

APPENDIX 5

THIS APPENDIX SHOWS SECTIONS 2, 3, 4, 5, 6, 8 & 9 OF THE REVISED SCHEME OF DELEGATION TO OFFICERS AS RECOMMENDED

THIS IS THE "FINAL VERSION" OF THE REVISED SCHEME IN THE SHORTER FORM WITHOUT THE TEXT CHANGES

CONTENTS OF APPENDIX 5 TO THIS REPORT

- SECTION 2 - CHIEF EXECUTIVE'S SERVICE
- SECTION 3 - DIRECTORATE OF CORPORATE RESOURCES
- SECTION 4 - DIRECTORATE OF URBAN ENVIRONMENT
- SECTION 5 - CHILDREN'S & YOUNG PEOPLE'S SERVICE
- SECTION 6 - ADULT, CULTURE & COMMUNITY SERVICES

- SECTION 8 - GENERAL DELEGATIONS
- SECTION 9 - PROPER OFFICER & SPECIFIED OFFICER DELEGATIONS

NOT IN APPENDIX 5 BUT SET OUT WITH TEXT CHANGES IN APPENDIX 4 TO THIS REPORT

- SECTION 1 - INTRODUCTION AND GROUND RULES
N.B. THIS SECTION APPEARS IN PART 3, SECTION E OF THE CONSTITUTION

NOT INCLUDED IN THIS REPORT AT ALL

- SECTION 7 - ALEXANDRA PALACE & PARK MANAGEMENT –
N.B. THIS SECTION IS INTENDED TO BE ADDED TO THE SCHEME FOLLOWING FORMAL CONSIDERATION AND

AGREEMENT BY THE ALEXANDRA PALACE & PARK
BOARD

Section 2 Chief Executive's Service – Scheme of Delegation to Officers

To the Chief Executive

1. All the powers delegated to the other Senior Officers in this and other sections of the scheme and authority to exercise those powers in the place of that Senior Officer. Further, in the event of any dispute or doubt as to the delegated powers of any other Senior Officer, the Chief Executive shall have the authority to determine which Senior Officer is to exercise that power.
2. The corporate management of the Authority and, specifically, through the Chief Executive's Management Board: -
 - (a) Advice to the Council on the Policy Framework
 - (b) Preparation of, and consultation on, the draft of the Forward Plan on a monthly basis
 - (c) The responsibility for the discharge of the Council's functions in implementation of statutory and non-statutory plans including the modernisation, collation, indexation and publication of policies and practices of the Council within the evolving Policy Framework as the Council and the Cabinet shall determine
3. The authority to institute, defend or settle any legal proceedings or arbitration where urgent action is needed to protect the interests of the Council.
4. To be Head of the Paid Service.
5. The power to determine that an "emergency" has occurred, namely, an event or situation which threatens serious damage to human welfare or to the environment in the Borough or war or

terrorism which threatens serious damage to the security of the United Kingdom.

6. The power to incur expenditure and take any necessary action within local authority statutory functions, including jointly with other authorities, in the event of an emergency.
7. To nominate other senior officers of the Council, whether orally or in writing, to take administrative decisions in the event of an emergency.
8. In the event that the Chief Executive is absent or unable to act for any reason, the powers in paragraphs 5, 6 & 7 above may be exercised by any other Chief Officer who is available to act.
9. The powers listed above relating to emergencies are granted subject to the provisions of Article 11.07 of this Constitution which set out the London Councils Arrangements for Co-ordinating the Response Emergencies.
10. In the event that all Members of the Cabinet are removed from office under **Article 7** (in **Part 2**), to exercise all Cabinet functions in consultation with the Mayor until a new Cabinet has been appointed.
11. Without prejudice to the generality of the delegation above, there are included in this delegation to the Chief Executive all the statutory and non-statutory functions delegated to the designated officers listed below.

To the Assistant Chief Executive, Policy, Partnerships, Performance and Communication

All the functions of the Council relating to Community Safety, Drugs and Alcohol, Anti-Social Behaviour, Youth Offending, Emergency Planning, Neighbourhood Management, Voluntary Sector, Scrutiny, Corporate Communications and Consultation, Programme Management and Partnership Working except for the excluded matters below. The Assistant Chief Executive has authority to exercise

the powers delegated to all officers reporting to him/her and Heads of Service have the same authority in relation to all officers reporting to them.

To the Assistant Chief Executive, People and Organisational Development

The Organisational Development and Learning functions of the Council and the Local Democracy, Member Services and Human Resources functions set out in the non-statutory and statutory delegations in this section except for the excluded matters below. The Assistant Chief Executive has authority to exercise the powers delegated to all officers reporting to him/her and Heads of Service have the same authority in relation to all officers reporting to them.

Excluded Matters

Excluded from the above delegations to the Chief Executive and Assistant Chief Executives are matters which are:

- (i) Key Decisions (except in an emergency under Part 4, Section F, paragraph 1.3(c) of the Constitution),
- (ii) Expressly reserved to the Cabinet or Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the power to set fees or charges is specifically delegated in the statutory or non-statutory delegations listed below.

Schedule of abbreviations used in the Scheme of Delegation for the Chief Executive's Service

Chief Executive	CE
Assistant Chief Executive – Policy, Partnerships, Performance and Communications	ACE-PPPC
Assistant Chief Executive – People &	ACE-POD

Organisational Development	
Head of Communications	HComm
Head of Human Resources	HHR
Head of Local Democracy & Member Services	HLDMS
Feedback & Information Manager	FIM
Head of Safer & Stronger Communities	HSSC
Head of Neighbourhood Management	HNM
Strategic Manager Youth Offending Service	SMYOS
Operations Manager Youth Offending Service	OMYOS
Team Managers Youth Offending Service (including the Operations Manager)	TMYOS
Case Workers Youth Offending Service	CWYOS
Emergency Planning & Business Continuity Manager	EPBCM
Voluntary Sector Team Manager	VSTM
Manager Anti-Social Behaviour Action Team	MASBAT
Drugs and Alcohol Action Team Manager	DAATM

In the event that any of the designated officer posts above are renamed or the duties varied, then the powers delegated to that post in this section of the scheme will continue to be delegated to the post that substantially fills the duties of the original post.

Those delegated powers, where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers, are shown with an asterisk * in the right hand column

Non-statutory delegations

1. Power to grant a licence to display the Borough Coat of Arms to other organisations.	HLD MS
2. Power to provide town maps involving advertising by companies.	HCo

	mm
3. Power to provide official guides, street maps and similar publications.	HComm
4. Power to authorise attendance by Members at conferences, seminars etc. which do not appear in the approved list of conferences in consultation with the Leaders of the Party Groups.	HLD MS*
5. Power to administer the Mayor's Charity in consultation with the Mayor	HLD MS*
6. Power to introduce modifications to the employees' car leasing scheme which do not adversely affect the Council's financial position.	ACE POD
7. Power (in consultation with the relevant Cabinet Member) to make exceptions to the Council's Policy not to re-employ employees, either as an individual consultant, or in temporary or permanent employment, who have left the Council's employment under the special early retirement/voluntary schemes	ACE POD*
8. Power (in consultation with the relevant Cabinet Member) to implement discretionary elements of nationally negotiated agreements	ACE POD*
9. Power to identify posts/jobs exempt from the Job Share Policy	HHR
10. Power to agree special leave entitlements in the case of sick dependants leave	HHR
11. Power to implement statutory or case law changes to employment issues where no exercise of discretion is required	HHR
12. Power to implement nationally negotiated agreements affecting employees where no exercise of discretion is involved	HHR
13. Power to authorise recruitment and retention terms for individual posts below Deputy Chief Officer level	HHR
14. Power to authorise flexible retirement terms for individual posts below Deputy Chief Officer level in accordance with Council policies	HHR
15. Approval of time off for accredited Trade Union representatives to attend training courses or other approved activities in connection with their industrial duties	HHR
16. Approval of time off for Special Branch Meetings	HHR
17. Approval of payments made in respect of redundancy awards, gratuity payments,	HHR

injury allowances and other compensation within the scope of the Pensions Regulations (including S.I.s 1996/1680 and 2000/1410 as amended) for individual posts below Deputy Chief Officer level	
18. Power to vary enhanced severance payments in individual cases, subject to appropriate statutory provisions	HHR
19. Power to enter into and agree appropriate settlements for individual post holders below Deputy Chief Officer level at termination of employment or in legal proceedings including those reached by compromise agreement, subject to the agreement of the Chief Financial Officer where this affects the Pension Fund	HHR
20. Power to implement scales of election expenses recommended by London Councils	CE
21. Duty and power, in consultation with the relevant Cabinet Member, to monitor the Council's compliance with: <ul style="list-style-type: none"> • the Disability Discrimination Acts 1995 and 2005 • the Race Relations Act 1976 and the Race Relations Amendment Act 2002 • Sex Discrimination Act 1974 • Equality Act 2006 	ACE-PPPC *
22. Power to make decisions on expenditure and project implementation in accordance with the wishes of Area Assemblies subject to a limit of £10,000 for each project	HNM * HSSC *

Statutory Delegations

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the sections/parts of the Acts listed in the left hand column. These include any related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation is expressly listed, and other subordinate legislation is not listed, does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a "Limited Delegation", the delegations

are not limited, conditioned or qualified in any way by the descriptions of the powers in the middle column which are for information only.

With the exception of the statutory powers that are shown in the right hand column as delegated to specified officers "only", all the powers listed below are delegated to each Service Manager, Group Manager and Team Leader reporting to the specified Head of Service or Assistant Chief Executive.

Schedule of Statutory Delegations

Children and Young Persons Act 1969		
Sections 9, 23, 23AA & 30	Powers in relation to young persons subject to proceedings for an offence including the investigation for the Court of home, school, and health circumstances, the provision of accommodation, powers to detain, powers to apply for conditions to be attached to remand or committal and to inform Court that electronic monitoring conditions are suitable	ACE-PPPC HSSC SMY OS
Local Government Act 1974		
Sections 28 & 32	Power to comment on any allegations contained in a complaint to the Local Government Ombudsman (LGO) and power in consultation with the Monitoring Officer to give notice to the LGO that disclosure of any document or information would be contrary to the public interest	FIM only
Local Government Act 1986		
Section 5	Duty to keep a separate account of the Council's expenditure on publicity	HComm
Criminal Justice Act 1991		
Sections 61	Duty and power to secure compliance with any security requirement imposed on remand or committal to local authority accommodation, by providing secure accommodation or by arranging with other local authorities or bodies for the provision of such accommodation, and power to secure compliance with related duties in Regulations	ACE-PPPC HSSC SMYOS only

Section 65	Power to appoint a social worker or member of a youth offending team to supervise a person under the age of 22 years who has been released from detention	ACE-PPPC HSSC SMYOS TMYOS only
Housing Act 1996		
Sections 153A-E, 154, 155, 156 and 157	Functions in relation to powers of arrest and injunctions against anti-social behaviour	ACE-PPPC HSSC SMYOS only
Crime and Disorder Act 1998		
Sections 1 and 1A to K	Power to apply for an Anti-Social Behaviour Order and related Orders	ACE-PPPC HSSC MASB AT only
Sections 11, 12, 14, 38 & 39	Powers relating to Child Safety Orders. Powers relating to local child curfew schemes, the provision of youth justice services and the establishment of a youth offending team. Power to act as an appropriate adult when an offender under 17 is reprimanded and powers in relation to rehabilitation programmes.	ACE-PPPC HSSC SMYOS only
Section 40	Limited Delegation: Power to formulate and implement a Youth Justice Plan, to submit such a Plan to the Youth Justice Board and to publish it in the manner directed by the Secretary of State. This delegation does not include the power to adopt, modify, vary or revoke a Youth Justice Plan.	ACE-PPPC HSSC SMYOS only
Sections 65 & 66	Power to act as an appropriate adult when an offender under 17 is reprimanded and powers in relation to rehabilitation programmes.	ACE-PPPC HSSC SMYOS TMYOS CWYOS
Powers of Criminal Courts (Sentencing) Act 2000		
Sections 21 to 23, 25 to 27, 29, 63, 65 & 70 to 72	Powers in relation to youth offender panels, youth offender contracts, referral of youth offenders back to Court, holding	ACE-PPPC HSSC SMYO

	initial/progress/final meeting, performing duties under supervision orders for children and young persons and giving directions, performing functions and reporting to the Court on action plan orders	S TMYO S CWYO S
Sections 36, 46 to 48, 64, 69, 73 to 75, 103 & 162	Powers to appoint officers in relation to suitability and operation of community punishment orders, powers to agree that Council will be supervisor of children and young persons under supervision orders and to incur related expenditure, powers to appoint responsible officer for action plan orders and to report to Court on reparation orders and perform related functions and powers to appoint social workers to supervise offenders subject to detention and training orders and prepare pre-sentence reports	ACE- PPPC HSSC SMYO S TMYO S only
Section 66	Powers to make arrangements to facilitate performance of directions and requirements under supervision orders, to consult with the local probation board and to specify such arrangements in a scheme or further scheme and to provide copies and perform related functions	ACE- PPPC HSSC SMYO S OMY OS only
Local Government Act 2000		
Sections 2, 3 and 4	Limited Delegation: Powers to take steps to promote economic, social and environmental well-being subject to advice from the Head of Legal Services on each proposed exercise of these powers	ACE- PPPC HSSC VSTM DAAT M only
Section 37	Limited Delegation: Power, in consultation with the Monitoring Officer to correct obvious errors and inconsistencies throughout the Constitution.	HLD MS* only
Civil Contingencies Act 2004		
Sections 2 to 7, 9 & 12	Powers in relation to emergencies and contingency planning under the Act and Regulations including risk assessment, business continuity planning, advice and assistance to the public, civil protection measures, and the use and disclosure of information to central government and others	ACE- PPPC HSSC EPBC M
Criminal Justice and Immigration Act 2008		

Section 5	Duties of the responsible officer to make arrangements connected with youth rehabilitation orders and to promote and enforce offenders' compliance with such orders	ACE- PPPC HSSC SMYO S TMYO S CWYO S
-----------	---	--

<p>Section 3 Directorate of Corporate Resources – Scheme of Delegation to Officers</p>

To the Director of Corporate Resources

All the Financial, Legal, Property Services, Information Technology and Customer Access functions of the Council except matters which are:

- (i) Key Decisions,
- (ii) Expressly reserved to the Cabinet or Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the power to set fees or charges is specifically delegated in the statutory or non-statutory delegations listed below.

Without prejudice to the generality of the delegation above, there are included in this delegation to the Director all the statutory and non-statutory functions delegated to the designated officers below. The Director has authority to exercise the powers delegated to all officers reporting to him/her and Assistant Directors, the Chief Financial Officer and the Heads of Service have the same authority in relation to all officers reporting to them.

Schedule of abbreviations used for designated officers

Director of Corporate Resources	DCR
Head of Legal Services	HLS
Head of Corporate Property	HCP
Assistant Director Access & Customer Focus	AD-ACF
Chief Financial Officer	CFO
Head of Corporate Finance	HCF
Head of Corporate Procurement	HProc
Head of Benefits & Local Taxation	HBLT
Risk & Insurance Manager	RIM
Pensions Manager	PM

In the event that any of the designated officer posts above are renamed or the duties varied, then the powers delegated to that post in this section of the scheme will continue to be delegated to the post that substantially fills the duties of the original post.

Those delegated powers, where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers, are shown with an asterisk * in the right hand column

Non-statutory delegations

Insurance Matters	
Power to arrange insurance cover within the financial limits for officers under Contract Procedure Rules or beyond those financial limits in accordance with Cabinet/Committee instructions	CFO* RIM*
Power to negotiate, to agree or reject and to pay claims against the Council, whether or not covered by insurance, in consultation with legal advisers and the relevant Service managers	CFO RIM
Power to exercise discretion, in consultation with legal advisers and the relevant Service managers, to make ex gratia payments, without admitting liability.	CFO RIM

Salaries, Wages, Pensions, Compensations etc.	
Power to make salary payments or to approve and control any alternative arrangements	CFO
Power to approve the terms of release of people aged 50 or over and made redundant or retired early with a claim on the pension scheme provided this is within the limits of Council policies and the decision applies to officers below Deputy Chief Officer level. This includes decisions on voluntary early retirement, early payment of deferred benefits, waiver of actuarial reductions on compassionate grounds, awards of increased membership on early retirement on efficiency grounds and reductions of contributions after 40 years service. Decisions which are outside Council policies or apply to Chief Officers or Deputy Chief Officers are referred to the General Purposes Committee.	CFO
All administering authority decisions which do not incur costs in excess of those costs already funded and are consistent with existing policies	CFO PM

Payment of Accounts etc.	
Power to deal with or approve alternative arrangements for dealing	CFO

with all certified expenditure matters	
--	--

Other Financial Matters	
Power to exercise the functions of the duly authorised representative of the Council as the corporate member of Alexandra Palace Trading Limited	CFO
Power to select the managers of the Council's internal funds and negotiate management fees	CFO
Power to make financial arrangements for the leasing of vehicles and equipment	CFO
Power to manage the authority's loan debt in accordance with all relevant legislation and guidance	CFO
Power to respond to annual expenditure proposals submitted by the following bodies (if applicable):- <p style="margin-left: 40px;">Greater London Authority London Pension Fund Authority Lee Valley Regional Park Authority North London Waste Authority London Councils Greater London Magistrates Courts Authority Environment Agency</p>	CFO
Power to authorise all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and Council Tax Benefit including powers to impose administrative penalties, to prosecute and to bring civil proceedings in relation to fraudulent claims	HBLT
Power to manage Council borrowings and investments within limits set by the Council	CFO
Authority to manage the Capital Programme flexibly and to make adjustments to the phasing of approved projects within the limits of available capital resources	CFO
Authority in consultation with the Assistant Chief Executive- Policy, Partnerships, Performance and Communication and the appropriate Cabinet Member to approve the submission of bids to the European Social Fund	CFO*
Power to certify grant claims and statutory returns to Government and European Union bodies where this certification is required from, or on behalf of, the Chief Financial Officer	CFO HCF
Power to remove contractors from Selective Tendering Lists when they have ceased trading or have requested to be removed and power to suspend any contractor from the Lists pending final decision by the Cabinet Procurement Committee in cases of serious breach of contract or unsatisfactory service delivery.	HPro c

Land acquisitions, management and disposal		
• Acquisitions		
(1) Power to acquire any land or property with a capital value equalling or exceeding £250,000 but less than £500,000 except by use of compulsory powers or in advance of identified requirements		DCR
(2) Power to acquire any land or property with a capital value below £250,000 except by use of compulsory powers or in advance of identified requirements		HCP
(3) Power to take a lease or licence of any land or property for any period where the rent equals or exceeds £100,000 per annum but is less than £500,000		DCR
(4) Power to take a lease or licence of any land or property for any period where the rent is less than £100,000 per annum		HCP
(5) Power to settle compensation for the loss of interests in land up to a maximum of £250,000 per interest where in the approved capital programme.		HCP
(6) Power to give undertakings to prospective vendors relating to the payment of professional fees incurred, and to pay such abortive fees and expenses if the Council withdraws from negotiations.		HCP
(7) Power to authorise proceedings by way of Arbitration, Alternative Dispute Resolution, in the Lands Tribunal or in the Civil Courts to protect the Council's interests in relation to any acquisition		HCP
• General Estate Management		
(1) Power to settle dilapidation and compensation claims arising under the Landlord and Tenant Acts and Agricultural Holdings Acts or related Acts.		HCP
(2) Power to authorise, in the interests of good estate management, any proceedings by way of Arbitration or Alternative Dispute Resolution, or in the Civil Courts, Lands Tribunal, Valuation Court, or Agricultural Lands Tribunal		HCP
• Disposals		
(1) Power to dispose of any land or property with a capital value equalling or exceeding £250,000 but less than £500,000		DCR
(2) Power to dispose of any land or property with a capital value below £250,000		HCP
(3) Power to grant a lease or licence of any land or property owned by the Council for any period where the rent equals or exceeds £100,000 per annum but is less than £500,000		DCR

(4)	Power to grant a lease or licence of any land or property owned by the Council for any period where the rent is less than £100,000 per annum	HCP
(5)	Power to agree the transfer of Council owned land as a result of legislation redefining responsibility for the provision of some public services.	HCP

Legal Matters		
	Power to authenticate any notice, order, assent, demand or other document or copy document, which the Council are authorised or required by, or under, any Act or any instrument made thereunder, to give, make or issue	HLS
	Power to obtain particulars of occupiers of, and other persons interested in, land and of persons authorised to manage or arrange for the letting of land	HLS
	Power, notwithstanding delegations to other officers/services, to authorise, institute, defend, compromise, or adjourn any form of legal proceedings or statutory procedure and to make or defend any appeal in criminal or civil proceedings where such action is desirable to protect the Council's interests	HLS
	Power to authorise other officers to represent the Council in civil or criminal proceedings	HLS
	Power to issue or serve any statutory notice on instructions from a designated officer who has delegated power to issue or serve such a notice	HLS
	Powers to take any action or sign any document under the Land Registration Rules, including the release of mortgages or charges, in order to carry out authorised instructions from other Services	HLS

Other delegations		
	Power to make minor boundary adjustments between adjoining parcels of Council owned land held for different statutory purposes and to authorise the necessary Appropriation Orders and adjustments to accounts to be made	HCP
	At the request of the Director of Adults, Culture and Community Services, acting as Receiver appointed by the Court of Protection	CFO

Statutory delegations

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the sections/parts of the Acts listed in the left hand

column. These include any related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation is expressly listed and other subordinate legislation is not listed does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a “Limited Delegation”, the delegations are not limited, conditioned or qualified in any way by the descriptions of the powers in the middle column which are for information only.

With the exception of the statutory powers that are shown in the right hand column as delegated to specified officers “only”, all the powers listed below are delegated to each Service Manager, Group Manager and Team Leader reporting to the specified Head of Service, Assistant Director or the Director.

Schedule of Statutory Delegations

Lands Clauses Consolidation Act 1845		
Sections 18, 76, 77, 91 & 124	Powers in relation to compulsory purchase of land	HCP
Law of Property Act 1925		
Sections 46, 49, 84, 87-89, 91, 94, 98, 99, 143, 144, 146, 148, 150 & 187	Powers in relation to the sale and purchase of land, restrictive covenants, mortgages, licences, leases and easements	HCP
Sections 115 & 120	Power to sign receipt on discharge of mortgage	HLS
Landlord and Tenant Act 1927		
Sections 1, 3, 8, 16, 19 & 23	Powers in relation to claims by tenants and landlords and connected rights, compensation and assignments	HCP
Marriage Acts 1949 and 1994		
The whole Acts and Regulations made under these Acts including The Marriages (Approved Premises) Regulations 1995 (S.I. 1995/510)	Limited Delegation: Power to determine applications for approval of premises for ceremonies and to impose conditions and power to recommend the scale of fees for applications for the approval of premises for civil marriages/civil partnerships and for the attendance of the Superintendent Registrar,	HLS*

	Registrar of Marriages or their deputies at ceremonies, such fees to recover all the Council's costs and to be approved by the relevant Cabinet Member	
Landlord and Tenant Act 1954		
Sections 24A, 25, 27, 28, 30 to 35, 37, 38A & 40	Powers in relation to tenancies including rent, termination, renewal, compensation, information and agreements to exclude the Court's jurisdiction	HCP
Land Compensation Act 1961		
Sections 31 & 38	Powers to withdraw notices to treat and to serve notices under the Act generally	HCP
Compulsory Purchase Act 1965		
Sections 5, 9, 11, 13, 14, 18 & 22	Powers in relation to compulsory purchase of land including notice to treat, powers of entry, interests subject to mortgage or rent charge and interests omitted by mistake	HCP
Chronically Sick and Disabled Persons Act 1970		
Sections 4, 7 & 8A	Duties to provide access, facilities, and signage for disabled persons at premises open to the public and to provide for the needs of disabled employees of the Council, except in relation to the operational premises of other Directorates	HCP
Attachment of Earnings Act 1971		
Sections 3 & 4	Powers to apply to Court for attachment of earnings orders and administration orders in respect of debtors	HLS
Sections 7, 9 & 15	Powers to secure compliance with orders served on the Council in respect of Council employees and to notify Court of change of employees' earnings or of employment	CFO
Local Government Act 1972		

Sections 114, 119, 140, 146, 148 & 168	Powers to take security from officers, to make payments to deceased officers' estates, to insure Members against accidents, to transfer securities on the alteration of the name or area of the Council, to keep the General Rate Fund Account and to make financial returns to the Secretary of State	CFO
Sections 222 & 223	<ul style="list-style-type: none"> • Power, when considered expedient for the promotion or protection of the interests of Borough residents, to (i) prosecute, defend or appear in any legal proceedings and to institute civil proceedings in the Council's name, and (ii) to make representations in the interests of the inhabitants in Council's name at any public inquiry under any legislation • Power to authorise any officer to prosecute, defend or appear on the Council's behalf in Magistrates Court proceedings 	HLS only
Local Government Superannuation Act 1972		
Sections 7 and 12 and all Local Government Superannuation Regulations under the Act including S.I. 1997/1612	Functions relating to the Pension Scheme including the maintenance, management, investment and valuation of the Pension Fund and arrangements with respect to membership, contributions, benefits and payments under the Scheme	CFO PM
Greater London Council (General Powers) Act 1973		
Sections 26, 27 & 28	Powers in relation to the recovery of non-domestic rates from certain owners, tenants and lodgers, including charging on land, charging interest and enforcing charges	CFO HBLT
Land Compensation Act 1973		

Sections 4 to 8, 15, 28, 38, 42, 43 & 52	Powers in relation to compensation claims for adverse effects on land including assessment of claims, records and information, paying expenses of persons moved during works or permanently displaced or connected with acquisition of new dwellings, indemnifying re-housing authorities and making advance payments	HCP
Section 3	Power to authorise officers to enter land to assess claims for compensation	HCP only
Greater London Council (General Powers) Act 1974		
Section 16	Power to enter into agreements affecting land	HLS
Local Land Charges Act 1975		
Whole Act	All functions relating to local land charges	HLS
Local Government (Miscellaneous Provisions) Act 1976		
Section 15	Power to survey land which the Authority proposes to acquire compulsorily	HCP
Sections 16 & 29	Powers to serve requisitions for information and to apply for the repayment of unclaimed compensation paid into Court	HLS
Local Government Finance Act 1988		
Part III	Functions in relation to non-domestic rating	CFO HBLT
Sections 114, 114A & 115(6)	Duty to report to the Council or Cabinet in the event of an unlawful decision or expenditure and power to authorise entering into certain agreements incurring expenditure during a prohibition period	CFO only
Social Security Contribution and Benefits Act 1992 Social Security Administration		

Act 1992 Housing Act 1996 Social Security Act 1998		
The provisions of the Acts and all Regulations under the Acts relating to Housing Benefit and Council Tax Benefit including the Housing Benefit Regulations 2006 and the Council Tax Benefit Regulations 2006	Power to operate a Housing Benefit and a Council Tax Benefit Scheme including functions relating to handling claims, assessing entitlements, making payments, recovery of over-payments and obtaining information	HBLT
Local Government Finance Act 1992		
Sections 33 and 34	Limited Delegation: Power to determine the Council Tax Base, i.e. Item T or item TP in consultation with the Cabinet Member	* CFO only
Sections 16, 17 & 65 and Schedules 2, 3, 4 & 4A	Powers to respond to notices from aggrieved persons, to serve completion notices in respect of buildings and in relation to the administration and collection of Council Tax, civil penalties and the enforcement and the recovery of sums due and the duty to consult persons or bodies representing those subject to non-domestic rates about the Council's expenditure proposals	CFO HBLT
All Regulations under the Act including the Council Tax (Administration and Enforcement) Regulations 1992	Functions in relation to the administration and enforcement of Council Tax including requests for information, demand notices, liability orders and proceedings to enforce payment	CFO HBLT
Disability Discrimination Act 1995		
Sections 6, 15C, 21 & 21E	Duties to prevent discrimination against disabled persons in Council employment, applicants for employment, elected Members and service users including the taking of reasonable steps to make adjustments to the physical features of premises or to any practice policy	HCP

	or procedure connected with service provision, except in relation to the operational premises of other Directorates	
Data Protection Act 1998		
Whole Act	All the functions of the “data controller” under the Act	AD-ACF
Local Government Act 2003		
Sections 14, 25 & 27	Powers to supply information requested by the Secretary of State and to report to the Council on (i) the robustness of estimates for the purpose of budget calculations and the adequacy of proposed financial reserves and (ii) the inadequacy of a controlled reserve	CFO only
Licensing Act 2003		
Section 181	Limited Delegation: In consultation with the Chair of the Licensing Committee, power to make arrangements to deal with cases under the Act remitted by the Magistrates Court to the Council for decision	HLS* only
Gambling Act 2005		
Section 207	Limited Delegation: In consultation with the Chair of the Licensing Committee, power to make arrangements to deal with cases under the Act remitted by the Magistrates Court to the Council for decision	HLS* only

Section 4 - Directorate of Urban Environment - Scheme of Delegation to Officers

To the Director of Urban Environment

All Urban Environment functions of the Council including Town Planning, Transportation, Highways, Parking, Waste Management, Environmental Regulation, Public Health, Private Sector Housing, Building Control, Trading Standards, Licensing & Registration, Economic Regeneration, Housing Strategy & Programmes, Homelessness and Housing Allocations. Excluded from this delegation are matters which are:

- (i) Key Decisions,
- (ii) Expressly reserved to the Cabinet or a Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the power to set fees or charges is specifically delegated in the statutory or non-statutory delegations below.

In addition the following matters are reserved to The Cabinet/relevant Cabinet Member and excluded from this delegation:

- a) The annual bid to Transport for London for financial allocations to fund the Local Implementation Plan
- b) Local Implementation Plan - the addition of a scheme to, or the deletion of a scheme from, the active preparation programme;
- c) 'Major Greater London Road Network Schemes' - Council response to public draft line, side road and compulsory purchase orders;
- d) Major Capital Transportation Proposals :

- Choosing a preferred route or option following public consultation;
- Authorising the promotion of Compulsory Purchase and Side Road Orders;

Without prejudice to the generality of the delegation above, there are included in this delegation all the statutory and non-statutory functions delegated to the designated officers as listed below. The Director has authority to exercise the powers delegated to all officers reporting to him/her and Assistant Directors and Heads of Service have the same authority in relation to all officers reporting to them.

Schedule of abbreviations used for designated officers

Director of Urban Environment	DUE
Assistant Director, Planning and Regeneration	AD-P&R
Heads of Development Management - Note: This includes the Heads of Development Management, North and South, and the Head of Development Management Major Sites.	HDM
General Manager – Planning Policy	GMPP
Head of Building Control	HBC
Assistant Director – Frontline Services	AD-FS
Head of Sustainable Transport	HST
Transportation Team Leader	TTL
Head of Parking	HP
Head of Environmental Resources	H-EnvRes
Head of Enforcement	H-Enf
Team Leader – Trading Standards	TTLS
Team Leader – Commercial Environmental Health	TL-CEH
Service Manager for Commercial Enforcement	SM-CE
Service Manager for Environmental Crime	SM-EC

Service Manager for Enforcement Response	SM-ER
Team Leader for Planning Enforcement	TL-PE
Assistant Director – Strategic & Community Housing	AD-SCH
Head of Housing Finance	HHF
Head of Housing Needs and Lettings	HHNL
Head of Housing Support & Options	HHSO
Housing Improvement Manager (Private Sector)	HIMPS
Head of Economic Regeneration	H-EconReg
Civil Enforcement Officers	CEOs

In the event that any of the designated officer posts above are renamed or the duties varied, then the powers delegated to that post in this section of the scheme will continue to be delegated to the post that substantially fills the duties of the original post.

Those delegated powers where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers are shown with an asterisk * in the right hand column.

Non-statutory delegations

Building Control Matters	
Authorising all enforcement functions, prosecutions and legal proceedings in the area of operational responsibility of the post including the Buildings Acts, Building Regulations, London Buildings Acts and the Safety of Sports Grounds.	HBC
Trading Standards Matters	
Authorising all enforcement functions, prosecutions and legal proceedings in the area of operational responsibility of the post including trading standards, weights and measures and the protection of the public and consumers.	H-Enf SM-CE TL-TS

Environmental Health Matters	
Authorising all enforcement functions, prosecutions and legal proceedings in the area of operational responsibility of the post including environmental protection, licensing and registration, health and safety, public health and food safety.	H-Enf SM-CE SM-ER SM-EC TL-CEH HIMPS
Authority to waive or vary Environmental Health charges in appropriate cases.	H-Enf
Planning Matters	
<u>Drafting of additional conditions, informatives and additional reasons for refusal.</u> Authority to draft additional planning conditions, informatives and reasons for refusal of planning permission within the scope of the conclusions of the Planning Committee, where these were not included in the recommendations in the Committee report, subject to the officer being satisfied that the additional conditions, informatives and reasons are consistent with the remainder of the Committee's decision and justified on Planning grounds.	AD-P&R HDM GMPP
Making representations in respect of proposed development notified to the Council by a Government Department or statutory undertaker or comments on proposals in adjoining Boroughs.	AD-P&R HDM GMPP
Authorising all enforcement functions, prosecutions and legal proceedings under the Planning Acts or any subordinate legislation made under those Acts including matters in respect of Listed Buildings, Conservation Areas, Trees and Advertisements.	AD-P&R TL-PE GMPP
Power to make holding representations to the Mayor of London on any proposed exercise of the Mayor's Planning functions pending confirmation or otherwise by Members	AD-P&R HDM GMPP
Public transport	
Power to make urgent representations to London Transport or any other body on any proposed changes to public transport services, including fares.	AD-P&R HST HDM GMPP TTL
Traffic and Parking Management	
Power to determine requests for minor traffic and parking measures	HST

which result in the need for advertisement of a Traffic Regulation Order and to process the Order subject to conditions.	
Highways	
Authorising all enforcement functions, prosecutions and legal proceedings under the Highways Acts or legislation affecting streets and paths and any subordinate legislation made under those Acts	H-Enf
Parking Controls	
Authorising all civil enforcement, prosecutions, recovery of penalties and fines and any other enforcement measures, including decisions in relation to representations received, under legislation relating to parking and road traffic. Power to administer all concessionary travel and parking schemes, including the freedom pass and blue badges, and power to administer all parking permit schemes and related controls under Traffic Regulation Orders.	HP Parking Service Manager s Parking Team Leaders Parking Super visors
Environmental Improvements	
Power to review annually the categories and donation for commemorative trees and seats	DUE
Housing Matters	
1. The powers of the Council Member representative as appointed under Article 4 of the Articles of Association of Homes for Haringey Limited i.e. the right to attend meetings of the Company, to vote there and generally to exercise all rights of membership on behalf of the Council Member subject to these powers being exercised in accordance with the decisions and policies of the Cabinet and Council	DUE*
2. Power to monitor the performance of Homes for Haringey Limited under the Management Agreement and to take any action in the interests of the Council's "client side" Housing functions in accordance with policies agreed by the Cabinet	DUE
3. Power to accept leases of properties for temporary accommodation and to renew and terminate leases when in the Council's interest	AD- SCH HHNL
4. Power to alter levels of arrears tracing and collection as costs and circumstances dictate in relation to the Council's retained housing functions	AD- SCH HHF

5. Power to negotiate and complete agreements for the temporary re-housing of private sector tenants to facilitate house renovations	AD-SCH HHNL
6. Power to authorise all action to enforce provisions of right-to-buy leases and to authorise Court proceedings for enforcement	AD-SCH HHF
7. Power to authorise service of Notice to Quit for all non-secure tenancies	AD-SCH HHNL
8. Power to determine requests for access to personal files in relation to the Council's retained housing functions	AD-SCH
9. Authority to waive the requirement for an owner to have lived in a property for three years prior to applying for a House Renovation Grant	AD-SCH
10. Power to provide services for travellers in accordance with policies agreed by the Cabinet	AD-SCH

Statutory delegations

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the sections/parts of the Acts listed in the left hand column. These include any related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation is expressly listed and other subordinate legislation is not listed does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a "Limited Delegation", the delegations are not limited, conditioned or qualified in any way by the descriptions of the powers in the middle column which are for information only.

With the exception of the statutory powers that are shown in the right hand column as delegated to specified officers "only", all the powers listed below are delegated to

each Service Manager, Group Manager and Team Leader reporting to the specified Head of Service, Assistant Director or the Director.

Schedule of Statutory delegations

Game Act 1831		
Sections 5, 6, 17, 18 & 23	Powers to licence dealers in game	H-Enf
Game Licensing Act 1860		
Sections 2, 4, 8, 10, 12, 14 & 15	Powers to licence dealers in game including publication of lists of licensed persons and enforcing Regulations	H-Enf
Accessories and Abettors Act 1861		
Section 8	Power to authorise prosecutions of persons aiding and abetting principal offenders in indictable cases	H-Enf
Dogs Act 1871		
Section 2	Power to make complaint about dangerous dogs not being kept under proper control	H-Enf
Pedlars Act 1871		
Whole Act	Power to enforce all provisions of the Act	H-Enf
Explosives Act 1875		
Sections 15, 21, 73 & 74	Powers to register premises for storage of explosives and to inspect and enforce	H-Enf
Public Health Act 1875		
Sections 153 & 161	Powers to require gas and water pipes to be moved and to light streets	HST
Customs and Inland Revenue Act 1883		
Sections 4 & 5	Power to licence dealers in game and issue certificates for the killing and selling of	H-Enf

	game for short periods.	
Dogs Acts 1906-1928		
Sections 1 & 6	Powers to enforce against dogs chasing cattle, sheep and poultry and to seize stray dogs and to enforce in relation to unburied cattle	H-Enf
Public Health Acts Amendment Act 1907		
Section 94	Power to licence power boats and pleasure vessels	H-Enf
Police, Factories (Miscellaneous Provisions) Act 1916		
Section 5	Power to make regulations and permit persons to collect for charitable and other causes	H-Enf
Employment of Women, Young Persons and Children Act 1920		
Section 1	Power to enforce provisions protecting women, young persons and children in employment and to prosecute offences	H-Enf
Celluloid and Cinematograph Film Act 1922		
Section 1	Power to sanction use of parts of buildings for storage of raw celluloid and cinematograph film	H-Enf
Performing Animals (Regulations) Act 1925		
Sections 1, 2 & 3	Powers to enforce provisions preventing cruelty to performing animals and to prosecute offences	H-Enf
Agricultural Produce		

(Grading and Marking) Acts 1928-1931		
Section 5	Powers to enforce provisions protecting consumers in relation to agricultural produce	H-Enf
Children and Young Persons Acts 1933-1991		
Sections 7, 12, 12A to D & 96	Powers to enforce provisions preventing tobacco sales to children and to require safety measures for children at entertainments and enforcement	H-Enf
Public Health Act 1936		
Whole Act	Powers in relation to protecting public health in respect of watercourses, culverts, drainage, cesspools, water closets, public baths, water supplies, waste materials, moveable dwellings, camp sites, mortuaries, employment of women and powers of entry and execution of works in default	H-Enf
Sections 261 to 264	Powers in relation to the cleansing and culverting of ditches and watercourses in connection with building operations	HBC
Cinematograph Films (Animals) Act 1937		
Section 1	Power to enforce against producers of films involving cruelty to animals	H-Enf
Cancer Act 1939		
Section 4	Power to prohibit and authorise enforcement against advertisements purporting to cure cancer	H-Enf
London Building Acts 1939		
Sections 6 & 11	Powers to name streets and to number buildings in streets	HST TTL
Part VII – Sections 61 to 68	Powers to enforce in relation to dangerous structures and buildings	HBC Principal Building

		Surveyor Senior Building Surveyor Building Surveyor
Middlesex County Council Act 1944		
Part 12	Powers to enforce byelaws under this Act in respect of massage and special treatment establishments	H-Enf
National Assistance Act 1948		
Sections 21 to 24, 29, 43, 48, 55 & 56	Functions relating to the provision of accommodation, welfare arrangements and other assistance for persons in need and the management of premises and recovery of costs	AD-SCH HHNL
Section 32	Power to agree financial adjustments between the Local Authority providing accommodation and the Local Authority area of residence	DUE AD-SCH only
Prevention of Damage by Pests Act 1949		
Sections 2, 4, 5, 6 & 22	Powers to enforce in relation to pest control on private land and to undertake works in default	H-Enf
Middlesex County Council Act 1950		
Section 14	Powers to enforce byelaws under this Act in respect of the lighting of common staircases for residential flats	H-Enf HIMPS
Rag Flock and Other Filling Materials Act 1951		
Section 2, 6, 7, 12 to 14	Powers to licence premises for the manufacture and storage of rag flock and other filling materials and to inspect and enforce	H-Enf
Section 35	Power to appoint authorised officers under the Act	H-Enf only
Pet Animals Act 1951 - 1983		

Sections 1, 4, 5 & 6	Powers relating to the licensing and inspection of pet shops and sales and to enforce	H-Enf
Hypnotism Act 1952		
Sections 1, 2 & 3	Powers to license demonstrations of hypnotism and to enforce	H-Enf
Tottenham Corporation Act 1952		
Section 43	Power to serve notice to remedy defective state of premises	H-Enf
Accommodation Agencies Act 1953		
Section 1	Power to enforce against illegal commissions and advertisements for accommodation	H-Enf
Local Government (Miscellaneous Provisions) Act 1953		
Sections 4-7	Powers to provide bus shelters	HST
Trading Representations (Disabled Persons) Act 1958 - 1972		
Section 1	Powers to prohibit claims that goods are made by blind or disabled persons and to enforce against contraventions	H-Enf
Caravan Sites and Control of Development Act 1960		
Sections 3, 5, 8, 10, 11, 24, 25 & 26	Powers in relation to the licensing of caravan sites and facilities	H-Enf
Home Safety Act 1961		
Section 1	Power to make arrangements for the promotion of safety in the home	AD-SCH
Land Compensation Act 1961		
Section 17	Power to issue certificate of appropriate alternative development or to issue certificate of no alternative development (for compensation assessment purposes)	AD-P&R HDM
Public Health Act 1961		

Sections 17, 22, 34, 35, 37, 73 & 74	Powers to require owner or occupier to remedy stopped-up drains, remove rubbish, fumigate and to carry out the work and recover the costs in default	H-Enf HIMPS
Sections 45 & 81	Powers to attach street lamps to buildings and to recover damages for negligent harm to street furniture	HST
Mock Auctions Act 1961		
Section 1	Power to prevent unlawful inducements and deceptions at auctions and to prosecute offences	H-Enf
Local Authorities (Historic Buildings) Act 1962		
Sections 1 & 2	Power to contribute to the preservation of historic buildings and to recover grants on disposal of relevant property	AD-P&R HDM
Children and Young Persons Act 1963		
Sections 37 to 41	Powers relating to the regulation of public performances by children and young persons and enforcement against contraventions	H-Enf
Animal Boarding Establishments Act 1963		
Sections 1, 2 & 4	Powers to license animal boarding establishments including inspection and enforcement	H-Enf
Riding Establishments Acts 1964 - 1970		
Sections 1, 2, 4 & 5	Limited Delegation: Powers to grant licences, to specify conditions for riding establishments, to grant and extend provisional licences and to inspect and enforce except that any application where refusal is recommended shall be referred to the Miscellaneous Functions Sub-Committee for determination	H-Enf
Scrap Metal Dealers Act 1964		
Sections 1, 3 & 6	Powers relating to the regulation of scrap metal dealers including inspection and enforcement	H-Enf

Greater London Council (General Powers) Act 1967		
Sections 21 & 23	Powers to register hairdressers and barbers and to require restoration of water supplies	H-Enf
Slaughter of Poultry Act 1967		
Sections 2, 4 & 6	Powers relating to the registration of poultry premises including inspection and enforcement	H-Enf
Farm and Garden Chemicals Act 1967		
Sections 1 to 6	Power to enforce the Act and Regulations made under it requiring that products for weed or plant control be labelled and marked appropriately	H-Enf
Medicines Act 1968		
Sections 108, 111 & 112	Powers to inspect and sample medicated animal foodstuffs and food products for human consumption	H-Enf
Trade Descriptions Acts 1968 - 1972		
Sections 26, 27 & 28	Powers to enter premises, make test purchases and seize goods	H-Enf
Transport Act 1968		
Section 63, 69, 118 & 123	Powers relating to goods vehicle operators' licences and to maintaining bridges and railway crossing barriers	HST
Countryside Act 1968		
Section 27	Power to signpost footpaths and bridleways	AD-FS HST
Theft Acts 1968 - 1978		
Whole of the Acts	Powers to prosecute for any offence where related to the functions of the Council	H-Enf
Development of Tourism Act 1969		
Section 18	Power to enforce the Tourism Sleeping Accommodation (Price Display) Order 1977 and any other Regulations under these provisions	H-Enf
Agriculture Act 1970		

Sections 67, 75, 76 & 80	Powers to take enter premises, and take samples of fertilisers and feed stuffs including enforcement	H-Enf
Administration of Justice Act 1970		
Section 1	Power to enforce and prosecute in case of unlawful harassment of debtors	H-Enf
Haringey Corporation Act 1971		
Section 5	Powers relating to the restoration of gas or electricity supply where disconnected	H-Enf
Unsolicited Goods and Services Acts 1971 - 1975		
Section 2	Powers to enforce against persons claiming payment for unsolicited goods and services	H-Enf
Animals Act 1971		
Section 7	Power to detain and dispose of livestock straying onto Council owned land	H-Enf
Criminal Damage Act 1971		
Sections 1, 2 & 3	Powers to prosecute and enforce against any damage to, or destruction of, property including defacement and graffiti	H-Enf
GLC (General Powers) Act 1972		
Sections 17 & 19	Powers to require information about vehicles involved in the commission of offences and to require the restoration of gas or electricity supply where disconnected	H-Enf
European Communities Act 1972		
Section 2	<ol style="list-style-type: none"> 1. Power to implement Treaties and other subordinate legislation relating to additives, preservatives, colouring matter, antioxidants and standards of foodstuffs for Human Consumption. 2. Power to enforce the Orders in Council and Regulations made under section 2 of this Act relating to the enforcement functions of the Directorate. 	H-Enf

Local Government Act 1972		
Section 213	Power to levy duties on licences for dealing in or killing game	H-Enf
Section 222	Power to prosecute, defend or appear in any legal proceedings, power to institute civil proceedings in the Council's name and power to make representations on behalf of inhabitants at any public inquiry where this is considered expedient for the promotion or protection of the interests of the inhabitants of the Borough and related to the enforcement functions of the Directorate	H-Enf
Section 235	Power to enforce byelaws made under this section related to the enforcement functions of the Directorate	H-Enf
The Road Traffic (Foreign Vehicles) Act 1972		
Sections 1 and 2	Power in certain cases to prohibit driving of foreign vehicles	H-Enf
The Poisons Act 1972		
Sections 5, 6 & 9	Powers to keep lists of persons allowed to sell non-medicinal poisons and to prohibit misrepresentations about poisons including powers to enter, inspect, take samples and enforce	H-Enf
Land Compensation Act 1973		
Sections 39 & 40	Powers to re-house residential house occupiers or caravan dwellers displaced under compulsory purchase or housing powers	AD-SCH HHNL
Fair Trading Act 1973		
Sections 27, 28, 29, 32 & 130	Powers in relation to unfair trade practices, test purchases and seizing goods in order to protect consumers	H-Enf
Greater London Council (General Powers) Act 1973		
Section 30, 31 & 32	Powers to close unsanitary food premises, to regulate self-operated laundrettes and to maintain consumer advisory and	H-Enf

	protection services	
Breeding of Dogs Acts 1973 - 1999		
Sections 1, 2 & 3	Limited Delegation: Power to grant a licence to dog breeders and impose conditions, including powers of entry, inspection and enforcement, except that cases where refusal of a licence is recommended are referred to the Miscellaneous Functions Sub-Committee for determination	H-Enf
Hallmarking Act 1973		
Section 9	Powers to enter and inspect premises and to make test purchases and seize articles for the purposes of enforcement	H-Enf
Consumer Credit Acts 1974 - 2006		
Part XI	Powers to enter and inspect premises, make test purchases, take copies and enforce provisions for the protection of consumers and borrowers	H-Enf
Control of Pollution Act 1974		
Whole Act	Powers in relation to noise abatement including inspection measurement, notices to require noise reduction, entry, inspection, works in default and costs recovery	H-Enf
Health and Safety at Work etc Act 1974		
Sections 18, 20, 21, 22, 25 & 34	Powers relating to health & safety at work and the enforcement of provisions under the Act and Regulations made under the Act	H-Enf
Sections 19 & 39	Powers to appoint inspectors and to authorise inspectors to prosecute in Court for offences	AD-FS H-Enf only
Prices Acts 1974 and 1975		
Sections 2, 4 & 5 and the Schedule	Powers relating to consumer protection under these Acts and Regulations made under them	H-Enf
Slaughter Houses Act 1974		
Parts 1 & 2	Powers and duties in relation to the	H-Enf

	provision and regulation of slaughter houses and knackers yards, powers to enter and inspect premises and powers to enforce Regulations as to slaughter of animals	
Greater London Council (General Powers) Act 1974		
Section 15 (4)	Power to vary the location of a marked footway parking bay where the Council has authorised the parking of vehicles on the footway under this Act	HST HP
Section 15	Power to prosecute contraventions relating to parking on highways verges	HP CEOs & Parking Super visors
Guard Dogs Act 1975		
Sections 3, 5 & 6	Powers to license owners/users of guard dogs and to enforce provisions	H-Enf
Safety of Sports Grounds Act 1975		
Sections 10 & 10B	Powers to serve prohibition notice and to grant any approvals required under the Safety Certificate and to approve applications for Safety Certificates in accordance with the legislation	AD-P&R HBC H-Enf
Dangerous Wild Animals Act 1976		
Sections 1, 2, 3 & 4	Powers to licence the keeping of wild animals including powers to seize and destroy animals	H-Enf
Local Government (Miscellaneous Provisions) Act 1976		
Section 15	Power to survey land which the Council proposes to acquire compulsorily and appoint officers to exercise functions under this section	DUE AD-FS only
Section 16	Power to serve requisitions for information	AD-P&R AD-FS HST HBC Principal Building

		Surveyor
		H-Enf
Sections 20, 23, 24, 25, 29, 33 & 35	Powers in relation to the provision of toilets at places of entertainment, controls on dangerous trees, dangerous excavations, unoccupied buildings, the restoration of water, gas and electricity supplies and the removal of obstructions from private sewers	H-Enf HIMPS
Energy Act 1976		
Sections 15 & 16	Powers to enforce Orders relating to the price of fuel and the testing of motor fuel for consumption	H-Enf
Protection from Eviction Act 1977		
Section 6	Power to authorise prosecutions for unlawful harassment and eviction of residential tenants and occupiers	HHSO
Criminal Law Act 1977		
Section 1	Power to prosecute conspiracy to commit any offence relating to the enforcement functions of the Directorate	H-Enf
Section 12A(6)(d)	Power to sign and issue a certificate to a protected intending occupier	AD-SCH HHNL
Rent Act 1977		
Section 68	Power to apply to a rent officer for consideration of a fair rent	AD-SCH HHSO
Insurance Brokers (Registration) Act 1977		
Section 22	Power to enforce restrictions on the use of titles and descriptions	H-Enf
Greater London Council (General Powers) Act 1978		
Section 5	Power to enforce provisions of this Act with respect to entertainments booking offices	H-Enf
Refuse Disposal (Amenity) Act 1978		
Sections 2, 2A, 2B &	Powers to enforce against the	H-Enf HP

10	unauthorised dumping of vehicles and other waste matter and the provision of false information including powers to serve fixed penalty notices, prosecute, recover costs, enter premises and enforce Regulations under the Act	HST
Sections 3 to 5	Powers to remove and dispose of abandoned vehicles and to recover related expenses	H-Enf HP HST Abandoned vehicle inspectors, Parking service managers & Parking team leaders
Section 6	Power to remove and dispose of refuse unlawfully abandoned	H-Enf H-EnvRes
Section 8	Power to authorise officers in writing to enter land for the purposes of ascertaining whether powers relating to abandoned vehicles should be exercised	AD-FS HP HST only
Transport Act 1978		
Whole Act	Duty to ensure vehicles are mechanically sound, not overloaded and meet other legal requirements	H-EnvRes
Estate Agents Act 1979		
Sections 11 & 26	Powers to regulate the work of estate agents and the persons who can offer services as such and to enter premises and to inspect and seize records	H-Enf
Greater London Council (General Powers) Act 1979		
Section 5	Power to provide and permit advertisement units, showcases etc. upon the highway	HST
Section 8 and Schedule 2	Power to serve notice on occupiers to destroy Brown Tail Moth on their land and to enter and carry out works in default and recover expenses	H-Enf
Highways Act 1980		

Whole Act (except sections 90A to 90H)	Powers relating to highways including the register, adoption, agreements, maintenance, repair, improvement, bridges, stopping up, gating, diversion, upholding public rights, prevention of damage and interference, crossovers, new streets, private streets, advance payments, agreements for works, permitting amenities and services, recovering expenses, powers of entry and enforcement	AD-FS HST TTL
Sections 90A to 90H	Limited Delegation: All functions relating to road humps and other traffic calming works including powers to undertake consultations and to implement unopposed proposals but any proposals subject to objection shall be referred to the Cabinet/Cabinet Member for decision	AD-FS* HST*
Sections 115K, 130 to 134, 136 to 156, 160A to 180, 184, 289 to 294, 297, 303, 305, 312, 321 & 322	All powers to enforce and to prosecute offences in relation to highways and the obstruction of officers and powers of entry to premises/land and powers to serve notices/documents	H-Enf
Magistrates Courts Act 1980		
Section 44	Power to authorise prosecutions of aiding and abetting principal offenders in summary cases	H-Enf
Wildlife and Countryside Acts 1981 - 1991		
Section 25	Powers to protect wild birds, their nests and eggs and to enforce against offences	H-Enf
Section 53	Powers to modify the Definitive Map and Statement of Public Rights of Way in the Borough on the happening of a relevant event (creation or cessation of highway rights)	HST TTL
Zoo Licensing Act 1981		
Sections 1, 4, 5, 6, 7, 15, 16 & 19	Limited Delegation: Powers relating to the licensing of private zoos including inspection and enforcement and determination of fees except that any application for a new zoo in the Borough	H-Enf

	shall be referred to the Miscellaneous Functions Sub-Committee for determination	
Animal Health Acts 1981 - 2002		
Sections 13, 17, 18, 50, 52, 57, 72 & 73	Powers relating to animal welfare, the control of infectious diseases and the appointment of inspectors	H-Enf
Section 52	Power to appoint inspectors and assign duties under the Acts	AD-FS H-Enf only
Criminal Attempts Act 1981		
Part 1	Power to prosecute for offences under this Part of the Act relating to attempts to commit offences	H-Enf
Forgery and Counterfeiting Act 1981		
Parts 1 and 2	Power to prosecute for offences of forgery counterfeiting and using a false instrument under this Act	H-Enf
Energy Conservation Act 1981		
Section 20 and Part 1	Power to enforce provisions of the Act relating to the proper marking/grading of energy consuming appliances	H-Enf
Local Government (Miscellaneous Provisions) Act 1982		
Section 2 & Schedule 3	Limited Delegation: Powers in relation to the licensing of sex establishments including entry to premises, inspection and enforcement except that any applications for the grant, renewal, variation or transfer of a licence subject to objection, or that would enable a sex establishment to open on a Sunday, are to be referred to the Miscellaneous Functions Sub-Committee for determination	H-Enf
Sections 29, 30 & 33	Powers in relation to the boarding up of vacant premises, property protection and	H-Enf

	renovation	HIMPS
Section 37	Powers in relation to temporary markets	H-Enf
Litter Act 1983		
Section 5 & 6	Powers to maintain receptacles on streets for litter and to enforce against littering elsewhere	H-EnvRes H-Enf
Cycle Tracks Act 1984		
Sections 3 & 4	Limited Delegation: All functions relating to cycle tracks except that: (i) the Cabinet Member shall approve all proposed Orders to designate all or part of a public footpath as a cycle track prior to statutory consultation, and (ii) no Order which has been subject to objection shall be submitted to the Secretary of State for confirmation without the prior agreement of the Cabinet Member	AD-FS* HST *
Food Act 1984		
Section 54, 55 & 57	Powers to weigh animals at markets and to charge for doing so	H-Enf
Road Traffic Regulation Act 1984		
Sections 6, 9, 10, 14, 15, 16, 21, 23, 26, 45, 46, 46A, 49, 51, 61, 63, 63A, 65, 68, 69, 71, 73, 74, 74A, 84, 121B, 122 & 122A	Limited Delegation: All functions under these provisions relating to road traffic except that any proposed permanent traffic regulation order subject to valid objection shall be referred to the Cabinet Member or Cabinet meeting for decision	AD-FS HST
Section 10(2)	Power to act as a specified officer for modifying or suspending experimental traffic schemes	AD-FS HST only
Sections 16A, 16B & 16C	Limited Delegation: Power in consultation with the Cabinet Member to approve and implement temporary road closures for special events subject to at least half the cost being met by the applicant	AD-FS* HST*
Sections 8, 11, 16, 35A, 61 & 108 to 112	Powers to give or fix penalty charge notices relating to contraventions of Traffic Regulation Orders or similar Orders, Experimental Traffic Orders, Temporary Prohibition Orders, Off Street Parking Places	HP CEOs and Parking Supervisors

	Orders and Prohibitions against Vehicles in Loading Areas	
Sections 99 to 103	All powers and functions relating to the removal, custody, release and disposal of vehicles illegally, dangerously or obstructively parked, abandoned or broken down and recovery of charges and ascertainment of keepers and owners of vehicles	H-Enf HP HST Abandoned vehicle inspectors, Parking team leaders & Parking service managers
Public Health (Control of Disease) Act 1984		
Whole Act	Powers in relation to the control of notifiable diseases and infected persons, premises and articles under the Act and Regulations	H-Enf
Telecommunications Act 1984		
Sections 28 and 29	Power to enforce provisions relating to the sale and advertising for sale of telecommunications equipment	H-Enf
Video Recordings Act 1984		
Section 16A	Powers to make test purchases and to enter premises and inspect and seize goods and documents	H-Enf
Greater London Council (General Powers) Act 1984		
Sections 25, 26, 28, 31, 34, 37 & 38,	Powers to register market premises and stalls and to enforce against sales from unregistered premises/stalls and to take action in respect of dangerous buildings or structures	H-Enf
Building Act 1984		
Whole Act	All functions in relation to building regulations, building plans, building standards and requirements, including powers to reject plans, to require the removal, alteration or execution of works, to enforce the building regulations, to serve notices, to execute works in default	AD-P&R HBC H-Enf Principal Building Surveyors HIMPS

	and to prosecute offences	
Food and Environment Protection Act 1985		
Part 1	Powers in relation to contamination of food	H-Enf
Housing Act 1985		
Sections 9, 10, 11, 12, 15 & 32 to 42,	Functions in relation to the provision of land, accommodation and other facilities and in relation to disposals of housing and the repayment of discounts	AD-SCH only
Sections 13 & 14	Powers to lay out public streets and open spaces when developing housing land and to contribute to expenses and to execute works in connection with housing operations outside the Borough	DUE only
Sections 18 and 106	Powers to deal with land acquired or appropriated for the provision of accommodation and to provide information about housing allocation	AD-SCH HHNL
Part IV and Part V	Limited Delegation: Power to take any decisions in the Council's interests in accordance with (i) policies agreed by the Cabinet and (ii) the Management Agreement with Homes for Haringey Ltd in relation to Part IV (secure tenancies) and Part V (right to buy)	DUE AD-SCH
Part VI	All functions relating to repair notices for unfit dwellings under this Part	AD-SCH HIMPS
Part VIII	Limited Delegation: All functions relating to Area Improvement under this Part excluding powers to declare housing action areas and general improvement areas which are reserved to the Cabinet Member or Cabinet meeting	AD-SCH HIMPS
Part XI	Limited Delegation: All functions relating to Slum Clearance under this Part excluding power to declare a clearance area which is reserved to the Cabinet Member or Cabinet meeting	AD-SCH HIMPS
Part X	All functions relating to overcrowding of dwellings under this Part	AD-SCH HIMPS

Part XI	All functions relating to houses in multiple occupation under this Part including registration schemes, management standards and control orders	AD-SCH HIMPS
Section 428 and Part XIV and Schedules 16, 17 & 18	Powers to borrow for purposes of the Act and functions relating to the advancement, management and enforcement of mortgages under Part XIV	AD-SCH only
Section 523 and Part XVI and Schedule 21	Power to provide separate service pipes for water supply and functions relating to assistance for owners of defective housing under Part XVI	AD-SCH HIMPS
Sections 582 & 583	Powers give notices of non-confirmed CPOs and to continue tenancies in houses compulsorily acquired	AD-SCH HIMPS
Sections 604A, 605, 609 & 610	Powers relating to closing orders, to inspect district, to enforce covenants and to apply to Court to modify covenants	AD-SCH HIMPS
Housing Associations Act 1985		
Sections 34, 58 & 61	Powers to assist housing associations and sell furniture to persons housed by them	AD-SCH
Weights and Measures Act 1985		
Whole Act except provisions expressly set out below	All functions of weights and measures inspectors under the Act including powers of inspection, entry, test purchases, enforcement and prosecution	H-Enf Weights & Measures Inspectors only
Section 11	Power to direct manner in which equipment for verification is submitted and charge reasonable fees	H-Enf TL- TS only
Section 72	Power to appoint Inspectors of Weights and Measures and Deputy Chief Inspector	AD-FS H- Enf only
Section 74	Power to make arrangements for the adjustment of Weights and Measures and to charge a reasonable fee.	H-Enf TL- TS only
Section 76	Power to determine fee for the verification of items in bulk.	H-Enf only
Landlord & Tenant Act 1985		
Sections 1 to 7 & 34	Power to authorise prosecutions relating to breach of landlord's obligations under the	HIMPS

	Act	
Business Names Act 1985		
Sections 2 to 6	Power to enforce as to provisions of the Act including failure to disclose information	H-Enf
Companies Act 1985		
Sections 33, 34, 348 & 351	Powers to enforce against companies falsely claiming "limited" company status and failing to include company's name on letters and premises	H-Enf
Intoxicating Substances (Supply) Act 1985		
Section 1	Power to enforce as to provisions of the Act	H-Enf
Greater London Council (General Powers) Act 1986		
Sections 5 to 8	Power to relating to works under streets, underground cellars and vaults and retaining walls including enforcement and prosecution of offences	HST
Protection of Children (Tobacco) Act 1986		
Sections 3 & 4	Powers to enforce against unlawful sale of unpackaged cigarettes to children and failure to display warnings	H-Enf
Crossbows Act 1987		
Sections 1 & 2	Power to enforce against sale or letting of crossbows involving young persons or on-line	H-Enf
Motor Cycle Noise Act 1987		
Section 1 and Schedule	Power to enforce provisions of the Act	H-Enf
Consumer Protection Act 1987		
Sections 14, 16, 28, 29, Part III and Part IV	Functions relating to annual and occasional licences and powers of entry, inspection, test purchase, seizure, examination of records and prosecution of offences	H-Enf

Fire Safety and Safety of Places of Sport Act 1987		
Whole Act	Powers to secure public safety at sports places and grounds	H-Enf
Copyright Designs and Patents Act 1988		
Sections 107, 107A, 198 & 198A	Powers to investigate and enforce against alleged offences of possessing, importing, making, dealing with or using any illicit recording or article infringing copyright	H-Enf
Criminal Justice Act 1988		
Sections 141 & 141A	Powers to inspect, investigate and enforce against alleged offences in connection with offensive weapons including knives offered or sold to young persons	H-Enf
Local Government Act 1988		
Section 37	Power to enforce Regulations as to establishment of dog registration scheme	H-Enf
Education Reform Act 1988		
Section 215	Powers to enter premises and seize evidence	H-Enf
Road Traffic Act 1988		
Sections 17, 40A, 41A, 41B, 42, 70, 75, 76, 78 & 81	Power to investigate and enforce provisions regulating the sale of protective helmets and eye protection for motor cyclists and the construction and use of vehicles and other safety controls	H-Enf
Section 39	Duty to promote road safety	AD-FS HST
Sections 19, 21 & 36	Power to give or fix penalty charge notices relating to the parking of heavy goods vehicles on highway verges, central reservations and footways and relating to driving or parking mechanically propelled vehicles on cycle tracks and relating to failure to comply with a traffic sign	CEOs and Parking Supervisors
Scotch Whiskey Act 1988		

Section 2	Power to enforce restrictions on sale of spirits falsely described as scotch whiskey	H-Enf
Local Government and Housing Act 1989		
Sections 92, 93, 97 & Part VIII	Power in relation to renewal areas and to re-determine previously approved grants towards cost of improvements and repairs etc and to recover grant monies where appropriate	AD-SCH HIMPS
Control of Pollution (Amendment) Act 1989		
Sections 1, 5, 5A, & 5B	Powers to enforce against unregistered carriers of controlled waste and to stop search and seize vehicles with regard to transport of controlled waste	AD-FS H-Enf
London Local Authorities Act 1990		
Part III	Limited Delegation: Powers to grant and renew street trading licences in respect of licence streets and to issue temporary licences and licences by way of succession, to make Regulations specifying terms and conditions attached to licences, to designate pitches and to enforce against illegal trading. This delegation excludes the revocation of licences which stand referred to the Miscellaneous Functions Sub-Committee.	H-Enf
Planning (Hazardous Substances) Act 1990		
Section 24	Power to issue a Hazardous Substances Contravention Notice	AD-P&R HDM
Town and Country Planning Act 1990		
Sections 70, 70A, 72, 73 & 73A	Limited Delegation: Power to determine applications for planning permission, including the imposition, variation and removal of conditions, and power to decline to determine applications, subject to the limitations on delegation set out in Appendix 1 below	AD-P&R* HDM* only

Section 106 & 106A (1) & (2)	Limited Delegation: Power to enter into planning agreements/obligations in accordance with, or to give proper effect to, existing decisions or policies of the Planning Committee and, in consultation with the Chair of the Planning Committee, where this would be expedient in the interests of the Council as local planning authority and in terms of planning considerations. Power to modify or discharge any agreement provided this does not conflict with heads of terms and/or substantive benefits agreed by the Committee. In any case where this would conflict with the agreed heads of terms and/or substantive benefits, the power shall only be exercised with the consent of the Chair of the Planning Committee	AD-P&R* HDM* only
Section 107	Limited Delegation: Power to pay compensation for revocation or modification of planning permission after obtaining advice from the Head of Property Services and the Head of the Legal Service.	AD-P&R HDM only
Sections 69, 71, 78, 78A, 110, 127, 132, 139, 146, 151, 152, 159 & 169	All functions under these provisions relating to applications generally including the register of planning applications, consultation on applications, notices to applicants, compensation claims and notices, purchase notices & response notices and blight notices & counter-notices	AD-P&R HDM
Part VII	All functions under this Part relating enforcement of planning control including planning contravention notices, enforcement notices, stop notices, injunctions, certificates of lawful use or development and rights of entry	AD-P&R HDM TL- PE H-Enf
Part VIII	All functions under these provisions relating to trees including tree preservation orders, trees in conservation areas, tree replanting, controls on works to trees, rights of entry and powers to prosecute, and all functions relating to land adversely affecting local amenity and control of advertisements	AD-P&R HDM TL- PE H-Enf

Section 247	Limited Delegation: Power to submit a holding objection, on behalf of the local highway authority or local planning authority, in respect of proposals by another London Borough to stop up highway(s) for development until such time as the proposed stopping-up can be reported to Members for a formal decision and power to authorise the stopping up or diversion of any highway if necessary to enable development (permitted by the Planning Committee or under other powers delegated to officers) to be carried out	AD-P&R* HDM* TTL* HST* only
Sections 324	Power to authorise officers to enter land for any purposes under this section	AD-P&R HDM H- Enf TL-PE only
Section 325, 329 & 330	Power to prosecute for obstructing officers exercising rights of entry, to serve any notice or other document under the Act and to serve notices requiring information as to the nature of interest in the land/premises and to prosecute for non-compliance	AD-P&R HDM H- Enf TL-PE
Planning (Listed Buildings & Conservation Areas) Act 1990		
Sections 7, 9, 42, 43 & 59	Powers to prosecute for executing etc. works or demolition to listed buildings or buildings in conservation areas that are unauthorised or in breach of condition, powers to authorise entry onto land and to prosecute for non-compliance with a listed building enforcement notice or a conservation area enforcement notice and to recover the costs of steps required and power to prosecute for acts damaging listed buildings	H-Enf AD-P&R HDM TL-PE
Sections 14, 15, 16, 17, 18, 19, 28, 29, 38, 44A, 53, 54 & 55	Powers and duties relating to the determination of applications for listed building consent and conservation area consent or variations, functions relating to compensation for revocation of listed building consent or service of a listed	AD-P&R HDM only

	building preservation notice, functions relating to the management and disposal of land acquired under the Act, powers to execute urgent work for the preservation of listed buildings and to recover costs. Powers to issue listed building and conservation area enforcement notices and power to apply to Court for injunctions to restrain unauthorised works	
Environmental Protection Act 1990		
Part I	Functions in relation to integrated pollution control and air pollution control under this Part of the Act include authorisations and enforcement	H-Enf
Part II – Sections 33, 33C, 34, 34A to C, 35, 44, 47ZA, 47ZB, 59, 59C, 59ZA, 60, 62 & 63	Functions in relation to waste on land under this Part of the Act including powers to prosecute, give fixed penalty notices and enforce against unauthorised deposits of waste and breaches of the duty of care, waste management licence conditions, requirements relating to the collection of household, commercial and industrial waste and requirements relating to special and controlled waste	H-Enf H-EnvRes
Part II - Sections 46, 47 & 55	Powers to impose requirements by notice in relation to the collection of household, commercial and industrial waste, powers to fix local rates of charge and powers to buy, use or dispose of waste in connection with recycling	H-EnvRes Contract monitoring manager & contract monitoring officers
Part IIA	Functions under this Part relating to contaminated land	H-Enf
Part III & Part IV	Functions under these Parts relating to statutory nuisances, litter and abandoned shopping trolleys	H-Enf
Part VIII & Part IX	Functions under these Parts include powers to enforce against injurious substances, restrictions on the import/export of waste, obtaining information about hazardous substances, power to seize and receive stray dogs and power to serve notices	H-Enf
Section 143	Duty to compile and maintain a public register of land subject to contamination	H-EnvRes H-Enf

Food Safety Act 1990		
Whole Act	All functions under the Act including food hygiene, powers of entry, inspection, sampling, analysis, seizure enforcement and the prosecution of offences	H-Enf
Breeding of Dogs Act 1991		
Sections 1 & 2	Power to authorise officers to obtain justice's warrant to enter unlicensed premises and to apply to Court for disqualification from holding licence	H-Enf
London Local Authorities Act 1991		
Sections 6 to 12	Limited Delegation: Powers to grant, renew and transfer unopposed applications for a special treatment licence (use for massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment including vapour sauna or other baths) and the imposition of conditions, variation and cancellation of licences. Opposed applications for licences and their proposed revocation are referred to the Miscellaneous Functions Sub-Committee for decision	H-Enf
Sections 14, 23 & 25	Powers to control the installation of audible intruder alarms and to enforce the provisions of the Act including entry and inspection of premises	H-Enf
New Roads & Street Works Act 1991		
Part III	Functions under this Part relate to street works licensing, enforcement of controls, advance notice of works, timing directions, duties to re-instate, charges for occupation of the highway by undertakers, location of apparatus and the prosecution of offences and recovery of costs	HST
Land Drainage Act 1991		
Sections 14, 15, 17, 20 & 25	Powers to maintain, improve and construct works, to apply for powers of entry, to apply to the National Rivers Authority to	HST

	carry out drainage works and to enter into agreements, serve notices and recover costs	
Property Misdescriptions Act 1991		
Section 3 and Schedule	Power to enforce provisions of the Act	H-Enf
Dangerous Dogs Act 1991		
Sections 1, 3 & 5	Powers to enter premises, seize dangerous dogs and enforce provisions of the Act	H-Enf
Deer Act 1991		
Section 11	Power to inspect the records of licensed game dealers and to enforce the provisions of the Act	H-Enf
Water Industry Act 1991		
Section 84	Power to authorise appropriate officers to exercise the powers of entry	AD-FS H-Enf only
Section 85	Power to serve on any person a notice requiring them to furnish information	H-Enf
Section 115	Power to agree use of highway drains	HST
Children and Young Persons (Protection from Tobacco) Act 1991		
Whole Act	Enforcement functions to prevent children and young persons from being sold tobacco	H-Enf
Road Traffic Act 1991		
Sections 66, 69 & 77	Power to give or fix penalty charge notices to stationary vehicles in a designated parking place, power to fix immobilisation devices to vehicles and power to give or fix penalty charge notices to stationary vehicles outside a designated parking place and to fix an immobilisation device	CEOs and Parking Supervisors
Section 71(7)	Power to determine sums to be refunded under section 71(6) when statutory ground is established	HP & Parking Service Managers

Section 71(6) and Schedule 6	Powers to consider representations made concerning the removal or immobilisation of vehicles and to serve notice as to whether the Council accepts that a statutory ground has been established and power to serve notices to owner on the expiry of a penalty charge notice, power to consider representations and to serve notice as to whether statutory grounds are established and powers to serve and enforce a charge certificate	HP Parking Service Managers, Customer Administration Officers & Team Leaders, Parking Revenue Officers & Team Leaders
Timeshare Act 1992		
Section 10 and Schedule	Power to enforce provisions of the Act	H-Enf
Leasehold Reform, Housing and Urban Development Act 1993		
Sections 104 to 120	Powers relating to the Council's voluntary home sales scheme and to the rents to mortgages scheme	AD-SCH
Clean Air Act 1993		
Whole Act	Functions under the Act include approving furnaces and chimneys, powers relating to smoke control areas, adaptations to fireplaces and dwellings, content of fuel, air pollution controls, obtaining information, powers of entry, inspection, enforcement and powers to prosecute	H-Enf
Noise and Statutory Nuisance Act 1993		
Section 8 & Schedule 2 and Section 9 & Schedule 3	Power to grant consent for the operation of a loudspeaker and power to enforce requirements as to audible intruder alarms	H-Enf
Radioactive Substances Act 1993		
Sections 18 & 39	Power to make charges in respect of special precautions as to authorised disposal of radioactive waste and power to main records sent to authority under the Act and to make copies available to public	H-Enf

Criminal Justice and Public Order Act 1994		
Sections 77 & 78	Powers to give direction to leave Council owned land and to authorise Court proceedings for failure to comply or for re-entry onto the land and for the removal of persons and vehicles from Council owned land	H-Enf
Sunday Trading Act 1994		
Section 1 and Schedules 1, 2 and 3	Power to enforce the provisions of Schedule 1 [restrictions on Sunday opening of large shops], Part 2 of Schedule 2 [shops occupied by persons observing Jewish Sabbath] and Schedule 3 [restrictions on loading and unloading at large shops on Sunday morning]	H-Enf
Trade Marks Act 1994		
Section 93	Power to investigate and enforce provisions of the Act against unauthorised use of trade marks in relation to goods	H-Enf
London Local Authorities Act 1995		
Sections 11 & 12	Power to issue a notice requiring the removal of unauthorised advertisement hoardings and to enter land to enforce removal and recover reasonable expenses, and powers to enforce provisions in relation to defacement of buildings	AD-P&R HDM H-Enf
Part 4	Powers to grant, renew, transfer, vary and refuse near beer licences and to prescribe standard terms, conditions and restrictions for attachment to licences including powers of entry, inspection, seizure, enforcement and prosecution	H-Enf
Olympic Symbol etc. (Protection) Act 1995		
Sections 8 & 8A	Power to prosecute offences in relation to goods infringing the Act	H-Enf
Town and Country Planning (General Permitted Development) Order		

1995		
Schedule 2, Parts 24, 25 & 31.	Power to determine applications for development by telecommunications code system operators and power to decide any application for a determination as to whether the prior approval of the authority will be required to the method of a proposed demolition and any proposed restoration of the site.	AD-P&R HDM
Environment Act 1995		
Sections 82, 83, 84, 108 & 113	Powers to review Air Quality regularly, to designate Air Quality Management Areas, to disclose information in accordance with the Act and to investigate and enforce the provisions of the Act	H-Enf
The Party Wall etc Act 1996		
Section 10 (8)	Power to appoint independent surveyor in neighbour disputes concerning party walls	HBC
Housing Grants, Construction and Regeneration Act 1996		
Sections 81, 82, 84 & 86	Functions and determinations in relation to Deferred Action Notices	HIMPS
Noise Act 1996		
Whole Act	Powers to investigate noise complaints including the service of warning notices and fixed penalty notices and powers to enter dwellings and seize equipment	H-Enf
London Local Authorities Act 1996		
Section 4	Power to serve penalty charge notices with respect to contraventions of any Traffic Regulation Order affecting a bus lane	CEOs and Parking Supervisors, CCTV Operators & CCTV Supervisors
Section 6 and Schedule 1	Power to serve enforcement notices, consider representations and serve notices as to whether statutory grounds are	HP Parking Service Managers, Customer

	established and powers to serve and enforce charge certificates	Administration Officers & Team Leaders, Parking Revenue Officers & Team Leaders, CCTV Operators & CCTV Supervisors
Housing Act 1996		
Part V	Power to take any decisions in the Council's interests in accordance with (i) policies agreed by the Cabinet and (ii) the Management Agreement with Homes for Haringey Ltd in relation to Part V (conduct of tenants)	DUE AD-SCH only
Part VI Sections 159 to 160A, 166 to 168, 170 & 171	Functions relating to the allocation of housing accommodation, the allocation scheme and co-operation with registered social landlords and powers to prosecute for false information and other contraventions	AD-SCH HHNL
Part VII	Functions relating to homeless persons and those threatened with homelessness and powers to prosecute for false information and other contraventions	AD-SCH HHNL
Knives Act 1997		
Sections 1 & 2	Powers to enforce against unlawful marketing of knives and associated publications	H-Enf
Protection from Harassment Act 1997		
Sections 1, 2, 4 & 5	Power to authorise prosecutions for harassment and putting people in fear of violence and powers relating to restraining orders	H-Enf
Crime and Disorder Act 1998		
Section 1	Power to apply for and enforce anti-social behaviour orders (ASBOs)	H-Enf

Building (Local Authority Charges) Regulations 1998		
	Authority to revise scale of charges (in consultation with Cabinet Member, Environment)	AD-P&R* HBC*
Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 - 2008		
	<ul style="list-style-type: none"> • Power to adopt a screening opinion i.e. to determine whether or not development is "EIA development", within the meaning of the Regulations. • Power to adopt a scoping opinion on the information or matters to be covered by an environmental statement. • Powers to seek further information or to secure compliance with the Regulations 	AD-P&R HDM only
Breeding and Sale of Dogs (Welfare) Act 1999		
Sections 8 & 9	Power to enforce provisions of the Act on sale of dogs by keepers of licensed breeding establishments	H-Enf
Food Standards Act 1999		
Sections 10 to 14 & 27	Powers to carry out observations, enter premises and take samples in accordance with authorisation by the Food Standards Authority (FSA), to enforce Regulations as to the notification of tests for food borne disease and to publish reports and supply information to the FSA on Council enforcement activity	H-Enf
Greater London Authority Act 1999		
Part 9	Power to provide information in response to directions and requests from the Mayor as to waste, air quality and noise.	H-Enf
Pollution Prevention		

and Control Act 1999		
Section 2	Power to enforce Regulations to control polluting activities.	H-Enf
Regulation of Investigatory Powers Act 2000		
Sections 28 and 29	Power to authorise directed surveillance or the conduct and use of a covert human intelligence source for the purpose of preventing or detecting crime	DUE AD-FS H-Enf - only
Local Government Act 2000		
Sections 2 to 4	Limited Delegation: Powers to take steps to promote economic, social and environmental well-being subject to advice from the Head of Legal Services on each proposed exercise of these powers	AD-P&R H-Econ Reg
London Local Authorities Act 2000		
Part 2	Enforcement of powers relating to parking controls	HP
Part 3 including section 19	Enforcement of powers relating to waste control and litter including power to require by cleansing notice the sweeping and cleansing of land and power to revoke notices	H-Enf H-EnvRes
Part 5 and section 50	Enforcement of all provisions relating to buskers including power to grant licences subject to conditions, to refuse applications and to cancel or revoke licences and power to enforce against the obstruction of authorised officers	H-Enf
Section 45	Powers to take emergency measures to deal with dangerous buildings including the making of representations to a Magistrate's Court in respect of dangerous buildings or structures	AD-P&R HBC Principal Building Surveyors, Senior Building Surveyors
Criminal Justice and Police Act 2001		
Sections 19, 20, 22,	Powers relating to closure notices against	H-Enf

25, 29 to 32 & 46	unlicensed sales of alcohol on premises, powers to control or prevent the purchase or consumption of alcohol by young persons and powers to enforce against the placing of advertisements in or near public telephones relating to prostitution	
Vehicles (Crime) Act 2001		
Sections 1 to 5, 7, 8, 11 & 12 and Part 2	Powers in relation to the registration of motor salvage operators and to enforce provisions relating to registration plate suppliers	H-Enf
Private Security Industry Act 2001		
Section 13	Power to undertake relevant licensing functions in accordance with regulatory provisions as to door supervisors	H-Enf
Tobacco Advertising and Promotion Act 2002		
Sections 13, 14 & 15	Power to enter premises, apply for warrants, make purchases and enforce provisions	H-Enf
Enterprise Act 2002		
Part 8 & Part 9	Power to enforce provisions including prior consultation, applying to Court for enforcement order, accepting undertakings, serving and enforcing information notice and power to disclose information under the Act	H-Enf
Proceeds of Crime Act 2002		
Parts 2, 5 and 8	Power to institute proceedings for the recovery of assets and to engage the services of the Asset Recovery Agency, Regional Asset Recovery Team or an accredited Financial Investigator when appropriate	H-Enf
The Regulatory Reform (Housing Assistance) Order 2002		
Articles 3 to 7	Limited Delegation: Power to provide assistance for the acquisition, improvement, repair, demolition or	AD-SCH HIMPS

	replacement of living accommodation and functions in relation to supplementary and protective provisions and the provision of information and evidence. This delegation can only be exercised in accordance with a policy for the provision of assistance under Art.3 adopted by the Cabinet Member or Cabinet meeting	
London Local Authorities and Transport for London Act 2003		
Sections 4, 5, 6, 8, 9, 16, 17, 22 and Schedules 1 to 4	Powers to serve penalty charge notices in relation to road traffic contraventions, to issue operator's notices and to enforce against contraventions of lorry ban order, to serve fixed penalty notices for prescribed offences under the Highways Act 1980, to enforce in relation to vehicle crossings over footways and in relation to the removal of things deposited on the highway and to recover the expenditure incurred and to enforce against obstruction of authorised officers	HP H-Enf CEOs and Parking Supervisors
Section 21	Power to appoint authorised officers under this Act	AD-FS HP H-Enf only
Fireworks Act 2003		
Section 12	Power to enforce Regulations made under section 2 of the Act	H-Enf
Licensing Act 2003	Limited Delegation: The delegations to officers under this Act exclude all the matters reserved by law to the Licensing Committee and Licensing Sub-Committees as set out in Appendix 2 below	
Section 5	Power to consult about the Statement of Licensing Policy or revisions but excluding the final adoption of the Statement of Licensing Policy or revisions to it	H-Enf
Section 8 and Schedule 3	Duties in relation to the register of prescribed licensing information	H-Enf
Sections 13, 69, 108 and 179	Power to appoint authorised persons or officers for purposes of this Act	AD-FS H-Enf - only
Part 3 and Schedule 5 Part 1	Powers in relation to Premises Licenses including	H-Enf

	applications for, and the grant, duration, variation, updating, transfer and review of, licences and provisional statements, interim authority notices and inspection of premises. Powers in relation to the conduct of appeals and the enforcement of these provisions	
Part 4 and Schedule 5 Part 2	Powers in relation to Club Premises Certificates including applications for, and determinations relating to, the grant, duration, variation, updating, withdrawal and review of, certificates. Powers in relation to the conduct of appeals and the enforcement of these provisions	H-Enf
Part 5 and Schedule 5 Part 3	Powers in relation to Permitted Temporary Activities including Temporary Event Notices and objections, modifications, rights of entry and copies. Powers in relation to the conduct of appeals and the enforcement of these provisions	H-Enf
Part 6 and Schedule 5 Part 3	Powers in relation to Personal Licences, Including applications for, and the grant and renewal of, licences including notification of changes and convictions. Powers in relation to the conduct of appeals and the enforcement of these provisions	H-Enf
Parts 7, 8 & 9 and all Regulations made under the Licensing Act 2003	Powers in relation to offences, closure of premises and miscellaneous and supplementary matters, including special events and exemptions, and all procedural or operational matters excluding final decisions on applications which are reserved to Members	H-Enf
Criminal Justice Act 2003		
Sections 22, 23 & 24	Power to give conditional cautions where the Council has been specified as a "relevant prosecutor" and power to enforce the provisions of the Act against failure to comply with any conditions of a conditional caution	H-Enf
Anti-Social Behaviour Act 2003		
Part 1A	Powers in relation to closure notices and orders in respect of premises associated	H-Enf

	with persistent disorder or nuisance	
Part 6	Powers in relation to the environment, noisy premises, graffiti, fly-posting, adverts, aerosol paints, litter and waste and the enforcement of this Act and prosecution of offences	H-Enf
Part 8	Powers in relation to complaints about high hedges including the issue, relaxation or withdrawal of remedial notices and power to enter land, take samples and other required action and to recover expenditure incurred	H-Enf
Parts 1A, 6 & 8	Power to appoint authorised officers for the purposes of the Act	H-Enf only
London Local Authorities Act 2004		
Section 6	Powers to enter a vehicle in the Council's custody in order to remove anything in the interests of safety	H-Enf HP Abandoned vehicle inspectors
Section 9	Power to take action in relation to nuisance from birds	H-Enf
Section 28	Power to appoint "authorised officers" under this and previous London Local Authorities Acts and related legislation	AD-FS H-Enf H-EnvRes only
Christmas Day Trading Act 2004		
Sections 1 & 2	Powers to enforce provisions of the Act	H-Enf
Section 3	Power to appoint inspectors for purposes of the Act	H-Enf only
Planning and Compulsory Purchase Act 2004		
Sections 13, 24, 32 & 35	Powers to survey and review matters affecting development, to request the opinion of the Mayor of London as to the general conformity of a development plan document or a local development document with the spatial development strategy, to disregard representations made in relation to a local development document if statutory conditions apply and to make annual monitoring report to the Secretary of State	AD-P&R
Section 15	Limited Delegation: Power to prepare the Local Development Scheme for approval	AD-P&R

	by the Cabinet before submission to the Secretary of State, to make amendments directed by the Secretary of State and to carry out all related functions under this section	
Sections 17 & 19	Limited Delegation: Powers to prepare and keep Local Development Documents (LDDs) under review, carry out appraisals of sustainability of proposals, and take all related action subject to approval of LDDs by Members	AD-P&R
Section 18	Limited Delegation: Power to prepare and consult upon a draft Statement of Community Involvement for approval by full Council	AD-P&R
Section 20	Limited Delegation: Powers to prepare Development Plan Documents (DPDs) for approval by full Council before submission to the Secretary of State and to take all related action	AD-P&R
Section 26	Limited Delegation: Powers to prepare a revision of a LDD subject to approval of the revised LDD by Members and to take steps directed by the Secretary of State	AD-P&R
Traffic Management Act 2004		
Sections 16 & 17(1)(4)(5) & (6)	Functions relating to the network management objectives and powers to make arrangements to perform the network management duties	AD-FS HST
Section 17(2)	Power to appoint the “traffic manager” under this provision	DUE AD-FS only
Sections 33 to 37	Powers in relation to the preparation, implementation, variation and revocation of permit schemes for street works	AD-FS HST
Section 76	Power to appoint civil enforcement officers in relation to enforcement against road traffic contraventions under the Act	AD-FS HP
Part 6 and Schedule 7 Part 1	Powers and functions of civil enforcement officers in relation to all parking contraventions in Schedule 7 Part 1 of the Act	CEOs, Parking Supervisors, CCTV Operators & CCTV Supervisors
Part 6 and Schedule	Powers and functions of civil enforcement	CEOs,

7 Part 2	officers in relation to all bus lane contraventions in Schedule 7 Part 2 of the Act	Parking Supervisors, CCTV Operators & CCTV Supervisors
Part 6 and Schedule 7 Part 4	Powers and functions of civil enforcement officers in relation to all moving traffic contraventions in Schedule 7 Part 4 of the Act	CEOs, Parking Supervisors, CCTV Operators & CCTV Supervisors
Housing Act 2004		
Part 1 Sections 3 to 45 and 49 to 50 and Schedules 1, 2 & 3	Powers relating to the assessment of housing conditions, enforcement of housing standards, improvement notices, prohibition orders and hazard awareness notices, emergency measures and recovery of enforcement expenses	AD-SCH HIMPS
Part 2 Sections 61 to 76 and Schedules 4 & 5	Powers relating to the licensing of houses in multiple occupation including exemptions, grants, refusals, conditions, variations, revocations, appeals and enforcement	AD-SCH HIMPS
Part 3 Sections 79 & 85 to 98 and Schedules 4 & 5	Powers relating to the selective licensing of other residential accommodation including exemptions, grants, refusals, conditions, variations, revocations, appeals and enforcement	AD-SCH HIMPS
Part 4 Sections 101 to 145 and Schedules 6 & 7	Powers relating to interim and final management orders, including the making, operation, variation, review and revocation of orders and powers relating to interim and final empty dwelling management orders including payment of compensation and powers relating to overcrowding notices	AD-SCH HIMPS
Part 5 Sections 165 to 169 and Schedule 8	Powers to enforce duties relating to Home Information Packs including restrictions on unauthorised disclosure from the register of home condition reports, requirement to produce home information packs, the issue or withdrawal of penalty charge notices, considering representations and enforcement against obstruction	H-Enf Weights and Measures Inspectors only
Part 7 Sections 232,	Powers to maintain and make available	AD-SCH

235, 236 & 238 to 242	the register of licences, temporary exemption notices and management orders, to enforce requirements to produce information or documents, to enforce against false or misleading information and obstruction and powers to enter premises and apply for warrants and to supply information about action taken to owners	HIMPS
Section 243	Power to give authorisations to officers for the purposes mentioned in this section	AD-SCH HIMPS only
Sections 246 to 248 and 255 to 256	Powers to operate provisions relating to service of documents including electronic communications and powers to serve and revoke notice declaring building to be house in multiple occupation	AD-SCH HIMPS
Clean Neighbourhoods and Environment Act 2005		
Part 2 Sections 3 to 7	Powers to enforce against nuisance and illegal parking including exposing vehicles for sale and repairing vehicles on a road and powers to give fixed penalty notices and require names and addresses	H-Enf HP
Part 6 Sections 55 to 61	Powers to enforce controls on dogs including the making, amendment and revocation of dog control orders, giving of fixed penalty notices, fixing penalties and requiring names and addresses	H-Enf
Part 7 Sections 69 to 79	Powers relating to audible intruder alarms noise including the designation of alarm notification areas and the withdrawal of such designation, the giving of fixed penalty notices, fixing penalties, requiring names and addresses, powers of entry and application for justice's warrants	H-Enf
Section 96	Power to use fixed penalty receipts for qualifying functions	DUE AD-FS H-Enf only
Gambling Act 2005	Limited Delegation: The delegations to officers under this Act exclude all the matters reserved by law to the Licensing Committee and Licensing Sub-Committees as set out in Appendix 2 below	
Sections 29, 30, 350	Duties and powers to provide information	H-Enf

and Schedule 6 Parts 1 & 4	required or requested by the Gambling Commission or other bodies	
Sections 33, 37, 41, 42 to 44, 185, 242, 258 to 262, 305, 307, 309 to 315, 317 to 319, 322 & 326	Power to prosecute and enforce against offences under these provisions and powers of entry for the purposes of these provisions	H-Enf
Part 8 Sections 156, 161, 163 to 165, 167 to 169, 186 to 190, 192 to 200 and 206 to 209	Functions in relation to the register of premises licences. Powers to make representations on applications for premises licences, to determine applications where valid representations have not been made, to notify surrenders, to revoke premises licence on non-payment of fees, to reinstate licences, to handle applications for review of a premises licences and to conduct appeals	H-Enf
Part 9 Sections 218, 220, 222, 225, 226, 227, 228 and 234	Power to give counter-notice in response to a temporary use notice, to acknowledge temporary use notice, to agree with other parties in the event of objection that a hearing is unnecessary, to dismiss objections, to conduct appeals and to endorse, return and provide copies of temporary use notices and to maintain and make available the register	H-Enf
Section 247 and Schedule 10	Power to determine applications for the grant or renewal of permits for family entertainment gaming machines including consideration of representations, the conduct of appeals and the enforcement of all provisions	H-Enf
Section 262 and Schedule 11 Parts 4 & 5	Power to determine applications to register small society and non-commercial society lotteries in accordance with the provisions including the conduct of appeals, and the enforcement of all provisions	H-Enf
Section 274 and Schedule 12	Power to determine applications for the grant or renewal of club gaming permits or club machine permits in accordance with the provisions including grant by "fast track procedure", the conduct of appeals and the enforcement of all provisions	H-Enf
Section 283 and Schedule 13	Power to determine applications relating to licensed premises gaming machine permits in accordance with the provisions including the conduct of appeals and the	H-Enf

	enforcement of all provisions	
Section 289 and Schedule 14	Power to determine applications for the grant or renewal of prize gaming permits in accordance with the provisions including the conduct of appeals, and the enforcement of all provisions.	H-Enf
Section 304	Power to designate officers as authorised persons for the purposes of the Act	AD-FS H-Enf only
Section 349	Power to prepare and consult upon a draft statement of principles and any review or revision of such statement subject to Members' approval of the final statement or revision	H-Enf
Legislative and Regulatory Reform Act 2006		
Whole Act	Power to enforce all Orders in Council, Regulations or other subordinate legislation made under this Act relating to the functions of the Directorate	H-Enf
Animal Welfare Act 2006		
Section 51	Power to appoint officers to be inspectors for the purposes of this Act	H-Enf only
Sections 10, 18, 19, 23, 25 to 30, 54 & 56	All powers of inspectors and local authorities under these provisions	H-Enf
Charities Act 2006		
Sections 58 to 66	All powers under these provisions relating to permits for charitable collections in public places including appeals, prosecution of offences, service of documents and all functions under related Regulations	H-Enf
Fraud Act 2006		
Sections 1 to 16	All powers to enforce against and prosecute any offence under this Act relating to the Directorate's functions	H-Enf
Health Act 2006		
Sections 1 to 12	All powers to enforce against and prosecute any offence under this Act and Regulations relating to smoke-free premises and requirements	H-Enf
London Local Authorities Act 2007		
Parts 2, 5 & 6 (except sections 73	Powers in relation to unauthorised advertising, graffiti, waste and litter and	H-Enf

& 75)	other controls including prosecution and enforcement	
Sections 20 to 22	Functions relating to the regulation of household, commercial and industrial waste	H-EnvRes
London Local Authorities and Transport for London Act 2008		
Section 9	Power to remove anything obscuring the registration mark of a vehicle	H-Enf Parking Supervisors and CEOs
Section 11	Power to remove abandoned apparatus from streets	HST H-Enf

APPENDIX 1 – DELEGATIONS TO PLANNING OFFICERS OF MATTERS OTHERWISE WITHIN THE TERMS OF REFERENCE OF THE PLANNING COMMITTEE

Authority to determine the following categories of application for planning permission or other consents is delegated to the officers listed below and shall be exercised by any one or more of those officers acting in consultation with the Chair (or in the Chair's absence, the Deputy-Chair) of the Planning Committee:

Officers

- (i) The Assistant Director, Planning & Regeneration*
- (ii) The Heads of Development Management – North & South*
- (iii) The Head of Development Management, Major Sites*
- (iv) The General Manager, Planning Policy*

Categories of Application

- (a) Development within the curtilage of an existing residential property, including extensions, alteration and ancillary buildings and works, and including works that would be permitted development but for

- the use of the premises as flats or the effect of express planning conditions.
- (b) Conversion of dwelling houses or non-residential buildings into two or more self-contained dwellings.
 - (c) Formation of vehicular access, or alteration to existing vehicular access, on to highways.
 - (d) Minor amendments to the siting and design of buildings following approval or original developments.
 - (e) The erection of not more than 5 dwellings.
 - (f) Changes of use to up to 500 sq. metres of floor spaces (including application for H.M.O.'s and hostels).
 - (g) Erection, or extension, of non-residential buildings where the new build does not exceed 500 sq. metres of total floor area (including installation of underground fuel and other storage tanks).
 - (h) Installation of shop fronts.
 - (i) Continuation of temporary planning permissions.
 - (j) Display of advertisements.
 - (k) Listed building consent applications, and applications for demolition of buildings or structures in Conservation Areas.
 - (l) Works to trees (including pruning, lopping or felling) covered by a Tree Preservation Order, and works to trees within a Conservation Area; works to trees covered by a planning condition.
 - (m) Certification of Lawfulness for Proposed or Existing Development
 - (n) Sundry minor developments not including above and not involving the provision of more than 100 sq. metres of floor space (e.g. walls, fences, windows, replacement roofs or walls, electricity installations, external staircases, satellite dishes, cash dispensers, and the like).
 - (o) The determination of the need for further details on outline applications; the approval of reserved matters following the grant of outline permission, and the approval of matters subject of condition on a full planning permission.
 - (p) The determination of proposals for the erection or installation of telecommunications equipment, including masts, antennae, and equipment

cabinets, including those submitted under the Prior Notification procedures of the General Permitted Development Order.

(q) Any other applications where the officer's recommendation is for refusal

unless requested by the Chair to be considered at the Planning Committee.

(r) Any other applications where the officer's recommendation is for approval

and the proposal is in accordance with agreed planning policy, following

discussion of the case with the Chair (or in the Chair's absence, the Deputy-

Chair) of the Planning Committee. Applications where there have been objections from all the Ward Councillors and/or a local community body and/or a local residents' association and/or at least 10 individual local residents, are excluded from this delegation and will be referred to the Planning Committee for determination

APPENDIX 2 – MATTERS WITHIN THE TERMS OF REFERENCE OF THE LICENSING COMMITTEE AND LICENSING SUB-COMMITTEES EXCLUDED FROM DELEGATION TO OFFICERS

Licensing Act 2003	Function
Section 5(1) & (4)	Adopting the Council's Statement of Licensing Policy and any revisions to it
Section 18(3)	Determination of applications for premises licences where relevant representations have been made
Section 31(3)	Determination of applications for provisional statements where relevant representations have been made
Section 35(3)	Determination of applications for variations of premises licences where relevant representations have been made
Section 39(3)	Determination of applications to vary designated premises supervisors following police objection
Section 44(5)	Determination of applications for transfer of premises licences following police objection
Section 48(3)	Consideration of police objection made to interim authority notices
Section 52(2) or (3)	Determination of valid applications for review of premises licences where relevant representations have been made
Section 72(3)	Determination of applications for club premises certificates where relevant representations have been made
Section 85(3)	Determination of applications to vary club premises certificates where relevant representations have been made
Section 88(2) or (3)	Determination of valid applications for review of club premises certificates where relevant representations have been made
Section 105(2)	Decisions to give counter notices following police objection to temporary event notices
Section 120(7)	Determination of applications for grants of personal licences following police objection
Section 121(6)	Determination of applications for renewals

	of personal licences following police objection
Section 124(4)	Decisions on revocation of personal licences where convictions come to light after grant
Section 167(5)	Determination of statutory review following closure order in any case where relevant representations have been made

Gambling Act 2005	Function
Section 163	Determination of applications for premises licences where relevant representations have been made under section 161
Section 166	Passing a resolution not to issue any casino premises licences in the Borough
Section 187 and related provisions	Determination of applications for the variation of premises licences where relevant representations have been made under section 161 as applied by section 187
Section 188	Determination of applications for the transfer of premises licences where relevant representations have been made by the Gambling Commission or others
Section 195	Determination of applications for the reinstatement of a premises licence where relevant representations have been made under section 161
Sections 201 and 202	Determination of applications for the review of premises licences
Section 204 and related provisions	Determination of applications for a provisional statement in respect of premises where relevant representations have been made under section 161 as applied by section 204
Section 212	Determination of fee levels for premises licences
Section 224	Deciding whether to give a counter-notice where a person has given a temporary use notice which has been followed by a notice of objection
Schedule 12 paragraphs 4 to 9 and 24	Determination of applications for the grant or renewal of club gaming permits and club machine permits where a valid objection has been made
Schedule 12 paragraph 21	Determination of proposals by Licensing Officers to cancel a club gaming permit or a club machine

	permit where the permit holder requests a hearing
Section 284 and Schedule 13 paragraph 16	Determination of proposals by Licensing Officers: (i) to make an Order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines or facilities for equal chance gaming, or (ii) to cancel or vary a licensed premises gaming machine permit
Schedule 13 paragraphs 1 to 6 and 15	Determination of applications for the grant or variation of licensed premises gaming machine permits where this is for 5 or more machines or in any case where the Chair of the Licensing Committee considers that there is cause for concern about the proper management of the application premises
Section 349	Adopting the Statement of Gambling Policy and any revisions to it

Section 5 - The Children and Young People's Service - Scheme of Delegation to Officers

To the Director of the Children and Young People's Service

All Education Service functions of the Council and all Social Care functions of the Council relating to children. Excluded from this delegation are matters which are:

- (i) Key Decisions,
- (ii) Expressly reserved to the Cabinet or Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the power to set fees or charges is specifically delegated in the statutory or non-statutory delegations below.

In addition the following matters are reserved to The Cabinet/Cabinet Member and excluded from this delegation:

- (a) Local Management of Schools – significant variations to the Scheme and any cases of a withdrawal of delegated powers;
- (b) The adoption of a syllabus of religious education on the recommendation of the Standing Advisory Council on Religious Education (SACRE);
- (c) The determination of discretionary awards;
- (d) The establishment or discontinuance of schools
- (e) Permanent closure, relocation or change of use of residential establishments and day establishments providing services for children.

Without prejudice to the generality of the delegation above, there are included in this delegation all the statutory and non-statutory functions delegated to the designated officers as listed below. The Director has authority to exercise the powers delegated to all officers reporting to him/her and the Deputy Directors and Assistant Directors have the same authority in relation to all officers reporting to them.

Any Deputy Director or Assistant Director in the Children's Service may exercise the delegated powers of any other Deputy Director or Assistant Director if that other officer is absent in order to ensure 24 hour service provision

Schedule of abbreviations used for designated officers

Director of the Children and Young People's Service	DCYPS
Deputy Director - School Standards	DDSS
Deputy Director – Children & Families	DDC&F
Deputy Director – Business Support & Development	DDBS&D
Assistant Director – Children's Networks	ADCN
Attendance and Welfare Strategy Officers	AWSOs
Chief Financial Officer	CFO
Risk and Insurance Manager	R&IM

In the event that any of the designated officer posts above are renamed or the duties varied, then the powers delegated to that post in this section of the scheme will continue to be delegated to the post that substantially fills the duties of the original post.

Those delegated powers where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers are shown with an asterisk * in the right hand column.

Non-statutory delegations

Further Education Matters	
1. Power to approve applications from full-time youth workers employed by the Borough to accompany youth groups on residential visits as part of their official duties subject to the time spent on such visits not exceeding 10 working days in any year and each individual residential visit not exceeding 5 working days.	DDSS
2. Power to approve arrangements for youth service leadership and other training courses.	DDSS
School Matters	
1. Power to deal with application for compensation in respect of lost or stolen property belonging to pupils whilst at school.	CFO R&IM
2. Power to consider applications and grant assistance towards the cost of boarding education within the agreed criteria.	DDC&F
3. Power to place children with special educational needs at suitable residential schools as and when necessary.	DDC&F
4. Power to consider and decide upon applications by teaching staff for leave of absence.	DDSS
5. Power to approve school journeys and payment of assistance to pupils and teachers in accordance with the approved regulations for such journeys.	DDBS&D
6. Power to enforce requirements regarding school attendance and the employment of children or young persons and discretion to institute a Parenting Order as an alternative to prosecution for non-attendance.	ADCN
7. Power to vary the teacher/pupil ratio for staff accompanying children from Special Schools or classes.	DDSS
8. Power to make exceptions for urgent medical or social reasons to the policy of admissions of pupils below statutory school age.	DDBS&D
9. Power to increase price of school meals to meet inflation.	DDBS&D
10. Power to authorise a review of the group of a special school in response to representations from the governors of the head teacher of the school.	DCYPS
11. Power to determine the school term and holiday dates including	DDBS&

in-service training days for any community, community special or voluntary controlled school.	D
12. Power to undertake the appointment of appraisers of head teachers.	DDSS
13. Authority to determine response to governing bodies in respect of teachers below head teacher, secondary deputy head or posts of comparable level in respect of premature retirement.	DDSS
14. Authority to agree to the LEA meeting the costs of the employers' contribution in appropriate cases where changes in the employment status of teachers are effected in the interests of the effective discharge of the education function. The exercise of this power is subject to consultation with, and the agreement of, the Cabinet Member. In the event of disagreement, the matter shall be reported for decision to the Cabinet.	DCYPS* CFO*
15. Power to authorise all enforcement action and prosecutions under any legislation relating to school attendance or related matters.	ADCNA WSOs
Educational Development Matters	
1. Power to approve the acceptance of any tender for a minor works project which exceeds the approved estimated cost by up to 10% and to utilise as necessary the contingency sum in this respect.	DDBS& D
2. Power to take action for the security of educational premises to prevent damage and trespass at schools.	DDBS& D
3. Power to determine the future siting of mobile classrooms having regard to the amount allocated for this purpose in the approved estimates and to the proved need for such accommodation.	DDBS& D
4. Power to approve the occupation of residential properties on education land.	DDBS& D
5. Power to agree on appropriate charges in exceptional circumstances and settle questions of interpretation re letting of education premises.	DDBS& D
6. Power to approve voluntary projects for buildings where a loan is not required; the proposal does not involve an additional teaching space; the proposed building is in permanent, traditional or pre-fabricated concrete construction and the Chief Executive and Chief Financial Officer are satisfied that the revenue implications of the proposed development can be contained within the appropriate budget.	DDBS& D
7. Power to apply for deemed planning permission for all appropriate building projects provided that the project is within an approved programme or, in the case of the projects which are the responsibility of schools or the college under the schemes of local management, that an appropriate resolution has been passed by the governing body approving the project.	DDBS& D

8. Power to determine each year for schools not having a delegated budget the standard charge for the various categories of lettings within the approved scheme of lettings.	DDBS&D
9. Power to implement the provisions of uncontested statutory notices.	DCYPS
10. Power to exercise all the functions of the Director of the Children & Young People's Service under Contract Procedure Rules (Part 4 Section J of the Constitution) in relation to the all capital programmes in the Directorate	DDBS&D
Social Care Matters	
1. Appoint review panels to consider stage 3 complaints relating to children that fall within the National Health Service and Community Care Act 1990	DCYPS
2. Power to determine requests for access to personal files relating to children	DDC&F
3. Consent to passport application of a child subject to a Care Order	DDC&F
4. Consent to medical treatment for a child subject to a Care Order	DDC&F

Statutory Delegations

NOTE

A "child" is defined in the Children Act 1989 as a person under the age of 18. Different ages may be relevant to the statutory duty in the case of former "looked after" children and for the purposes of other Statutes.

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the sections/parts of the Acts listed in the left hand column. These include any related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation is expressly listed and other subordinate legislation is not listed does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a "Limited Delegation", the delegations are not limited, conditioned or qualified in any way by the descriptions of the powers in the middle column which are for information only.

With the exception of the statutory powers that are shown in the right hand column as delegated to specified officers “only”, all the powers listed below are delegated to each Service Manager, Group Manager and Team Leader reporting to the specified Assistant Director, Deputy Director or the Director.

Schedule of Statutory Delegations

Children & Young Persons Act 1963		
Sections 37, 39, 41 & 56	Powers relating to the licensing of child performances	ADCN AWSOs
Health Services & Public Health Act 1968		
Section 65	Power to give assistance by way of grant or loan to a voluntary organisation providing a similar service	DDC&F
Children & Young Persons Act 1969		
Sections 23 & 30	Powers relating to the detention of children and young persons in secure accommodation and other places	DDC&F
Local Government Act 1972		
Section 195(3)	Powers to make arrangements for the care of mothers and young children subject to the approval of the Secretary of State	DDC&F
Adoption Act 1976		
Sections 18 to 21	Functions concerning to the adoption of children and adopted persons including powers to apply to a Court for an Order declaring a child free for adoption and related matters	DDC&F
Supreme Court Act 1981		
Section 41	Power to make wardship applications in respect of minors	DDC&F
Mental Health Act		

1983		
Section 27	Powers of nearest relative in respect of children and young persons in care of local authority.	DDC&F
Adoption Agencies Regulations 1983		
Whole Regulations	Limited Delegation: (1) Power to establish an Adoption Panel to exercise functions under the Adoption Agencies Regulations 1983 including recommendations in adoption cases, and (2) Power to make decisions in adoption cases in accordance with the above Regulations, and (3) Power to nominate another officer within the CYPS to do (1) or (2) above, subject to the proviso that if the Director, or any nominated officer, establishes an Adoption Panel under (1) they shall not make a decision in an adoption case under (2)	DCYPS only
Disabled Persons (Services, Consultation and Representation) Act 1986		
Sections 5 and 6	Powers in relation children with special educational needs and disabled children and students	DDC&F
Children Act 1989		
Whole Act except section 36(1)	All functions relating to the welfare of children including children at risk and looked after children, payments and expenses, complaints, voluntary organisations, fostering, care and accommodation, educational welfare, assessment of needs and Court proceedings	DDC&F
Section 36(1)	Power to apply for Education Supervision Order	DDSS ADCN
Section 36(8)	Power to respond to consultations by the Local Education Authority prior to the LEA making an application for an Education Supervision Order	DDC&F ADCN
Complaints Procedure Directions 1990		
Whole Directions	Power to take action on recommendations of the Review Panel	DDC&F

Education Act 1996		
Sections 29 & 518	Duty to make such reports to the Secretary of State as required and powers to pay expenses to children and to grant scholarships to people over compulsory school age	DCYPS only
Sections 14, 14A, 16, 17, 408, 459, 508A, 508E & 509 to 513	Functions relating to securing and maintaining sufficient schools, considering parental representations on education, provision of information, promoting sustainable travel and school travel schemes/arrangements, and in respect of charges for clothing, milk, meals & refreshments	DDBS& D
Sections 13A, 18, 19, 316, 316A, 453, 455 to 457, 494, 515, 520, 526, 527, 529 & 560	Functions relating to promotion of education standards, provision of education at non-maintained schools and education for excluded or sick children, recovery of exam fees and permitted charges, payments in respect of excluded pupils, provision of teachers at day nurseries, provision of medical & dental inspections for pupils, research & conferences on education, acceptance of gifts for educational purposes and arrangements to provide work experience for pupils	DDSS
Sections 317 to 329A, 331 & 528	Functions relating to special educational needs and statemented children including assessment, reviews, monitoring, disputes, appeals and provision of information and duty to publish disability statements relating to further education	DDC&F
Sections 437 to 444B, 447, 507A, 521 to 523 & 559	Functions relating to school attendance, including service of notices of intention, orders, penalty notices and education supervision orders and relating to recreation/training facilities for pupils under 13 and ensuring the cleanliness of pupils	ADCN
Sections 15A, 409 & 547	Functions relating to the provision of suitable full/part time education for 16-18s, the handling of complaints and the prosecution of persons causing nuisance/disturbance on school premises	DDBS& D DDSS
Sections 332A, 332B & 348	Functions relating to the provision of advice and information for parents, making arrangements to resolve disputes and the costs of special education at non-maintained schools	DDC&F DDSS
Sections 436A & 507B	Duty to make arrangements to identify children of compulsory school age not receiving suitable	ADCN DDSS

	education and functions in respect of leisure activities for 13-19s	
Section 508	Duty to secure that secondary education includes adequate facilities for social physical and recreational training and powers to provide or assist with camps, holiday classes, playing fields, play centres and other recreational and training facilities	DDSS ADCN DDBS& D
Section 461	Power to recover education related charges as civil debts	CFO
Housing Act 1996		
Section 213A	Power to make a request for advice and assistance from the housing authority where a case is referred to children's social services under this section (case of person under 18 living with applicant for housing who is likely to be unsuccessful)	DDC&F
Education Act 1997		
Section 43	Duty to provide careers education	DDSS
School Standards and Framework Act 1998		
Sections 15(2) & 16A	Powers to give warning notice to the governing body of a maintained school where conditions in s.15(1) are met and to provide for school governing body to consist of interim executive members	DCYPS only
Sections 22, 51A, 86, 88 to 90A, 92, 94 & 95	Functions in relation to the maintenance of schools, recovery of LEA maintenance costs from governing bodies, compliance with parental preferences, school admission arrangements including arrangements for appeals by parents and governing bodies	DDBDS
Sections 96 to 97C, 118 & 118A	Power to give direction to admit a child to a specified school and related functions and duties to secure sufficient nursery education and to review sufficiency of childcare in the Borough	DDBS& D only
Section 67	Duty to arrange appeals against exclusions	DDBS& D DDSS
Section 52	Functions in relation to annual financial statements	CFO
The Teaching & Higher Education		

Act 1998		
Sections 22 to 24	Function in relation to the award of support for students in further and higher education	DDBS&D
Adoption (Inter-country Aspects) Act 1999		
Section 2(4)	Powers in relation to inter-country adoption under Article 9(a) to (c) of the Hague Convention on Protection of Children and Co-operation in Respect of Inter-country Adoption 1993 (Hague Convention)	DDC&F
Protection Of Children Act 1999		
Sections 2, 4C and 7	Powers in relation to individuals who are considered unsuitable to work with children	DDC&F
Immigration and Asylum Act 1999		
Sections 95, 99 and 100	Powers in relation to support for asylum seekers	DDC&F
Criminal Justice and Court Services Act 2000		
Section 34	Power to apply to the High Court for an order disqualifying a person from working with children	DDC&F
Care Standards Act 2000		
Whole Act	All functions in relation to children's homes and residential family centres and in relation to adoption and fostering in so far as this relates to children	DDC&F
Carers and Disabled Children Act 2000		
Sections 1, 2, 3 & 6	Powers in relation to the assessment and support of carers for disabled children	DDC&F
The Learning and Skills Act 2000		
Sections 114 & 116	Functions in relation to arrangements for the provision of services to assist participation by young people in education and training	DDSS
The Adoption and Children Act 2002		
Sections 3, 4, 9 to	Powers in relation to adoption services and	DDC&F

11, 15, 18, 22 to 24, 41, 44 & 53	adoption agencies	
Education Act 2002		
Sections 2 ,19 & 20 to 23 & Schedule 1	Power to apply to the Secretary of State for the relaxation of statutory requirements and powers in relation to the membership, governance and proceedings of governing bodies and connected matters including the appointment of clerks	DCYPS only
Sections 32, 37, 131, 190 & 207	Powers in relation to determining school term dates, recovery of costs of premature staff retirement from governing bodies, teachers' performance appraisal, awarding/authenticating academic and vocational qualifications and recouping costs of education provision for pupils from outside Borough	DDBD& S
Sections 35 & Schedule 2	Powers in relation to the staffing of community, voluntary, controlled and community special schools	DCYPS DDBS& D only
Section 52	Powers under Regulations made under this section in relation to appeals concerning the exclusion of pupils	DDBS& D DDSS
Fostering Services Regulations 2002		
Whole Regulations	Limited Delegation: (1) Power to establish a Fostering Panel to exercise functions under the Fostering Services Regulations 2002 including the assessment of prospective foster parents, and (2) Power to decide whether to approve another person as a foster parent including the terms of any such approval, and (3) Power to nominate another officer within the CYPS to do (1) or (2) above, subject to the proviso that if the Director, or any nominated officer, establishes a Fostering Panel under (1) they shall not approve a person as a foster parent under (2)	DCYPS only

Anti-Social Behaviour Act 2003		
Sections 19 to 29 Part 3	Powers in relation to parenting contracts and Parenting Orders	ADCN
Children Act 2004		
Section 18 (1), (2), & (4)	Power to exercise all the officer functions relating to children set out in the sub-sections here specified	DCYPS only
Education Act 2005		
Sections 38, 39, 40 & 51	Powers in relation to maintained schools	DCYPS only
Childcare Act 2006		
Section 3	Duties in relation to the provision of early childhood services	ADCN DDSS
Section 4	Duty to make arrangements to work with relevant partners in relation to childcare provision	DCYPS only
Sections 6, 11 & 12	Duties to secure sufficient childcare for working parents, to assess sufficiency of childcare in the Borough and to provide information, advice and assistance to parents	DDBD& S
Section 7	Duty to secure sufficient early years provision free of charge	DDBS& D ADCN
Sections 8, 9, 10, 13 & 91	Functions in relation to the provision of childcare including payments, information advice and training for childcare providers and duty to co-operate with requests made by the Chief Inspector	DDBS& D ADCN DDSS
Education and Inspections Act 2006		
Sections 5 & 155	Duties to appoint accredited school improvement partners and to pay prescribed annual fee to Chief Inspector	DDSS only
Sections 60 & 65	Powers in relation schools eligible for intervention and their governing bodies	DCYPS only
Section 106	Power to appoint authorised officers to give	ADCN

	penalty notices relating to excluded pupils in public places	only
Education and Skills Act 2008		
Sections 12, to 14, 17, 40, 41, 45 to 47, 50, 51, 53, 56 to 58, 72, 73 & 77	Functions relating to young persons failing to participate in education or training including identification, requesting and sharing information, parenting contracts, parenting orders, attendance notices, penalty notices and prosecutions for non-compliance and enforcement through the Courts	ADCN
Sections 48 & 54	Functions in relation to the establishment of, and making appeals to, Attendance Panels against attendance notices	ADCN DDBS & D
Sections 68 to 71	Duties to provide support services to encourage, enable or assist young persons to participate in education and training	ADCN DDSS

Section 6 Adult, Culture and Community Services - Scheme of Delegation to Officers

To the Director of Adult, Culture and Community Services

All the Social Care functions of the Council relating to Adult Services, Adult Culture, Learning, & Libraries and Recreation and Leisure Services. Excluded from this delegation are matters which are:

- (i) Key Decisions,
- (ii) Expressly reserved to the Cabinet or Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the matter is specifically delegated in the statutory or non-statutory delegations listed below.

In addition, decisions on the permanent closure, relocation or change of use of residential establishments and day establishments, are

excluded from this delegation and reserved to The Cabinet/Cabinet Member.

Without prejudice to the generality of the delegation above, there are included in this delegation all the statutory and non-statutory functions delegated to the designated officers as listed below. The Director has authority to exercise the powers delegated to all officers reporting to him/her and Assistant Directors and Heads of Service have the same authority in relation to all officers reporting to them.

Any Assistant Director in the Directorate may exercise the delegated powers of any other Assistant Director if that other officer is absent in order to ensure 24 hour service provision.

Schedule of abbreviations used for designated officers

Director of Adult, Culture and Community Services	DACCS
Assistant Director – Adult Services	AD-AS
Assistant Director – Recreation & Leisure Services	AD-RLS
Assistant Director – Culture, Libraries & Learning	AD-CLL
Assistant Director – Commissioning & Strategy	AD-CS

In the event that any of the designated officer posts above are renamed or the duties varied, then the powers delegated to that post in this section of the scheme will continue to be delegated to the post that substantially fills the duties of the original post.

Those delegated powers where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers are shown with an asterisk * in the right hand column.

Non-statutory delegations

Appointing review panels to consider Stage 3 complaints in Social Services that fall within the National Health Service and Community Care Act 1990	DACCS
Power to determine requests for access to personal files	DACCS
Power to take part in such schemes of co-operation	AD-CLL

between library authorities as will improve the library service.	
Power to permit groups from interested organisations to visit the library buildings at suitable times during the day and after closing hours when necessary.	AD-CLL
Power to approve the conditions for the display of works of historical, archaeological and artistic interest which are the responsibility of the Libraries and Community Information Department where it may be desirable to show them elsewhere than in Library premises.	AD-CLL
Power occasionally to vary library opening hours.	AD-CLL
Power to fix the number of items loaned per borrower	AD-CLL
Power to adopt appropriate pricing policy for sale of withdrawn stock	AD-CLL
Power to charge for copies of local studies material	AD-CLL
Power to permit the use of library premises for adult literacy and English language classes	AD-CLL
Power to determine the charges for the reproduction of the local studies material required for commercial purposes having regard to the scales recommended by the Museums Association	AD-CLL
Power to approve appropriate charges for events of an educational or cultural nature held on library premises	AD-CLL
Power to approve charges for individual library or museums publications	AD-CLL
Power to alter the library charge for copies produced from microfilms to conform to that levied by the Planning Service	AD-CLL

Statutory delegations

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the sections/parts of the Acts listed in the left hand

column. These include any related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation is expressly listed and other subordinate legislation is not listed does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a “Limited Delegation”, the delegations are not limited, conditioned or qualified in any way by the descriptions of the powers in the middle column which are for information only.

With the exception of the statutory powers that are shown in the right hand column as delegated to specified officers “only”, all the powers listed below are delegated to each Service Manager, Group Manager and Team Leader reporting to the specified Assistant Director or the Director.

Schedule of Statutory Delegations

Public Health Acts Amendment Act 1890		
Section 44	Limited Delegation: Power to close and grant the exclusive use of parks and pleasure grounds except for events within any of the categories below for which express Cabinet Member approval is required: <ul style="list-style-type: none"> • Over 10,000 persons attending per day; • Duration of more than 7 days; • Duration of more than 2 days with 5,000 persons or more attending per day; • Occupying the site for more than 14 days 	AD-RLS* only
Open Spaces Act 1906		
Sections 10 & 11	Power to administer and maintain open spaces and burial grounds	AD-RLS
Public Health Acts Amendment Act 1907		

Section 76(1)(a) & (b)	Limited Delegation: Power to enclose part of park or ground for games and recreations, and to charge for admission, except for events within any of the categories below for which express Cabinet Member approval is required: <ul style="list-style-type: none"> • Over 10,000 persons attending per day; • Duration of more than 7 days; • Duration of more than 2 days with 5,000 persons or more attending per day; • Occupying the site for more than 14 days 	AD-RLS* only
Section 76(1)(c),(f),(g),(h) & (i)	Powers to provide apparatus & facilities for games and recreations	AD-RLS
The Small Holdings and Allotments Act 1908		
Sections 26, 28, 30, 44 and 46	All functions relating to allotments, allotment land and connected interests	AD-RLS
Census Act 1920		
Section 3(1)(d)	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of census returns in respect of the inmates of any institution for which the Council is responsible	DACCS AD-AS AD-CS
Allotments Act 1922		
Sections 2 and 11	All functions relating to allotments, allotment land and connected interests	AD-RLS
Public Health Act 1925		
Section 56	Limited Delegation: Power to agree the use of part of a park or ground set aside for games or recreation facilities subject to the charges for such uses being approved by the Cabinet Member	AD-RLS
National Assistance Act 1948		
Sections 21 to 24 (except the limited delegation in section 22 below), 26, 29, 30, 32, 43, 45, 47 to 49, 55 & 56	Functions relating to the provision of accommodation for, and the protection of, vulnerable adults including financial arrangements	AD-AS AD-CS

Section 22	Limited Delegation: Power to fix any standard rates for accommodation under this section shall be exercised in consultation with the relevant Cabinet Member	AD-CS* only
Allotments Act 1950		
Sections 4 and 5	All functions relating to allotments, allotment land and connected interests	AD-RLS
National Assistance (Amendment) Act 1951		
Section 1	Power to make an application under section 47 of the National Assistance Act 1948 without notice where the medical officer and another medical practitioner certify that removal is necessary without delay	AD-AS AD-CS
Births and Deaths Registration Act 1953		
Sections 16 and 18	Duties to give information to the registrar in respect of persons dying in Council maintained institutions	AD-AS AD-CS
Disabled Persons (Employment) Act 1958		
Section 3	Power to seek approval from the Secretary of State for, and to comply with directions from the Secretary of State with regard to, the making of arrangements for the provision of facilities for any of the purposes mentioned in section 14(1) of the Disabled Persons (Employment) Act 1944 (provision of employment or work for registered persons who are seriously disabled)	DACCS AD-AS AD-CS AD-RLS AD-CLL
Public Health Act 1961		
Section 52, 54 & 75	All functions relating to the management of parks and pleasure grounds	AD-RLS
Public Libraries and Museums Act 1964		
Sections 7, 9, 12, 14, 15, 19 & 20	All functions relating to library services, library premises, museums and galleries	AD-CLL
Health Services and Public Health Act 1968		
Section 45	Power to seek the approval of the Secretary of State for arrangements for promoting the welfare of old people, and to employ any voluntary organisation or other person as the Council's agent in this respect	AD-AS AD-CS only

Section 65	Power to give assistance by way of grant or loan to a voluntary organisation whose activities consist of or include the provision of a service similar to a relevant service (services under the National Assistance Act 1948 and National Health Service Act 2006)	AD-AS AD-CS
Greater London Council (General Powers) Act 1969		
Section 43	Power to grant exclusive right of burial in any part of a burial ground or cemetery	AD-RLS
Local Government Grants (Social Need) Act 1969		
Section 1	Power to comply with and to exercise and perform any powers and duties contained in any conditions made by the Secretary of State when making a grant to the Council	DACCS AD-AS AD-CS
The Chronically Sick and Disabled Persons Act 1970		
Sections 1 & 2	Powers relating to the provision of welfare services to disabled persons	AD-AS AD-CS
Local Authority Social Services Act 1970		
Sections 7 & 7A	Powers relating to the exercise of social services functions	DACCS AD-AS AD-CS
Local Government Act 1972		
Section 145 (except the limited delegation below)	Power to make arrangements for the provision of entertainments and the development of arts and crafts	DACCS AD-CLL only

Section 145	Limited Delegation: Power to enclose or set aside part of a park or pleasure ground for provision of an entertainment, to charge for admission and to agree terms for use with any other person providing entertainment except for events within any of the categories below for which express Cabinet Member approval is required: <ul style="list-style-type: none"> • Over 10,000 persons attending per day; • Duration of more than 7 days; • Duration of more than 2 days with 5,000 persons or more attending per day; • Occupying the site for more than 14 days. 	AD-RLS* only
Section 195(3)	Powers to make arrangements for the provision of accommodation welfare and employment for disabled persons subject to the approval of the Secretary of State	AD-AS
Section 214	Powers to provide and maintain cemeteries, to contribute to expenses, to grant burial rights and rights to erect memorials, to enter into agreements to maintain graves and memorials, to extend the period of grant of exclusive right to burial for up to a maximum of 100 years.	AD-RLS
Local Government (Miscellaneous Provisions) Act 1976		
Section 19	Limited Delegation: Powers to provide indoor or outdoor recreational facilities but subject to any charges for such facilities being approved by the Cabinet Member	AD-RLS* AD-CLL*
Greater London Council (General Powers) Act 1978		
Section 12	Limited Delegation: Power to close park or pleasure ground on a Sunday in consultation with the Cabinet Member	AD-RLS* only
Mental Health Act 1983		
The whole Act	All functions in relation to mental health, patients, offenders and connected services	AD-AS
Health and Social Services & Social Security Adjudications Act 1983		

Sections 17, 21 & 22	Power to determine and recover charges and to create charges on land in respect of services and accommodation	AD-CS
Section 24	Limited Delegation: Power to determine the rate of interest payable in respect of any charge created under section 22 of this Act. This power is to be exercised in consultation with the Chief Financial Officer.	AD-CS only
Public Health (Control Of Disease) Act 1984		
Section 46	Power to bury or cremate the body of any person who has died whilst receiving accommodation under Part 111 of the National Assistance Act 1948, and to recover the costs of burying or cremating any person who was receiving Part 111 accommodation	AD-RLS
Transport Act 1985		
Section 106	Power to make grants for transport facilities and services for disabled people	AD-AS
Disabled Persons (Services Consultation and Representation) Act 1986		
Sections 1 & 2	Powers relating to services for, and the appointment of authorised representatives of, disabled persons	AD-AS AD-CS AD-RLS AD-CLL
Sections 3, 4, 7 & 8	Powers relating to services for, and the assessment of, disabled persons and their carers	AD-AS AD-CS
Social Security Act 1988		
Section 13	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the distribution of welfare foods	DACCS
Firearms (Amendment) Act 1988		
Section 19 and Schedule	Power to apply to the Secretary of State for a firearms licence in respect of any firearms or ammunition to be kept in a museum	AD-CLL
NHS & Community Care Act 1990		

Section 46	Limited Delegation: Power to consult in connection with and to publish any plan for community care services. (The power to adopt and modify any such plan is not delegated)	AD-AS only
Section 47	Power to carry out any assessment of any person's need for community care services, and to exercise all functions set out in directions made by the Secretary of State under this section	AD-AS AD-CS
Carers (Recognition and Services) Act 1995		
Section 1	Power to carry out an assessment of any carer's ability to provide and continue to provide care for any person when so requested before making any decision as to the care to be provided by the Council, and to comply with any directions made by the Secretary of State under this section with regard to the carrying out of such assessments	AD-AS AD-CS
Housing Act 1996		
Sections 182 & 213(1)(b)	Duties to have regard to any guidance issued by the Secretary of State under this section when performing any functions under Part VII of this Act (homelessness) and to co-operate in assisting any local housing authority in discharging homelessness functions where so requested	DACCS AD-AS
Housing Grants Construction and Regeneration Act 1996		
Sections 19 to 24, 29 to 43, 51, 52 & 57	Powers relating to Disabled Facilities Grant including assessments, extent of works, conditions and provisions for payment and repayment	AD-AS AD-CS
Education Act 1996		
Section 15B	Power to secure part time or full time education suitable for persons of 19 or over	AD-CLL
Care Standards Act 2000		
Sections 12, 15, 16, 18, 21, 22, 28, and 31 to 33	Functions relating to the registration and inspection of care homes, residential family centres and other care premises and the regulation of care workers and managers	AD-AS AD-CS

Section 82	Duty to refer to the Secretary of State a care worker for inclusion in the list maintained under section 81 of this Act (individuals who are considered unsuitable to work with vulnerable adults)	AD-AS AD-CS only
Local Government Act 2000		
Section 93	Power to apply to the Secretary of State for any grant under this section in respect of welfare Services and all related functions	DACCS AD-AS AD-CS only
Health and Social Care Act 2001		
Section 50, 51 and 54 to 57	Functions in relation to the provision of community care services and arrangements for the provision of accommodation under the National Assistance Act 1948	AD-AS AD-CS
Homelessness Act 2002		
Section 1	Power to assist in the carrying out of a homelessness review, and to take account of any homelessness strategy formulated under this section	DACCS
Health and Social Care (Community Health and Standards) Act 2003		
Section 114	Powers to make arrangements and to take steps, in accordance with Regulations, in relation to the handling and consideration of complaints about the discharge of the Council's Social Services functions	DACCS only
Mental Capacity Act 2005		
Section 39	Powers in relation to arrangements for the provision of residential accommodation for persons lacking the capacity to agree arrangements	AD-AS AD-CS
National Health Service Act 2006		
Sections 74 & 76	Functions in relation to co-operation, entering into prescribed arrangements and financial arrangements with NHS bodies in accordance with Regulations	DACCS AD-AS AD-CS

Section 75 & 82	Power to enter into prescribed arrangements with NHS bodies in accordance with Regulations under this section, including procurement arrangements, subject to Council Contract Procedure Rules, and powers to carry into effect the duty to co-operate with NHS bodies in exercising functions	DACCS AD-AS AD-CS only
Health and Social Care Act 2008		
Sections 11, 14, 19, 27 & 32	Powers in relation to registration with the Care Quality Commission as social care provider and/or manager including applications for variation of conditions and making representations and appeals	DACCS AD-AS AD-CS only
Section 50(4)	Power to take any action which the Care Quality Commission has specified in a notice under this section that the Council should take to remedy a failure	DACCS AD-AS AD-CS

Section 8 General Delegations

Exclusion from the General Delegations

Excluded from these delegations below are matters which are:

- (i) Key Decisions,
- (ii) Expressly reserved to the Cabinet or Cabinet Committee within its terms of reference
- (iii) Included on the Forward Plan
- (iv) Expressly reserved to full Council within its terms of reference
- (v) Expressly reserved to a non-executive Committee or Sub-Committee within its terms of reference
- (vi) Expressly excluded from the scheme of delegation to officers under paragraphs 4.01 and 4.02 of Part 3 Section E of the Constitution. Such an exclusion will not apply where the power to set fees or charges is specifically delegated in the statutory or non-statutory delegations below.

General Non-Statutory Delegations to all Chief Officers and Deputy Chief Officers:

The Chief Executive, Assistant Chief Executives, Directors and the General Manager of Alexandra Palace & Park, and all Deputy Chief Officers reporting to the afore-mentioned Chief Officers, may exercise any functions, powers and duties of the Council to take management and operational decisions on behalf of the Council. For the avoidance of doubt, these delegations are granted to all the senior officers reporting directly to the Chief Financial Officer. Decisions under these delegations must be taken in accordance with the law in those areas of responsibility assigned to the officers mentioned above in Appendix D of the Constitution from time to time:

- to secure the effective management of their services including the authorisation of any procedures or contracts within the framework of Financial Procedure Rules and Contract Procedure Rules;
- to implement and develop initiatives within the strategic policy framework and other Council plans and policy documents;
- to carry out, or authorise the carrying out, of the functions of the proper officer of the Council in any legislation relating to those areas of responsibility assigned to senior officers in Appendix D.

This authorisation includes power:

- to authorise the service of any statutory notice;
- to authorise officers to enter any land or premises in pursuance of a statutory function of the Council;
- to apply, or to authorise other officers to apply, to a Court for a warrant to enter any land or premises, in exercise of his/her responsibilities;
- to authorise the institution of any process or proceedings for administering or enforcing the functions of the Council;
- to authorise the recovery by legal proceedings of any sum to which the Council is entitled;
- to appoint officers as authorised officers for any statutory purpose;
- to supply photocopies of documents to the general public subject to making such charges as may be agreed in a scheme approved by the Chief Executive and Director of Corporate Resources, subject to the provisions of the Copyright, Designs and Patents Act 1988
- to take action on any urgent matter, whether or not power to do so is specifically delegated elsewhere, between meetings of the Cabinet or any Committee or Sub-Committee of the Council subject to statutory provisions and the provisions of Part 3 Section E of the Constitution;
- to commit the Council to any action or process when the decision-maker is acting as the principal representative of the Council on a subordinate body of the Haringey Strategic Partnership subject to

this being in accordance with the Council's Budget & Policy Framework, Finance Procedure Rules and Contract Procedure Rules;

- To make decisions on expenditure and project implementation under the "Making the Difference" Budget, and in accordance with the wishes of Area Assemblies, subject to an annual limit of £50,000, or agreed increase in this limit, when the officer is appointed as an "Area Liaison Officer";

This authorisation includes the following powers in Personnel Matters except where the delegation is stated to be to the Chief Executive alone:

- Taking all decisions relating to changes to the establishment, affecting 20 posts or less, where the relevant employees' side are in agreement or have not raised objections within the agreed timetables, but excluding the closure of schools or colleges. Consultation with the relevant Cabinet Member is required before the delegated decision is taken;
- In the case of decisions relating to changes to the establishment affecting 20 posts or less, where there are objections from the relevant employees' side within the agreed timetables, then the decision will be made by the relevant Chief or Deputy Chief Officer in consultation with the relevant Cabinet Member unless the Cabinet Member first wishes to refer the decision on the service delivery aspects to the full Cabinet. In that case the Officer will determine the non-executive aspects of the changes to the establishment in accordance with the decision(s) made by the full Cabinet. In any event, the employees' side representative(s) will be given the opportunity to address the decision-maker(s) before the decision is taken;
- Changes to the establishment affecting more than 20 posts. All non-executive functions are delegated to the Chief Executive who will have power to implement the service restructuring in accordance with the decisions(s) made by the Cabinet on the service delivery aspects. In the case of objections from the employees' side within the agreed timetables, their representative(s) will have the right to make representations to the relevant meeting of the Cabinet;
- For the avoidance of doubt, when calculating the number of posts affected by a change to the establishment, this means the number of posts to be added or deleted even though a different number of

posts may be subject to alteration of terms and conditions in the same restructuring;

- Power to designate posts as casual or essential users in accordance with criteria as determined by the Head of Human Resources;
- Approval of sickness pay (half and full pay) or extension beyond the national, provincial or local agreements;
- Extensions of service in accordance with agreed procedures, beyond the age of 65
- Approval of extension of special leave with pay;
- Extensions of accident pay beyond the national, provincial or local agreements;
- Grant of honoraria and where relevant ex-gratia payments to employees;
- Power to appoint applicants above the minimum permissible increment point upon appointment;
- Power to authorise accelerated increments below Senior Management pay grades;
- Approval to changes to grades on various scales/conditions for all employee groups, except for Chief Officers and Deputy Chief Officers;
- Re-designation of posts - subject to normal consultative procedures;
- Decisions not to reclaim financial assistance granted under the Post-Entry Training Scheme;
- Decision not to reclaim maternity pay;
- Deletion of vacant, unfunded posts;
- Approval of minor changes in conditions of service established practice;
- Appointments to vacancies and new posts below Deputy Chief Officer or equivalent level in accordance with agreed procedures;
- The establishment and deletion of Chief Officer and Deputy Chief Officer or equivalent level posts, the setting of the initial terms of employment including the level of starting salary, and any variation of the duties of such posts, are decisions delegated to the Chief Executive for determination in accordance with the decisions(s) previously made by the Cabinet on the service delivery aspects of a service restructuring. All appointments to such Senior Management posts must be made by an Appointments Panel, in accordance with Part 4, Section K of the Constitution, unless the Monitoring Officer advises a different procedure in any individual case for employment law reasons. The remuneration and other terms and conditions of Senior Management posts are subject to review by the Remuneration Committee;
- Dismissals and disciplinary/capability action below Deputy Chief Officer or equivalent level in accordance with agreed procedures ;
- Approval of more than 5 days carry-over of annual leave to the following leave year.

General Non-Statutory Delegations to all Chief Officers

The Chief Executive, Assistant Chief Executives, Directors, and the General Manager of Alexandra Palace & Park are granted the non-statutory powers set out below.

Administrative Matters

- Power to deal with requests for access to Council premises by the media
- Power to waive charges where justified in exceptional circumstances and where this is legally permissible

Property Matters

Any decision concerning the management or use of land held for the operational requirements of the officers of a Directorate may be taken by the relevant Director or Chief Officer. Any decision on the letting or disposal of land held for the Directorate shall be referred to the Director of Corporate Resources or the Head of Property in accordance with their respective delegated powers, unless it is a key decision referred to The Cabinet or the appropriate individual Cabinet Member.

Statutory Delegations

The statutory powers in the Schedule below are granted to the Chief Executive, Assistant Chief Executives, Directors and the General Manager of Alexandra Palace & Park, and all Deputy Chief Officers reporting to the afore-mentioned Chief Officers. For the avoidance of doubt, these delegations are granted to all the senior officers reporting directly to the Chief Financial Officer.

Those delegated powers, where prior consultation with, or instructions from, a Member or Member body are required before officers can exercise the powers, are shown with an asterisk * in the right hand column.

The statutory delegations listed in the Schedule below include all local authority functions (whether expressed as a power, duty, discretion or otherwise) under the listed sections/parts of the Acts, including any

related Schedules, or the whole Act if so stated, and all subordinate legislation arising under the listed Acts. The fact that certain subordinate legislation may be expressly listed, and other subordinate legislation is not listed, does not affect the generality of this delegation. The statutory delegations include all subsequent legislative amendments and additions to the listed provisions. Except where a power is expressly stated to be a "Limited Delegation", the delegations are not limited, conditioned or qualified in any way by the descriptions of the powers in the right hand column which are for information only.

Schedule of Statutory Delegations
--

Local Government (Records) Act 1962	
Sections 1 & 2	Powers to promote adequate use of records and to acquire by agreement, or accept as gifts, any records of local interest
Local Government (Financial Provisions) Act 1963	
Section 5	Power to defray expenses properly incurred by an officer of the Council.
G.L.C (General Powers) Act 1969	
Section 37	Power to microfilm documents and to designate an officer who shall certify microfilm copies for evidence in Court
Local Authorities (Goods & Services) Act 1970	
Section 1	Power to enter into any agreement with any other public body for the supply of goods and services subject to this being in accordance with the Council's Budget & Policy Framework, Finance Procedure Rules and Contract Procedure Rules;
The Chronically Sick & Disabled Persons Act 1970	

Sections 4, 7 & 8A	Duty to make provision for the persons with needs under the Act who are members of the public or Council employees in Council premises including means of access, parking facilities sanitary conveniences and appropriate signage
Town & Country Planning Act 1971	
Section 125	Power to manage or use a listed building occupied by the Council.
Local Government Act 1972	
Section 138 (1)	Limited Delegation: Power to incur such expenditure as is considered necessary in taking action calculated to avert, alleviate or eradicate the effects of an emergency or disaster affecting the whole or part of the Borough which has occurred or is apprehended subject to the arrangements for co-ordinating response to emergencies in Article 11.07 of the Constitution
Health & Safety at Work Etc Act 1974	
Section 2(1)	Duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees.
Local Government Act 1974	
Section 36(1)	Power to recover administration costs in addition to actual costs of undertaking work.
Sex Discrimination Act 1975	
Section 76A	Duties to promote equality of opportunity between men and women and to eliminate unlawful discrimination and harassment
Race Relations Act 1976	
Section 71	Duty to have due regard, when carrying out any of the Council's functions, to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups, and to perform such duties as may be imposed by the Secretary of State by order under this section in relation to the better performance of such functions
Local Government (Miscellaneous Provisions) Act 1976	

Section 16	Power to serve on any person occupying, having an interest in, or managing any land a notice requiring them to furnish the Council with information regarding the nature of their interest in the land and the name and address of others occupying, managing or having an interest in the land.
Representation of the People Act 1983	
Section 35(6)	Power to place the services of any Council officers at the disposal of any person acting as the returning officer at any Greater London Authority election for an electoral area situated wholly or partly in the Borough.
Local Government & Housing Act 1989	
Section 150	Limited Delegation: To exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section permitting the making of a charge for any Council function for which there is no other statutory power to charge. The power to set any charges or scales of charges shall be exercised in consultation with the relevant Cabinet Member. *
Charities Act 1993	
Section 78	Power to make arrangements for co-ordinating the activities of the Council and those of any charity established for purposes similar or complementary to services provided by the Council in the interests of persons who may benefit from those services or from the charity and to disclose to any such charity any information obtained in connection with the services provided by the Council.
Civil Evidence Act 1995	
Section 9	Power to certify that any document forms part of the records of the Council for the purpose of admitting that document as evidence in civil proceedings
Disability Discrimination Act 1995	
Sections 4, 4A, 6, 15C, 21, 21E & 49A	Duties to prevent discrimination against disabled persons in Council employment, applicants for employment or Council service users including the taking of reasonable steps with respect to the physical features of premises or with respect to any practice, policy or procedure concerning service provision

Local Government Act 1999	
Sections 3 & 3A	Duty to arrange consultation with tax payers, non-domestic rate-payers, service users and other local representatives about fulfilment of the best value duties and duty to involve representatives of local persons in the exercise of Council functions
Local Government Act 2000	
Sections 2, 3 & 4	Limited Delegation: Powers to take steps to promote economic, social and environmental well-being subject to advice from the Head of Legal Services on each proposed exercise of these powers
Section 92	Power to approve compensation payments to remedy complaints in accordance with the Corporate Complaints Procedure and Financial Regulations
Criminal Justice & Court Services Act 2000	
Section 35	Duty to ensure that a person who is disqualified from working with children under the terms of this Act is not offered work in a regulated position (as defined in section 36 of this Act) and that any such person who is so employed is removed from such work.
Criminal Justice and Police Act 2001	
Sections 50, 52-55, 60-62	Power to authorise any officer exercising a power to enter and/or seize items found on premises to exercise the additional powers of seizure contained in this section, to give the required notice under section 52 of this Act, and to perform the duties contained in sections 53-55 of this Act (to return certain items seized) and sections 60-62 of this Act (to secure certain items seized).
Local Government Act 2003	
Section 93	Power to charge for discretionary services.

Civil Contingencies Act 2004	
Sections 5 & 7	Powers to implement Central Government Orders and Directions on civil protection
Equality Act 2006	
Section 52	Duty to take steps to prevent acts constituting discrimination on the grounds of religion or belief
Climate Change and Sustainable Energy Act 2006	Duty to have regard to the most recent energy measures report from central government when exercising delegated powers and making recommendations to Members
Section 3	
Local Government and Public Involvement in Health Act 2007	
Section 108	Duty to have regard to relevant local improvement targets specified in the local area agreement when exercising delegated powers and making recommendations to Members

Section 9 Proper Officer and Specified Officer Functions

1.1 Chief Executive

The Chief Executive is appointed Proper Officer and specified officer in relation to:

- (a) Any reference to “the Clerk of the Council” or “the Town Clerk of the Borough” contained in any enactment, passed before, or during, the 1971/72 sessions of Parliament (other than the Local Government Act 1972) or in any instrument made before 26th October 1972;
- (b) Any statutory function of a Proper Officer, or other specified officer, contained in any legislation, whenever made, whether or not expressly delegated to any other officer(s) in this Constitution;
- (c) The Local Government Act 1972, Sections 83, 84, 88(2), 89(1)(b), and 225 and Schedule 12, Part I, paragraphs 4(2)(b) and 4(3) (notices relating to Members and meetings);
- (d) The Representation of the People Act 1983, Sections 8 (Registration Officer) and 35(3) (Returning Officer at an election of Councillors);
- (e) The Local Government and Housing Act 1989, Sections 4 (Head of Paid Service), and notifications pursuant to sections 15 to 17 and Schedule 1 and Regulations made under the Act (Political Balance);
- (f) Section 234 of the Local Government Act 1972. This authorises the Chief Executive to sign any notices or other documents which the Council is statutorily empowered to give, make or issue. This delegation is in addition to, and does not reduce, the power of individual senior officers to sign such notices or other documents, as provided for elsewhere in this Constitution.

In addition the Chief Executive is empowered:

- (g) To authorise any officer to attend any conference, seminar, or symposium etc. after consultation with the appropriate Cabinet Member, where the conference, seminar or symposium etc. is outside Great Britain; *
- (h) To authorise any Member to attend any conference, seminar, symposium etc. after consultation with the Leader, where the conference, seminar or symposium etc. is outside Great Britain. *

1.2 **Chief Financial Officer**

The Chief Financial Officer is appointed Proper Officer and specified officer in relation to:

- (a) The proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972;
- (b) Sections 115 and 146 of the Local Government Act 1972 (receiving monies due from other officers and certifying changes in name or area of Council);
- (c) Part VIII (sections 111 to 116) of the Local Government Finance Act 1988 (Financial administration and the duty to report to Cabinet/Council on any unlawful expenditure);
- (d) Responsibility for the overall management of the internal audit function in accordance with the Accounts and Audit Regulations 2003;
- (e) Budget calculations and budget monitoring under Part 2 of the Local Government Act 2003.

1.3 **Head of Legal Services**

The Head of Legal Services is appointed Proper Officer and specified officer in relation to:

- (a) Sections 6, 8, 9 and 13 of the Registration Services Act 1953 (appointment of superintendent registrars and registrars of births and deaths and their deputy and interim officers and related functions);
- (b) Sections 229 and 238 of the Local Government Act 1972 (certification of documents and byelaws);
- (c) Section 30(5) of the Local Government Act 1974 (public notice of Ombudsman's reports);
- (d) Authorising any officer to appear on behalf of the Council in proceedings before a Magistrates Court under Section 223(1) of the

Local Government Act 1972 and in proceedings before a County Court under Section 60 of the County Courts Act 1984. This includes the power to certify such authorisation under Section 41 (3) of the Local Government (Miscellaneous Provisions) Act 1976;

(e) Signing on behalf of the Council to certify a contract under the Local Government (Contracts) Act 1997;

(f) The functions of the Monitoring Officer under sections 5 and 5A of the Local Government and Housing Act 1989 and Part 3 of the Local Government Act 2000 or other legislation relating to Local Government and Regulations made under the above;

(g) Determining whether the public interest requires information to be treated as "exempt information" in any report or related background paper and whether any meeting of the Council or a Council body is likely not to be open to the public because of the risk of disclosure of confidential or exempt information or the advice of a political assistant under Part VA and Schedule 12A of the Local Government Act 1972 and the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000-2006 (Access to Information);

(h) Determining whether the public interest in maintaining the exemption of information, or the exclusion of the duty to confirm or deny, outweighs the public interest in disclosure in relation to any request for information, or to any internal review after the refusal of a request, under section 2 and Part 2 of the Freedom of Information Act 2000;

(i) Being the “qualified person” to form a reasonable opinion as to whether disclosure of information would be likely to inhibit the free and frank provision of advice or exchange of views or would be likely otherwise to prejudice the effective conduct of public affairs under section 36 of the Freedom of Information Act 2000;

1.4 **Head of Local Democracy and Member Services**

The Head of Local Democracy and Member Services is appointed Proper Officer and specified officer in relation to:

- (a) Those proper officer functions relating to access to information not delegated to the Head of Legal Services above under Part VA and Schedule 12A of the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000-2006;
- (b) Section 191 of the Local Government Act 1972 (providing information to assist the Ordnance Survey);
- (c) Sections 225 and 229 and Schedule 14, Part II, Paragraph 25 (7) of the Local Government Act 1972, and Section 41(1) of the Local Government (Miscellaneous Provisions) Act 1976 (custody of, and certifying, documents);
- (d) Section 8 of the Representation of the People Act 1983 (the officer who will act as Deputy to the Electoral Registration Officer in the event of the latter's incapacity or a vacancy arising);
- (e) Section 2(2) of the Local Government and Housing Act 1989 (Maintenance of the list of politically restricted posts);

In addition the Head of Local Democracy and Member Services is empowered:

- (f) To determine the appointment of outside members to the “pool”

from which the membership of School Admissions Appeals Panels and School Exclusions Appeals Panels are drawn;

(g) To determine the membership of individual Appeals Panels (under (f) above) and the selection of Chairs of these Panels;

(h) To make appointments of representative School Governors as notified by the Executive Member for Education or the Opposition Spokesperson, as appropriate; *

(i) To make appointments to vacancies on the Standing Advisory Council on Religious Education and Conference Committees;

(j) To make appointments to the membership of Special Licensing Sub-Committees from among the Members of the Licensing Committee; *

(k) To appoint an additional Member or Members to any scheduled meeting of a Licensing Sub-Committee from among the Members of the Licensing Committee whenever the appointment of a substitute Member under the Committee Procedure Rules (Part 4, Section B) would be impracticable and the meeting would otherwise be inquorate; *

(l) The exercise of the delegated powers in (j) and (k) above shall be, so far as practicable, in consultation with the Chair of the Licensing Committee and the Chief Whip of each Group and with a view to achieving political balance in the membership of Licensing Committees. *

1.5 **Head of Human Resources**

The Head of Human Resources is authorised to provide the "Certificate of Opinion" for an employee s on SCP44 or above

making application to the Standards Committee for exemption of his/her post from political restriction under section 3 of the Local Government and Housing Act 1989 – (Opinion as to whether the duties of the post involve regularly giving advice to Members or speaking to journalists/broadcasters).

1.6 **Director of Urban Environment**

The Director of Urban Environment is appointed Proper Officer and specified officer in relation to:

- (a) Section 606 of the Housing Act 1985 (reports on unfit houses);
- (b) Section 191 Local Government Act 1972 (information to assist the Ordnance Survey);
- (c) Section 205 of the Highways Act 1980 (certification of proposed works, estimated cost and provisional apportionment under the private street works code).

1.7 **General Provisions**

- (a) All Chief Officers have been appointed Proper Officers in relation to the functions of their respective Services for the purposes of section 234 of the Local Government Act 1972 (signing or authenticating any notice, order or other document which the Council are authorised or required to issue under any enactment);
- (b) Any reference to the function of a Proper Officer in relation to any legislation is to be taken as including subordinate legislation and any enactment for the time being amending or replacing such legislation;
- (c) If the office of any of the officers referred to above is vacant or the officer is absent or otherwise unable to act, his/her deputy, or, failing that deputy, the most suitable senior officer, is hereby authorised to act as the Proper Officer.

1.8 **Attestation of Seal**

The Seal on documents shall be attested by any one of the following officers:

Chief Executive, Director of Corporate Resources, Chief Financial Officer, Head of Legal Services, Deputy Head of Legal Services or any officer authorised by the Head of Legal Services either in relation to a specific document or particular categories of documents.