

## APPENDIX 2

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

### **PART F.7 of the Constitution – Scheme of Delegation to Officers**

[this extract starts at page 8 of Part F.7 in the version of the Constitution updated in June 2005]

<b>Section 2 Chief Executive's Service – Scheme of Delegation</b>
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#### **To the Chief Executive**

1. All the powers delegated to the other Senior Officers and shall be able 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. Excluded from this delegation is the withdrawal or modification of public library facilities.
3. 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) The preparation and consultation in 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 Executive shall determine
4. The authority to institute, defend or settle any legal proceedings or arbitration where urgent action is needed to protect the interests of the Council.
5. To be Head of the Paid Service.

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 a civil emergency.
7. To nominate other senior officers of the Council, whether orally or in writing, to take administrative decisions in the event of a civil emergency.
8. In the event that all Members of the Executive are removed from office under **Article 15.05** (in **Part H**), to exercise all Executive functions in consultation with the Mayor until the Council shall appoint a new Executive.
9. Included in this delegation are the statutory and non-statutory functions also delegated to the designated officers listed below.

### **Schedule of abbreviations used in the Scheme of Delegations for the Chief Executive's Service**

Chief Executive	<b>CE</b>
Assistant Chief Executive - Strategy	<b>ACE-S</b>
Assistant Chief Executive - Organisational Development	<b>ACE-OD</b>
Assistant Chief Executive - Access	<b>ACE-A</b>
Head of Legal Services	<b>HLS</b>
Head of Libraries	<b>HL</b>
Head of Information Technology	<b>HIT</b>
Head of Equalities	<b>HE</b>
Head of Communications	<b>HC</b>
Corporate Complaints Manager	<b>CCM</b>
Head of Personnel	<b>HP</b>
Head of Members and Democratic Services	<b>HMDS</b>
<i>Head of Safer Communities Unit</i>	<b><u>HSCU</u></b>

### **Non-statutory delegations**

1. Power to grant a licence to display the Borough Coat of Arms to other organisations.	<b>HMD S</b>
2. Power to provide town maps by advertising companies.	<b>HC</b>

3. Power to provide official guides, street maps and similar publications.	<b>HC</b>
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 Chief Whips of the Party Groups.	<b>HMD S*</b>
5. Power to authenticate any notice, order, assent, demand or other document which the Council are authorised or required by or under any Act and any instrument made thereunder to give make or issue.	<b>HLS</b>
6. Power to obtain particulars of occupiers of and other persons interested in land and of persons authorised to manage or to arrange for the letting of land.	<b>HLS</b>
7. Power to make minor boundary adjustments between adjoining parcels of Council owned land and to authorise the necessary Appropriation Orders and adjustments to accounts to be made.	<b>HLS</b>
8. Power to administer any charity of which the Council is trustee (except Alexandra Park and Palace and The Mayor's Charity).	<b>HLS</b>
9. Power to administer the Mayor's Charity in consultation with the Mayor	<b>HMD S*</b>
10. Power, notwithstanding the arrangements for the discharge of the function by the appropriate Designated Officer, to authorise, institute, defend, compromise or adjourn any form of legal proceedings or statutory procedure and to make any appeal or contend any appeal in criminal or civil proceedings where such action is desirable to protect the Council's interests.	<b>HLS</b>
11. Power to authorise other officers to represent the Council in civil or criminal proceedings.	<b>HLS</b>
12. 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.	<b>HLS</b>
13. Power to take part in such schemes of co-operation between library authorities as will improve the library service.	<b>HL</b>
14. Power to permit groups from interested organisations to visit the library buildings at suitable times during the day and after closing hours when necessary.	<b>HL</b>
15. 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	<b>HL</b>

show them elsewhere than in Library premises.	
16. Power occasionally to vary library opening hours.	<b>HL</b>
17. Power to fix the number of items loaned per borrower and loan period.	<b>HL</b>
18. Power to adopt appropriate pricing policy for sale of withdrawn stock.	<b>HL</b>
19. Power to charge for copies of local studies material.	<b>HL</b>
20. Power to permit the use of library premises for adult literacy and English language classes.	<b>HL</b>
21. Power to determine the charges for the reproduction of Local Studies material required for commercial purposes having regard to the scales recommended by the Museums Association.	<b>HL</b>
22. Power to approve appropriate charges for events of an educational or cultural nature held on library premises.	<b>HL</b>
23. Power to approve charges for individual library or museums publications.	<b>HL</b>
24. Power to alter the library charge for copies produced from microforms to conform to that levied by the Planning Department.	<b>HL</b>
25. Power to introduce modifications to the employees' car leasing scheme which do not adversely affect the Council's financial position.	<b>ACE -OD</b>
26. Power (in consultation with the relevant Executive Member) to make exceptions to the Council's Policy to re-employ officers, craft or manual workers 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	<b>ACE -OD*</b>
27. Power (in consultation with the relevant Executive Member) to implement discretionary elements of nationally negotiated agreements	<b>ACE -OD*</b>
28. Power to identify posts/jobs exempt from the Job Share Policy	<b>HP</b>
29. Power to agree special leave entitlements in the case of sick dependants leave	<b>HP</b>
30. Power to implement statutory or case law changes to employment issues where no exercise of discretion is required	<b>HP</b>
31. Power to implement nationally negotiated agreements affecting employees where no exercise of discretion is involved	<b>HP</b>
32. Power to authorise the 'certificate of opinion' for employees on SCP44 or above making application for exemption under the Local Government & Housing Act 1989 - Politically Restricted Posts	<b>HP</b>
33. Approval of time off for accredited Trade Union representatives to	<b>HP</b>

attend training courses or other approved activities in connection with their industrial duties	
34. Approval of time off for Special Branch Meetings	<b>HP</b>
35. Approval of payments made in respect of injury allowances within the scope of part L of the Superannuation Regulations	<b>HP</b>
36. Power to vary enhanced severance payments in individual cases, subject to appropriate statutory provisions	<b>HP</b>
37. Power to enter into and agree appropriate settlements for individuals at termination of employment or in legal proceedings including those reached by compromise agreement	<b>HP</b>
38. Power to implement scales of election expenses recommended by the Association of London Government.	<b>CE</b>
39. Duty and power in consultation with the relevant Executive Member to monitor the Council's compliance with: <ul style="list-style-type: none"> <li>• the Disability Discrimination Act 1995</li> <li>• the Race Relations Act 1976 and the Race Relations Amendment Act 2002</li> <li>• Sex Discrimination Act 1974</li> </ul>	<b>HE*</b>

### Statutory Delegations

<b>Land Registration Rules 1925</b>		
Rule 12	Power to sign instrument in form 53	<b>HLS</b>
<b>Law of Property Act 1925</b>		
Sections 115 & 120	Power to sign receipt on discharge	<b>HLS</b>
<b>The Public Libraries and Museums Act 1964</b>		
Section 12	Power to contribute to expenses of any person providing or maintaining or benefiting a museum or art gallery	<b>HL</b>
Section 15	Power to establish a fund for purchase of objects for exhibition	<b>HL</b>
Section 20	Power to allow use of library and museums premises for meetings etc of an educational or cultural nature	<b>HL</b>
<b><u>Children and Young Persons Act 1969</u></b>		<b><u>ACE-S</u></b>

		<b>HSCU</b>
<u>Section 9</u>	<u>Power to make investigation concerning the home surroundings, school record, health and character of any young person against whom proceedings for an offence are commenced by the Council and provide the court with such information</u>	
<u>Section 13</u>	<u>Power to select a supervisor where a Supervision Order is made</u>	
<u>Section 15</u>	<u>Power to apply for discharge or variation of Supervision Orders</u>	
<u>Section 23</u>	<u>Power to provide accommodation (including secure accommodation) for children and young persons remanded or committed by a court to local authority accommodation; to authorise any officer or other person to detain any person so remanded or committed; to apply to any court for conditions to be attached to any such remand or committal; and to seek the Secretary of State's consent to arrangements that the whole or part of any period of any such remand or committal should be in a secure training centre</u>	
<u>Section 23AA</u>	<u>Power to inform a court of the view of a youth offending team that an electronic monitoring condition is suitable in the case of the remand or committal of any person under section 23 of this Act and to exercise and perform all powers and duties conferred by any rules made by the Secretary of State under this section</u>	
<u>Section 30</u>	<u>Power to detain any person in a community home or controlled community home in accordance with directions given by the Secretary of State, and to recover from the Secretary of State any expenses reasonably incurred in discharging this duty</u>	
<b>Attachment of Earnings Act 1971</b>		
Section 3	Power to apply to Court for attachment of earnings order against debtors	<b>HLS</b>
<b>Local Government Act 1972</b>		
Section 222	Power to prosecute and defend, compromise or adjourn proceedings and power to authorise	<b>HLS</b>

	legal proceedings on recommendation by relevant Designated Officer	
Section 223	Power to authorise a Member or officer to appear in legal proceedings.	<b>HLS</b>
<b>GLC (General Powers) Act 1974</b>		
Section 16	Power to enter into agreements affecting land	<b>HLS</b>
<b>Local Government Act 1974</b>		
Section 28	Power to comment on any allegations contained in a complaint to the Local Government Ombudsman	<b>CCM</b>
Section 32(3)	Power to give notice to Local Government Ombudsman that disclosure of any document or information would be contrary to the public interest	<b>CCM</b>
<b>Local Land Charges Act 1975</b>	All functions	<b>HLS</b>
<b>Local Government (Miscellaneous Provisions) Act 1976</b>		
Section 16	Power to serve requisitions for information	<b>HLS</b>
Section 28	Power to apply for the repayment of unclaimed compensation paid into court	<b>HLS</b>
Section 32	Powers to execute works outside local area	<b>HLS</b>
<b>Employment Protection (Consolidation) Act 1978</b>		
Section 5	Power to exclude certain contracts in writing (from sections 1-4)	<b>ACE-OD</b>
Section 11	Power to refer certain questions (re. Section 1 or Section 4 or Section 8 Statements - or lack of) to industrial tribunals for determination	<b>ACE-OD</b>
<b>Data Protection Act 1984</b>		
Section 4	Power to register personal data	<b>HIT</b>
<b>Housing Act 1985</b>		

Section 73	Power to assist voluntary organisations	<b>ACE-S</b>
<b>Local Government and Housing Act 1989</b>		
Section 33	Steps to promote economic development	<b>ACE-S</b>
<b><u>Criminal Justice Act 1991</u></b>		<b><u>ACE-S</u></b> <b><u>HSCU</u></b>
<u>Section 61</u>	<i><u>Duty to secure that the Council is in a position to comply with any security requirement which may be imposed by a remand or committal to local authority accommodation by providing secure accommodation or by making arrangements with other local authorities or other organisations for the provision of such accommodation, and to comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to such accommodation</u></i>	
<u>Section 65</u>	<i><u>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 a term of detention in a young offender institution or under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000</u></i>	
<b>Marriage Act 1994</b>		
Section 1 and Regulations made thereunder	To recommend the scale of fees for applications for approval of premises for civil marriages and the attendance thereof of the Superintendent Registrar, Registrar of Marriage or their deputies, such scale to recover all of the Council's costs involved, and subject to approval by the relevant Executive Member	<b>HLS*</b>
<b><u>Housing Act 1996</u></b>		
<u>Sections 153A-E, 154, 155, 156 and 157</u>	<i><u>Functions in relation to powers of arrest and injunctions against anti-social behaviour</u></i>	<b><u>ACE-S</u></b> <b><u>HSCU</u></b>
<b><u>Crime and Disorder Act 1998</u></b>		<b><u>ACE-S</u></b>



		<b>HSCU</b>
<u>Section 1</u>	<u>Power to apply for an Anti-Social Behaviour Order</u>	
<u>Section 11</u>	<u>Power to apply for a Child Safety Order</u>	
<u>Section 12</u>	<u>Power to apply for the discharge or variation of a Child Safety Order</u>	
<u>Section 14</u>	<u>Power to make a local child curfew scheme, to consult before making such a scheme, to respond to consultation by the police where they intend to make such a scheme, to seek the Secretary of State's confirmation for such a scheme, and to publish a curfew notice given under such a scheme</u>	
<u>Section 38</u>	<u>Power to secure, in co-operation with the police and other authorities, that appropriate youth justice services are available in the Council's area, (including, but not limited to, the provision of appropriate adults, the assessment of children and young persons and the provision of rehabilitation programmes, the provision of support to such persons when remanded or committed on bail, the placement of such persons in accommodation, the provision of reports, the provision of responsible officers, and the supervision of children and young persons) and the making of payments towards expenditure incurred in the provision of such services</u>	
<u>Section 39</u>	<u>Power to establish a youth offending team as defined in this section, to make payments towards expenditure incurred by or for purposes connected with such a team, and to appoint any social worker to form part of such a team</u>	
<u>Section 40</u>	<u>Power to formulate and implement a youth justice plan as defined in this section, to submit such a plan to the Youth Justice Board, and to publish it in such manner as the Secretary of State may direct. (This delegation does not include the power to approve, adopt or revoke any such strategy or any modification or variation of it)</u>	
<u>Section 65</u>	<u>Power to act as an appropriate adult for an offender under the age of 17 when a reprimand or warning under this section is given</u>	
<u>Section 66</u>	<u>Power to assess a person referred to the youth</u>	

	<u>offending team under this section (following a reprimand or warning under section 65 of this Act), to arrange for him to participate in a rehabilitation programme, and to have regard to any guidance in relation to rehabilitation programmes issued by the Secretary of State under this section</u>	
<b><u>Powers of Criminal Courts (Sentencing) Act 2000</u></b>		<b>ACE- S HSCU</b>
<u>Section 21 &amp; 22</u>	<u>Power to adjourn any meeting of a youth offender panel, to refer an offender back to the appropriate court, and to allow any person to attend a meeting of a youth offender panel</u>	
<u>Section 23</u>	<u>Power to seek to reach agreement with an offender on a programme of behaviour the aim of which is to prevent re-offending (a youth offender contract) and to record and sign any such agreement</u>	
<u>Section 25</u>	<u>Power to end an initial meeting with an offender without agreeing a youth offender contract, to resume consideration of such a contract at a further meeting, and to refer the offender back to the appropriate court</u>	
<u>Section 26</u>	<u>Power to request a youth offending team to arrange for the holding of a progress meeting in respect of any offender party to a youth offending contract, and to review any such contract at any meeting so arranged</u>	
<u>Section 27</u>	<u>Power to conduct a final meeting, to review a offender's compliance with a youth offending contract, to decide whether such compliance has been such as to justify the conclusion that any offender will have satisfactorily completed any youth offending contract by the end of the compliance period, to give written confirmation of any such decision, and to refer any offender back to the appropriate court</u>	
<u>Section 29</u>	<u>Power to arrange for the provision of administrative staff, accommodation and other facilities as are required by a youth offender panel, to make arrangements for supervising any offender's compliance with a youth offending contract, and to ensure that the member of any youth offender panel appointed by the youth offending team keeps</u>	

	<u>records of any offenders' compliance with such a contract</u>	
<u>Section 46</u>	<u>Power to appoint an appropriate officer to give information to a court as to the suitability of making a community punishment order</u>	
<u>Section 47 &amp; 48</u>	<u>Power to appoint a member of a youth offending team to discharge the functions of a responsible officer with regard to the operation of a community punishment order and to exercise and perform the powers and duties in Schedule 3 of this Act</u>	
<u>Section 63 &amp; 65</u>	<u>Power to act as a supervisor for any child or young person in relation to whom a supervision order has been made under this section and to exercise and perform the powers and duties in Schedule 7 of this Act</u>	
<u>Section 64</u>	<u>Power to agree to the designation of the Council as the supervisor of a child or young person under a supervision order made under section 63 of this Act, and to defray any expenditure incurred by a supervisor in compliance with directions or requirements given by virtue of the provisions of Schedule 6 of this Act</u>	
<u>Section 66</u>	<u>Power to make arrangements with other persons for the provision of facilities for enabling directions and requirements made under Schedule 6 of this Act to be carried out effectively, to consult with a local probation board about any such arrangements, to specify any such arrangements in a scheme, to provide copies of any such scheme to the chief executive of the Haringey petty sessions area and others, to keep a copy of any such scheme available for inspection by members of the public, and to make a further such scheme</u>	
<u>Section 69</u>	<u>Power to appoint a social worker to; act as a responsible officer for the purposes of an action plan order made under this section, and provide a written report prior to the making of such an order</u>	
<u>Section 71</u>	<u>Power to provide a further report to the court with regard to the effectiveness of an action plan order made under section 69 of this Act</u>	

<u>Section 70 &amp; 72</u>	<u>Power to give directions under an action plan order made under section 69 of this Act and to and perform the powers and duties in Schedule 8 of this Act</u>	
<u>Section 73</u>	<u>Power to appoint a social worker to prepare a report for any court considering the making of a reparation order under this section</u>	
<u>Section 74 &amp; 75</u>	<u>Power to appoint a social worker to act as a responsible officer for the purposes of a reparation order made under section 73 of this Act and to exercise and perform the powers and duties in Schedule 8 of this Act</u>	
<u>Section 103</u>	<u>Power to appoint a social worker to supervise an offender subject to a detention and training order</u>	
<u>Section 36 &amp; 162</u>	<u>Power to appoint an appropriate officer to prepare any pre-sentence report</u>	
<b>Local Government Act 2000</b>		
Sections 2, 3 and 4	Steps to promote economic, social and environmental well-being	<b>ACE-S</b>

