none"> • grant aid up to a maximum of £50,000 • equity loan for refurbishment up to a maximum of £30,000 • equity loan for relocation up to a maximum of £40,000 • grant aid / equity loan for conversions of 2 or more dwellings to 1 to provide satisfactory accommodation up to a maximum of £50,000 • energy efficiency grants / affordable warmth grants up to a maximum of £30,000 | |

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| <ul style="list-style-type: none"> • emergency works grants up to a maximum of £7,000 • home security assistance grants up to a maximum of £3,000 • hospital discharge grants up to a maximum of £3,000 | |
| To make grants towards the cost of separate water connection | |
| Adaptations for the disabled – permit grant aid for extensions where internal amenities and structural change necessitate this to accommodate a stair lift or similar | |
| To determine whether or not to approve housing assistance where works commenced prior to approval where good reason shown | |
| To set fees for agency services for housing renewal activity as defined by the Council's Housing Renewal Policy | |
| To acquire houses for Regeneration / Housing Renewal purposes and where appropriate selecting such houses for improvement | |
| To carry out necessary works (following tendering procedures) to houses for improvement for sale | |
| To be responsible for administration and pre-contract works of block rehabilitation schemes | |
| To make statutory returns under the Home Energy Conservation Act | |
| To assess housing need and make nominations to RSL's under the terms of the Council's approved allocations scheme | |
| To assess, advise and where appropriate assist all households presenting themselves as homeless or threatened with homelessness in accordance with homelessness legislation and any relevant Code of Guidance | |
| Under the Council's regeneration programmes authorise the acquisition of properties by agreement in areas designated for redevelopment or authorise the payment for properties to be purchased under any proposed or confirmed CPO | |
| To negotiate a contract with a housing association without recourse to open tendering in circumstances where considered to be suitable and advantageous | In consultation with the Chief Executive and the Executive Director (Legal & Democratic Services) |
| In so far as they are executive functions, to implement and exercise the powers conferred by the following legislation and to authorise in accordance with any legal requirements or restrictions any officer or other suitably qualified and/ or experienced person pursuant to the following legislation (and any re – enactment or modification thereof and any regulations made thereunder) for any appropriate provisions which fall within the remit of housing , buildings and blight: Acquisition of Land Act 1981 Land Compensation Act 1972 Housing Grants Construction & Regeneration Act 1989 Regulatory Reform Order 2002 Homelessness Act 2002 | |

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| <p>Law of Property Act 1925 Law of Land Act 1925 Local Government Act 2000 The Redress Schemes for Lettings Agency Work and Property Management Work (Approval and Designation of Schemes)(England) Order 2013 Licensing Act 2003 Homelessness Reduction Act 2017 Home Energy Conservation Act 1995 Also any Regulations, Order, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same</p> | |
| <p>Virement between HIP expenditure blocks and between yearly programmes</p> | <p>In consultation with the Executive Director (Resources)</p> |
| <p>To authorise the sale of properties purchased by the Council where the original purchase was made as part of the Council's empty property strategy or where the property is located within a regeneration area</p> | <p>In consultation with the Chief Executive and the relevant portfolio holder</p> |
| <p>To award assistance, including grants, up to a maximum of £20,000 to help bring empty properties back into use</p> | <p>Subject to the availability of resources</p> |
| <p>To create, review and maintain an advisory list of building contractors for renovation grants</p> | |
| <p>To determine whether or not to accept assignment of grant monies to contractors not on the Council's advisory list</p> | |
| <p>To make grants to voluntary sector bodies in connection with the Council's obligations to prevent homelessness up to a maximum of £30,000 per grant</p> | <p>Subject to consultation with the Portfolio Holder</p> |
| <p>To authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act</p> | |
| <p>To authorise disposal of items from the Howarth Art Gallery collection up to a value of £25,000 per disposal provided:</p> <ul style="list-style-type: none"> - the disposal is in accordance with the Museum Association's Code of Ethics; and - the Head of Regeneration & Housing is satisfied that the Council has capacity to dispose of the item following a proper due diligence exercise being carried out | <p>Subject to consultation with the Leader of the Council and the Portfolio Holder</p> |
| <p>To authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000</p> | <p>Subject to compliance with the Council's guidance for officers on the application and use of surveillance which is not governed by the Regulation of</p> |

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| | <p>Investigatory Powers Act 2000</p> <p>Subject to confirmation of the approval by the Executive Director (Legal & Democratic Services), the Legal Services Manager or a solicitor within the Council's Legal Services Section</p> |
| PROPERTY SERVICES | |
| To make appropriate planning applications on behalf of the Council for any Council owned land and property assets where it is considered that a planning permission for an alternative use would be beneficial to the future management or disposal of the asset provided that the costs of making such an application do not exceed £10,000 (ten thousand pounds) per individual asset. | In consultation with the Leader, Deputy Leader and appropriate portfolio holder |
| To negotiate, agree compensation and acquire properties identified by the Council and approved by Cabinet as appropriate for compulsory purchase under all appropriate Acts of Parliament. | |
| <p>(i) To agree terms for the granting, acquisition, variation or extinguishment of easements and wayleaves and where necessary to enter into Licences to enter third party land for the purposes of carrying out works; and</p> <p>(ii) To negotiate and agree terms for the granting of leases, licences and tenancy agreements to statutory undertakers for the implementation of infrastructure in accordance with their statutory obligations.</p> | |
| In connection with general vesting declarations, to agree further occupation periods of up to six months for occupiers of business premises. | |
| <p>(i) To manage, agree terms and instruct the Council's Legal Services department to effect all new and renewal leases, licences, tenancy agreements, lease surrenders and all ancillary or supplementary documentation notices and consents relating thereto in respect of all property owned by the Council and not occupied by the Council for the performance of its functions (including its investment land and other non-operational properties and property interests) provided that the delegated authority to agree terms shall not apply if any of the following applies to the new or ancillary transaction:</p> <ul style="list-style-type: none"> - the term exceeds twenty-five years - the annual rent or fee until the first rent or fee review (if applicable) exceeds £20,000 (twenty thousand pounds) per annum; or - the letting is at less than best consideration <p>(ii) To negotiate, agree terms and document all rent and licence fee</p> | |

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| <p>reviews for all leases and licences granted by the Council</p> <p>(iii) To take all appropriate action to recover possession of all land and buildings let by the Council in circumstances where the lessee, tenant or licensee has become bankrupt, insolvent or where such other grounds for forfeiture arise.</p> <p>(iv) To agree terms for and instruct the Council's Legal Services department to effect the acquisition of new and renewal leases where the Council is the tenant provided that the lease term does not exceed five years and / or the annual rental during the term up until the first rent or licence review (if applicable) does not exceed £10,000 (ten thousand pounds) per annum.</p> <p>(v) To negotiate, agree terms and document all rent reviews for all leases held by the Council as the tenant.</p> <p>(vi) To negotiate and agree any dilapidation claim arising from a lease or licence either granted by or held by the Council provided the value of the claim does not exceed £100,000 (one hundred thousand pounds) (exclusive of fees).</p> <p>(vii) to accept the surrender of leases provided</p> <ul style="list-style-type: none"> - the unexpired residue of the term does not exceed ten years; and - the annual rent payable at the time of surrender does not exceed £20,000 (twenty thousand pounds) per annum; | <p>(iv) In consultation with the Leader, Deputy Leader and appropriate portfolio holder</p> <p>(v) In consultation with the Leader, Deputy Leader and appropriate portfolio holder</p> <p>(vi) In consultation with the Executive Director (Legal & Democratic) Services</p> <p>(vii) In consultation with the Leader, Deputy Leader and appropriate portfolio holder</p> |
| <p>To exercise statutory responsibility in relation to property management including such matters as the disposal of the Council's freehold interest in the site of properties which fall under the provisions of the Leasehold Reform Act 1967, and the Leasehold Reform, Housing & Urban Development Act 1993 enabling the occupants to acquire (enfranchise) their landlord's freehold interest.</p> | |
| <p>(i) To agree terms and instruct the Council's Legal Services department in respect of all property and land asset disposals, lease surrenders, transfers and agreements of any interest where the capital value does not exceed £75,000 (seventy five thousand pounds) per transaction (exclusive of fees) and where the disposal sale or transfer is not at less than best consideration ;and</p> <p>(ii) To agree terms for the purchase of ground rents that it is considered beneficial for the Council to purchase provided that the total expenditure on such transactions does not exceed £10,000 (ten thousand pounds) (exclusive of fees) in any one financial year.</p> | <p>(i) In consultation with the Leader, Deputy Leader and appropriate portfolio holder</p> <p>(ii) In consultation with the Leader, Deputy Leader and appropriate portfolio holder</p> |

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| To grant permission for community organisations to enter onto Council land under licence to undertake minor environmental improvement schemes. “Minor” schemes will include all schemes where any increase in maintenance obligation or liability for the Council could be funded from existing approved budgets without detriment to other services and projects | In consultation with the Leader, Deputy Leader and appropriate portfolio holder |
| In respect of assets of community value and pursuant to Sections 87, 90,91, 92 (4), 93, 94, 97, 98, 99 and 102 Localism Act 2011 to (i) maintain a list of Assets of Community Value, (ii) to give notification of inclusion or removal of assets from the list, (iii) to remove entries from the list following a review, (iv) to maintain a list of unsuccessful nominations, (v) to publish and make available lists, (vi) to give notice of and publicise receipt of notice of intended disposal, (vii) to inform owners of requests to be treated as a bidder, (viii) to co-operate with other local authorities (ix) to determine nominations for the list of assets of community value (x) to administer a compensation scheme | |
| To grant licences for the purpose of providing Covid 19 testing or vaccination centres | |
| To agree to disposals of public open space provided: <ul style="list-style-type: none"> - notice of the proposed disposal has been given under section 123 Local Government Act 1972; and - all responses to the notice referred to above have been considered; and - the disposal at market value or better; and - the consideration for the disposal does not exceed £75,000 (excluding fees) | |

DELEGATIONS TO EXECUTIVE DIRECTOR (LEGAL & DEMOCRATIC SERVICES)

| Summary of Delegation | Comments |
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| In relation to executive functions to commence, defend, conduct, settle, and appear in any legal proceedings to protect the Council’s assets or interests or relating to the Council’s functions or, if appropriate, for the benefit of the inhabitants of the Borough and to prosecute any person or persons in accordance with the Council’s executive functions. | |
| To authorise appropriate staff within the legal section to appear in court, including appearance in the magistrates court pursuant to section 223 Local Government Act 1972 | |
| To instruct external solicitors and/or counsel to represent the Council | |
| To authenticate documents in connection with the exercise of executive functions | |
| To settle legal documents relating to or affecting the functions of the | |

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| Council and to sign documents on behalf of the Council, including any notice, demand or other document on behalf of the Council in connection with any actual or contemplated legal or enforcement proceedings | |
| To obtain particulars of land ownership in connection with any executive function | |
| To take all action required by law to acquire or dispose of interests in land and property including leases, tenancy agreements and easements | |
| To take all steps prescribed by law to implement compulsory purchase powers | Subject to a decision by the Leader and Cabinet to exercise compulsory purchase powers |
| To settle maladministration claims against the Council and to agree compensation to persons adversely affected by maladministration up to a maximum of £500 per claim, pursuant to section 92 Local Government Act 2000 | |
| To authorise directed surveillance and the conduct of covert intelligence sources pursuant to sections 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| To act as the Senior Responsible Officer for the purpose of Part II Regulation of Investigatory Powers Act 2000 | |
| To make changes to the workplace smoking policy to take account of legislative requirements | |
| To take action to enforce a sale of property in the following circumstances:- 1) To implement the Council's Enforced Sales Procedure in accordance with the Council's Empty Dwellings Strategy and/or in support of regeneration and housing renewal activity; or 2) To recover an outstanding debt due to the Council with a minimum value of £1,500 (this includes both residential and commercial property) if satisfied that the power of sale is available to the Council in respect of a particular property. This includes serving the necessary notices pursuant to the Law of Property Act 1925, drawing up and sealing deeds, registering charges, taking possession and marketing the property in an appropriate manner and completing the sale of the property. | 1) In consultation with the Head of Regeneration and Housing and the relevant Portfolio Holder 2) In consultation with the Head of Department which raised the debt and the relevant Portfolio Holder |
| To make changes to the Council's policy on Councillors' use of ICT services and equipment. | In consultation with the Leader's Policy Development Board |
| To act as returning officer for Council elections (and deputy returning officer for other elections) in accordance with section 35 Representation of the People Act 1983 | |

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| To act as electoral registration officer for the Council in accordance with section 8 Representation of the People Act 1983 | |
| To administer the Council's payroll function | |
| To authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 | Subject to compliance with the Council's guidance for officers on the application and use of surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 Subject to confirmation of the approval by the Legal Services Manager or a solicitor within the Council's Legal Services Section |
| To make public spaces protection orders pursuant to the Anti-Social Behaviour Crime and Policing Act 2014 for the purpose of restricting access to highways and providing alley gates | In consultation with the portfolio holder and relevant ward councillors |
| To authorise officers of the Council to issue fixed penalty notices in respect of contravention of public spaces protection orders made pursuant to the Anti-Social Behaviour Crime and Policing Act 2014 | |
| Without prejudice to 4.19 and 4.20 above, to exercise the powers conferred on the Council by the Anti-Social Behaviour Crime and Policing Act 2014 and to appoint and authorise officers of the Council to exercise any of the powers and duties of the Council under that Act | |
| To agree amendments to the allotment guidelines and to publish the same | In consultation with the portfolio holder and the Chief Planning & Transportation Officer |
| To act as the Council's data protection officer and to exercise the powers of the data protection officer in accordance with the General Data Protection Regulations and the Data Protection Act 2018 | |
| To act as a single point of contact in connection with applications to access communications data pursuant to the Regulation of Investigatory Powers Act 2000, subject to the provisions and requirements of that Act | |

DELEGATIONS TO CHIEF PLANNING & TRANSPORTATION OFFICER

| Summary of Delegation | Comments |
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| Directions under the provisions of Article 4 of the Town and Country Planning General Development Procedure Order 1995 | |
| Following consultation with the relevant portfolio holder, power to respond on behalf of the Council to consultation by other local | |

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| authorities on proposed or amended development plans, policies, strategies and supplementary planning guidance | |
| Following consultation with the relevant portfolio holder, power to respond on behalf of the local planning authority to consultation by external agencies and government departments | |
| To obtain additional information in connection with planning purposes whether under S330 of Town and Country Planning Act 1990 or by Planning Contravention Notice (S171C(2) and (3) of the Town and Country Planning Act 1990 and S.16 Local Government (Miscellaneous Provisions) Act 1976 | |
| Power to authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| To exercise the Council's residual highway functions | In consultation with the relevant portfolio holder |
| To authorise any officer or suitably qualified and/ or experienced persons to enter land in accordance with section 324 Town & Country Planning Act 1990 and section 88 Planning (Listed Buildings and Conservation Areas) Act 1990 | |
| To carry out the functions of the Council in respect of: (a) the numbering of properties and (b) the renumbering / renaming of existing properties under Section 17 and 18 of the Public Health Act 1925 | |
| To provide seats on highway land, where appropriate | |
| To operate the Hedgerow Regulations 1997 on land in the Borough including issuing a Hedgerow Retention Notice | |
| The making of Temporary Highway Closure Orders under Section 21 of the Town Police Clauses Act 1847 | |
| To agree the terms of garage tenancy agreements, to agree variations of the same and to take any steps prescribed by law to determine or enforce garage tenancy agreements | |
| To negotiate and agree terms for garage plot leases and to review and increase the rent payable under such leases | |
| ENGINEERING | |
| To receive notice of intention to demolish buildings or parts of buildings (unless exempt) within the Borough. To issue notices concerning the manner of any demolition to be carried out | |
| To take steps to protect unoccupied buildings from unauthorised entry or causing danger to public health | |
| To make additions to or deletions from list of contractors approved for demolition | |
| To exercise the Councils functions as risk management authority under section 6 Flood and Water Management Act 2010 | |

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| To exercise the Council's functions as designating and responsible authority under Schedule 1 of the Flood and Water Management Act 2010 | |
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DELEGATIONS TO THE EXECUTIVE DIRECTOR (RESOURCES)

| Summary of Delegation | Comments |
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| To undertake the proper administration of the Council's financial affairs and the operation of the Council's accounting systems | |
| To arrange all borrowing, financing and investment in line with the Council's Treasury Management Policy | |
| To exercise the budgetary control functions referred to the Executive Director (Resources) in the Council's Financial Procedure Rules | |
| To administer the calculation and payment of housing benefit and council tax support | |
| To make amendments to the Council's council tax support scheme as required, to comply with national guidelines and to ensure the scheme remains fiscally neutral. | |
| to take all necessary steps to undertake the calculation, collection, administration and recovery of Council Tax and Non-domestic Rates in accordance with the Local Government Finance Act 2012, the Local Government Finance Act 1992 and the Local Government Finance Act 1988, (all as amended from time to time) and further government regulations and guidance, that may be issued. | |
| To determine the size of the Council Tax Support Exceptional Hardship Fund each year; | |
| To make appropriate banking arrangements on behalf of the Council | |
| To insure against risks where he considers this appropriate | |
| To sign attachment of earnings orders | |
| To determine National Non Domestic Rates hardship cases and assess relief | |
| To authorise suitable officers to attend court and valuation panels/tribunals on behalf of the Council for the administration and collection of council tax and non-domestic rates in accordance with legislation and Council policy | |
| To make payments for properties to be purchased by agreement in an area proposed for redevelopment or for properties to be purchased under any confirmed compulsory purchase order | |
| To award, cancel and recover discretionary housing payments under the Discretionary Financial Assistance Regulations 2001 | |

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| Power to write off debts up to a value of £5,000 each | |
| Power to write off debts of any value if: <ul style="list-style-type: none"> • The debtor is bankrupt or in liquidation and there is no likelihood of the debt being paid; or • The debtor has absconded and all reasonable enquiries have failed to locate them; or • The debtor is in prison and has no means to pay; or • The debtor has died and there is no estate | |
| Power to write off debts of council tax and non-domestic rates of any value if: <ul style="list-style-type: none"> • The debt has been remitted by the magistrates court; or • The debtor has been imprisoned in respect of the debt | |
| Responsibility for maintaining an adequate and effective system of internal audit | |
| Responsible for the Council's compliance with taxation regulations for the purposes of the CIPFA Code of Tax Management | |
| To operate the Council's car loan and car leasing schemes | |
| To authorise the investigation and prosecution of offences pursuant to the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 | |
| LEISURE | |
| Granting of use of sports and leisure facilities for annual galas, tuition of school children and other similar events including free/discount use policy at Council leisure facilities | |
| To allocate athletics track at Wilson Playing Fields free of charge up to 4 times each year to Hyndburn Athletics Club | |
| Relaxation of by-laws for cycle races | In consultation with the relevant portfolio holder |
| To determine Christmas closure arrangements in respect of leisure facilities | In consultation with the relevant portfolio holder |
| To determine the terms and conditions with artists/organisers for the arts and entertainments programme | |
| Power to authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| Power to surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 | Subject to compliance with the Council's guidance for officers on the application and use of |

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| | <p>surveillance which is not governed by the Regulation of Investigatory Powers Act 2000</p> <p>Subject to confirmation of the approval by the Executive Director (Legal & Democratic Services), the Legal Services Manager or a solicitor within the Council's Legal Services Section</p> |
| <p>(Subject to the delegation in Part 2 paragraph 4.20 of this scheme of delegation) to exercise the powers conferred on the Council by the Anti-Social Behaviour Crime and Policing Act 2014 and to appoint and authorise officers of the Council to exercise any of the powers and duties of the Council under that Act</p> | |

DELEGATIONS TO THE HEAD OF AUDIT & INVESTIGATIONS

| Summary of Delegation | Comments |
|---|---|
| <p>Power to authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act</p> | |
| <p>Power to authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000</p> | <p>Subject to compliance with the Council's guidance for officers on the application and use of surveillance which is not governed by the Regulation of Investigatory Powers Act 2000</p> <p>Subject to confirmation of the approval by the Executive Director (Legal & Democratic Services), the Legal Services Manager or a solicitor within the Council's Legal Services Section</p> |
| <p>To act as the Council's data protection officer in the absence or incapacity of the Executive Director (Legal & Democratic Services) and in such circumstances to exercise the powers of the data protection officer in accordance with the General Data Protection Regulations and the Data Protection Act 2018</p> | |
| <p>To act as a single point of contact in connection with applications to</p> | |

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| access communications data pursuant to the Regulation of Investigatory Powers Act 2000, subject to the provisions and requirements of that Act | |
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DELEGATIONS TO HEAD OF BENEFITS, REVENUES AND CUSTOMER SERVICES

| Summary of Delegation | Comments |
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| Power to write off debts relating to housing benefit overpayments, non-domestic rates and council tax up to a value of £2,000 each. | |

DELEGATIONS TO HEAD OF POLICY & ORGANISATIONAL DEVELOPMENT

| Summary of Delegation | Comments |
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| To authorise internal candidate only recruitment exercises in accordance with the Council's Recruitment and Selection policy | |
| To implement the Council's job evaluation scheme | |
| To develop and implement the Council's training and development programme for members and employees | |

DELEGATIONS TO THE EXECUTIVE DIRECTOR (ENVIRONMENT)

| Summary of Delegation | Comments |
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| Power to authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| To deal with applications for rubbish amnesty, Clean Streets initiatives or similar | In consultation with the relevant Portfolio Holder |
| To act as delegated officer in respect of the Council's vehicle operator licence and MOT testing facility | |
| To amend and update the Council's strategy and service standards for Environmental Services and to exercise the powers and duties of the Council pursuant to the Waste (England and Wales) Regulations 2011 | In consultation with the relevant portfolio holder |
| Power to authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 | Subject to compliance with the Council's guidance for officers on the application and use of |

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| | <p>surveillance which is not governed by the Regulation of Investigatory Powers Act 2000</p> <p>Subject also to confirmation of the approval of the Executive Director (Legal & Democratic Services) the Legal Services Manager or a solicitor within the Council's Legal Services Section</p> |
| To exercise the provisions of and issue notices under Sections 43 and 48 of the Anti-Social Behaviour Act 2003 | |
| To authorise holding of car boot sales/markets where organiser intends profits generated to be solely for charitable, sporting, social or political purposes Provided no vans individual or organisation in same location more than once in 3 months | |
| Take appropriate action in behalf of the Council's market franchise rights | In consultation with the Executive Director (Legal & Democratic Services) |
| To manage the Council's markets | |
| To determine the number and location of Christmas light "switch on" events to be supported by Council staff each year | In consultation with the Portfolio Holder |
| <p>To implement and exercise the powers conferred by the following legislation and to authorise in accordance with any legal requirements or restrictions any officer or other suitably qualified and / or experienced person pursuant to the following legislation (and any re-enactment or modification thereof and any regulations made thereunder) for any appropriate provisions which fall within the remit of the Council's environmental and waste management / handling / treatment and recycling functions :Applicable to the following in so far as they are executive functions:-</p> <p>The Hazardous Waste Regulations 2005 The Waste Management Regulations 2006 The Environmental Permitting Regulations 2016 Environmental Protection Act 1990 Environmental Act 2021 The Packaging Waste (Data Reporting) Regulations 2024 Refuse Disposal (Amenity) Act 1978 Clean Neighbourhoods and Environment Act 2005</p> <p>Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same</p> | |

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| To act as the authorised officer in respect of the Council's waste transfer licence for the Willows Lane waste transfer facility | |
| To represent the Council at the Lancashire Waste Partnership | |

DELEGATIONS TO THE HEAD OF ENVIRONMENTAL SERVICES

| Summary of Delegation | Comments |
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| The provision and management of the Cemeteries and Crematoria | |
| The appointment of the Medical Referee and Deputy Medical Referee by virtue of The Cremation Regulations 1930 | |
| To grant permission for community organisations to enter onto parks and cemetery land under licence to undertake minor environmental improvement schemes. "Minor" schemes will include all schemes where any increase in maintenance obligation or liability for the Council could be funded from existing approved budgets without detriment to other services and projects | In consultation with the Leader, Deputy Leader and appropriate Portfolio Holder |
| To exercise the powers of the Council in respect of dogs pursuant to: <ul style="list-style-type: none"> - sections 149 – 151 Environmental Protection Act 1990 - The Microchipping Of Cats And Dogs (England) Regulations 2023 | |

DELEGATIONS TO HEAD OF ENVIRONMENTAL HEALTH

| Summary of Delegation | Comments |
|---|----------|
| To take action under section 215 of the Town and Country Planning Act 1990 (including the service of notices) and to take action to enforce any notice served under section 215 | |
| To authorise appropriate staff within Environmental Services to appear in court | |
| To exercise the powers conferred by section 68 Local Government (Miscellaneous Provisions) Act 1976 and to appoint and authorise officers within Environmental Services to exercise such powers | |
| To implement and exercise the powers conferred by the following legislation and to authorise in accordance with any legal requirements or restrictions any officer or other suitably qualified and / or experienced person pursuant to the following legislation (and any re-enactment or modification thereof and any regulations made thereunder) for any appropriate provisions which fall within the remit of the Council's environmental health and environmental protection functions :Applicable to:- Agriculture (Miscellaneous Provisions) Act 1968 | |

| Summary of Delegation | Comments |
|---|----------|
| <p> Agriculture Act 1970 Animal Boarding Establishments Act 1963 Animal By-Products (England) Regulations 2005 Animal Feed (Composition, Marketing and Use) (England) Regulations 2015 Animal Feed (Hygiene, Sampling, etc. and Enforcement) (England) Regulations 2015 Animal Health Act 1981 Animal Welfare Act 2006 Anti Social Behaviour Act 2003 Anti Social Behaviour, Crime and Policing Act 2014 Any Orders or Regulations having effect by virtue of the European Communities Act 1972 Breeding of Dogs Act 1973 and 1991 Breeding and Sale of Dogs (welfare) Act 1999 Building Act 1984 Caravan Sites Act 1968 Caravan sites (Control of Development) Act 1960 Clean Air Act 1993 Clean Neighbourhoods and Environment Act 2005 Control of Pollution Act 1974 Criminal Justice and Public Order Act 1994 Dangerous Wild Animals Act 1976 Energy Act 2013 / The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 Environment Act 1995 Environment Act 2021 Environmental Damage (Prevention & Mediation) Regulations 2009 Environmental Permitting (England & Wales) Regulations 2010 Environmental Protection Act 1990 Food Act 1984 Food Safety Act 1990 (in so far as it is an executive function) Food Safety and Hygiene (England) Regulations 2013 Food Information Regulations 2014 Guard Dogs Act 1975 Health Act 2006 Housing Act 1985 Housing Act 1996 Housing Act 2004 Housing and Planning Act 2016 </p> | |

| Summary of Delegation | Comments |
|---|----------|
| <p>Land Drainage Act 1991 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Microbiological Criteria for Foodstuffs Regulations 2005 Mobile Homes Act 2013 Noise Act 1996 Noise and Statutory Nuisance Act 1993 Official Feed and Food Controls (England) Regulations 2009 Performing Animals Regulations Act 1925 Pet Animals Act 1951 Pollution Prevention and Control Act 1999 Prevention of Damage by Pests Act 1949 Private Water Supply Regulations 2009 Processed Animal Protein (England) Regulations 2001 Products of Animal Origin (Third Country Imports) Regulations 2006 and 2007 (Amendment Regulations) Protection from Eviction Act 1977 (as amended by the Housing Act 1988) Public Health (Control of Disease) Act 1984 Public Health Acts 1936 and 1961 Refuse Disposal (Amenity) Act 1978 Regulation (EC) No. 178/2002, Regulation (EC) No. 852/2004, Regulation (EC) No. 853/2004, Regulation (EC) No. 854/2004 and Regulation (EC) No. 882/2004 Riding Establishments Act 1964 Safety at Sports Ground Act 1975 Scrap metal Dealers Act 2013 Slaughter of Poultry Act 1967 Sunbed (Regulations) Act 2010 Sunday Trading Act 1994 The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 The Food (Jelly Mini Cups) (Emergency Control) (England) Regulations 2009 The Redress Schemes for Lettings Agency Work and Property Management Work (Approval and Designation of Schemes)(England) Order 2013 The Specified Products from China (Restriction on First Placing on the Market) (England) (Amendment) Regulations 2012 The Trade In Animals and Related Products Regulations 2011 Town and Country Planning Act 1990 Transmissible Spongiform Encephalopathies (England) Regulations 2010 Water Act 2014 Water Industry Act 1991</p> | |

| Summary of Delegation | Comments |
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| <p>Water Industry Act 1991 as amended Water Supplies (Water Fittings) Regulations 1999 Water Supplies (Water Quality) Regulations 2010 Zoo Licensing Act 1981 Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015. The Management of Houses in Multiple Occupation (England) Regulations 2006 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. Mortgage Repossessions Act 2010 Deregulation Act 2015 Homes (Fitness for Human Habitation Act) 2018 Tenant Fees Act 2019 Private Water Supplies Regulations 2016 The Private Water Supplies (England) (Amendment) Regulations 2018 The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 The Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018 The Licensing of Houses in Multiple Occupation (prescribed Descriptions) (England) Order 2018 Health and Safety at Work Etc. Act 1974 (and associated Regulations made under the Act)</p> <ul style="list-style-type: none"> - S. 20 and S 25 (Powers of entry, order areas to be left undisturbed, take samples, photos, measurements, require any person to answer questions, take samples, etc.) - S. 21 improvement notices - S. 22 prohibition notices - S. 38 institute legal proceedings <p>Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same</p> | |
| To authorise rights of entry on land under section 196 Town and Country Planning Act 1990 for appropriate staff within the Section | |
| To appoint proper officers and alternative proper officers for the purposes of the Public Health (Control of Disease) Act 1984 or any statutory enactment or amendment to that Act | |
| To review and update the Council's annual food service plan | |

| Summary of Delegation | Comments |
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| To exercise the powers conferred by section 68 Local Government (Miscellaneous Provisions) Act 1976 and to appoint and authorise officers within Environmental Services to exercise such powers | |
| To authorise the sale of properties purchased by the Council where the original purchase was made as part of the Council's empty property strategy or where the property is located within a regeneration area | In consultation with the Chief Executive and the relevant portfolio holder |
| To award assistance, including grants, up to a maximum of £20,000 to help bring empty properties back into use | Subject to the availability of resources |
| To enter into agreements with registered social landlords in respect of the Council's duties under Part 4 Housing Act 2004 relating to management orders | In consultation with the Executive Director (Legal & Democratic Services) |
| (a) To exercise the powers conferred on the Council by the Scrap Metal Dealers Act 2013 (and any Regulations, Orders, Byelaws or other subsidiary legislation made under that Act and any enactments amending or replacing the same) and to appoint and authorise officers of the Council to exercise any of the powers and duties which are the responsibility of the Council under that Act; and (b) to determine scrap metal licences fees in accordance with Schedule 1 paragraph 6 Scrap Metal Dealers Act 2013 | In consultation with the portfolio holder |
| To exercise the powers of the Council under The Animal Welfare Act 2006 and The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 in respect of: i) risk rating appeals ii) the suspension or variation of licences iii) the annual review and adjustment of fees and charges | |
| To authorise directed surveillance and the conduct of covert intelligence sources pursuant to section 28 and 29 Regulation of Investigatory Powers Act 2000 subject to the provisions and requirements of that Act | |
| To authorise surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 | Subject to compliance with the Council's guidance for officers on the application and use of surveillance which is not governed by the Regulation of Investigatory Powers Act 2000 |

| Summary of Delegation | Comments |
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| | Subject to confirmation of the approval by the Executive Director (Legal & Democratic Services), the Legal Services Manager or a solicitor within the Council's Legal Services Section |

Part 3 - Delegation of Non-Executive Functions to Officers

Chief Officer for the purposes of this Part means the Chief Executive, the Executive Director (Resources), the Executive Director (Legal & Democratic), the Executive Director (Environment), the Head of Environmental Services, the Head of Regeneration and Housing, the Head of Environmental Health, Head of Policy and Organisational Development and the Chief Planning & Transportation Officer

DELEGATIONS TO ALL CHIEF OFFICERS

| Summary of Delegation | Comments |
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| POWERS RELATING TO COVID 19 | |
| <p>To implement and exercise the powers conferred on the Council by:</p> <ul style="list-style-type: none"> - the Coronavirus Act 2020 - the Public Health (Control of Disease) Act 1984 - any other legislation conferring specific powers on the Council in respect of the Covid 19 pandemic - any re-enactment or modification of the legislation referred to above and any regulations, order or other subsidiary legislation made thereunder <p>and to authorise any officer or suitably qualified and experienced person to take action pursuant to the legislation, regulations and other subsidiary legislation referred to above.</p> | |

| Summary of Delegation | Comments |
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DELEGATIONS TO CHIEF PLANNING & TRANSPORTATION OFFICER

| Summary of Delegation | Comments |
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| DEVELOPMENT CONTROL FUNCTIONS | |
| DETERMINATION OF PLANNING APPLICATIONS | |
| <p>All applications for permission, consent, certificates determinations and prior notifications made under Town and Country Planning legislation unless:</p> <ol style="list-style-type: none"> 1. the Chief Planning and Transportation Officer considers that the application should be considered by the Planning Committee 2. the application would constitute a significant departure from the policies of the statutory development plan and it is intended to approve the application 3. the application is for a significant proposal by the Council or the County Council and is not of a minor nature 4. the applicant is a member of the Council 5. the applicant is an employee of the Planning & Transportation Section or is a senior manager of the Council 6. the application is recommended for approval subject to a planning agreement under s106 Town and Country Planning Act 1990 (although planning applications for renewals/time extensions do not need to be referred to Planning Committee if there is a Section 106 agreement). 7. a local Councillor has requested in writing that the application be referred to Planning Committee within 14 days of such a planning application first being included on the weekly list of planning applications and subject to the local Councillor giving planning reasons for the referral to Planning Committee. 8. the application is a major planning application and, following consultation, either the Chair of Planning, Vice Chair of Planning or the Shadow Chair of Planning has requested in writing that the application be referred to Planning Committee <p>This includes legislation relating to listed buildings, conservation areas and</p> | |

| Summary of Delegation | Comments |
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| hazardous substances. | |
| DEVELOPMENT CONTROL | |
| Serve Building Preservation Notices | |
| Service of Discontinuance Notices under the Advertisement Regulations for advertisements which seriously conflict with adopted policies, taking into account possible compensation liability | Consult the Executive Director (Legal & Democratic Services) |
| Secure removal of an advertisement displayed in contravention of Regulations or use of any site | Consult Executive Director (Legal & Democratic Services) |
| Removal or obliteration of placards and posters | |
| Issue of enforcement notices for breach of planning control under the Town & Country Planning legislation | To be reported to Planning Committee every six months. |
| <p>In relation to listed buildings:</p> <p>Issue of listed building enforcement notices</p> <p>Issue of repairs notices</p> <p>Execution of urgent works</p> | Consultation required with the Executive Director (Legal and Democratic Services) |
| <p>Issue of stop notices and temporary stop notices</p> <p>Issue of breach of conditions notices or planning contravention notices</p> <p>Issue of completion notices</p> | Consultation required with the Executive Director (Legal and Democratic Services) |
| Take steps to secure compliance with an enforcement notice either through prosecution or by taking direct action under the Town & Country Planning Acts | Consultation with the Executive Director (Legal & Democratic Services) |
| For purposes of the Town & Country Planning (Enforcement Notices & Appeals) Procedure, to make a statement as to whether or not the Council would grant planning permission for the development alleged and, if so, on what conditions | |
| To make representations (for or against) on planning applications for developments in neighbouring districts | |
| Assess interim development order submissions relating to mineral extraction and give observations to Lancashire County Council | |
| Take action on dangerous trees | |
| <p>1.2.17 To do any of the following unless a ward councillor has requested in writing that the decision be referred to the Planning (Trees) Sub-Committee within seven days of the relevant ward councillors being given notice of the matter in question:</p> <p>(a) Make and confirm Tree Preservations Orders where satisfied that trees are in danger of felling or lopping or to preserve the amenity of an area</p> | |

| Summary of Delegation | Comments |
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| <p>(following consultation with the relevant portfolio holder and ward councillors, save where the possibility of felling or lopping is so imminent that time does not permit consultation to take place in which case paragraph 1.2.19 below shall apply);</p> <p>(b) Serve notices and take appropriate action for replacement tree planting under the Town and Country Planning Acts;</p> <p>(c) Operate the Town and Country Planning (Tree Preservation) (England) Regulations 2012 in all cases involving works to trees protected by Tree Preservation Orders and situated on land owned or controlled by the Council except where the trees in question are managed by the Chief Planning and Transportation Officer;</p> <p>(d) Determine applications to carry out work on trees protected by Tree Preservation Orders except in the case of proposed felling;</p> <p>(e) Determine applications to fell trees protected by Tree Preservation Orders and situated on land which is not owned or controlled by the Council if:</p> <ul style="list-style-type: none"> i. The trees are causing structural damage to property, retaining walls, services or similar; or ii. The trees contain decay which is not advanced enough to make them immediately dangerous, but which will make them potentially dangerous within the next 5 years; or iii. The trees are not immediately dangerous, but are growing in a particular way (such as with a pronounced lean) that makes them potentially dangerous within the next 5 years iv. The trees are growing close to other trees and are stunted in their growth by the competition with neighbouring trees and the trees need to be felled as a thinning operation to allow adjacent trees to develop properly <p>(f) Following consultation with the Chair and Vice-Chair of Planning (Trees) Sub-Committee, determine applications to fell trees protected by Tree Preservation Orders and situated on land which is not owned or controlled by the Council in circumstances not covered by (e) above;</p> <p>(g) Determine repeat applications to fell trees protected by Tree Preservation Order and situated on land which is not owned or controlled by the Council if</p> | |

| Summary of Delegation | Comments |
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| <p>made within 2 years of an original application which was refused and if the officer recommendation remains unchanged from the original application;</p> <p>(h) Operate the Hedgerow Regulations 1997 on land in ownership other than Hyndburn Borough Council including the issue of hedgerow retention notices;</p> <p>(i) Obtain an ecological or archaeological survey on a hedgerow once a hedgerow removal notice has been received;</p> <p>(j) Determine, in consultation with the Executive Director (Legal & Democratic Services), whether to prosecute after contravention of Tree Preservation Order or hedgerow regulations and to undertake appropriate action.</p> | |
| <p>Apply for an injunction pursuant to section 214A of the Town and Country Planning Act 1990 (as amended) in cases which he determines to be urgent; and</p> <p>Authorise an officer or any other suitably qualified and / or experienced person to exercise a right of entry pursuant to section 214B of the Town and Country Planning Act 1990 (as amended);</p> | |
| <p>Make and confirm Tree Preservation Orders where satisfied that trees are in danger of felling or lopping or to preserve the amenity of an area where the possibility of felling or lopping is so imminent that time does not permit consultation with the relevant ward councillors or consideration of the matter by the Planning (Trees) Sub-Committee to take place (and the Portfolio Holder and relevant ward councillors shall be notified of the making of the Tree Preservation Order within 1 working day);</p> | |
| <p>Make structural appraisal of building regulation applications. This includes making arrangements for outside specialist appraisal, if necessary</p> | |
| <p>Determine all applications for building regulation approval/rejection</p> | |
| <p>Process all applications for determination of building regulations</p> | |
| <p>Securing deposited plans providing access and other safety for the fire brigade</p> | |
| <p>Approve repair grants involving replacement of lead water service pipes where not in a designated improvement area and unlikely to receive a renovation grant within 5 years or to support a common water supply replacement scheme</p> | |
| <p>Allow withdrawal of a notice served under Section 65 of Public Health Act 1936 if this proves necessary after receipt of an independent report from a suitably qualified person</p> | |
| <p>Use of powers re ruinous, dilapidated and neglected sites</p> | |
| <p>Use of powers re dangerous buildings and structures</p> | |
| <p>To authorise any officer or other suitably qualified and / or experienced person to exercise the rights of entry on land conferred by S196A of Town &</p> | |

| Summary of Delegation | Comments |
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| Country Planning Act 1990 | |
| To deal with all matters relating to the listing of buildings | |
| To take action pursuant to the Anti-social Behaviour Act 2003 in connection with high hedges, including the service of remedial notices and action in default of remedial notices | In consultation with the Executive Director (Legal & Democratic Services) |
| To decide the level of fee payable for processing complaints made about high hedges under the Anti-social Behaviour Act 2003 | In consultation with the relevant portfolio holder and the Executive Director (Resources) |
| To waive or refund application fees payable for processing complaints about high hedges under the Anti-social Behaviour Act 2003 where the complainant is in receipt of income support, income based job seekers allowance or guaranteed pension credit | In consultation with the relevant portfolio holder |
| To order works in default of a remedial notice served in respect of high hedges in anticipation of full cost recovery | |
| To make agreements under s25 Highways Act 1980 | |
| To make orders under s26 Highways Act 1980 | |
| To require the discontinuance of a use of land | |
| To apply for injunctions restraining a breach of planning control or in relation to a listed building | In conjunction with the Executive Director (Legal Services) |
| To take action under section 215 Town and Country Planning Act 1090 (including the service of notices) and to take action to enforce any notice served under section 215 | In consultation with the Chair and Vice Chair of Planning Committee and the Executive Director (Legal & Democratic Services) |
| Local Plan | |
| To make non-material changes to the Local Plan prior to formal approval and adoption of the same | Following consultation with the Portfolio Holder |
| To publish updates to the Local Development Scheme and Monitoring Reports | |

DELEGATIONS TO CHIEF EXECUTIVE

| Summary of delegation | Comments |
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| Power to designate attendance at meetings and other events as approved duties for the purpose of eligibility for travel and subsistence allowance where such attendance is in connection with the discharge of the Council's | |

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| functions, including its executive function | |
| Power to approve applications for early retirement / voluntary redundancy including under the Local Government Pension Scheme 85 year rule (while in force) and to approve retirement of employees on the grounds of efficiency of the service | Having regard to the relevant Council policy |
| <p>Appointment of, dismissal of and taking of disciplinary action as defined in the Local Authorities (Standing Orders) (England) Regulations 2001 (“the 2001Regs”) against chief officers within the meaning of sections 2(6) and 2(7) Local Government and Housing Act 1989 (“the 1989 Act”), Deputy Chief Officers within the meaning of Section 2(8) of the 1989 Act and political assistants within the meaning of section 9 of the 1989 Act.</p> <p>This delegation does not authorise the Chief Executive to take disciplinary action as defined in the 2001 Regs or to dismiss the officers designated as monitoring officer (within the meaning of section 5 1989 Act) or chief finance officer (within the meaning of section 151 if the Local Government Act 1972) and other officers who have the benefit of the JNC Chief Officers terms and Conditions of Employment</p> | <p>This delegation must be exercised in accordance with the Officer Employment Procedure Rules</p> <p>The Chief Executive must report on any action taken under this delegation to the next available meeting of the Council and include in such report confirmation that the said Procedure Rules have been followed</p> <p>The Chief Executive is not authorised to delegate the appointment or dismissal or the taking of disciplinary action against a chief officer to another officer</p> |
| <p>Approval of changes to any document forming part of the Council’s policy framework provided the proposed change:</p> <ul style="list-style-type: none"> a) is prescribed by legislation or statutory instrument; or b) merely corrects a typographical error or errors; or c) is of a minor nature (i.e. the proposed change does not affect the substance of the document or change Council policy) | |

DELEGATIONS TO ALL CHIEF OFFICERS

| Summary of delegation | Comments |
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| <p>Power to refuse applications for early retirement / voluntary redundancy including under the Local Government Pension Scheme 85 year rule having regard to the relevant Council policy</p> | <p>Final approval of such applications is delegated to the Chief Executive</p> <p>A Chief Officer wishing to recommend approval of such an application must make a report to the Chief Executive</p> |
| <p>Determination of appeals against cautions under the Council's capability procedures</p> | <p>An officer determining an appeal must have had no previous involvement with the relevant capability process</p> |
| <p>Determination of appeals against dismissal under the Council's capability procedures</p> | <p>In consultation with the Leader of the Council or his / her nominee and the Leader of the main opposition party or his / her nominee and the Head of Human Resources or his / her nominee and in accordance with the Council's capability policy</p> <p>A Chief Officer must have had no previous involvement with the relevant capability procedure or decision making process</p> <p>Determination of appeals against dismissal may not be delegated by a chief officer</p> |
| <p>To deal with the following employment issues within the Chief Officers service area :</p> <p>i) engage, suspend, dismiss and deploy staff</p> | <p>In exercising their delegated powers Chief Officers must:</p> <p>i) act within the law and</p> |

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| ii) take disciplinary action against staff iii) apply conditions of service iv) regrade posts in accordance with the Council's job evaluation scheme v) approve honoraria payments not exceeding £2000 vi) award car / telephone allowances vii) amend job descriptions of staff within his/her department | in accordance with any statutory requirements and procedures iii) comply with the Council's policies and procedures iv) act within the budget for the relevant service area |
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DELEGATIONS TO EXECUTIVE DIRECTOR (LEGAL & DEMOCRATIC SERVICES)

| Summary of delegation | Comments |
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| To exercise the statutory powers and obligations of the returning officer and electoral registration officer pursuant to: <ul style="list-style-type: none"> - Elections Act 2022; - All legislation amended by the Elections Act 2022 (including without limitation the Local Government Act 1972, the Representation of the People Act 1982 and the Representation of the People Act 1983; - All regulations and rules issued pursuant to or amended by the Elections Act 2022) | |
| To approve changes to the Council's written constitution provided the proposed change: <ul style="list-style-type: none"> a) is prescribed by legislation or statutory instrument; or b) merely corrects a typographical error or errors | |
| To appoint Independent Members to the Standards Committee | In consultation with the Chair of the Standards Committee |
| To appoint Members of the Independent Remuneration Panel | |
| To agree and enter into agreement pursuant to section 106 Town and Country Planning Act 1990 | In consultation with the Chief Planning and Transportation Officer |
| In respect of Part 1 Chapter 1 Local Government and Public Involvement in Health Act 2007: To undertake consultations in respect of proposed changes to the Council's scheme for elections; and To comply with the statutory requirements for publicity and notification of the | |

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| Electoral Commission in respect of changes to the Council's scheme for elections | |
| In respect of community governance reviews under Chapter 3 Part 4 Local Government and Public Involvement in Health Act 2007; To comply with the notification and publicity requirements in sections 80, 96 and 98; and To make agreements about incidental matters under section 99 | |
| In relation to non-executive functions, to commence, defend, settle or appear in legal proceedings to protect the Council's assets or interests or if appropriate for the benefit of the inhabitants of the Borough and to prosecute any person or persons in accordance with the Council's non-executive powers | |
| Power to advertise and seek applications for the position of independent member of the audit panel pursuant to the Local Audit & Accountability Act 2014 | |
| Licensing Functions | |
| To exercise the powers conferred by the following legislation (including, without limitation, the determination of fees) and to appoint and authorise officers and any other suitably qualified and / or experienced person under any of the Statutes for any of the appropriate provisions which fall within the remit of the Licensing Section and any re-enactment of similar provisions or regulations made under any of the Acts. Applicable to:- Scrap Metal Dealers Act 2013 Public Health Act 1936 Health & Safety at Work etc. Act 1974 Cinemas Act 1985 Theatres Act 1968 Sunday Entertainments Act 1932 Sunday Theatre Act 1972 Hypnotism Act 1952 Local Government (Miscellaneous Provisions) Act 1976 Local Government (Miscellaneous Provisions) Act 1982 Transport Act 1985 Town Police Clauses Act 1847 Lotteries and Amusements Act 1976 Criminal Justice and Public Order Act 1994 (including taking legal proceedings) County of Lancashire Act 1984 Game Act 1831 Game Licences Act 1860 Gambling Act 2005 | |

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| Gaming Act 1968 Vehicle (Crime) Act 2001 Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same | |
| To exercise functions under the Licensing Act 2003 | In accordance with the Statement of Licensing Policy |
| To authorise officers pursuant to section 304 Gambling Act 2005 | In accordance with the Statement of Gambling Licensing Policy and Principles |
| To determine applications for premises licenses under the Gambling Act 2005 where no representations received or representations have been withdrawn | |
| To determine applications for variation of premises licenses under the Gambling Act 2005 where no representations received or representations withdrawn | |
| To determine applications for transfer of premises licenses under the Gambling Act 2005 where no representations received from the Gambling Commission | |
| To determine applications for a provisional statement under the Gambling Act 2005 where no representations have been received or representations have been withdrawn | |
| To determine applications for club gaming or club machine permits under the Gambling Act 2005 where no objections have been received or representations have been withdrawn | |
| To set fees under the Gambling Act 2005 | |
| In respect of the Gambling Act 2005 and subordinate legislation:: Power to exchange information; Power to provide information to the Gambling Commission Power to exercise functions relating to the registration and regulation of small lotteries | |
| To undertake the following functions in respect of the licensing of sex establishments under the provisions of Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 and (where applicable) in accordance with the Council's Sexual Entertainment Venue Policy: <ul style="list-style-type: none"> • determining applications for grant, renewal, transfer or variation of a licence where no relevant objections have been received; • cancellation of licence • determining license fees • enforcement of the provisions of Part II and Schedule 3 of the said 1982 Act | |

DELEGATIONS TO HEAD OF ENVIRONMENTAL SERVICES

| Summary of Delegation | Comments |
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| <p>To exercise the powers conferred by the following legislation and to appoint and authorise officers or any other suitably qualified and or experienced person under any of the Statutes for any of the appropriate provisions which fall within the remit of the Environmental Services Division and any re-enactment of similar provisions or regulations made under any of the Acts.</p> <p>Applicable to:- Health & Safety at Work etc. Act 1974 Environmental Protection Act 1990 (in so far as it is a non-executive function) Local Government (Miscellaneous Provisions) Act 1976 Clean Neighbourhoods & Environment Act 2005 Local Authorities Cemeteries Order 1977</p> <p>Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same</p> | |
| To liaise with Lancashire County Council on residual highway arrangements and in particular standards and funding for the maintenance of highway verges, trees and weed control. | |
| To authorise appropriate staff within the Parks and Cemeteries Section to appear in court | |
| Take action on dangerous trees | |

DELEGATIONS TO THE EXECUTIVE DIRECTOR (ENVIRONMENT)

| Summary of Delegation | Comments |
|--|----------|
| <p>To implement and exercise the powers conferred by the following legislation and to authorise in accordance with any legal requirements or restrictions any officer or other suitably qualified and / or experienced person pursuant to the following legislation (and any re –enactment or modification thereof and any regulations made thereunder) for any appropriate provisions which fall within the remit of Environmental Services.</p> <p>Applicable to the following in so far as they are non-executive functions:- The Hazardous Waste Regulations 2005 The Waste Management Regulations 2006 The Environmental Permitting Regulations 2016 Environmental Protection Act 1990</p> | |

| Summary of Delegation | Comments |
|--|----------|
| Environmental Act 2021 The Packaging Waste (Data Reporting) Regulations 2024 Refuse Disposal (Amenity) Act 1978 Clean Neighbourhoods and Environment Act 2005 Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same | |
| To exercise the powers conferred by section 68 Local Government (Miscellaneous Provisions) Act 1976 and to appoint and authorise officers within Environmental Services to exercise such powers | |
| To take action under section 215 of the Town and Country Planning Act 1990 (including the service of notices) and to take action to enforce any notice served under section 215 | |
| To authorise rights of entry on land under section 196 Town and Country Planning Act 1990 for appropriate staff within the Section | |

DELEGATIONS TO HEAD OF POLICY & ORGANISATIONAL DEVELOPMENT

| Summary of Delegation | Comments |
|--|---|
| To make changes to the terms and conditions of the Chief Executive, Executive Director (Resources) and Executive Director (Legal & Democratic Services) and the Executive Director (Environment) provided there is no additional cost to the Council | Subject to the Leader of the Council and the relevant postholder(s) indicating their agreement to the proposed change |

DELEGATIONS TO HEAD OF ENVIRONMENTAL HEALTH

| Summary of Delegation | Comments |
|---|----------|
| To take action under section 215 of the Town and Country Planning Act 1990 (including the service of notices) and to take action to enforce any notice served under section 215 | |
| To authorise appropriate staff within the Environmental Health Team to | |

| Summary of Delegation | Comments |
|---|----------|
| appear in court | |
| To exercise the powers conferred by section 68 Local Government (Miscellaneous Provisions) Act 1976 and to appoint and authorise officers within Environmental Services to exercise such powers | |
| <p>To implement and exercise the powers conferred by the following legislation and to authorise in accordance with any legal requirements or restrictions any officer or other suitably qualified and / or experienced person pursuant to the following legislation (and any re-enactment or modification thereof and any regulations made thereunder) for any appropriate provisions which fall within the remit of the Council's environmental health and environmental protection functions</p> <p>:Applicable to:-</p> <ul style="list-style-type: none"> Animal Boarding Establishments Act 1963 Caravan Sites and Control of Development Act 1960 Breeding of Dogs Act 1973 / 1991 Breeding and Sale of Dogs (Welfare) Act 1999 Clean Neighbourhoods & Environment Act 2005 Licensing Act 2003 Riding Establishments Act 1964 / 1970 Pet Animals Act 1951 Public Health Act 1936 / 1961 Refuse Disposal (Amenity) Act 1978 Dangerous Wild Animals Act 1976 Health & Safety at Work etc. Act 1974 Food Safety Act 1990 Environmental Protection Act 1990 (in so far at it is a non-executive function) Environmental Damage (Prevention & Mediation) Regulations 2009 Slaughter of Poultry Act 1967 The Specified Products from China (Restriction on First Placing on the Market) (England) (Amendment) Regulations 2012 Sunbed (Regulations) Act 2010 Sunday Trading Act 1994 The Trade In Animals and Related Products Regulations 2011 Transmissible Spongiform Encephalopathies (England) Regulations 2010 Water Act 2014 Water Supplies (Water Fittings) Regulations 1999 Water Supplies (Water Quality) Regulations 2010 Food Safety and Hygiene (England) Regulations 2013 Food Hygiene (England) Regulations 2005 Food Act 1984 Microbiological Criteria for Foodstuffs Regulations 2005 | |

| Summary of Delegation | Comments |
|---|----------|
| <p>Mobile Homes Act 2013 Official Feed and Food Controls (England) Regulations 2009 Prevention of Damage by Pests Act 1949 Private Water Supply Regulations 2009 Processed Animal Protein (England) Regulations 2001 Products of Animal Origin (Third Country Imports) Regulations 2006 and 2007 (Amendment Regulations) Riding Establishments Act 1964 and 1970 Cinemas Act 1985 Theatres Act 1968 Local Government (Miscellaneous Provisions) Act 1976 / 1982 Food Safety and Hygiene Regulations 2013 Fire Safety and Safety of Places of Sport Act 1987 Performing Animals (Regulation) Act 1925 Safety at Sports Grounds Act 1975 Slaughterhouses Act 1974 Zoo Licensing Act 1981 Scrap metal Dealers Act 2013 Animal Welfare Act 2006 The Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018 Control of Pollution Act 1974 Environment Act 1995 Noise Act 1996 Clean Neighbourhoods and Environment Act 2005 Water Industry Act 1991 Clean Air Act 1993 Building Act 1984 Dangerous Dogs Act 1991 Clean Air Act 1993 (in so far as it is a non-executive function Noise and Statutory Nuisance Act 1993 (in so far as it is a non-executive function) Criminal Justice and Public Order Act 1994 (including taking legal proceedings) Health Act 2006 Public Health (Control of Disease) Act 1984 Coronavirus Act 2019 Environmental Permitting (England & Wales) Regulations 2010 Private Water Supply Regulations 2009 Pollution Prevention and Control Act 1999 Noise and Statutory Nuisance Act 1993 Riding Establishments Act 1964 Animal Boarding Establishments Act 1963</p> | |

| Summary of Delegation | Comments |
|---|----------|
| Breeding of Dogs Act 1973 and 1991 Pet Animals Act 1951 Dangerous Wild Animals Act 1976 Agriculture Act 1970 Agriculture (Miscellaneous Provisions) Act 1968 Agriculture (Miscellaneous Provisions) Act 1968 Animal By-Products (England) Regulations 2005 Animal Feed (Composition, Marketing and Use) (England) Regulations 2015 Animal Feed (Hygiene, Sampling, etc. and Enforcement) (England) Regulations 2015 Also any Regulations, Orders, Byelaws or other subsidiary legislation made under the above and any enactments amending or replacing the same | |
| To authorise rights of entry on land under section 196 Town and Country Planning Act 1990 for appropriate staff within the Section | |
| To appoint proper officers and alternative proper officers for the purposes of the Public Health (Control of Disease) Act 1984 or any statutory enactment or amendment to that Act | |
| To review and update the Council's annual food service plan | |
| To exercise the powers conferred by section 68 Local Government (Miscellaneous Provisions) Act 1976 and to appoint and authorise officers within Environmental Services to exercise such powers | |

Part 4 - Appointment of Statutory and Proper Officers

1. The posts set out below shall be the designated statutory or proper officers of the Council and shall be responsible for the statutory responsibilities attached to the role of the relevant statutory or proper officer.
2. In the event of any officers mentioned below being for any reason unable to act or of any of their posts being vacant, the Chief Executive, or in his absence, the Executive Director (Legal & Democratic Services), and in the absence of both, the Executive Director (Resources), shall nominate an officer to act in their stead.
3. Until the Council decides otherwise the Chief Executive is appointed the proper officer for the purpose of all statutory provisions, whether existing or future, in respect of which no express proper officer appointment has, for the time being, been made.

Statutory Officers

| Legislation | Section | Statutory Officer | Allocated To |
|--|---------|-----------------------|--|
| Local Government Act 1972 Local Government Finance Act 1988 | S151 | Chief Finance Officer | Executive Director (Resources) |
| Local Government and Housing Act 1989 | S4 | Head of Paid Service | Chief Executive |
| Local Government and Housing Act 1989 | S5 | Monitoring Officer | Executive Director (Legal & Democratic Services) |

Proper Officers

| Legislation | Section | Provision | Proper Officer |
|---|---------|-----------|-----------------|
| Any reference to any enactment passed before or during the 1971-72 session of Parliament other than the Local Government Act 1972 or in any instrument made before 26 th | | | Chief Executive |

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| October 1972 to the Town Clerk of a Borough which, by virtue of any provision of the said Act, is to be construed as a reference to the Proper Officer of the Council. | | | |
| Any reference in any local statutory provision to the Clerk of the Council or similar which, by virtue of an order made under the Local Government Act 1972 or the Local Government Act 1992, is to be construed as a reference to the Proper Officer of the Council | | Chief Executive | |
| | S83 | Accepting declarations of acceptance of office | Executive Director (Legal & Democratic Services) |
| | S84 | Receiving resignations from office | Executive Director (Legal & Democratic Services) |
| | S88 | Convening Council meeting for election of chairman | Chief Executive |
| | S89 | Receiving notice of casual vacancy in office of councillor | Executive Director (Legal & Democratic Services) |
| | S96 | Receiving and recording member interests | Executive Director (Legal & Democratic Services) |
| Local Government Act 1972 | S100(B)(2) | Circulation of reports and agendas | Chief Executive |
| | S100(B)(7) | Supply of papers to press | Chief Executive |
| | S100(C)(2) | Summary of minutes | Chief Executive |
| | S100(D)(1)(a) | Compilation of background papers | Chief Executive |
| | S100(D)(5)(a) | Identification of background papers | Chief Executive |
| | S100(F) | Identification of confidential documents not open to Members | Chief Executive |
| | S115(2) | Receipt of money due from Officers | Executive Director (Resources) |
| | S146(1)(a)&(b) | Declarations and certificates with regard to securities | Executive Director (Resources) |

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| | S191 | Ordnance Survey requests for assistance | Chief Executive |
| | S204(3) | Receipt of application for licence under Licensing Act 1964 | Executive Director (Legal & Democratic Services) |
| | S210(6) & (7) | Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities, or if there is no such office, to the Proper Officer | Executive Director (Resources) |
| | S225(1) | Deposit of documents | Chief Executive |
| | S228(3) | Accounts – to be open for inspection | Executive Director (Resources) |
| | S229(5) | Deposit of documents - certification | Executive Director (Resources) |
| | S234 | Authentication of documents | Executive Director (Resources) |
| | S234(2) | Statutory Notices under various Public Health and Associated Legislation | Chief Executive |
| | S236(9)&10 | Service of Byelaws on other Authorities | Executive Director (Legal & Democratic Services) |
| | S238 | Certification of Byelaws | Executive Director (Legal & Democratic Services) |
| | Schedule 14 Para 25(7) | Certification of resolutions – Para 25 | Executive Director (Legal & Democratic Services) |
| | S248 (2) | Keeping roll of Freeman | Chief Executive |
| | Schedule 12 | Signature of | Chief Executive |

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| | Para 4(2)(b) | summons to Council | |
| | Schedule 12 Para 4 (3) | Receipt of notices regarding addresses which Summons to meeting are to be sent | Chief Executive |
| | Schedule 16 Para 28 | Receipt of deposit lists of protected buildings | Executive Director (Legal & Democratic Services) |
| | N/A | Any reference in any local statutory provision to the Treasurer of a specified Council or the Treasurer of a specified Borough which, by virtue of order made under Section 254 of the Local Government Act 1972, or the Local Government Act 1992, is to be construed as a reference to the Proper Officer of the Council | Executive Director (Resources) |
| | N/A | Any reference in any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instrument made before 26 th October 1972 to the Treasurer or a Treasurer of a Borough which virtue of any provision of | Executive Director (Resources) |

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| | | the said Act is to be construed as a reference to the Proper Officer of the Council | |
| Local Government Act 1974 | S30(5) | Notice of Local Government Ombudsman report | Chief Executive |
| Local Government (Miscellaneous Provisions) Act 1976 | S41 | Certification of copies of resolutions, Minutes, other documents | Chief Executive |
| Rent (Agriculture) Act 1976 | All | Provision of alternative accommodation Regeneration and Architecture | Executive Director (Resources) |
| Local Authorities Cemeteries Order 1977 | All | Officer of the burial authority | Executive Director (Environment) |
| | All | Registrar for various matters relating to cremation Health and to nominate a Medical Referee and Deputy Referees under the regulations | Executive Director (Environment) |
| Cremation Regulations | All | Registrar for various matters relating to cremation Health and to nominate a Medical Referee and Deputy Referees under the regulations | Executive Director (Environment) |
| Rent Act 1977 | S15 | Certificates of provision of suitable alternative Regeneration and Architecture Part 1V accommodation | Chief Executive |

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| Rates Act 1984 | S7 | Certification of rate | Executive Director (Resources) |
| Building Act 1984 | S61(2) | Repair etc., of drain | Executive Director (Legal & Democratic Services) |
| | S78 | To act as “the Surveyor” empowered to take and authorise emergency action in respect of damage to dangerous buildings, walls etc. To order the demolition of buildings rendered dangerous by damage, without prior authorisation of the Council | Executive Director (Legal & Democratic Services) |
| Weights and Measures Act 1985 | S72 | Chief Inspector (Weights and Measures) | Chief Executive |
| Local Elections (Principal Areas) Rule 1986 | Rule 50 | Receipt from Returning Officer of names of persons elected to Council | Executive Director (Legal & Democratic Services) |
| | Rule 52 | Receipt from Returning Officer of election documents | Executive Director (Legal & Democratic Services) |
| | Rule 51 - 54 | Retention of election documents and making them available for public inspection | Executive Director (Legal & Democratic Services) |
| Elections | Representation of the People Act 1982 | Registration Officer for any constituency or part of a constituency coterminous with or | Executive Director (Legal & Democratic Services) |

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| | | contained in the Council | |
| | Local Government Act 1972 | Returning Officer for the election of Councillors for the Borough | Executive Director (Legal & Democratic Services) |
| | Representation of the People Act 1982 | Officer who may do acts in respect of Registration in the event of the Executive Director (Legal & Democratic Services) incapacity | Chief Executive |
| | | Custody of declarations of acceptance of office | Executive Director (Legal & Democratic Services) |
| Representation of the People Act 1983 | S82 | Witnessing signatures on declarations as to local election expenses | Executive Director (Legal & Democratic Services) |
| | S52 | Deputy to the registration officer | Chief Executive |
| Local Government Finance Act 1988 | S114 | Preparing reports in the case of unlawful expenditure | Executive Director (Resources) |
| | S116 | Notifying auditor of meetings to consider reports under s114 | Executive Director (Resources) |
| Local Government and Housing Act 1989 | S2 | Receipt of list of Politically Restricted Posts | Executive Director (Legal & Democratic Services) |
| | S15-17 | Notice of formation of political group, changes in membership or name or leader or deputy leader of a political group and group nominations to committee's | Executive Director (Legal & Democratic Services) |

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| | S19 | Members interests – notification | Executive Director (Legal & Democratic Services) |
| | S3 /3A | Certifying that a post is or is not politically restricted | Executive Director (Legal & Democratic Services) |
| Environmental Protection Act 1990 | S149 | Stray dogs | Executive Director (Environment) |
| Local Authority (Members Allowances) Regulations 1991 | R14 | Receipt of notice from members electing to forego entitlement to allowances | Executive Director (Legal & Democratic Services) |
| Council Tax (Administration and Enforcement) Regulations 1992 | Reg 7 | Service of Attachment of Earnings Orders | Executive Director (Legal & Democratic Services) |
| The Local Authorities (Executive Arrangements) (Access to Information (England) Regulations 2000 | Regs 3 and 4 | Recording of collective Executive Decisions Verification etc. of Mayoral Petitions | Chief Executive |
| The Local Authorities (Standing Orders) (England) Regulations 2000 | Regs 3 and 4 and Schedule 1 | Provision relating to the appointment and dismissal of staff | Chief Executive |
| Regulation of Investigatory Powers Act 2000 | Part II of the Act | Appointment to act as the Senior Responsible Officer | Executive Director (Legal & Democratic Services) |
| Local Government Act 2000 | S81 | Maintaining a register of members financial and other interests | Executive Director (Legal & Democratic Services) |