

Clifford Hart

020 8489 2920

clifford.hart@haringey

14 November 2013

To: All Members of the Full Council

Dear Member,

Full Council - Monday, 18th November, 2013

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

9. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 1 - 30)

a) Cabinet Report No 2 - 13/14 **(TO FOLLOW)**

Yours sincerely

Clifford Hart
Democratic Services Manager

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REPORT OF THE CABINET TO COUNCIL: 18 November 2013**Report No 2 2013/14**

Chair: Councillor Claire Kober

Recommendation from Cabinet: Children and Young People's Plan

Cabinet received the Children and Young People's Plan (CYPP) for agreement and recommendation to Council for adoption on 12 November 2013.

There is a separate report in relation to the CYPP at Item 10 of the Full Council Agenda for 18 November 2013:

<http://www.minutes.haringey.gov.uk/ieListDocuments.aspx?Cid=143&Mid=6249>

Background Information

The new CYPP demonstrates the commitment of the Children's Trust to multi-agency partnership working and will form the Trust's work-plan for the next three years.

The CYPP recognises that there have been a number of successful initiatives for children and young people in recent years but also recognises that inequalities persist in the borough and commits the Council to an early help approach to identifying the problems facing families and to improving the life chances of disadvantaged children living in the borough.

The plan's outcomes will, in the main, be delivered through the actions detailed in existing key documents and programmes including:

- The Clinical Commissioning Group document: "Improving the Health and Well Being of people in Haringey"
- Haringey 54,000
- Haringey Families First
- Child Poverty Strategy
- Health and Well-being Strategy
- Clinical Strategy for 2013-18 for the Barnet, Enfield and Haringey Mental Health Trust (BEH- MHT)
- Homelessness Strategy 2012-14
- Jobs for Haringey Programme

CABINET RECOMMENDS:

That Council adopts the Children and Young People's Plan.

Recommendation from Cabinet: Armed Forces Community Covenant

Cabinet received a report on 12 November 2013 informing it of a decision taken by the Leader to sign a local Armed Forces Community Covenant in partnership with other

organisations such as the Police and Fire Brigade. The report also requested that Cabinet recommended that Full Council endorse the Armed Forces Community Covenant.

Background Information

The national Armed Forces Community Covenant initiative was launched by the Government in May 2011. A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

The Community Covenant is designed as a **statement of intent. It is not a legal contract.** The Covenant aims to:

- Encourage local communities to support the armed forces community in their areas and to nurture public understanding and awareness among the public of issues affecting the armed forces community
- Recognise and remember the sacrifices faced by the armed forces community
- Encourage activities which help to integrate the armed forces community into local life
- To encourage the armed forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

The covenant sets out what the local area seeks to achieve on particular issues and, where possible, will be signed by representatives from all parts of the community, in particular public service providers. It is for the local area to decide on the issues it wants to support, depending on the need of the local armed forces community.

CABINET RECOMMENDS:

That the Armed Forces Community Covenant be endorsed by Full Council.

Recommendation from Cabinet: Prevention of Social Housing Fraud Act 2013; RIPA 2000 and Benefit Fraud – Delegation of Functions

On the 12 November 2013 Cabinet received a report setting out changes brought in under the new Act and seeking approval of changes to the relevant departmental scheme of delegations in order to reflect the requirements of the new legislation.

Background Information

The Prevention of Social Housing Fraud Act 2013 received Royal Assent on 31 January 2013 and was brought fully into force in England on 15 October 2013.

There are various different types of tenancy fraud (including obtaining a tenancy through false statement and unauthorised assignment). The Prevention of Social Housing Fraud Act 2013 is primarily concerned with strengthening the powers of social landlords to tackle tenants who sublet the whole of their dwellings for a profit. Current estimates put the number of unlawfully sublet social housing dwellings at around 98,000 at a total cost to

social landlords of over £900m. The Audit Commission reports that social housing fraud is the single largest category of fraud loss in local government, in terms of value.

The Act creates new criminal offences of unlawful subletting by assured and secure tenants in social housing and gives local authorities powers to prosecute in cases of unlawful subletting. It also enables courts to order the recovery of any profit made from unlawful subletting from tenants and provides that assured tenants who unlawfully sublet the whole of their dwelling cannot subsequently regain their security of tenure.

Under the Act, the authority to prosecute rests with local authorities and legal proceedings cannot be brought under this legislation by other social landlords, including arms length management organisations. The Council will need to consider the impact of this on existing investigation and legal resources if the local authority were required to act on behalf of housing associations.

Therefore operational responsibility for investigation and prosecution of cases in respect of social housing fraud now rests with the Head of Audit and Risk Management.

A report on the use and implementation of the Regulation of Investigatory Powers Act 2000 (RIPA) was provided to Cabinet on 10 September 2013 and a list of officers was approved to authorise directed surveillance and the use of covert intelligence under s.28 and S.29 of RIPA 2000 prior to judicial approval.

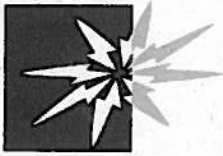
These sections of RIPA relate specifically to the use of directed surveillance. The Council also has the facility under s. 21-25 of RIPA to apply for certain types of communications data: the 'who, when and where' of communications, such as a telephone billing or subscriber details. All applications must be authorised by a Justice of the Peace before they can take effect. This requirement applies to all areas of RIPA, including communications data and the relevant sections of the Act were omitted from the September Cabinet report. Approval is now sought for delegated authority to the Assistant Director for Operational Services and Community Safety to be permitted to authorise the obtaining of communications to cover this aspect of RIPA. The officer nominated has been trained in the use and application of RIPA.

The operational responsibility for investigation and prosecution of cases in respect of fraudulent benefit claims rests with the Head of Audit and Risk Management. Previously this was with the Head of Revenues, Benefits and Customer Services and Cabinet are requested to approve the Head of Audit and Risk Management to be permitted to authorise, under delegated authority, all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and the Council Tax Reduction Scheme including powers to impose administrative penalties, to prosecute and to bring proceedings in relation to fraudulent claims.

CABINET RECOMMENDS:

That Council notes the changes to the delegation to officers and consequent changes to the Constitution agreed by Cabinet on 12 November 2013.

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Haringey Council

Report for:	Cabinet	Item Number:	
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Title:	Armed Forces Community Covenant
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Report Authorised by:	Zina Etheridge, Director of Strategy and Performance <i>Z. Etheridge</i>
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Lead Officer:	Eve Pelekanos, Head of Strategy and Business Intelligence
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Ward(s) affected:	Report for Key/Non Key Decisions:
All	Non Key

1. Describe the issue under consideration

- 1.1 To inform Cabinet that following a Leader Decision, the council, in partnership with partner organisations signed a local Armed Forces Community Covenant on 7 November 2013.
- 1.2 At the time of writing it was expected that the following organisations together with the council would be joint signatories to the Covenant:
- The Metropolitan Police
 - The London Fire Brigade
 - Haringey Clinical Commissioning Group (CCG)
 - Haringey Association of Voluntary and Community Organisations (HAVCO)
 - The British Army
 - The Royal Navy
 - The Royal Air Force
 - Greater London Reserve Forces and Cadets Association

2. Cabinet Member introduction

- 2.1 Some service personnel and their families need greater support in accessing local public services. For example, families may move frequently around the country, and in doing so children may miss school admissions dates. For some health matters, moving to a different health authority may mean that particular treatments are harder to access. Some veterans may experience homelessness, unemployment or mental illness for which support from local agencies is needed.



Haringey Council

2.2 I am committed to helping service and ex-service personnel and their families access the support they need. An Armed Forces Community Covenant is a demonstration of this commitment, and I support this initiative wholeheartedly.

3. Recommendations

3.1 It is recommended that Cabinet:

- a) Note the Armed Forces Community Covenant as approved by the Leader of the Council on 29 October 2013 as set out at Appendix 1;
- b) Recommends to Full Council meeting on 18 November that the Armed Forces Community Covenant be endorsed;
- c) Note that a Community Covenant Delivery Plan will be produced in partnership with the signatories to the covenant that will be reported back to Cabinet when complete.

4. Alternative options considered

4.1 Not applicable

5. Background information

5.1 The national Armed Forces Community Covenant initiative was launched by the government in May 2011. A Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community.

5.2 The Community Covenant is designed as a **statement of intent. It is not a legal contract.** The Covenant aims to:

- d) encourage local communities to support the armed forces community in their areas and to nurture public understanding and awareness among the public of issues affecting the armed forces community
- e) recognise and remember the sacrifices faced by the armed forces community
- f) encourage activities which help to integrate the armed forces community into local life
- g) to encourage the armed forces community to help and support the wider community, whether through participation in events and joint projects, or other forms of engagement

5.3 A covenant should set out what the local area seeks to achieve on particular issues and, where possible, will be signed by representatives from all parts of the community, in particular public service providers. It is for the local area to decide on the issues it wants to support, depending on the need of the local armed forces community.

5.4 Most covenants pledge to provide civic support in the following areas (wording used in covenants):

- h) Adult support to cadet forces
- i) Enabling recruitment



Haringey Council

- j) Allowing work and training
- k) Housing
- l) School transition for service children
- m) Medical and welfare pathways
- n) Veterans
- o) Post operational home-coming parades and support to residents

5.5 Most pledge to provide military support in the following areas (wording used in covenants):

- p) Aid in civil emergencies as permitted by legislation
- q) Periodic access to our estate and its facilities
- r) Representation at celebrations, commemorations and parades
- s) Sign Service Presentation teams
- t) Sharing with partner organisations

Armed Forces in Haringey

5.6 There is no category for the Armed Forces in the Census 2011 list. From Ministry of Defence (MOD) data:

- u) Based on a count done by the Ministry of Defence in January 2013, there are 10 Army officers living in Haringey, and no Navy and no Air Force officers (rounded to the nearest 10 by the MOD).
- v) As at March 2011 80 people living in Haringey were in receipt of payment under the War Pensions Scheme (numbers rounded by MOD)
- w) As at July 2011, 85 people living in Haringey were in receipt of payment under the Armed Forces Pension Scheme (numbers rounded by MOD)

NB. Individuals can be in receipt of payments under more than one pension scheme simultaneously so it is not possible to assess the exact number of those in receipt of a pension living in Haringey.

5.7 However, research conducted by the Royal British Legion in 2005 indicates a veteran population of around 3,700.

5.8 Even considering this, the number of Armed Services personnel in Haringey is low, as it is in many London boroughs. Some boroughs, however, have much larger numbers, due to the location of barracks – e.g. Westminster, Hillingdon, Hounslow.

6. Comments of the Chief Finance Officer and financial implications

6.1 As the current level of service / ex-service personnel living in the borough is low, the financial impact on the council of continuing with the existing provisions or indeed agreeing to any of the possible new proposals looks to be low. However, it must be borne in mind, that numbers could increase which could then lead to higher financial costs to the council which would be difficult to control if the Covenant amended existing policies.

7. Head of Legal Services and legal implications



Haringey Council

- 7.1 The adoption of an Armed Forces Covenant is not an express statutory function and as such there is no formal route for the decision either by the Cabinet or the Full Council. Reporting the adoption of the covenant to the Cabinet and Full Council assists in demonstrating cross-party commitment to its terms.

There are no specific legal implications arising from the recommendations in the report.

8. Equalities and Community Cohesion Comments

- 8.1 This report has no specific implications for the council's public sector equality duty as Armed Forces personnel as a group are not a protected characteristic within the meaning of the Equality Act 2010.

9. Head of Procurement Comments

- 9.1 N/A

10. Policy Implications

- 10.1 The policy implications of signing up to a covenant would depend upon the specific areas of support which the council and partners offered to the local armed services community.

11. Use of Appendices

Appendix A: Haringey Community Covenant



Community Covenant

AN ARMED FORCES COMMUNITY COVENANT

BETWEEN

THE LONDON BOROUGH OF HARINGEY, REPRESENTATIVES OF THE
PUBLIC, CHARITABLE AND VOLUNTARY SECTORS, THE CIVILIAN
COMMUNITY OF HARINGEY

AND

THE ARMED FORCES COMMUNITY IN THE **LONDON BOROUGH OF
HARINGEY**

**We, the undersigned, agree to work and act together to
honour the Armed Forces Community Covenant.**



Haringey Council

Signatories

(This page will be updated following confirmation of signatories)

Signed:
Name:
Position Held:

Signed:
Name:
Position Held:

Signed:
Name:
Position Held:

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Position Held:

SECTION 1: PARTICIPANTS

1.1 This Armed Forces Community Covenant is made between:

The serving and former members of the Armed Forces and their families
working and residing in **the London Borough of Haringey**

And

The civilian community of the London Borough of Haringey

SECTION 2: PRINCIPLES OF THE ARMED FORCES COMMUNITY COVENANT

- 2.1 The Armed Forces Community Covenant is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at the local level.
- 2.2 The purpose of this Community Covenant is to encourage support for the Armed Forces Community working and residing in Haringey and to recognise and remember the sacrifices made by members of this Armed Forces Community, particularly those who have given the most. This includes in-Service and ex-Service personnel their families and widow(er)s in Haringey.
- 2.3 For Haringey Council and partner organisations, the Community Covenant presents an opportunity to bring their knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces Community. It also presents an opportunity to build upon existing good work on other initiatives such as the Welfare Pathway.
- 2.4 For the Armed Forces community, the Community Covenant encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.

SECTION 3: OBJECTIVES AND GENERAL INTENTIONS

Aims of the Community Covenant

- 3.1 The Armed Forces Community Covenant complements the principles of the Armed Forces Covenant which defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community
- 3.2 It aims to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from the Charitable and Voluntary Sector. These organisations already work together in partnership at a local level.

- 3.3 The scheme is intended to be a two-way arrangement and the Armed Forces community are encouraged to do as much as they can to support their community and promote activity which integrates the Service community into civilian life.

SECTION 4: MEASURES

- 4.1 The Armed Forces will work together with Haringey Council and partners through the London Borough of Haringey Armed Forces Community Covenant Working Group in order to achieve the general aims identified at Section 3 above. Specifically, the signatories to this covenant agreed to:
- 4.1.1 Work with the armed forces to explore how service and ex-service personnel, and their families can be better supported across a range of services including, housing, employment, education and health.
 - 4.1.2 Explore opportunities for raising awareness and celebrating the contribution that the armed forces make to Haringey and the country as a whole, and ensure armed services representation at appropriate community events across the borough.
 - 4.1.3 Engage with the armed services to establish baseline data for the number of service and ex-service personnel in the borough.

CONTACT PERSONNEL AND TELEPHONE NUMBERS

MOD DCDS (Pers&Trg) Covenant Team

Email address: covenant-mailbox@mod.uk
Address: DCDS (Pers) Covenant Team
Zone D, 6th Floor
Ministry of Defence
Main Building
Whitehall
London
SW1A 2HB

In-Service representative(s)

Contact Name: Martin French
Title: Civil Engagement Manager
Telephone: 020 7414 2024
Email: martin.french822@mod.uk

Address: HQ London District
Horse Guards
Whitehall
London
SW1A 2AX

Haringey Council

Contact Name: Nick Walkley
Title: Chief Executive
Telephone: 0208 356 2648
Email: nick.walkley@haringey.gov.uk

Address: Haringey Council
River Park House
225 High Road
Wood Green
N22 8HQ

THE ARMED FORCES COVENANT

An Enduring Covenant Between

The People of the United Kingdom
Her Majesty's Government

and

All those who serve or have served in the Armed Forces of
the Crown

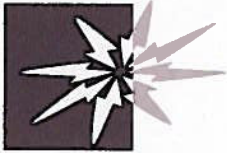
and their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

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Haringey Council

Report for:	Cabinet 12 November 2013	Item number	
Title:	Prevention of Social Housing Fraud Act 2013; RIPA 2000 and Benefit Fraud - delegation of functions		
Report authorised by :	Director of Corporate Resources <i>J. Power 4/11/13</i>		
Lead Officer:	Anne Woods, Head of Audit and Risk Management Tel: 020 8489 5973 Email: anne.woods@haringey.gov.uk		
Ward(s) affected: ALL	Report for: Non-Key Decision		

1. Describe the issue under consideration

1.1 To inform Cabinet about issues relevant to the use of the newly introduced Prevention of Social Housing Fraud Act 2013.

1.2 To recommend relevant departmental scheme of delegations are updated for various counter-fraud activities to include appropriate authorisations for nominated officers.

2. Cabinet Member for Finance and Carbon Reduction Introduction

2.1 The Prevention of Social Housing Fraud Act 2013 created the new criminal offence of unlawful subletting by assured and secure tenants in social housing. The rationale behind the Act is to ensure that social housing is occupied by those in the greatest housing need.

2.2 The Council needs to use the powers within this Act to maximise the effectiveness of its counter-fraud strategies and make social housing available to those applicants in most need. I am satisfied that the Council would benefit from the powers afforded to it under the Act and on that basis I recommend that Cabinet to approve its use.

2.3 Relevant updates to the various departmental schemes of delegation are also in accordance with respective statutory requirements and are recommended for approval.



Haringey Council

3. Recommendations

3.1 The Cabinet notes the enactment of the Prevention of Social Housing Fraud Act 2013 and agrees its use by the Council as part of its overall counter-fraud strategy;

3.2 The Cabinet approve the following delegations to officers and consequent changes to the Constitution (at Appendix E Officer Scheme of Delegation) as set out at Appendix 1 to this report:

- (a) delegated authority to the Head of Audit and Risk Management to institute fraud prosecutions under the Prevention of Social Housing Fraud Act 2013;
- (b) delegated authority to the Head of Audit and Risk Management to authorise all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and the Council Tax Reduction Scheme including powers to impose administrative penalties, to prosecute and to bring proceedings in relation to fraudulent claims; and
- (c) delegated authority to the Assistant Director for Operational Services and Community Safety to be permitted to authorise the obtaining of communications data under s.21-25 of RIPA 2000 prior to judicial approval.

4. Other options considered

4.1 Not applicable.

5. Background Information - The Prevention of Social Housing Fraud Act 2013

5.1 The Prevention of Social Housing Fraud Act 2013, covering England and Wales, received Royal Assent on 31 January 2013 and was brought fully into force in England on 15 October 2013 (The Prevention of Social Housing Fraud Act 2013 (Commencement) (England) Order 2013 SI 2013/2622.

5.2 There are various different types of tenancy fraud (including obtaining a tenancy through false statement and unauthorised assignment). The Prevention of Social Housing Fraud Act 2013 is primarily concerned with strengthening the powers of social landlords to tackle tenants who sublet the whole of their dwellings for a profit. Current estimates put the number of unlawfully sublet social housing dwellings at around 98,000 at a total cost to social landlords of over £900m. The Audit Commission reports that social housing fraud is the single largest category of fraud loss in local government, in terms of value.



Haringey Council

5.3 The Prevention of Social Housing Fraud Act:

- creates new criminal offences of unlawful subletting by assured and secure tenants in social housing;
- gives local authorities powers to prosecute in cases of unlawful subletting;
- enables courts to order the recovery of any profit made from unlawful subletting from tenants; and
- provides that assured tenants who unlawfully sublet the whole of their dwelling cannot subsequently regain their security of tenure.

5.4 Under the Act, the authority to prosecute rests with local authorities and legal proceedings cannot be brought under this legislation by other social landlords, including arms length management organisations. The Council will need to consider the impact of this on existing investigation and legal resources if the local authority were required to act on behalf of housing associations.

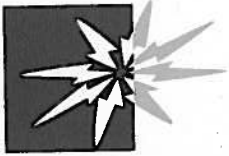
5.5 It is therefore proposed that the operational responsibility for investigation and prosecution of cases in respect of social housing fraud rests with the Head of Audit and Risk Management.

6. RIPA and Benefit Fraud update

6.1 A report on the use and implementation of the Regulation of Investigatory Powers Act 2000 (RIPA) was provided to Cabinet on 10 September 2013 and a list of officers was approved to authorise directed surveillance and the use of covert intelligence under s.28 and S.29 of RIPA 2000 prior to judicial approval.

6.2 These sections of RIPA relate specifically to the use of directed surveillance. The Council also has the facility under s. 21-25 of RIPA to apply for certain types of communications data: the 'who, when and where' of communications, such as a telephone billing or subscriber details. All applications must be authorised by a Justice of the Peace before they can take effect. This requirement applies to all areas of RIPA, including communications data and the relevant sections of the Act were omitted from the September Cabinet report. Approval is now sought for delegated authority to the Assistant Director for Operational Services and Community Safety to be permitted to authorise the obtaining of communications to cover this aspect of RIPA. The officer nominated has been trained in the use and application of RIPA.

6.3 The operational responsibility for investigation and prosecution of cases in respect of fraudulent benefit claims rests with the Head of Audit and Risk Management. Previously this was with the Head of Revenues, Benefits and Customer Services and Cabinet are requested to approve the Head of Audit and Risk Management to be permitted to authorise, under delegated



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authority, all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and the Council Tax Reduction Scheme including powers to impose administrative penalties, to prosecute and to bring proceedings in relation to fraudulent claims.

7. Comments of the Chief Financial Officer and Financial Implications

7.1 There are no direct financial implications arising from this report if operational procedures remain the same. The work within internal audit and other departments to undertake and manage social housing fraud prosecutions in accordance with statutory requirements for Council-owned properties can be contained and managed within the relevant revenue budgets.

7.2 If the Council was requested to take on additional responsibility for the prosecution of cases for other social landlords' properties, the resources required to complete this work would need to be evaluated.

8. Legal Implications

8.1 The functions under these Acts are executive and any delegations to officers must be approved by the Cabinet as set out at Part 4 Section F paragraph 1.5 and Part 3 Section E paragraph 6.04 of the Constitution. These changes should be reported to the Full Council for noting only.

8.2 There are no specific legal implications arising out of this report.

9. Equalities and Community Cohesion Comments

9.1 There are no direct equality implications arising out of this report.

10. Head of Procurement Comments

10.1 Not applicable.

11. Policy Implications

11.1 There are no direct implications for the Council's existing policies, priorities and strategies.

12. Reasons for Decision

12.1 Cabinet approval is required for the delegations to officers to enable the Council to effectively carry out its counter-fraud functions.

13. Use of Appendices

13.1 Appendix 1 – Constitutional changes

14. Local Government (Access to Information) Act 1985

14.1 Not applicable

APPENDIX E – SCHEME OF DELEGATION TO OFFICERS
Section 3 – Directorate of Corporate Resources

Section 3 Directorate of Corporate Resources – Scheme of Delegation to Officers

To the Director of Corporate Resources

All the Financial, Legal, Information and Communication Technologies, Benefits and Local Taxation, Customer Services, Audit and Procurement 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
Assistant Director Finance	ADF
Chief Financial Officer	CFO
Head of Corporate Finance	HCF
Head of Corporate Procurement	HProc
Head of Benefits & Local Taxation & Customer Services	HBLTCS
<i>Head of Audit & Risk Management</i>	<i>HRM</i>
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.

APPENDIX E – SCHEME OF DELEGATION TO OFFICERS
Section 3 – Directorate of Corporate Resources

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 55 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 Corporate 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
Authority to meet pensions fund managers, AVC scheme providers, custodians and other specialist external advisors on a regular basis for the purposes of performance monitoring and reporting findings back to the Corporate Committee on a quarterly basis	CFO
Power to agree the admission and terms of admission and the cessation of other bodies into the Council's Pension Scheme in consultation with the Chair of the Corporate Committee	CFO*

Payment of Accounts etc.	
Power to deal with or approve alternative arrangements for dealing with all certified expenditure matters	CFO
Power to approve the draft Council's Accounts and Accounting Policies by 30 June each year.	CFO
Power to approve the draft Pension Fund Accounts by 30 June each year	CFO

Other Financial Matters	
Power to exercise the functions of the duly authorised representative of the	CFO

APPENDIX E – SCHEME OF DELEGATION TO OFFICERS
Section 3 – Directorate of Corporate Resources

Council as the corporate member of Alexandra Palace Trading Limited	
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):- 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	CFO
Power to authorise all action to recover overpayments and monies lost through fraudulent claims in relation to Housing Benefit and <u>the Council Tax Benefit Reduction Scheme</u> including powers to impose administrative penalties, to prosecute and to bring civil proceedings in relation to fraudulent claims	HBLTCS <u>HRM</u>
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. Power to suspend any contractor from the Lists in cases of serious breach of contract or unsatisfactory service delivery pending final decision by the relevant Director for contracts valued at £250,000 (two hundred and fifty thousand) or less and by the Cabinet for contracts valued over £250,000 (two hundred and fifty thousand).	HProc

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

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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

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

Law of Property Act 1925		
Sections 115 & 120	Power to sign receipt on discharge of mortgage	HLS
London Building Acts 1939		
Sections 6 & 11	Powers to name streets and to number buildings in streets	HLS
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, Registrar of Marriages or their	HLS*

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	deputies at ceremonies, such fees to recover all the Council's costs and to be approved by the relevant Cabinet Member	
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		

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(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 HBL TCS
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		
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 HBL TCS
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	HBL TCS
<u>Social Security Administration Act 1992</u>		
<u>Part VI</u>	<u>Power to authorise action to recover</u>	<u>HRM</u>

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	<u>overpayments and monies lost through fraudulent claims in relation to Housing Benefit including powers to impose administrative penalties, to prosecute and to bring civil proceedings in relation to fraudulent claims</u>	
Local Government Finance Act 1992		
<u>Section 13A</u> <u>Schedule 1A</u>	<u>Power to operate a Council Tax Reduction Scheme including functions relating to handling claims, assessing entitlements, making payments, recovery of over-payments and obtaining information</u>	HBL TCS
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 HBL TCS
All Regulations under the Act including the Council Tax (Administration and Enforcement) Regulations 1992 <u>and the Council Tax Support Schemes (Prescribed Requirements) (England) Regulations 2012</u>	Functions in relation to the administration and enforcement of Council Tax <u>and the Council Tax Reduction Scheme</u> including requests for information, demand notices, liability orders and proceedings to enforce payment	CFO HBL TCS
<u>Regulations under the Act including the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013</u>	<u>Functions in relation to the recovery of overpayments and monies lost through fraudulent claims in relation to the Council Tax Reduction Scheme including powers to impose administrative penalties, to prosecute and to bring civil proceedings in relation to fraudulent claims</u>	HRM
<u>Regulation of Investigatory Powers Act 2000</u>		
<u>Sections 28 and 29</u>	<u>Power to authorise directed surveillance</u>	CFO

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	<i>or the conduct and use of a covert human intelligence source for the purpose of preventing or detecting crime</i>	ADF only
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 Regulatory 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 Regulatory Committee, power to make arrangements to deal with cases under the Act remitted by the Magistrates Court to the Council for decision	HLS* only
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	HBL TCS HRM
Commons Act 2006		
Section 1	Keeping a register of common land and town and village greens	HLS
<u>Prevention of Social Housing Fraud Act 2013</u>		
<u>Whole Act</u>	<i>All powers to enforce against and prosecute any offence under this Act</i>	HRM

APPENDIX E – SCHEME OF DELEGATION TO OFFICERS
 Section 4 – Directorate of **Place and Sustainability**

Section 4 - Directorate of Place and Sustainability - Scheme of Delegation to Officers

Statutory delegations

Schedule of Statutory delegations

Regulation of Investigatory Powers Act 2000		
<u>Section 21-25</u>	<u>Power to authorise the obtaining and disclosure of communications data</u>	<u>DDOSCS</u>
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	<u>DP&S DDOSCS</u> <u>HCS AD-SF</u> HNS Only

