

Part 7 OFFICERS

Section

- 1 Management Structure
- 2 Scheme of Delegation to Officers
 - Strategy and Change
 - Finance and Resources
 - Children and Public Health
 - Adults and Communities
 - Environment and Place
- 3 List of Statutory Officers and Proper Officers and Designated Posts

1. MANAGEMENT STRUCTURE

- 1.1 The corporate structure of Southend-on-Sea City Council and its [Directorates / Service Areas] are set out below.
- 1.2 [Space Holder to insert SoSCC Management Structure diagram]

2. SCHEME OF DELEGATION TO OFFICERS

Purpose and Application

- 2.1 To support the Council's intention that decision making is efficient, and consistent with the openness and democratic accountability, Officer decision making is delegated under this Constitution by Council to the Chief Executive. The Chief Executive is unable to personally make all decisions, and as such this Scheme of Delegation to Officers sets out who the Chief Executive has authorised to make decisions, or fulfil specified Proper Officer functions on their behalf, and the framework within which those delegations may be exercised.
- 2.2 Where a decision has been delegated, it remains open to the Officer making the delegation to call back the decision for their own determination, and for an Officer to whom decision making authority has been delegated, to refer the matter back to the delegating Officer for their determination.
- 2.3 This Scheme of Delegation to Officers is without prejudice to the discharge of the Council's functions and the exercise of its powers by the full Council, Committees and Sub-committees of the Council, and the Cabinet.
- 2.4 This Scheme of Delegation to Officers is subject to, and must be read in conjunction with, the Council's policies, and this Constitution including particularly:
 - Part [] Section [] Responsibility for Functions
 - This Part 7 Section 3 List of Proper Officers and Designated Posts
 - This Part 7 Section 5 Staff Employment Procedure Rules
 - This Part 7 Section 6 Contract Procedure Rules
 - This Part 7 Section 7 Financial Procedure Rules
 - This Part 7 Section 8 Property Procedure Rules
- 2.5 This Scheme of Delegation includes the five tables set out below in respect of the Council's five directorates:
 - Strategy and Change
 - Finance and Resources
 - Children and Public Health
 - Adults and Communities
 - Environment and Place

which specify:

- a) The function or power being which is being delegated;
- b) The post (Executive Director / Director) to which the function or power is delegated; and,
- c) Any specific restrictions or conditions which apply to the delegation, for example, the requirement to consult with a particular Officer or Councillor.

2.6 Any function or power which may discharged in accordance with this Scheme of Delegation to Officers may also be discharged by a person or Officer holding a successor post to that of the original post following any reorganisation, restructure or similar process.

General Delegations

2.7 The Chief Executive has authorised the Executive Directors and Directors to take executive (non-Key Decisions) or non-executive decisions on their behalf as detailed in the below tables, which includes the power to act on behalf of the Council in relation to any incidental operational matter within the directorate for which they are responsible, including without limitation:

- a) Expenditure;
- b) Staffing;
- c) Resourcing (including procurement and letting contracts);
- d) Instructing the Director of Legal Services;
- e) Settling claims and disputes;
- f) Making statutory determinations and orders;
- g) Serving statutory notices;
- h) Granting, conditioning, refusing and revoking permissions, consents, permits and licences;
- i) Signing and authenticating documents;
- j) Submitting representations in respect of the Licensing Act 2003 and the Gambling Act 2005;
- k) Taking enforcement action;
- l) Setting fees and charges;
- m) Writing-off debt;

2.8 Any action taken under delegated powers shall be in accordance with:

- a) The overall policies of the Council as approved by full Council, the Cabinet or a Committee;

- b) The provisions of this Constitution, including particularly the Contract Procedure Rules, Financial Procedure Rules and the Property Procedure Rules;
- c) Appropriate consultation, including particularly with the Director of Legal Services / Monitoring Officer, Chief Finance Officer, and the relevant Cabinet Member;
- d) Human resources policies and procedures;
- e) Approved capital and revenue budgets; and,
- f) The requirements of all relevant legislation.

2.9 In exercising delegated powers, the decision maker shall:

- a) Be clear about the intentions of the Council, how they will be achieved, who is accountable for the decision, and who is accountable for implementing the decision, and who is accountable for monitoring the implementation;
- b) Consult as appropriate and give due regard to the professional advice of the Council's Officers, and external advisors;
- c) Have regard to the public sector equality duty, the best value duty, natural justice and human rights;
- d) Publicise the decision as required;
- e) Give due weight to all relevant considerations, take only relevant matters into account, and ensure the decision made and action taken is proportionate to the Council's intentions;
- f) Follow correct procedures.

2.10 Without prejudice to generality to the provisions of this Scheme of Delegation to Officers, decision makers shall have regard to any resolution of the full Council, Cabinet, relevant Cabinet Member, Committee or Sub-Committee on any matter of principle or policy relating to the function or power being discharged, and as appropriate shall:

- a) Maintain a close liaison with the relevant Cabinet Member(s), or in their absence the Leader;
- b) Ensure that the relevant Ward Councillor(s) is consulted on, or advised of the exercise of delegated powers;
- c) Ensure that the Monitoring Officer and Chief Finance Officer are consulted and advised of any decisions as necessary; and
- d) Ensure that the Corporate Leadership Team is consulted and advised where appropriate in relation to cross service issues.

Sub-delegations

- 2.11 The Chief Executive and the Executive Directors to whom the discharge of a function or power has been delegated may nominate Officers in their directorate to discharge that function or power.
- 2.12 All delegations conferred in accordance with paragraph 2.11 must be formally recorded in writing by the Chief Executive or the relevant Executive Director as the case may be, with any restrictions or conditions on the delegation specified.
- 2.13 The Executive Directors shall each maintain for their directorate an accurate scheme of sub-delegations, including any restrictions or conditions on the sub-delegations.
- 2.14 Where the discharge of a function or power has been delegated to persons nominated by the Chief Executive or an Executive Director, the discharge of a function or power under that authority shall remain the responsibility of the Chief Executive or relevant Executive Director, as the case may be, and the discharge of the function or power shall be taken in their name.
- 2.15 Where the Chief Executive or an Executive Director is absent for a period of time which requires other Officers to exercise delegated authority in their absence, another Officer can be nominated for the purpose and the nomination approved by the Chief Executive. The nominated officer must be of a pay grade equivalent to or above the absent Executive Director and the level of financial delegation specified in the nomination.

Emergencies

- 2.16 The Chief Executive or an Executive Director may make decisions outside of the provisions of this Scheme of Delegation, (including the Contract Procedure Rules Financial Procedure Rules) and / or make decisions which would otherwise be reserved for determination by a full Council, a Committee, the Cabinet or a Cabinet Member, where the Chief Executive or an Executive Director considers that there is threat to the health or wellbeing of an individual, or a risk of damage to property, or a risk to the Council's interests.
- 2.17 Where paragraph 2.16 applies, the Chief Executive or an Executive Director is authorised to make all necessary decisions for such action to be taken as is necessary within the law to protect life, health, safety, property, and / or the economic, social or environmental wellbeing of the Council's area, its communities and businesses, and the individuals living or working in the area or visiting it.
- 2.18 Where in the opinion of the Chief Executive or the Executive Director time and circumstances permit, prior to exercising delegated authority in accordance with paragraphs 2.16 and 2.17 above, the Chief Executive Officer or an Executive Director shall use their best efforts to consult the Leader, or in the absence of the Leader the Deputy Leader or the appropriate Cabinet Member, and the Chair of the relevant Overview and Scrutiny Committee, and in any case shall inform the Leader or Deputy Leader or Cabinet Member, and the relevant Overview and Scrutiny Committee Chair, of their actions as soon as practicable.

2.19 Any decisions made and actions taken by an Executive Director in accordance with the provisions of paragraphs 2.16 to 2.19 shall be reported to the Chief Executive as soon as practicable, and all decision made and actions taken in the case of an emergency shall be reported to full Council at the next meeting, including the extent to which it has been necessary to operate outside of the Contract Procedure Rules and Financial Procedure Rules.

Indemnity

- 2.20 In accordance with The Local Authorities (Indemnities for Members and Officers) Order 2004, the Council will provide an indemnity to any Members, Employees, former Members and former Employees in relation to any neglect, act, error or omission committed by them in the course of undertaking their duties as a Member or Employee of the Council and as authorised by the Council, or from or in connection with the exercise of powers or discharge of duties placed upon them the Council or with the approval of the Council. The indemnity will include costs awarded against the Member or Employee, and the reasonable costs they incur.
- 2.21 The indemnity shall include where a Member or Employee of the Council is acting for other persons or bodies with the consent of the Council.
- 2.22 The indemnity shall not extend to loss or damage directly or indirectly caused by the Member or Employee, arising from fraud, dishonesty, a criminal offence, or wilful misconduct on their part, or their reckless disregard for the consequences of their actions, or actions they took which are outside the legal powers of the Council to take, except where the Member or Officer truly believed the actions they took were within the Council's legal powers.
- 2.23 The indemnity will not apply to the making of any claim by the Member or Employee, but will include an indemnity for the defence of a Member or Employee any claim against actions they took in their capacity as a Member or Employee of the Council.
- 2.24 Where the Member or Officer is convicted of a criminal offence, and the conviction is not overturned on appeal, the Council will seek reimbursement of any costs met by the indemnity.
- 2.25 The indemnity will not apply if an Employee admits liability, negotiates or attempts to negotiate the settlement of any claim which falls within the scope of the indemnity, without the written authority of the Council.
- 2.26 Any indemnity provided is without prejudice to the Council's right to take or commence disciplinary action against an Employee in respect of any neglect, act, error or omission in respect of which the indemnity is provided.

Strategy and Change

Scheme of Delegation to Officers

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------------------|---|--------------|---|
| Communications | | | |
| 1. | To act on behalf of the Council to informally brief the media on issues, issue media releases and respond to media queries. | | |
| 2. | To monitor and manage corporate social media accounts and support staff with social media community management, in accordance with the communication protocols. | | |
| 3. | To implement and lead on actions to support the Communications Strategy | | |
| 4. | To provide media spokesperson representation on individual issues, for both reactive and proactive media coverage. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-------------------------------|--|--------------|---|
| 5. | Authorise changes or create suitable alternative content for the Council's corporate website, in both proactive and reactive situations. | | |
| Information Governance | | | |
| 6. | A senior information risk owner who will take overall ownership of the Council's [Information Risk Policy]. | | |
| 7. | Approving local settlements as suggested by and agreed with the Ombudsman under section 92 Local Government Act 2000. | | |
| 8. | Respond to complaints through co-ordinating response from responsible services. | | |
| 9. | Act on behalf of the council to implement the [Unreasonable Behaviour policy]. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 10. | Review of information governance policies and implement proactive approach across the council. | | |
| 11. | Authorised to conduct searches for subject access requests. | | |
| 12. | To act on behalf of the council in respect of Freedom of Information Act 2000 to co-ordinate and issue responses. | | |
| 13. | Investigate data breaches and prepare reports for sharing with [Information Governance Steering Group]. | | |
| 14. | Report to the Information Commissioner's Office on data breaches where decided. | | |
| 15. | To commission investigation into suspected misuse of IT in accordance with the [Employee Code of Conduct and relevant policies]. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-------------------------------|---|--------------|---|
| 16. | Respond to requests from police and partners for information and data requirements within the sharing protocol. | | |
| 17. | On behalf of the Council collate, produce and submit the [Information Governance Toolkit]. | | |
| 18. | Dispose of expired records held at the modern records unit. | | |
| 19. | Produce annual equality statement in accordance with Equality Act 2010. | | |
| 20. | The Officer to act as Local Registrar as defined in Section 3 of the Local Land Charges Act 1975. | | |
| Information Technology | | | |
| 21. | On behalf of the Council to manage and issue orders and payment for supplies with agreed contracts. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------------------------------|---|--------------|---|
| 22. | Monitor, assess and modify IT services and their provision | | |
| 23. | Preparation of the IT strategy | | |
| 24. | Delivery of the agreed IT strategy | | |
| Elections and Civic Duties | | | |
| 25. | Section 52(2), Representation of the People Act 1983, Section 52(3), Representation of the People Act 1983. | | |
| 26. | Section 28(5), of Representation of the People Act 1983 | | |
| 27. | Section 35(4), Representation of the People Act 1983. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|----------------------------|--|--------------|---|
| 28. | Section 5(1), The Police and Crime Commissioners Elections (Functions of Returning Officers) Regulations 2012 Section 7(1), European Parliamentary Elections Act 2001 | | |
| 29. | Section 35(4), Representation of the People Act 1983 | | |
| 30. | Deputy Electoral Registration Officer | | |
| Democratic Services | | | |
| 32. | Ensuring that all published decision reports conform/adhere to constitutional rules and procedures. | | |
| 33. | Verify and agree members' expenses, over the £100 threshold, within the budget perimeters. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 34. | Publish all public meeting papers five working days prior to the meeting | | |
| 35. | Rejection of a public question under the Council Procedure Rules | | |
| 36. | Re-direction of a question to another committee | | |
| 37. | Rejection of a Councillors' question under the Council Procedure Rules | | |
| 39. | Notification of substitutions | | |
| 40. | <p>Where the publication of 28 day notice of the intention to make a key decision is impractical, the decision may still be taken if:</p> <p>(a) the monitoring officer has informed the chair of the relevant Overview and Scrutiny Committee, or, if there is no such person, each member of that committee by notice</p> | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| | in writing, of the matter about which the decision is to be made | | |
| 41. | Inspection of documents | | |
| 42. | Signing of Ward Councillors' declaration of interest forms | | |
| 43. | Signing register of Town Councillors' declarations of interest forms | | |
| 44. | Initial assessment of complaints made under the Code of Conduct for Councillors | | |
| 45. | Recruitment of panel members to the Independent Remuneration Panel | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|------------------------|---|--------------|---|
| Legal Services | | | |
| 46. | To issue, defend, settle or take part in any legal proceedings on the Council's behalf. | | |
| 47. | Waivers of the Contract Procedure Rules | | |
| 49. | Signing any document and affixing the Council's seal on behalf of the Council | | |
| 50. | Determination of complaints submitted under the Code of Conduct for Councillors | | |
| 51. | To maintain the Register of Members' | | |
| Human Resources | | | |
| 51. | Approval of HR, Health & Safety, business continuity and emergency planning policies | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 52. | Approval of HR, health and safety, emergency planning and business continuity procedures and guidance. | | |
| 53. | Application of HR and Health & Safety policies and procedures | | |
| 54. | Approval of the carryover of annual leave | | |
| 55. | Approval of expenses and travel claims | | |
| 56. | Approval of time off for trade union duties | | |
| 57. | Approval of special leave | | |
| 58. | Suspension of an employee | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 59. | Approval of additional leave with or without pay | | |
| 60. | Appointment of consultant / interim manager | | |
| 61. | Approval of new post | | |
| 62. | Approval of post re-evaluation where the grade is likely to increase | | |
| 63. | Approval of extension of fixed term contract or conversion of fixed term to permanent contract | | |
| 64. | Recruitment to existing and new posts (whether permanent, fixed term or casual), including cover arrangements where substantive postholder is on long term leave e.g., due to career break, adoption / maternity, parental leave) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 65. | Approval of additional increments within the current pay scale | | |
| 66. | Approval of increased working hours | | |
| 67. | Changing the duties and responsibilities of jobs and submitting them for job evaluation | | |
| 68. | Grading Single Status jobs | | |
| 69. | Grading for jobs subject to other national agreements | | |
| 70. | Grading of Hay posts | | |
| 71. | Approval of market pay supplements (including extensions) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 72. | Approval of revised staffing structures | | |
| 73. | Approval of relocation expenses | | |
| 74. | Approval of career breaks | | |
| 75. | Determination of employee grievances | | |
| 76. | Dismissal on grounds of capability / conduct / some other substantial reason | | |
| 77. | Dismissal on grounds of redundancy | | |
| 79. | Approval of MERS applications, redundancy payments, ill health retirement and flexible retirement applications | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|------------------|--|---------------------|--|
| 80. | Employer discretions under the official pension schemes | | |
| 81. | Approval of settlement agreements | | |
| 82. | Meeting the cost of redundancies in schools etc. where the Council is the employer | | |
| 83. | Ensure appropriate arrangements are in place to carry out the Council's emergency planning functions in accordance with the Civil Contingences Act 2004 | | |
| 84. | Ensure the effective discharge the functions for health, safety and welfare in connection with work and control of dangerous substances within the meaning of the Health and Safety at Work Act 1974 | | |
| 85. | Approval of spend and the allocation of funds to providers from the Council's apprenticeship levy fund. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|----------------------|---|--------------|---|
| Commissioning | | | |
| 86. | Corporate commissioning, including the determination of grant applications, in accordance with the Council's Commissioning Framework. Joint commissioning. | | |

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Finance and Resources

Scheme of Delegation to Officers

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-------------------------------------|---|--------------|---|
| Finance | | | |
| Council Tax and NNDR Billing | | | |
| 1. | To raise annual bills and required amendments | | |
| 2. | To send reminders/summons as required | | |
| 3. | To commence recovery procedures as required for outstanding debts | | |
| 4. | Debt Collection enforcement arrangements for Council Tax/NNDR | | |
| 5. | Process Council Tax/NNDR refunds | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|---|--------------|---|
| 6. | Represent the Council at Magistrates' Court/Valuation Tribunals | | |
| 7. | Liaise with [Valuation Office] to maintain accurate banding of properties | | |
| 8. | Prepare annual business rates briefing for consultation | | |
| 9. | Determine entitlement to reliefs/discounts | | |
| 10. | Submission of Government returns | | |
| 11. | To approve Council Tax hardship applications | | |
| 12. | Process Direct Debit claims/[Auddis] runs | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|----------------|--|--------------|---|
| 13. | Conduct periodic visits to properties to ensure revenue is maximised | | |
| 14. | Respond to complaints / Freedom of Information requests | | |
| Debtors | | | |
| 15. | Raising invoices for sums due | | |
| 16. | Effective collection and recording of all monies due to the Council | | |
| 17. | Authorisation of new payment facility | | |
| 18. | Debt collection enforcement arrangements for car park debts | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|---|---|--------------|---|
| 19. | Process Direct Debit claims/[Auddis] runs | | |
| 20. | Respond to complaints / Freedom of Information requests | | |
| 21. | Represent the Council at County Court | | |
| 22. | Liaise with the Department for Work & Pensions (DWP) | | |
| Housing and Council Tax Benefits | | | |
| 23. | Process housing and council tax benefit applications | | |
| 24. | Process change of circumstances | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|--|--------------|---|
| 25. | Process benefits payment runs | | |
| 26. | Administer the [Discretionary Housing Payments scheme (DHP)] | | |
| 27. | Recovery of benefit overpayments | | |
| 28. | Determine entitlement to free school meals | | |
| 29. | Complete the DWP data matching requirements | | |
| 30. | Carry out quality and controls checks | | |
| 31. | Administer DWP initiatives (VEP/RTI etc.) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|--|--------------|---|
| 32. | Manage CIS/TUO access and process the data | | |
| 33. | Administer CTR Discretionary payment scheme | | |
| 34. | Represent the Council at appeal tribunals | | |
| 35. | Respond to complaints / Freedom of Information requests | | |
| 36. | Submission of data to external parties e.g. HMRC/DWP(SHBE) | | |
| 37. | Fraud/NFI completion | | |
| 38. | Prepare HB Subsidy calculations for Council sign off | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|----------------|--|--------------|---|
| 39. | Maintain the revenues and benefits systems | | |
| 40. | Implement and maintain online digital customer channels | | |
| Payroll | | | |
| 41. | Arrangement for the payment of salaries, wages, pensions to current and former employees of the Council and members of the Council | | |
| 42. | Maintain records for compliance with HMRC and pension reporting | | |
| 43. | Process claims for payment for car allowances, subsistence allowances, travelling & incidental expenses | | |
| 44. | Process payroll BACS files | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|--|--|--------------|---|
| 45. | Authorise payments to Council (maintained) schools | | |
| Creditor and Social Care Payments | | | |
| 46. | Authorisation of payments (general) | | |
| 47. | Payment of invoices and processing BACS/cheque payment runs through relevant systems | | |
| 48. | Process regular periodical payments | | |
| 49. | Authorising the issue of Procurement cards and determining credit limits | | |
| 50. | Process domiciliary care invoices (authorise [Abacus] payment run) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------------------------|--|--------------|---|
| 51. | Calculate and bill service users for care contributions | | |
| Debt write offs | | | |
| 52. | Authorisation of debt write off | | |
| Banking Arrangements | | | |
| 53. | To approve the opening of new cash/bank imprest account or change to limit | | |
| 54. | To notify Bank of changes to authorised signatories | | |
| 55. | To authorise cheques on behalf of the Council | | |
| 56. | To be a Primary Security Contact for BACS (including setting up new users to hold a BACS card) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|----------------------------|---|--------------|---|
| Treasury Management | | | |
| 57. | Investment of surplus funds | | |
| 58. | Borrowing decisions to meet Capital Programme or short-term cash flow requirements | | |
| 59. | Authorisation of Bankline payments (e.g. Faster payments / CHAPS) | | |
| Government Grants | | | |
| 60. | To accept terms and conditions attached to any Government grants and complete grant returns | | |
| VAT | | | |
| 61. | To submit VAT returns | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|------------------------------------|---|--------------|---|
| Fixed Assets | | | |
| 62. | Propose assets to be included in the valuation list | | |
| 63. | Produce an asset management plan for approval by Council as part of the Capital Strategy | | |
| Capital and Revenue Budgets | | | |
| 64. | Propose a revenue budget for the coming year for approval by Council | | |
| 65. | Propose all capital project additions for the coming year for approval of an amended capital programme by Council | | |
| 66. | Produce and maintain a Capital Strategy for approval by Council | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|------------------|---|--------------|---|
| 67. | Approval to move revenue budgets between cost centres | | |
| 68. | Approval of additions to Expenditure Budgets Funded from Government Grants, Developers Contributions, Revenue Reserves or other sources of external funding | | |
| 69. | Approval of the movement of Capital Budget between Programme Years | | |
| 70. | Authorisation for the carry forward of under or overspends | | |
| 71. | Processing journal transfers | | |
| Insurance | | | |
| 72. | Responsibility to ensure appropriate insurance arrangements are in place. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|----------------------------------|---|--------------|---|
| 73. | Maintain record of all insurances, risks covered, premiums paid and of all self-funded risks and losses paid. | | |
| Internal Audit | | | |
| 74. | Arrangement of internal audit activities in accordance with the Accounts & Audit Regulations | | |
| 75. | Give assurance on financial and management control systems | | |
| 76. | Undertake Value for Money reviews | | |
| Financial Procedure Rules | | | |
| 77. | Maintain continuous review of the Financial Procedure Rules | | |
| Cash Collection | | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|------------------------------|--|--------------|---|
| 78. | Management of cash collection system | | |
| Procurement | | | |
| 79. | Issuing procurement tenders; receive supplier bids; issue contract award notices. | | |
| 80. | Update, amend and publish the contracts register. | | |
| Facilities Management | | | |
| 81. | Operational delivery of facility management undertakings, building maintenance, cleaning, construction and mechanical/ electrical works. | | |
| 82. | Operational delivery of health & safety compliance to property assets and associated undertakings. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|--|--------------|---|
| 83. | Procure and award of contracts to facilitate delivery of projects, goods and operational services identified in accordance with policy and allocated budget. | | |
| 84. | The opening and closure of Council property assets. | | |
| 85. | Have the authority to manage the day-to-day operation of facilities corporate Council buildings. | | |
| 86. | Set hire charges for corporate buildings. | | |
| 87. | Authorise use of buildings in the event of an emergency and particular circumstances, including opening and closing sites. | | |
| 88. | Ensure the security of buildings. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|--|--|--------------|---|
| 89. | Have the authority to evict people from sites when causing or potential causing a danger, being disruptive or abusive, or not adhering to policies when made aware of them. | | |
| Property Services / Estate Management | | | |
| 90. | To negotiate and agree terms regarding the acquisition (including compulsory purchase) and disposal of property assets and legal interests. Sign Notices to Quit / Terminate Lease. | | |
| 91. | To negotiate, agree terms for and sign the grant of leases, licences, tenancies, agreement for lease, development agreements and legal consents. | | |
| 92. | To instruct Legal Services to serve legal notices. Sign Notices to Quit/Terminate Lease/ Seal Contracts. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|---|--------------|---|
| 93. | To grant a wayleave easement or deed of access over Council owned land to a third party. | | |
| 94. | To approve listing of Assets of Community Value in accordance with legislation. | | |
| 95. | To accept the early surrender of any lease of Council owned or controlled property in the interest of good estate management, strategic asset management or economic regeneration purposes. | | |
| 96. | To appoint bailiffs and debt collectors or to take peaceable re-entry of Council owned property or where the Council has a legal interest in property or to recover the value of any outstanding monies owed. | | |
| 97. | To agree the release of restrictive Covenants on current or previously owned council land. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|-----------|--|--------------|---|
| 98. | To apply for planning permission, building regulation and listed building consent for alteration, development, re-development or change of use of council property (excluding schools), or third party property. | | |
| 99. | To negotiate and settle schedules of dilapidation. | | |
| 100. | To agree and settle rent arrears and refer all property matters in dispute to arbitration/third party for determination. | | |
| 101. | To submit appeals in respect of the Rateable Value of council property in the interests of the council. | | |
| 102. | To make changes to the Commons Register. | | |
| 103. | To engage and instruct Insurance adjusters to negotiate and settle terms of adjustments. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions of the Delegation |
|---|---|--------------|---|
| 104. | To procure, engage and instruct consultants and agents to act on behalf of Property Services. | | |
| 105. | To procure, engage and instruct contractors and suppliers to act on behalf of Property Services. | | |
| 106. | To carry out emergency repairs as necessary, that might otherwise require Council Governance, to both corporate and noncorporate buildings and structures so as to make safe so as to safeguard from harm both staff and members of the public as well as protect continuity of Council Services. | | |
| 107. | Part 5 Chapter 3 of the Localism Act 2011 Assets of community value. | | |
| Southend-on-Sea City Council Website | | | |
| 108. | Notify web team of changes required to website for finance areas | | |

Children and Public Health

Scheme of Delegation to Officers

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|----------------------------|---|--------------------|---|
| Children's Services | | | |
| 1. | Exercising the statutory function of Director of Children's Services appointed under the Children Act 2004. | Assistant Director | |
| 2. | Decision to accommodate a child S20 Children's Act 1989 | Head of Service | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|------------------|---|---------------------|--|
| 3. | Approval to apply for Emergency Protection Order under Section 44 of the Children Act 1989 | Head of Service | |
| 4. | Decision to Instigate Care Proceedings under S31 Children's Act 1989 | Head of Service | |
| 5. | Decision to instigate public law outline processes under the Public Law Outline (2014) and the Children and Families Act 2014 | Head of Service | |
| 6. | Approval of Initial Care Plans in Care Proceedings and Care Plan Amendments | Team Manager | |
| 7. | Approval of Final Care Plans | Head of Service | |
| 8. | Ratification of Looked After Review recommendations | Team manager | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|------------------|---|---------------------|--|
| 9. | Approval for Looked after Child subject to Care Order to be placed with parents. | Assistant Director | |
| 10. | Approval for overnight stays of Looked after Child at with the child's friends | Team Manager | |
| 11. | Approval for Looked after Child to have: <ul style="list-style-type: none"> • Routine medical • Emergency treatment • Surgery (local or general anaesthetic) | Team manager | |
| 12. | Decision to withhold or withdraw life preserving medical treatment | Court Order | |
| 13. | Approval of enhancements to foster placement costs for: <ul style="list-style-type: none"> • Holiday payments • Additional Needs/Interest • Clothing Grant | Team Manager | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|------------------|---|---------------------|--|
| 14. | Looked after Child taking part in group social or sporting activities | Foster carer | |
| 15. | Looked after Child taking part in activities with an element of risk e.g. climbing/skiing | Foster carer | |
| 16. | Looked after Child going on holiday: <ul style="list-style-type: none"> • In UK • Abroad • Passport applications | Head of Service | |
| 17. | Looked after Child changing appearance e.g. ear piercing | Not Relevant | |
| 18. | Application to court for a Looked after Child to change their name | Not Relevant | |
| 19. | Looked after Child obtaining contraceptive advice or provision | Not Relevant | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|--|--|------------------------------|---|
| 20. | Application for Looked after Child to be placed in secure accommodation | DCS cannot be delegated | |
| 21. | Approval of Section 34 contact expenses | Not relevant | |
| 22. | Funding of residential placements where more than one agency cannot meet the needs of the young person | Not relevant | |
| 23. | Decision to end looked after child episode (s20) | Depends of the circumstances | |
| Residential, Foster Care and Adoption | | | |
| 24. | Approval of new Foster Carers | Agency Decision Marker | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|------------------|--|-------------------------|--|
| 25. | Temporary approval of Carers on receipt of appropriate written information (Reg. 24) | Agency Decision marker | |
| 26. | Agreement to exceed Fostering approval limits | Agency Decision marker | |
| 27. | Search for Independent Fostering Agencies and Residential Providers | Head of service | |
| 28. | Re-approval of Foster Carers | Annual household review | |
| 29. | Approval of plan for child to be adopted | Agency Decision Marker | |
| 30. | Approval of matching child with prospective adopters | Agency Decision Marker | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|----------------------------|--|------------------------|--|
| 31. | Foster to Adopt placements | Agency Decision Marker | |
| 32. | Approval of Adoption Allowances and review of Adoption Allowances | Head of Service | |
| 33. | Special Guardianship Allowances in excess of Special Guardianship Financial Policy | Assistant Director | |
| 34. | Formal respite care with foster carers friends or relatives | Foster carers | |
| 35. | Approval of short break packages for children with disabilities under the Chronically Sick and Disabled Act 1970 | Do not know | |
| Information Sharing | | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|---|---|--------------|---|
| 36. | Subject Access Requests | | |
| 37. | Disclosure of information to other agencies not for safeguarding purposes (e.g. to assist in criminal investigation) | | |
| Education Skills and Development / Commissioning | | | |
| 38. | To address the significant degree of educational underachievement of looked after children compared to all children; as defined under the Children Act 1989 as amended by section 52 of the Children Act 2004 Section 22(3)a. | | |
| 39. | For local authorities to be responsible for securing that sufficient education is available to meet the needs of the population in their area under the Education Act (EA) 1996 Section 13A. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 40. | The Education Act (EA) 1996 Section 14 required all local authorities to be responsible for securing sufficient primary and secondary schools in their area. The survey provides the Department for education (DfE) and Partnership for Schools with data on the number of surplus school places, and the areas of projected shortfall, across England, and the actions local authorities are taking to address this. | | |
| 41. | Under the Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 it requires local authorities reasonably to consider parental representations regarding the provision of schools. | | |
| 42. | Under the Education Act 1996 Section 19 (3A) and (3B). Secondary: Education (Provision of Full-Time Education for Excluded Pupils) England Regulations 2007(SI 2007/1870) introduced measures to make exclusions more effective | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 43. | To ensure that funding follows the pupil in the case of an exclusion as required under the Education Act 1996 Section 494. Section 47 of the Schools Standards and Framework Act 1998. Secondary - The School Finance (England) Regulations 2008 (No. 228). The School Finance (England) (Amendment) Regulations 2007 (No. 365). The Education (Amount to Follow Permanently Excluded Pupil) (Amendment) (England) Regulations 2001 (No. 870). Secondary - The School Finance (England) Regulations 2006 (No. 468). The School Finance (England) (Amendment) Regulations 2007 (No. 365). | | |
| 44. | To ensure that children who cannot (for whatever reason) be in mainstream education, continue to receive a suitable education under Education Act 1996 Section 19 and schedule 1 | | |
| 45. | Under the Education Act 1996, schedule 1. Secondary - Education (Pupil Referral Units) (Management Committees etc.) England Regulations 2007. Education (Pupil Exclusions and Appeals) (Pupil Referral Units) England Regulations 2008 there is a requirement for | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | the Council to establish management committees for every pupil referral unit | | |
| 46. | Education Act 1996 Section 3A, as amended by Section 3 of the Children and Families Act 2010 imposes a duty that any pupils placed in alternative provision by the Council receive full-time education unless it is not in the child's interests. | | |
| 47. | Education Act 1996 Section 447 provides a basis for an Education Supervision Order which can help where parents find it difficult to exercise a proper influence over their child, and where the child has developed a pattern of irregular attendance. | | |
| 48. | Under Education Act 1996 Section 436A the Council has the duty to identify children missing education. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 49. | Under the Education Act 1996 Section 437 the Council must ensure that all children get a suitable education | | |
| 50. | Local authorities have the power and are responsible for ensuring the regulations are enforced for maintained schools as set out in the Education Act 1996. Secondary - The Education (School Premises) Regulations 1999. | | |
| 51. | Under the Education Act 1996 Section 543. Secondary - The Education (School Premises) Regulations 1999; the Council needs to ensure that schools have a minimum playing field area. | | |
| 52. | Keeping arrangements for Special Educational Needs provision under review as defined under the Education Act 1996 Part IV, Chapter 1 (sections 312-332B) and Schedules 26 and 27. Secondary - The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 (SI 2001/3455). | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 53. | Under the Education Act 1997 section 14 the Council has a duty to provide sufficient schools for the local area. | | |
| 54. | Under the School Standards and Framework Act (SSFA) 1998 Section 84 - the School Admissions Code and School Admissions Appeal Code provides a framework to provide fair opportunities to gain places in maintained schools for all children. | | |
| 55. | School Standards and Framework Act 1998 Section 86(1A) as amended by section 42 of the Education and Inspections Act 2006 sets out the support parents can expect to enable them to decide on a school place and allow them to express a preference for at school. | | |
| 56. | School Standards and Framework Act 1998 Section 88P. School Admissions (Local Authority Reports and Admission Forums) (England) Regulations 2008 sets out the requirement to provide a national picture of admissions issues. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 57. | To provide local parents with a collated set of admission arrangements for schools in their area as set out under the School Standards and Framework Act 1998 Section 92. | | |
| 58. | To impose a duty on governing bodies for schools that are their own admission authorities and local authorities to act in accordance with any relevant provisions of the Appeals Code under the School Standards and Framework Act 1998. School Admission Appeals Code Section 94. | | |
| 59. | To ensure that local authorities and schools provide Religious Education in accordance with the law under the School Standards and Framework Act 1998 Section 69. | | |
| 60. | This duty is designed to ensure that all registered pupils attending a maintained school take part in a daily act of collective worship under the School Standards and Framework Act 1998 Section 70. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 61. | To ensure the school estate is not subject to decay which could put the health and safety of children at risk under the School Standards and Framework Act 1998 Section 22, as amended by Education Act 2002 and Education and Inspections Act 2006. | | |
| 62. | The Education (Infant Class Sizes) (England) Regulations 1998 sets out the limits of the size of an infant classes (4 to 7 year olds) to 30 pupils per school teacher to improve teaching and learning | | |
| 63. | The School Standards and Framework Act 1998 Section 77 as amended by schedule 4 to the Education and Inspections Act 2006 sets out the responsibility for the Protection of School Playing Fields | | |
| 64. | The School Standards and Framework Act 1998 Sections 45A, 45AA, 47, 47ZA, 47A and 48 and Schedule 14. Secondary - School Finance (England) Regulations 2008 (as amended), School Finance (England) Regulations 2011 Schools Forums (England) Regulations 2010 set out the provisions for | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | approval of deficits, management of delegated budgets and banking arrangements. | | |
| 65. | To ensure young people with a learning difficulty or disability are able to secure appropriate learning provision in the Further Education Sector under the Learning and Skills Act 2000 Section 139A (as amended by Education and Skills Act 2008, Section 80); Placement Agreements / Contracts for young people aged 16-25 with an EHCP. | | |
| 66. | To ensure decent standards in children's homes as set out in the Care Standards Act 2000. | Not relevant | |
| 67. | The Special Educational Needs (Provision of Information by Local Education Authorities) (England) Regulations 2001 (SI 2001/2218) sets out the information the Council is required to have in relation to the Special Educational Needs policies and the arrangements and activities in carrying them out. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 68. | The Education (Special Educational Needs) (City Colleges) (England) Regulations 2002 (SI 2002/2071) sets out arrangements whereby local authorities may make payments to an approved Academy in respect of a child for whom a statement is made. | | |
| 69. | The Education Act 2002 section 19(2) c. Secondary - School Governance (Constitution) (England) Regulations 2007 sets out how governing bodies are to include a Council representative. | | |
| 70. | The School Governance (Constitution) (England) Regulations 2007. School Governance (Federations) England Regulations 2007 provide a framework for decision making and accountability. School Governance (Constitution) (England) Regulations 2012 provides the authority to seal and make an instrument of governance for schools. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 71. | To provide information they consider appropriate and training they consider necessary free of charge for governors of maintained schools to enable governors effectively to discharge their duties as set out in Section 22 of the Education Act 2002. | | |
| 72. | The Education Act 2002 section 34. Secondary - School Governance (New Schools) (England) Regulations 2007 provides guidance on the setting up of a new school, especially recruiting the head teacher | | |
| 73. | The Education Act 2002 Section 88(1A) sets out the requirement for local authorities to ensure head teachers fulfil their statutory duty in implementing and administering Key Stage assessment arrangements. | | |
| 74. | The Education (National Curriculum) (Key Stage 1 Assessment Arrangements) (England) Order 2004 (article 6) (made under section 87 of the Education Act 2002) sets out the requirement for local authorities to moderate assessment in at least 25% of schools to ensure consistency of standards. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 75. | Key Stage 1 data is reported to the DfE for school performance monitoring purposes as set out in section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783, | | |
| 76. | Ensuring schools are equipped to undertake Key Stage 1 teacher assessment and capture / submit results by virtue of section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783, | | |
| 77. | By virtue of section 87(11) of the Education Act 2002 and article 9 of SI 2004/2783 local authorities have to ensure security of assessment documents. | | |
| 78. | The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003 (article 6) (made under section 87 of the Education Act 2002 and article 11 of the Order). Requirement for local authorities to visit 10% of schools during test week to ensure they are being administered correctly | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 79. | To ensure that the curriculum provided by maintained primary and secondary schools is broad based and balanced and that it comprises the National Curriculum and provision for religious education and, for pupils in secondary school, sex education under the Education Act 2002 Section 79 | | |
| 80. | Basic feature first laid out in the Education Reform Act 1988 to deliver the national curriculum and amended in the Education Act 2002 Section 88. | | |
| 81. | To ensure that schools provide the full entitlement of available courses unless disproportionately expensive as set out in the Education Act 2002 Section 88(2) | | |
| 82. | The Education Act 2002 section 52. Secondary - The Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002 (No. 3178). The Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2002 provide a framework for exclusion | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 83. | The Education Act 2002 Section 32 fixes the minimum number of sessions which schools must hold in a year and requires governing bodies to set the times of the school sessions. | | |
| 84. | To ensure effective performance management arrangements are put in place for teachers as set out in the Education Act 2002 Sections 21, 131 and 210. Secondary - 'The Education (School Teacher Performance Management) (England) Regulations 2006'. | | |
| 85. | Under the Education Act 2002 Sections 79 (6) and (7) local authorities must have regard to statutory guidance on sex education issued by the Secretary of State when exercising any function that may affect the provision of sex education in maintained schools | | |
| 86. | To promote and encourage better cooperation and partnership working among the various agencies which provide or commission services for children (and families) at every organisational level from strategic planning to front line multi-agency team work as set out in the Children Act 2004 Section 10 (1) | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 87. | To standardise existing arrangements by creating a statutory body in the Council's area to oversee the co-operation arrangements to improve children's well-being as set out in the Children Act 2004 Section 12A as amended by the Apprenticeship, Skills, Children and Learning Act 2009 | | |
| 88. | To facilitate the investigation, by Ofsted, of a parental complaint about a maintained school as defined under Education Act 2005 Sections 11B and 11 | | |
| 89. | To ensure local authorities take action when a school goes into an Ofsted category as defined under the Education Act 2005, Section 15 | | |
| 90. | The Education and Inspections Act 2006 Sections 7, 10 and 11. Secondary legislation - The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 outlines the statutory process and local decision making arrangements. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 91. | Education and Inspections Act 2006 Section 15. Secondary legislation - The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 sets out how local authorities are able to take an overview to plan the provision of schools to meet local needs | | |
| 92. | Education and Inspections Act 2006 Section 19. Secondary legislation - The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 outlines the statutory process and local decision making arrangements. | | |
| 93. | To achieve early intervention by local authorities in schools causing concern under the Education and Inspections Act 2006 Section 60 | | |
| 94. | To allow the Council to require a school eligible for intervention to enter into a contract or arrangements with another school, FE college or named person for the purpose of school improvement under the Education and Inspections Act 2006 Section 63. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 95. | To strengthen the Council's voice on the Governing Body and/or to appoint governors with expertise in key areas to support a school's improvement under the Education and Inspections Act 2006 Section 64 | | |
| 96. | To secure a step change in the leadership and membership of a school through a specially appointed Governing Body for a temporary period under the Education and Inspections Act 2006 Section 65 | | |
| 97. | Under Education and Inspections Act 2006 Section 66 provision is made for schools to secure control over staffing and spending decisions in order to achieve improvements or where the budget is proving a distraction from improvement priorities. | | |
| 98. | The Education and Inspections Act 2006. Secondary - The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 provides the legislation that governs the transfer of land from one body to another as a school changes category, e.g. if a community school becomes | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| | a Trust. | | |
| 99. | Under the Education Act 2006 Sections 60A and 69B provision is made to ensure that that local authorities (or ultimately the Secretary of State) can ensure that teachers receive their statutory entitlements regarding their terms and conditions. | | |
| 100. | Section 1 of the Childcare Act 2006 places a duty on local authorities to improve the outcomes of all children under 5 and close the gaps. | | |
| 101. | Childcare Act 2006 Section 1(3) and (4). Secondary - Local Authority Targets (Well-Being of Young Children) Regulations 2007 (SI 2007 / 1415) gives powers to Secretary of State to set targets in relation to the Council's early years outcome duties and underpinning regulations set out the process to be followed. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 102. | Section 3 of the Childcare Act 2006 encourages local authorities to work with health services and employment services when arranging early years services | | |
| 103. | To ensure Local authorities work with and Jobcentre Plus to achieve their early years outcome duty as set out under Childcare Act 2006 Section 4 | | |
| 104. | Provision is made under Childcare Act 2006 Section 99. Secondary - The Childcare (Provision of Information About Young Children) Regulations 2009 (SI 2009 / 1554) for data collection. | | |
| 105. | To ensure that local authorities establish and maintain a service providing information, advice and assistance for parents and prospective parents as set out on the Childcare Act 2006 Section 12. Secondary - SI 2007 No 3490: Children and Young Persons, England – The Childcare Act 2006 (Provision of Information to Parents (England) Regulations 2007. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 106. | To ensure there are sufficient children's centres in the Council's area as set out in the Childcare Act 2006 Section 5A. | | |
| 107. | To ensure there are advisory boards for all children's centres as set out in the Childcare Act 2006 Section 5C. | | |
| 108. | To ensure that local parents and any other interested parties are consulted about any major changes that are proposed to be made to children's centre provision as set out in the Childcare Act 2006 Section 5D. | | |
| 109. | The Childcare Act 2006 Section 5E(2) makes provision to ensure that local authorities (and Primary Care Trusts and Job Centres Plus) actively consider whether services to young children and/ or their parents should be provided through children's centres. | | |
| 110. | The Childcare Act 2006 Section 98C (3) enables parents and others interested to see how any concerns arising during an inspection are going to be addressed. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 111. | The Childcare Act 2006, Section 6 require local authorities to ensure there is childcare available to enable parents to take up or remain in work or to undertake education or training to assist them in obtaining work. | | |
| 112. | To ensure that all 3 and 4 year olds can access high quality free nursery education under the childcare act 2006 section 7. | | |
| 113. | To ensure local authorities undertake an assessment to childcare provision in their area to enable them to meet their duty to secure sufficient childcare for working parents (s6 Childcare Act 2006) | | |
| 114. | To ensure that local authorities give local childcare providers and would-be providers in their area the necessary support to help deliver sustainable affordable and high quality childcare that meets the needs of the community as required under the Childcare Act 2006 Section 13 | | |
| 115. | Childcare Act 2006 Section 99. Secondary - the Childcare (Provision of Information about | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | Young Children) (England) Regulations 2009 underpins various information collections and enables the Secretary of State to obtain information collected by local authorities from childcare providers to help compile Early Years Foundation Stage Profile data and the Early Years Census returns. | | |
| 116. | The Early Years Foundation Stage (Learning and Development Requirements) Order 2007 enables local authorities to ensure schools and early years providers fulfil their statutory duty in implementing and administering early years foundation stage assessment arrangements | | |
| 117. | The Early Years Foundation Stage (Learning and Development Requirements) Order 2007 set out the requirement to provide data to the DfE. | | |
| 118. | The Information as to Provision of Education (England) Regulations 2008 No. 4 requires the local authorities to provide the Secretary of State with a report on secondary school admissions | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 119. | The Education School Information (England) Regulations 2008 SI 2008/3093 Regulation 5. Places a duty on local authorities to publish annually, and make available to parents, a composite prospectus which includes all local primary and secondary schools. | | |
| 120. | The Education School Information (England) Regulations 2008 Regulation 8 of SI 2008/3093 places a duty on local authorities to publish miscellaneous information annually (including the making of educational grants, Special Educational Needs provision, school transport strategies, school uniform policies etc.). | | |
| 121. | Local authorities have a statutory duty to 'assist, encourage and enable' young people aged 13-19 (and young adults with a learning difficulty and/or disability up to the age of 25) to participate in education or training as set out in Education and Skills Act 2008 Section 68. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 122. | The establishment of an all-age service will impact on the use of this power, as local authorities will no longer be required to provide careers guidance when supporting young people not in education, employment, or training as set out in Education and Skills Act 2008 Section 69. | | |
| 123. | The Education and Skills Act (2008) chapter 2 section 10 is the key driver behind Raising the Participation Age with the Council required to promote the effective participation in education or training of the young people in their area to 18 (or 25 for those with learning difficulties or disabilities). | | |
| 124. | Local authorities act as the strategic commissioner of provision for young people aged 16-19 (and those aged up to 25 who are subject to a learning difficulty assessment); as defined in Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 41 inserts sections 15ZA and 15ZB into the Education Act (1996); Placement Agreements / Contracts for young people aged 16-25 with an EHCP. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------|---|
| 125. | Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 42 inserts section 15ZC into Education Act (1996) sets out the requirement on local authorities to encourage participation in education and training. | | |
| 126. | As defined in Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 44 inserts section 51A into Further and Higher Education Act 1992 local authorities, if necessary, can require a provider to make provision for a named individual. | | |
| 127. | The Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 45, inserts section 17A - 17D in the Education Act (1996) defines the core and additional entitlements and the Council's role in securing these. | | |
| 128. | Local authorities have a power to secure boarding accommodation for young people aged over 16 but under 25 who are subject to a learning difficulty assessment as defined in Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 46 inserts section 514A - in the Education Act (1996). | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| 129. | Apprenticeships, Skills, Children and Learning Act (2009) Part 2 section 47 inserts section 560A into the Education Act (1996) sets out the role of the Council in securing work experience for young people aged 16-19 (25 for those who are subject to a learning difficulties assessment). | | |
| 130. | To develop accessibility strategies to facilitate better access to education for disabled pupils. Under this same legislation schools also have to develop access plans which build upon the Council's access strategy as required under the Equality Act 2010 Section 88 and Schedule 10 | | |
| 131. | Tackling child poverty requires action at national and local levels, and the Child Poverty Act therefore compels both tiers of government to act (the Act requires the Government to publish a UK child poverty strategy). Part 2 of the Child Poverty Act 2010 aims to ensure that all local authorities take steps to enable more effective cooperation at local level, grounded in strong knowledge and understanding of child poverty in local areas and leading to clear | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------------------|---|
| | strategies and plans through which cooperation and partnership working can have a demonstrable impact on child poverty in local areas. | | |
| 132. | To ensure that where a school serves a community which is predominantly of a faith other than Christian, they have the flexibility to change the nature of their daily act of collective worship in order to reflect the needs of the local community under Education Act 1996 Section 390. | | |
| 133. | To provide on-going support and guidance to 18 year old care leavers particularly with regard to their education under the Children Act 1989 sections 23C and 24B. | Personal advisor | |
| 134. | <p>To increase in the number and range of placements available within the Council's area and so reduce the use of out of area placements, unless they are the most appropriate for the child.</p> <p>Leading to a more efficient and cost effective commissioning process as defined under the Children Act 1989 Section 22G .</p> | The sufficiency strategy | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|--|--------------------|---|
| 135. | Set out the Council's role and responsibilities in relation to intervening in sixth form colleges and making appointments to their governing bodies as required under the Apprenticeships, Skills, Children and Learning Act 2009 - Schedule 8 - para 8 . | | |
| 136. | Placement Agreements under the following frameworks / contracts West Midlands Regional Foster Care Framework; National Fostering Contract; West Midlands Residential Framework Contract; National Residential Contract; National Schools and College Contract; West Midlands Sub-Regional Supported Accommodation Framework; Spot Purchase Supported Accommodation for Looked After Children aged 16+; Supported Living (Staying Put and Supported Lodgings Arrangements); Provision Of Tier 3 Specialist Short Breaks (Framework); Provision Of Tier 3 Specialist Short Breaks (Spot Purchase). | Do know about this | |
| 137. | The Department for Education provides statutory guidance, updated in March 2018, for local authorities (in line with the legal requirements set out in Section 48 and | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | Schedule 14 of the School Standards and Framework Act 1998 and the Schools and Early Years Finance Regulations 2018) in relation to schemes for financing schools. | | |
| 138. | The Education and skills funding agency contracts with the Council to provide adult and community learning; contract agreements to be issued by the Council under the adult and community learning provider framework | | |
| 140. | The Council has a duty to assess whether a young carer in their area has needs for support, and if so, what those needs are and how they are met (Children and Families Act 2014). | C-SPOC1 | |
| 141. | The Council has a statutory duty under the children and young person's act 2009 to appoint an independent visitor service for looked after children | Not relevant | |
| 142. | To use section 106 contributions to aid the statutory roles in childcare and educational provision to offset the impact of the development on the local infrastructure | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|------------------------------|---|
| 143. | The calculation of any direct payments and any uplift to ensure that a reasonable amount is available to purchase the eligible service is to be agreed on a case by case basis in accordance with the direct payments policy of the Council. | | |
| 144. | The Council has a statutory duty under the Children Act 1989, Section 17 (and related duties in Schedule 2 to the Act) to safeguard and promote the welfare of children in their area who are in need. And, so far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level early help or edge of care services appropriate to those children's needs. | Not relevant as it is a duty | |
| 145. | In relations to schools, apply for planning permission, building regulation and listed building consent for alteration, development, re-development or change of use of Council schools, or third party schools. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|----------------------|---|--------------|---|
| Public Health | | | |
| 146. | Exercising the statutory function of Director of Public Health. | | |
| 147. | <p>To discharge any functions in relation to the corporate public health duties of the Council authorised to the director of public health under the NHS Act 2006 and the Health and Social Care Act 2012, including responsibility for:</p> <ul style="list-style-type: none"> • The annual report on the health of the local population; • Improving public health, including commissioning alcohol and drug misuse services, sexual health services, child health services, smoking cessation services; • Planning for, and responding to, emergencies that present a risk to | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | <p>public health;</p> <ul style="list-style-type: none"> • Promoting safer communities by working with local criminal justice partners and police and crime commissioners, the probation service and the prison service; • The Council's public health response to licensing applications; and • Developing wellbeing, implementing the health and wellbeing strategy. | | |
| 148. | <p>To carry out such public health protection or health improvement functions as the Secretary of State shall delegate to local authorities either by arrangement or under regulations and including services mandated by regulations made under Section 6C of the National Health Service Act 2006, as amended, namely:</p> <ul style="list-style-type: none"> • Ensuring appropriate access to sexual health services; • The delivery of the national child | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on Delegation |
|-----------|---|--------------|---|
| | <p>measure programme;</p> <ul style="list-style-type: none"> • The delivery of the NHS health check assessment; • Public health advice to NHS commissioners; and • To be a statutory member of the health and wellbeing board. | | |

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Adults and Communities

Scheme of Delegation to Officers

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-------------------------------|--|--------------|---|
| Social Care Operations | | | |
| 1. | Undertake best interest assessments under the Deprivation of Liberty Safeguards, MCA 2005 | | |
| 2. | Undertake Mental Health Assessor responsibilities under Deprivation of Liberty Safeguards, MCA 2005 | | |
| 3. | Appoint a Relevant Person's Representative (RPR) under the Deprivation of Liberty Safeguards, MCA 2005 | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 4. | Make mandatory conditions for the Managing authority to meet as Part of an authorisation under The Deprivation of Liberty Safeguards, MCA 2005 | | |
| 5. | Authorise a Deprivation of Liberty Standard Authorisation under the Deprivation of Liberty Safeguards MCA 2005 | | |
| 6. | Instruct an Independent Mental Capacity Advocate (IMCA) under Section 39A of MCA 2005 | | |
| 7. | Instruct an Independent Mental Capacity Advocate (IMCA) under Sections 39C or D of MCA 2005 | | |
| 8. | Extend the period of a 7 day Urgent authorisation the Deprivation of Liberty Safeguards MCA 2005 for a further period of 7 days | | |
| 9. | Approach the court of Protection to ask it to rule in relation to a Deprivation of Liberty Safeguards Authorisation where there is a | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| | dispute regarding if it is appropriate. | | |
| 10. | Approach the Court of Protection to ask it to rule in relation to a Deprivation of Liberty in a Community setting | | |
| 11. | Undertake Mental Capacity Assessments and Best Interest decisions under the MCA 2005 | | |
| 12. | Decision to instigate safeguarding concern under section 42 Care Act | | |
| 13. | Decision to instigate safeguarding enquiry under section 42 Care Act | | |
| 14. | Determination of unmet need under the Care Act | | |
| 15. | Approval of care plans in Care Act assessments | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 16. | Planned residential and nursing placement agreements | | |
| 17. | Emergency placement agreements for residential and nursing | | |
| 18. | Undertake Mental Health Act assessments under the Mental Health Act 1983 (amended 2007) | | |
| 19. | Apply to the Magistrates Court for a section 135(1) warrant, MHA 1983. | | |
| 20. | Perform the function of a Social Supervisor. | | |
| 21. | Authorise application under section 7 of the MHA for Guardianship. | | |
| 22. | Setting of charging policy for care. Sections 14,17, 69 and 70 of Care Act 2014 | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 23. | Care and Support Charging Policy Financial Assessment Appeal | | |
| 24. | Care and Support Charging Policy Financial Assessment 2nd stage Appeal | | |
| 25. | Care and Support charge Waivers These may be considered in exceptional circumstances | | |
| 26. | Authorisation for Deferred payment agreements under sections 34-36 Care Act 2014 | | |
| 27. | Deferred Payment Agreement (DPA) Appeal hearing and decision against refusal to award a DPA | | |
| 28. | Agree top-up payments for residential/nursing care in accordance with Care Act 2014 – Annex A – choice of accommodation and additional payments. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 29. | Approval to suspend a direct payment where the terms of the direct payment agreement are not met or where there is suspected fraud. | | |
| 30. | Approval of joint funded packages of care, including continuing health care and section 117 mental health aftercare services. | | |
| 31. | Approve direct payment agreements and suitable person agreements (where applicable). | | |
| 32. | Recall surplus funds from direct payment accounts. | | |
| 33. | Insofar as they are not detailed above, functions in respect of adult social care operation and policy provision of assessment and care management; approved mental health practitioners; deprivation of liberty functions; strategic and operational safeguarding adults policies and procedures; prevention and support | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|---|---|--------------|---|
| | services (including welfare rights, occupational therapy, financial assessments, direct payments, telecare, rapid response registered service). | | |
| 34. | Provision of court deputy service | | |
| Libraries, Museums, and Archives | | | |
| 35. | To provide a comprehensive and efficient library service, including provision of sufficient stock, cooperation with the other authorities, contribution to expenses of other library authorities. | | |
| 36. | To exercise the powers under the Library Byelaws and Regulations including temporary closure of any Museums, Libraries or Archives sites and to allow the exclusion of service users. | | |
| 37. | Agreeing and levying charges for the use of library, archives and museum facilities / services. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 38. | Agree charging of overdue loans under Section 8 of the Public Libraries and Museums Act 1984. | | |
| 39. | To implement the charging policy for services, including fines, hire charges and fees. | | |
| 40. | To make provision for the lending of literacy, dramatic musical or artistic works to the public on payment under Section 66 of the Copyright, Designs and Patents Act 1988. | | |
| 41. | To make and supply a copy of any article or published edition under Section 41 of the Copyright, Designs and Patents Act 1988 (provision copies to another library) or Section 42 (to preserve or replace an item). | | |
| 42. | Permitting the use of library and museum premises for meetings etc. of a cultural nature under Section 20 of the Libraries and Museums Act 1964 or under Section 20 of the Public Libraries and Museums Act 1984, | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| | including the power to make charges. | | |
| 43. | To manage the social media accounts for libraries, museums and archives in accordance with communications protocols. | | |
| 44. | To provide training and supervision for volunteers. | | |
| 45. | To work within the unreasonable behaviour policy to ban visits from sites. | | |
| 46. | Power to establish a fund for purchase of objects for exhibition - Section 15 of the Public Libraries and Museum Act 1964 and the collection of donations for the care and display of collections. | | |
| 47. | Contribute in time or finance to voluntary organisations or parish / town councils in the operation of community libraries. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------------------------|---|--------------|---|
| Culture and Tourism | | | |
| 48. | <p>To discharge the Council's functions, without limitation, in relation to:</p> <ul style="list-style-type: none"> • Galleries and the arts • Sports and leisure facilities (indoor and outdoor) • The pier and foreshore (including in relation to boats and boatman licences, cockle fishing licences and bait digging licences) • Tourism | | |
| Bereavement Services | | | |
| 49. | <p>To act on behalf of the Council in respect of the legislation specified in The Local Authorities' Cemeteries Order 1977 – The Council is defined as a burial authority for the provision and maintenance of cemeteries.</p> | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| 50. | To act on behalf of the Council in respect of the legislation specified in The Cremation (England and Wales) Regulations 2008 (amendment 2016). | | |

Environment and Place

Scheme of Delegation to Officers

Table A

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 1. | Annual increases to preapplication advice charges for development management and listed buildings. | | |

Neighbourhood Planning

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|---------------------------|---|--------------|---|
| 2. | Designation of a Neighbourhood Area Regulation 6/7 of the Neighbourhood Planning (General) Regulations 2012. | | |
| 3. | Progression to examination Decision Document Regulation 15/16 of the Neighbourhood Planning (General) Regulations 2012. | | |
| 4. | Proceed to referendum Decision Document Regulation 17/18 of the Neighbourhood Planning (General) Regulations 2012. | | |
| 5. | Neighbourhood Plan Adoption/Made Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. | | |
| Strategic Planning | | | |
| 6. | Preparation of development plan documents (part 2 of the Planning and Compulsory Purchase Act 2004) Preparation of and consultation upon issues and options documents. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|---|---|--------------|---|
| 7. | Preparation of Supplementary Planning Documents (SPD) The Town and Country Planning (Local Planning) (England) Regulations 2012 Preparation of Draft SPD for consultation. | | |
| Regeneration | | | |
| 8. | To discharge the Council's functions in relation to, without limitation: <ul style="list-style-type: none"> • The management and promotion of regeneration; • Economic and business development • Town centre management | | |
| Building Control – Functions/powers are exercised in accordance with the Building Act 1984, The Public Health Act 1925, The Town and Improvement Clauses Act 1847 and The Public Health Act 1875 | | | |
| 8. | Notices and actions under section 16 (Passing or rejection of plans) of the Building Act 1984. | | |
| 9. | Directions under the following sections of the Building Act 1984: | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| | <p>8 (Relaxation of building regulations)</p> <p>10 (Advertisement of proposal for relaxation of building regulations)</p> <p>15 (Consultation with fire authority)</p> <p>19 (Use of short-lived materials)</p> <p>21 (Provision of drainage)</p> <p>24 (Provision of exits etc)</p> <p>25 (Provision of water supply) 31 (Proposed departure from plans)</p> <p>32 (Lapse of deposit of plans) 33 (Tests for conformity with building regulations)</p> <p>35 (Penalty for contravening building regulations)</p> <p>35a (Time limit for prosecution for contravention of building regulations)</p> <p>36 (Removal or alteration of offending work)</p> <p>47 (Giving and acceptance of initial notice)</p> <p>72 (Means of escape from fire)</p> <p>78 (Dangerous building - emergency measures)</p> <p>81 (Local authority's power to serve notice</p> | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| | <p>about demolition)</p> <p>91 (Duties of local authorities)</p> <p>95 (Power to enter premises) 96 (Supplementary provisions as to entry).</p> | | |
| 10. | Directions under sections 77 (Dangerous building) and 107 (Recovery of expenses etc) of the Building Act 1984. | | |
| 11. | Directions under section 80 (Notice to local authority of intended demolition) of the Building Act 1984. | | |
| 12 | Building Regulations 2010 (as Amended) – Control of Building work. | | |
| 13. | Building (local authority charges) Regulations 2010 - To determine the scheme of charges to recover costs in connection with the performance of the functions related to building regulations. | | |
| 14. | Public Health Act 1925: Sections 17-19, the Town and Improvement Clauses Act 1847: Sections 64-65 and the Public Health Act 1875 - Exercise the Council's powers to name | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|----------------|--|--------------|---|
| | streets and require the renumbering of buildings in streets. | | |
| Parking | | | |
| 15. | Road Traffic Regulation Act 1984 – gives the power to local authorities to make traffic regulation orders which prohibit or restrict the use of a road; and which provide parking places on the highway, and in off-street car parks and set out the term on which such parking places may be used. Permission is also granted to park in contravention by way of a dispensation permit. | | |
| 16. | Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the issue of a Charge Certificate in order to recover debt from unpaid Parking Penalty Charge Notices. | | |
| 17. | Civil Enforcement of Parking Contraventions (England) General Regulations – provides for the enforcement of a Charge Certificate if unpaid, by the issue of an Order for Recovery from a County Court. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 18. | Taking Control of Good Regulations 2013 (as amended) – provides for the execution of a County Court Order to instruct Enforcement Agents to recovery unpaid Parking Penalty Charge Notice debt. | | |
| 19. | Road Traffic Regulation Act 1984 and associated Off Street Car Park Orders – provides for charges and restrictions to apply at off street car parks. Permission to be granted to use car park for another purpose, hire or to waive the parking fee payable for an event or other use. | | |
| 20. | Road Traffic Regulation Act 1984 and associated Traffic Regulation Orders – provides for charges to apply at on street parking locations. Permission to be granted to use parking spaces for another purpose, hire or to waive the parking fee payable for an event or other use. | | |
| 21. | The Traffic Management Act 2004 (Part 6) – provides for contraventions of the terms of a traffic regulation order relating to parking places on the highway and off-street, which | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------------------|--|--------------|---|
| | were made offences in the RTRA (1984), to be subject to civil enforcement. | | |
| 22. | Disabled Person Parking Badges Act 2013 – ability to seize blue badges and write witness statements. | | |
| 23. | Disabled Person Parking Badges Act 2013 – ability to carry out background checks and write witness statements. | | |
| 24. | Disabled Person Parking Badges Act 2013 – ability to investigate cases of blue badge misuse and produce prosecution files. | | |
| Street Trading | | | |
| 25. | Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 – Enabling street trading to be regulated within the county and adopted by the Council in 1998. | | |
| 26. | Section 115E of the Highways Act 1980 – Control of pavement cafes with Highways Amenity Licences. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|---|---|--------------|---|
| 27. | Section 3 of the Business and Planning Act 2020 – Pavement Licences. | | |
| 28. | To act on behalf of the Council in respect of the rights and obligations in respect of [fairs/ charters?] | | |
| Markets | | | |
| 29. | Exercise the Council's powers under section 50 of the Food Act 1984 to establish and operate street markets in the county. Setting up or the relocating of any market. | | |
| 30. | Operation and regulation of markets under the section 50 of the Food Act 1984. | | |
| 31. | The collection of charges made in relation to any market. | | |
| Environmental Health / Public Protection / Trading Standards | | | |
| 32. | To discharge the Council's functions, including but not limited to, the determination of permissions, licences and consents, and enforcement, in relation to: | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|--------------------------|--|--------------|---|
| | <ul style="list-style-type: none"> • Environmental health and protection • Public protection, clean neighbourhoods and community safety • Reducing crime, disorder and anti-social behaviour (including CCTV) • Health and safety • Trading standards and consumer protection • All licensing functions • To act on behalf of the Council in respect of the legislation specified as Regulatory / Licensing Functions in Table B. | | |
| Planning Services | | | |
| 33. | To act on behalf of the Council in respect of all land use planning matters administered by the Local Planning Authority under the Town and Country Planning Acts, secondary legislation and any related statutory instruments, including those listed as Planning Functions in Table B. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-------------------------------|--|--------------|---|
| 34. | Power to make local development order Section 61A of the Town and Country Planning Act 1990. | | |
| 35. | Power to modify an existing local development order <ul style="list-style-type: none"> • Schedule 4A of the Town and Country Planning Act 1990. | | |
| Highways and Transport | | | |
| 36. | To act on behalf of the Council in respect of the legislation specified in the foregoing: <ul style="list-style-type: none"> • Traffic Management Act 2004 • Road Traffic Act 1988 • Cycle Tracks Act 1984 • Highways Act 1980 • National Parks and Access to the Countryside Act 1948 • New Roads and Street Works Act 1991 • Road Traffic Regulation Act 1984 • Town and Country Planning Act 1990 | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|---|--------------|---|
| | <ul style="list-style-type: none"> • Town Police Clauses Act 1847 • Traffic Calming Act 1992 • Wildlife and Countryside Act 1981. | | |
| 37. | <p>To enter into agreements pursuant to Section 38 and Section 278 of the Highways Act 1980, issue permissions under Section 184 and display notices under Section 228, including the power to determine the terms and conditions of the above.</p> | | |
| 38. | <p>To manage the Council's functions in relation to flooding and drainage in compliance with current legislation and policies of the Council (including without limitation:</p> <ul style="list-style-type: none"> • Land Drainage Act 1991; • Flood Risk Regulations 2009; and • Flood and Water • Management Act 2010). | | |
| 39. | <p>Transport Act 1985 clause 63 – duty to secure socially necessary transport.</p> <p>Transport Act 2000 Section 140 – duty to make</p> | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| | <p>information (on bus services) available.</p> <p>Operational measures required to support local transport including:</p> <ul style="list-style-type: none"> • Minor variations to subsidised routes/timetables within allocated budgets • Planning and procurement of new/varied services in accordance with policy and allocated funding using the Council's DPS • Review and maintenance of service level agreement with local community transport projects in accordance with allocated budget. • Provision of information on bus services. | | |
| 40. | <p>Transport Act 1985 clause 63 – duty to secure socially necessary transport</p> <p>Award of contracts to operate services identified and procured in accordance with policy and allocated budget.</p> | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 41. | <p>Education Act 1996 Section 508/509</p> <p>Operational delivery of school transport and post 16 travel support services comprising:</p> <ul style="list-style-type: none"> • Assessment of eligibility for entitled transport with regard to legislation and local adopted policy and in consultation with Children's & Young People Directorate • Procurement of transport services required for entitled riders using the Council's DPS • Operation of vacant seats scheme and paid for transport • Operation of personal transport budget in accordance with policy • Publish annual Post 16 policy statement • Review and update the school transport policy guidance. | | |
| 42. | <p>(Education Act 1996 Section 508)</p> <ul style="list-style-type: none"> • Award of contracts to operate services identified and procured in accordance with policy and allocated budget. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|--|--|--------------|---|
| 43. | Enter into Service Level Agreements with parish / town councils. | | |
| 44. | Setting and collecting charges in accordance with the Environmental Protection Act 1990 and the Controlled Waste Regulations 2012. | | |
| 45. | To provide written comments/ bids to organisations such as MHCLG for requisition of grants. | | |
| Sustainability & Climate Change | | | |
| 46. | Signing/approval of Local Authority declarations, which are a requirement under flexible eligibility as determined by The Electricity and Gas (Energy Company Obligation) Order 2022 (ECO4 Order) covering the period from the commencement date of the ECO4 Order on 27 July 2022 to 31 March 2026. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|--------------------------------------|---|--------------|---|
| 47. | Signing of meter read verification documents. | | |
| 48. | Signing of power purchase agreements with tenants relating to the sale of electricity generated from HC owned renewables. | | |
| 49. | Signing of ECO flex declaration | | |
| 50. | Management of maintenance and repairs of energy efficiency measures and renewable energy generation across the corporate estate. | | |
| Built and Natural Environment | | | |
| 51. | To act on behalf of the Council in respect of all planning matters administered by the Local Planning Authority under the Town and Country Planning Acts, secondary legislation and any related statutory instruments, including those listed as Planning Functions in Table B. | | |
| Strategic Housing | | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 52. | Approval for the allocation of grant money to developers/ RSL's/ applicants. | | |
| 53. | Approval of grant monies. | | |
| 54. | To negotiate/ renegotiate specialist accommodation on schemes with planning permission in lieu of a reduction in affordable housing. | | |
| 55. | Approval of RSL grant funding for purchase and repairs of properties off the open market. | | |
| 56. | To provide written comments/ bids to organisations such as CLG for requisition of grants. | | |
| 57. | Written consent to the RSL to allow for the disposal of their assets following investigation. | | |
| 58. | Written consent to the RSL for the disposal of their assets following investigation and ascertain the level of financial clawback to be returned to the Council. | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|--|--|--------------|---|
| Housing Services | | | |
| 59. | <p>To discharge the Council's housing functions including, without limitation, under the Housing Act 1985, the Housing Act 2004 and the Homelessness Reduction Act 2002 and the Homelessness Reduction Act 2017 in relation to:</p> <ul style="list-style-type: none"> • The management and administration of Council dwellings subject to the management agreement with Essex Homes • Providing housing assistance and advice • Homelessness • Housing allocation • Private rented sector dwellings • Enforcement | | |
| Waste, Recycling and Environment Services | | | |

| Reference | Function / Power | Delegated To | Restrictions / Conditions on the Delegation |
|-----------|--|--------------|---|
| 60. | <p>To discharge the Council's functions in respect of waste, recycling and environmental services, including without limitation, in relation to:</p> <ul style="list-style-type: none"> • Waste collection / treatment / disposal • Recycling collection/ treatment / disposal • Street cleansing • Clean neighbourhoods • Untidy sites • Litter and flytipping • Abandoned vehicles • Salting of, and snow and debris removal from, public highways • Clean / safe beaches • Public toilets | | |

Table B

| Planning Functions |
|---|
| Commons Act 2006, Communities Act 2006, Countryside Act 1968, Countryside and Rights of Way Act 2000, Disused Burial Grounds Amendment Act 1981 Enterprise and Regulatory Reform Act 2013, Environment Act 2021, Environmental Protection Act 1990, Explosive Regulations 2014 Explosive Substances Act 1883 Forestry Act 1967, Historic Buildings and Ancient Monuments Act 1953, Human Rights Act 1998, Levelling Up Act 2023 Localism Act 2011, National Parks and Access to the Countryside Act 1948, Natural Environment and Rural Communities Act 2006, |

Planning (Hazardous Substances) Act 1990,
Planning (Listed Buildings and Conservation Areas) Act 1990,
Planning Act 2008,
Planning and Compulsory Purchase Act 2004,
Town and Country Planning Act 1990,
The Burial Act 1857
Wildlife and Countryside Act 1981,
The Hedgerow Regulations 1997
The Planning (Listed Buildings and Conservation Areas) Regulations 1990
The Town and Country Planning (Applications) Regulations 1988
The Town and Country Planning (Inquiries Procedure) Rules 1992
The Town and Country Planning (Use Classes) Order
The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) Rules 1992
The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992
The Planning (Hazardous Substances) Regulations 1992
The Compulsory Purchase of Land Regulations 1994
The Conservation (Natural Habitats, &c.) Regulations 1994
The Town and Country Planning (Environmental Assessment and Permitted Development) Regulations 1995
The Town and Country Planning (General Permitted Development) Order 1995
The Town and Country Planning, England and Wales, the Town and Country Planning (General Development Procedure) Order 1995 -

Department of the Environment

The Town and Country Planning (Crown Land Applications) Regulations 1995

The Town and Country Planning (Minerals) Regulations 1995

The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 The
Town and Country Planning (Trees) Regulations 1999

The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

The Town and Country Planning (Hearings Procedure) (England) Rules 2000

The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2000

The Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002

The Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002

The Town and Country Planning (Enforcement) (Hearings Procedure) (England) Rules 2002

The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002

The Town and Country Planning (Local Development) (England) Regulations 2004

Town and Country Planning (Temporary Stop Notice)(England) Regulations 2005

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2005

The Town and Country Planning (Major Infrastructure Project Inquiries Procedure) (England) Rules 2005

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006

The Planning (Applications for Planning Permission, Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2006

The Town and Country Planning (General Development Procedure) (Amendment) (No. 2) (England) Order 2006

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008

The Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2008

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008

The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008

The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2009

The Planning (Hazardous Substances) (Amendment) (England) Regulations 2010

The Town and Country Planning (Compensation) (No.3) (England) Regulations 2010

The Town and Country Planning (Development Management Procedure) (England) Order 2010

The Infrastructure Planning (Decisions) Regulations 2010

The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2010 The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2010

The Community Infrastructure Levy Regulations 2010

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011

The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2011

Neighbourhood Planning (Referendums) Regulations 2012

The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012

The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012

The Town and Country Planning (Compensation) (England) Regulations 2012

The Planning (Listed Buildings and conservation Areas) (Wales) Regulations 2012

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012

The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013

The Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2013

The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013

The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment) Rules 2013

The Town and Country Planning (Section 62A Applications) (Hearings) Rules 2013

The Town and Country Planning (Section 62A Applications) (Written Representations and Miscellaneous Provisions) Regulations 2013

The Town and Country Planning (Fees for Applications Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2013

The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) (No. 2) Regulations 2014

The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2014

Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014

The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2014

The Town and Country Planning (Compensation) (England) Regulations 2015

The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment and Revocation) Rules 2015
The Town and Country Planning (General Permitted Development) (England) Order 2015
The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015
The Town and Country Planning (Compensation) (England) Regulations 2015
The Planning (Hazardous Substances) Regulations 2015
The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015
The Town and Country Planning General (Amendment) (England) Regulations 2015
The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015
The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016
The Conservation of Species and Habitats Regulations 2017
The Planning (Hazardous Substances) (Amendment) Regulations 2017
The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2017
The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2017
The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
The Town and Country Planning (Permission in Principle) Order 2017.
The Town and Country Planning (Local Authority Consultations etc.) (England) Order 2018.

Regulatory / Licensing Functions

Activity Centres (Young Persons Safety) Act 1995
Administration of Justice Act 1970 (Section 40) & 1985
African Swine Fever (England) Order 2003

Agricultural Produce (Grading and Marking) Amendment Act 1931
Agriculture (Miscellaneous Provisions) Act 1968
Agriculture Act 1970
Agriculture Produce (Grading & Marking) Acts 1928 & 1931
Animal Boarding Establishment Act 1963
Animal Gatherings (England) Order 2010
Animal Health (Divisional Veterinary Managers) Order 2009
Animal Health Act 1981 & 2002
Animal Health and Welfare Act 1984
Animal Welfare Act 2006
Animals (Miscellaneous Provisions) Order 1927 as amended & 1938
Animals (Post-Import Control) Order 1995
Anthrax Order 1991 as amended
Anti-Social Behaviour Act 2003
Anti-Social Behaviour, Crime and Policing Act 2014
Aujeszky's Disease Order 1983
Avian Influenza & Influenza of Avian Origin in Mammals (England) (No.2) Order 2006
Avian Influenza (H5N1 in Poultry) (England) Order 2006
Avian Influenza (H5N1 in Wild Birds) (England) Order 2006
Avian Influenza (H5N1) (Miscellaneous Amendments) Order 2007

Avian Influenza and Newcastle Disease (Biosecurity Guidance and Disease Control) (Slaughter) Protocol (England & Wales) Order 2003

Avian Influenza and Newcastle Disease (Contingency Planning) (England) Order 2003

Avian Influenza and Newcastle Disease (England & Wales) Order 2003

Bluetongue (No. 2) Order 2007 (Revoked except for Article 17)

Bluetongue Order 2003 (Revoked except for Article 18)

Botulinum Toxin and Cosmetic Fillers (Children) Act 2021

Breeding and Sale of Dogs (Welfare) Act 1999

Breeding of Dogs Act 1973 & 1991 & 1999

Brucellosis (England) Order 2000 as amended

Building Act 1984

Business and Planning Act 2020

Cancer Act 1939

Caravan Sites and Control of Development Act 1960

Cattle Plague Order 1928 as amended

Charities Act 1992

Children and Young Persons (Protection from Tobacco) Act 1991

Children and Young Persons Act 1933 (Section 7)

Children and Young Persons Act 1963 (Section 37)

Cigarette Lighter Refill (Safety) Regulations 1999

Cinemas Act 1985

Civic Amenities Act 1967
Classical Swine Fever (England) Order 2003
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Companies Act 1985 & 2006
Company Directors Disqualification Act 1986
Consumer Credit Act 1974 & 2006
Consumer Protection Act 1987
Consumers, Estate Agents and Redress Act 2007 Control of Pesticides Regulations 1986
Control of Pollution (Amendment) Act 1989
Control of Pollution Act 1974
Control of Salmonella in Broiler Flocks Order 2009
Control of Salmonella in Poultry Order 2007
Control of Salmonella in Turkey Flocks Order 2009
Copyright, Designs and Patents Act 1988
Copyright, etc and Trade Marks (Offences and Enforcement) Act 2002
Coronavirus Act 2020
Criminal Attempts Act 1981
Criminal Justice and Police Act 2001
Criminal Justice and Public Order Act 1994

Criminal Law Act 1977

Dangerous Dogs Act 1991

Dangerous Wild Animals Act 1976

Deer Act 1991

Deregulation and Contracting Out Act 1994

Development of Tourism Act 1969 (Section 18)

Disease Control (England) Order 2003 as amended

Diseases of Animals (Approved Disinfectants) (England) Order 2007

Diseases of Poultry (England) Order 2003

Dogs (Fouling of Land) Act 1996

Dogs Act 1906 (Section 3)

Education Reform Act 1988

Energy Act 1976 (Section 18)

Energy Act 2011

Energy Act 2013

Energy Conservation Act 1981 (Section 20)

Education Act 1996

Enterprise Act 2002

Environment Act 1995

Environment and Safety Information Act 1988

Environmental Protection (Non-Refillable Refrigerant Containers) Regs 1994

Environmental Protection Act 1990

Enzootic Bovine Leukosis (England) Order 2000

Equine Infectious Anaemia (Compensation) (England) Order 2006

Equine Viral Arteritis Order 1995

Estate Agents Act 1979

European Communities Act 1972 (EC Tab)

Explosives Act 1875

Explosives Regulations 2014

Export of Horses (Excepted Cases) Order 1969

Export of Horses (Protection) Order 1969

Export of Horses (Veterinary Examination) Order 1966

Export of Horses and Ponies (Increase in Minimum Values) Order 1978

Export Quarantine Stations (Regulation) Order 1973

Factories Act 1961

Fair Trading Act 1973

Farm and Garden Chemicals Act 1967

Feed (Hygiene and Enforcement) (England) Regulations 2005

Fire Safety and Safety of Places of Sport Act 1987

Fireworks Act 2003

Food Act 1984

Food and Environment Protection Act 1985 (FEPA Tab)

Food Safety Act 1990 (as amended)

Food Safety and Hygiene (England) Regulations 2013

Foot and Mouth Disease (England) Order 2006

Foot and Mouth Disease (Packing Materials) Order 1925 as amended

Forgery and Counterfeiting Act 1981 (Part I)

Fraud Act 2006

Game Act 1831

Game Licences Act 1860

Gambling Act 2015

Hallmarking Act 1973

Hares (Control of Importation) Order 1965

Health Act 2006

Health and Safety at Work etc. Act 1974 (HSWA Tab)

Housing Act 1985 (EHH Tab)

Housing Act 2004 (EHH Tab)

Housing and Planning Act 2016 (EHH Tab)

Housing Grants, Construction and Regeneration Act 1996 (EHH Tab)

Hypnotism Act 1952

Importation of Animal Products and Poultry Products Order 1980 as amended

Importation of Animals Order 1977 as amended (Articles 4(1), 5(6), 5(7), 6 & 15 Do Not Apply to England and Scotland) Importation of Animals Pathogens Order 1980

Importation of Birds, Poultry and Hatching Eggs Order 1979

Importation of Embryos, Ova and Semen Order 1980 as amended

Importation of Hay and Straw Order 1979

Importation of Processed Animal Protein Order 1981 as amended

Importation of Salmonoid Viscera Order 1986

Individual Ascertainment of Value (England) Order 2005

Infectious Diseases of Horses Order 1987

Intoxicating Substances (Supply) Act 1985

Knives Act 1997

Land Drainage Act 1991

Late Night Refreshment Houses Act 1969

Legislative Reform (Local Government) (Animal Health Functions) Order 2009

Licensing Act 2003

Litter Act 1983

Local Government (Miscellaneous Provisions) Act 1976

Local Government (Miscellaneous Provisions) Act 1982

Local Government Act 1972

Local Government and Housing Act 1989
Lotteries and Amusements Act 1976
Manufacture and Storage of Explosives Regulations 2005
Medicines Act 1968
Medicines and Medical Devices Act 2021
Mobile Homes Act 1983
Motor Cycle Noise Act 1987
Motor Vehicles (Safety Equipment for Children) Act 1991
Money Laundering Regulations 2007
Movement of Animals (Records) Order 1960 as amended
Movement of Animals (Restrictions) (England) Order 2002 as amended
National Assistance (Amendment) Act 1951
National Assistance Act 1948
National Lottery Act 1993
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Offensive Weapons Act 1996
Office Shops and Railway Premises Act 1963
Olympic Symbol etc. (Protection) Act 1995
Open Spaces Act 1906
Pesticides (Fees and Enforcement) Act 1989

Pet Animals Act 1951
Petroleum (Consolidation) Act 1928
Petroleum (Transfer of Licences) Act 1936
Petroleum Consolidation Act 1928
Pigs (Records, Identification and Movement) Order 2007
Pleuro-Pneumonia (Amendment) Order of 1938 (5666)
Pleuro-Pneumonia Order 1928 (4605)
Poisons Act 1972
Pollution Prevention Control Act 1999
Poultry (Seizure of Hatching Eggs) Order 1990
Prevention of Damage by Pests Act 1949
Prices Act 1974 & 1975
Private Places of Entertainment (Licensing) Act 1967
Proceeds of Crime Act 2002
Property Misdescriptions Act 1991
Protection From Eviction Act 1977
Protection of Animals Act 1911
Protection of Children (Tobacco) Act 1986
Psittacosis or Ornithosis Order 1953
Public Entertainments Licences (Drug Misuse) Act 1997

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

The Health Protection (Coronavirus, Collection of Contact Details etc and Related Requirements) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (Obligations of Undertakings) (England) (Amendment) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Medium) (England) Regulations 2020

The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020

The Health Protection (Coronavirus, Local COVID-19 Alert Level) (Very High) (England) Regulations 2020

The Health Protection (Coronavirus, Wearing of Face Coverings) (England) Regulations 2021

The Health Protection (Coronavirus, Restrictions) (Entry to Venues and Events) (England) Regulations 2021 The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020

The Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020 The Health Protection (Coronavirus, Restrictions) (Steps) (England) Regulations 2021

Public Health (Control of Diseases) Act 1984

Public Health Act 1875

Public Health Act 1936

Public Health Act 1961

Public Health Acts Amendment Act 1907

Rabies (Control) Order 1974

Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974 as amended
Radioactive Substances Act 1960
Rag, Flock and Other Filling Materials Act 1951
Refuse Disposal (Amenity) Act 1978
Regulation of Investigatory Powers Act 2000 (RIPA)
Regulatory Reform (Fire Safety) Order 2005
Riding Establishments Act 1964
Riding Establishments Act 1970
Road Traffic (Consequential Provisions) Act 1988
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Acts 1988 & 1991
Road Traffic Offenders Act 1988
Road Traffic Regulation Act 1984
Safety of Sports Ground Act 1975
Scotch Whisky Act 1988
Scrap Metal Dealers Act 1964
Sheep & Goats (Records, Identification & Movement) (England) Order 2009
Sheep Scab Order 1997
Shellfish and Specified Fish (Third Country Imports) Order 1992 Solicitors Act 1974
Specified Diseases (Notification & Slaughter) Order 1992 (Revoked insofar as they apply to Bluetongue)

Specified Diseases (Notification & Slaughter) Order 2006
Specified Diseases (Notification) Order 1996 (Revoked insofar as they apply to Bluetongue)
Spring Traps Approval Order 1995 as amended
Sunbeds (Regulation) Act 2010
Sunday Trading Act 1994
Telecommunications Act 1984
Tenant Fees Act 2019
The Children (Performances) Regulations 1968 (as amended)
The Dogs (Fouling of Land) Act 1996
The Health Protection (Local Authority Powers) Regulations 2010
The Health Protection (Notification) Regulations 2010
The Health Protection (Part 2A Orders) Regulations 2010
The Hedgerow Regulations 1997
The Private Water Supplies (England) Regulations 2016
Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002
The Smoke and Carbon Monoxide Alarm (England) Regulations 2015
Theatres Act 1968
Theft (Amendment) Act 1996
Theft Acts 1968 & 1978
Timeshare Act 1992

Tobacco Advertising and Promotion Act 2002
Tobacco Products Duty Act 1979
Town and Country Planning Act 1990
Town Police Clauses Act 1847
Trade Descriptions Act 1968
Trade Marks Act 1994
Transport of Animals (Cleansing & Disinfection) (England) (No.3) Order 2003 as amended
Tuberculosis (Deer) Order 1989 as amended
Tuberculosis (England) Order 2007
Unsolicited Goods and Services Acts 1971 & 1975
Value Added Tax Act 1994
Vehicle (Crimes) Act 2001
Veterinary Surgery (Wing & Web Tagging) Order 2009
Video Recordings Acts 1984 & 1993 & 2010
Warble Fly (Ascertainment of Infestation) (England & Wales) Order 1985
Warble Fly (England & Wales) (Infected Areas) Order 1985
Warble Fly (England & Wales) Order 1982
Water Act 1989
Water Act 2003
Water Industry Act 1991

Weights and Measures Act 1985 (and all Regulations made under it)

Welfare of Animals (Transport) (England) Order 2006

Welfare of Animals at Markets Order 1990 as amended

Wild Life and Countryside Act 1982

Working Time Regulations 1998 (HSWA Tab)

Zoo Licensing Act 1981

Zoonoses Order 1988 & 1989

EU Legislation:

The Aerosol Dispensers (EEC Requirements) Regs 1977

The Animal and Animal Products (Examination for Residues and Maximum Limits) Regs 1997

The Animal By Products (Enforcement) (England) Regulations 2013

The Animal By-Products Regulations 2005* as amended

The Animal Health & Welfare (Scotland) Act 2006 (Consequential Provisions) (England & Wales) Order 2006*

The Animals (Divisional Veterinary Managers) Regulations 2009*

The Animals and Animal Products (Import & Export) (England) Regulations 2006* as amended

The Avian Influenza (Fees for the Licensed Vaccination of Birds) (England) Regulations 2007*

The Avian Influenza (Preventative Measures) (England) Regs 2006

The Avian Influenza (Vaccination) (England) Regulations 2006*

The Beef Labelling (Enforcement) (England) Regulations 2000

The Biofuel (Labeling) Regulations 2004

The Bluetongue Regs 2008

The Boiler (Efficiency) Regs 1993

The Bovines & Bovine Products (Despatch Prohibition & Production Restriction) Regs 1997

The Bovines & Bovine Products (Trade) Regs 1999

The BSE (Feeding Stuffs & Surveillance) Regs 1999

The BSE Offspring Slaughter Regulations 1998

The Business Protection from Misleading Marketing Regulations 2008

The Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008

The Cat and Dog Fur (Control of Import, Export and Placing on Market) Regs 2008

The Cattle (Identification of Older Animals) Regs 2000

The Cattle Database Regulations 1998

The Cattle Identification Regulations 2007* as amended

The Common Agricultural Policy (Wine) (England and Northern Ireland) Regs 2001

The Common Agricultural Policy (Wine) Regs 1996

The Companies (Trading Disclosures) Regulations 2008

The Construction Products Regs 1991

The Consumer Protection (Distance Selling) Regulations 2000

The Consumer Protection from Unfair Trading Practices Regulations 2008 The Crystal Glass (Descriptions) Regs 1973

The Docking of Working Dogs' Tails (England) Regulations 2007*

The Ecodesign for Energy-Using Product Regulations 2007

The Eggs & Chicks (England) Regulations 2009*

The Electromagnetic Compatibility Regs 1992

The Electro-medical Equipment (EEC Requirements) Regs 1988

The Electronic Commerce (EC Directive) Regulations 2002

The Energy Efficiency (Refrigerators and Freezers) Regs 1997

The Energy Information (Combined Washer-driers) Regs 1997

The Energy Information (Dishwashers) Regs 1999

The Energy Information (Household Air Conditioners) (no 2) Regs 2005

The Energy Information (Household Electric Ovens) Regs 2003

The Energy Information (Household Refrigerators and Freezers) Regulations 2004

The Energy Information (Lamps) Regs 1999

The Energy Information (Refrigerators and Freezers) Regs 1994

The Energy Information (Tumble Driers) Regs 1996

The Energy Information (Washing Machines) Regs 1996

The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regs 2007

The Environmental Protection (Controls on Substances that Deplete the Ozone Layer) Regs 1996

The Feed (Hygiene and Enforcement) (England) Regs 2005 as amended

The Feeding Stuffs (Enforcement) Regs 1999

The Feeding Stuffs (England) Regs 2005 as amended

The Feeding Stuffs (Establishment & Intermediaries) Regs 1999

The Feeding Stuffs (Safety Requirements for Feed for Food Producing Animals) Regulations 2004 The Feeding Stuffs (Sampling and Analysis) Regs 1999 as amended

The Feeding Stuffs Regs 2000

The Firework Regs 2004

The Food (Suspension of the use of E128 Red 2G as a food colour)(England) Regs 2007

The Food Hygiene (England) Regulations 2006

The Foot and Mouth Disease (Control of Vaccination) (England) Regulations 2006*

The General Food Regulations 2004

The General Product Safety Regs 2005

The Genetically Modified Animal Feed (England) Regs 2004 as amended

The Horse Passports (England) Regulations 2007

The Horse Passports Regulations 2009*

The Import and Export Restrictions (Foot & Mouth Disease) (no 6) Regs 2007

The Imported Food Regs 2007

The Manufacture and Storage of Explosives Regs 2005

The Materials and Articles in Contact with Food Regs 2006 and 2007

The Measuring Instruments (Automatic Catchweighers) Regulations 2006

The Measuring Instruments (Automatic Discontinuous Totalisers) Regulations 2006

The Measuring Instruments (Automatic Gravimetric Filling Instruments) Regulations 2006

The Measuring Instruments (Automatic Rail-weighbridges) Regulations 2006

The Measuring Instruments (Beltweighers) Regulations 2006

The Measuring Instruments (Capacity Serving Measures) Regulations 2006

The Measuring Instruments (Cold-water Meters) Regulations 2006

The Measuring Instruments (Liquid Fuel and Lubricants) Regulations 2006

The Measuring Instruments (Liquid Fuel delivered from Road Tankers) Regulations 2006

The Measuring Instruments (Material Measures of Length) Regulations 2006

The Measuring Instruments (Non-Prescribed Instruments) Regulations 2006

The Meat (Enhanced Enforcement Powers) (England) Regulations 2000

The Mutilations (Permitted Procedures) (England) Regulations 2007* as amended

The Natural Mineral Water, Spring Water & Bottled Water Regs 1999

The Non Commercial Movement of Pet Animals (England) Regulations 2004*

The Non-Automatic Weighing Instruments Regs 2000

The Official Controls (Animal Feed and Food)(England) Regs 2006

The Official Feed and Food Controls (England) Regs 2009

The Olive Oil (Marketing Standards) Regs 2003

The Organic Products Regulations 2009* The Package Travel, Package Holidays & Package Tours Regs 1992

The Packaging (Essential Requirements) Regs 2003

The Personal Protective Equipment (EC Directive) Regs 2002

The Plastic Materials and Articles in Contact with Food (England) Regulations 2006 and 2009 as amended The Plastic Materials and Articles in Contact with Food Regs 1998

The Poultry Meat (Water Content) Regs 1984

The Products of Animal Origin (Disease Control) (England) Regulations 2008* as amended

The Products of Animal Origin (Import and Export) Regulations 1996* as amended

The Products of Animal Origin (Third Country Imports) (England) Regulations 2006

The Quick Frozen Food Stuffs (England) Regs 2007

The Radio Equipment and Telecommunications Terminal Equipment (Amendment) Regulations 2000 as amended The REACH Enforcement Regs 2008

The Registration of Establishments (Laying Hens) (England) Regulations 2003*

The Rice Products (Restrictions on First Packaging on the Market) (England) Regs 2006

The Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006*

The Sheep and Goats (Records, Identification & Movement) (England) Order 2007

The Simple Pressure Vessels (Safety) Regs 1991

The Supply of Machinery (Safety) Regs 1992

The Swine Vesicular Disease Regulations 2009*

The Telecommunications Terminal Equipment Regs 1992

The Textile Products (Indications of Fibre Content) Regs 1986

The Trade in Animals and Related Products Regulations 2011

The Transmissible Spongiform Encephalopathies (England) Regs 2008

The TSE (England) Regulations 2002 (as amended)

The Unfair Terms in Consumer Contracts Regulations 1999

The Wine Regulations 2009
The Working Time Regulations 1998
Transmissible Spongiform Encephalopathies (England) (Amendment) Regulations 2008*
Veterinary Medicines Regulations 2008* (Revoked Except Regulation 45(2))
Veterinary Medicines Regulations 2009*
Welfare of Animals (Miscellaneous Revocations) (England) Regulations 2007*
Welfare of Farmed Animals (England) Regulations 2007* Zoonoses (Monitoring) (England) Regulations 2007*
Zootechnical Standards Regulations 1992* as amended.

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3. LIST OF STATUTORY OFFICERS AND PROPER OFFICERS (AND DESIGNATED POSTS)

Statutory Officers

Introduction

- 3.1 The Statutory Officers set out in the table below hold Statutory Offices on behalf of the Council. A Statutory Officer will hold the Statutory Office during any period of employment in the post to which the statutory office is designated, either as a full-time employee of the Council, or on a temporary, 'acting-up' or interim basis.
- 3.2 Statutory Officers may appoint deputies where the law allows, but cannot delegate their statutory responsibilities.
- 3.3 The Monitoring Officer has delegated authority to amend the list of Proper Officers to add additional posts pursuant to legislation, or remove and replace redundant posts or provisions, or to change appointments.

Statutory Officers

| Statutory Office | Statutory Office Designated Post |
|--|--|
| Head of Paid Service (Section 4, Local Government and Housing Act 1989) | Chief Executive |
| Monitoring Officer (Section 5, Local Government and Housing Act 1989) | Director, Legal Services |
| Chief Finance Officer (s.151 Local Government Act 1972) | Executive Director Finance and Resources |
| Electoral Registration Officer Returning Officer / Deputy Returning Officer (ss.8,28 and 35 Representation of the People Act 1983) | Chief Executive |

| | |
|---|---|
| <p>Director of Children’s Services (section18, Children Act 2004)</p> | <p>Executive Director, Children and Public Health</p> |
| <p>Director of Adult Social Services (section 6, Local Authority Social Services Act 1970)</p> | <p>Executive Director, Adult Social Services and Health</p> |
| <p>Director of Public Health (section 73A, National Health Service Act 2006)</p> | <p>Director, Public Health</p> |
| <p>Scrutiny Officer (section 9FB Local Government Act 2000 as amended)</p> | <p>Director, Legal Services</p> |
| <p>Data Protection Officer (section 29 Data Protection Act 2018) (UKGDPR)</p> | <p>Head of Governance</p> |
| <p>Qualified person for the purposes of section 36 of the Freedom of Information Act 2000</p> | <p>Monitoring Officer</p> |

Proper Officers

Introduction

- 3.4 The Officers set out in the table below are appointed to be the Council's Proper Officer for the stated legislative provisions.
- 3.5 The appointed Deputy Proper Officer is given in brackets. The Deputy Proper Officer is appointed to act where the Proper Officer is absent and / or unable to act for any reason.
- 3.6 In absence of the appointment of a Proper Officer in this Constitution:
- 3.6.1 The Chief Executive will be the Council's Proper Officer and has power to delegate this power, until an appointment is made by Full Council; and
- 3.6.2 The Monitoring Officer is delegated authority to amend the list of Proper Officers to add additional posts pursuant to legislation, or remove and replace redundant posts or provisions, or to change appointments.

PROPER OFFICERS

LOCAL GOVERNMENT ACT 1972

| Section | Function / Description | Proper Officer |
|-----------|---|---|
| 83(1)-(4) | Officer to whom persons elected as councillors shall make declaration of acceptance of office. | Director, Legal Services (Chief Executive) |
| 84 | Officer to whom councillors may give written notice or resignation. | Director, Legal Services (Chief Executive) |
| 88(2) | Officer who may convene a Council meeting to fill a vacancy in the office of Lord Mayor | Chief Executive (Deputy Chief Executive) |
| 89(1)(b) | Officer who may receive notice in writing of a casual vacancy in the office of councillor from two local Government electors. | Chief Executive (Director, Legal Services) |
| 100 | All references to proper officer in connection with the access to information provisions of the Local Government Act 1972. | Director, Legal Services (Assistance Director, Legal Services) |

| | | |
|----------------------|---|---|
| 115 | Officer to whom all officers shall pay monies received by them and due to the local authority. | Director Finance and Resources / Chief Finance Officer (Chief Executive) |
| 146(1) | Officer authorised to produce a statutory declaration specifying securities and verifying name change of authority. | Director Finance and Resources / Chief Finance Officer (Chief Executive) |
| 225(1) | Officer with whom documents may be deposited pursuant to law to make notes or endorsements and give acknowledgements or receipts. | Director, Legal Services (Assistant Director, Legal Services) |
| 229(4) and (5) | Officer who shall certify that a document is a photographic copy of a document in the custody of the Council. | Director, Legal Services (Assistant Director, Legal Services) |
| Section 233 LGA 1972 | Receive documents required to be served on the Council. | Director, Legal Services (Assistant Director, Legal Services) |
| 234(1) | Officer who may authenticate documents. | Director, Legal Services (Assistant Director, Legal Services) |
| 238 | Officer who may endorse a copy of a byelaw. | Director, Legal Services (Assistant Director, Legal Services) |
| 248 | Officer who will maintain a roll of freemen | Chief Executive |

| | | |
|----------------------------|---|---|
| Sch.12, Part 1, para 4(1A) | Officer who may sign a summons to Council meetings and may receive notice from a member of address to which a summons to a meeting is to be sent. | Chief Executive (Deputy Chief Executive) |
| Sch. 14 | Corticate of resolutions concerning Public Health Acts 1875 - 1925 | Chief Executive |

LOCAL GOVERNMENT ACT 1974

| Section | Function / Description | Proper Officer |
|------------|---|--|
| 30, 30 (5) | Officer responsible for receiving and arranging publication in newspapers of notice of Local Commissioner's report on investigation of a complaint. | Director, Legal Services (Assistant Director, Legal Services) |

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

| Section | Function / Description | Proper Officer |
|---------|--|--|
| 16 | Notices requiring details of interests in land | Any Chief Officer |
| 41 | Officer responsible for certifying copies of resolutions, minutes and other documents. | Director, Legal Services (Assistant Director, Legal Services) |

PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984 AND THE PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS 1988

| Regulation | Function / Description | Proper Officer |
|------------|---------------------------------------|--|
| | All references to the Proper Officer. | Director Public Health (Public Health Consultant) |

WEIGHTS & MEASURES ACT 1985

| Section | Function / Description | Proper Officer |
|----------------|---|---|
| 72 | Functions of Chief Inspector of Weights and Measures. | Executive Director, Environment and Place (relevant Director / Head of Service) |

LOCAL GOVERNMENT FINANCE ACT 1988

| Section | Function / Description | Proper Officer |
|-----------------------|---|---|
| 114,114A,116 and 139A | Officer responsible for making a report under this section to the authority concerning unlawful expenditure and the Council's budget. | Executive Director Finance and Resources / Chief Finance Officer (Director, Financial Services / Deputy Chief Finance Officer) |

LOCAL GOVERNMENT & HOUSING ACT 1989

| Section | Function / Description | Proper Officer |
|----------------|--|--|
| 2, 3A, 15-14 | Deposit of list of "politically restricted posts" under LGHA 1989. | Director, Legal Services (Assistant Director, Legal Services) |

NON-DOMESTIC (COLLECTION AND ENFORCEMENT) (LOCAL LISTS) REGULATIONS 1989

| Regulation | Function / Description | Proper Officer |
|-------------------|-------------------------------|-----------------------|
|-------------------|-------------------------------|-----------------------|

| | | |
|----|---|---|
| 23 | Certification of the Local Non-Domestic List. | Executive Director Finance and Resources / Chief Finance Officer (Director, Financial Services / Deputy Chief Finance Officer) |
|----|---|---|

LOCAL GOVERNMENT (COMMITTEES AND POLITICAL GROUPS) REGULATIONS 1990

| Section | Function / Description | Proper Officer |
|---------|---|--|
| | For the purposes of the composition of committees and nominations to political groups, and notifications as to allocations and vacancies of seats | Director, Legal Services (Assistant Director, Legal Services) |

THE LOCAL AUTHORITIES (STANDING ORDERS) (ENGLAND) REGULATIONS 2000

| Regulation | Function / Description | Proper Officer |
|--|---|---|
| Paras 5 and 6 of Part II of Schedule 1 | Officer to receive notification of proposed appointment of certain officers, notifying executive members of that proposed appointment and for receiving and notifying of objections to the proposed appointment from executive members, if any. (as set out in the Staff Employment Procedure Rules) | Chief Executive [[Executive Director with responsibility for Human Resources]] |

LOCAL AUTHORITY SOCIAL SERVICES AND NATIONAL HEALTH SERVICE COMPLAINTS (ENGLAND) REGULATIONS 2009

| Regulation | Function / Description | Proper Officer |
|-------------------|---|---|
| | All references to the responsible officer | Executive Director, Adults and Communities |

LOCAL AUTHORITIES (REFERENDUMS) (PETITIONS) (ENGLAND) REGULATIONS 2011

| Regulation | Function / Description | Proper Officer |
|-------------------|---|--|
| 4 | Officer who publishes the number that is equal to 5 per cent of the number of local government electors for the authority's area. | Director, Legal Services (Assistant Director, Legal Services) |
| 11,13,14 | To be the Proper Officer for the receipt and validation of petitions. | Director, Legal Services (Assistant Director, Legal Services) |

LOCAL ELECTIONS (PRINCIPAL AREAS) (ENGLAND AND WALES) RULES 2006, AND LOCAL ELECTIONS (PARISHES AND COMMUNITIES) RULES 2006

| Rules | Function / Description | Proper Officer |
|--------------|--|--------------------------|
| | Retention and public inspection of documents after an election | Director, Legal Services |

LOCAL LAND CHARGES ACT 1975

| Section | Function / Description | Proper Officer |
|---------|---|--------------------------|
| | Maintenance of register of local land charges | Director, Legal Services |

FOOD SAFETY ACT 1990

| Section | Function / Description | Proper Officer |
|------------|-----------------------------|-----------------------------|
| 49 (3) (a) | Authentication of documents | Director, Public Protection |

PUBLIC HEALTH ACT 1936

| Section | Function / Description | Proper Officer |
|---------|---|-----------------------------|
| 85 (2) | Service of notice requiring remedial action in respect of verminous persons or articles | Director, Public Protection |

PUBLIC HEALTH ACT 1961

| Section | Function / Description | Proper Officer |
|---------|----------------------------------|-----------------------------|
| 37 | Control of any verminous article | Director, Public Protection |

NATIONAL HEALTH SERVICE ACT (AS AMENDED BY HEALTH AND SOCIAL CARE ACT 2012)

| Section | Function / Description | Proper Officer |
|---------|----------------------------------|-------------------------|
| | Functions relating public health | Director, Public Health |

HOUSING ACT 1985

| Section | Function / Description | Proper Officer |
|----------------|--|--|
| 606 | Submission of report on particular houses or areas | Executive Director, Environment and Place |

LOCAL AUTHORITIES (CONDUCT OF REFERENDUMS) (ENGLAND) REGULATIONS 2011

| Regulation | Function / Description | Proper Officer |
|-------------------|---------------------------------------|--|
| | All references to the Proper Officer. | Director, Legal Services (Assistant Director, Legal Services) |

THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

| Regulation | Function / Description | Proper Officer |
|-------------------|--------------------------------------|--|
| | All references to the Proper Officer | Director, Legal Services (Assistant Director, Legal Services) |

LOCAL AUTHORITIES CEMETRIES ORDER 1977

| Regulation | Function / Description | Proper Officer |
|-------------------|------------------------------------|---|
| | To sign exclusive rights of burial | Director, Communities, Culture and Tourism |

REPRESENTATION OF THE PEOPLE ACT 1983

| Section | Function / Description | Proper Officer |
|---------|--|---|
| | All Proper Officer functions identified in the legislation | Chief Executive (Deputy Chief Executive) |

BUILDING ACT 1984

| Section | Function / Description | Proper Officer |
|-----------|--|--|
| 78 and 79 | To take action in relation to dangerous buildings and structures, and the service of notices | Executive Director, Environment and Place |

LOCAL GOVERNMENT ACT 2000

| Section | Function / Description | Proper Officer |
|------------|---|--------------------------|
| 3,5,6 | Functions pertaining to the making, copying and making available for inspection (as applicable) executive decisions, associated reports and background papers | Director, Legal Services |
| 11 (2) | Exclusion of whole or part of any report to the Cabinet where meeting is likely not to be open to the public. | Director, Legal Services |
| 11 (7) (c) | Provision to the press of other documentation supplied to members of the Cabinet in connection with item discussed | Director, Legal Services |
| 81 | Establish and maintain a register of members' interests | Director, Legal Services |

| | | |
|--|---|-----------------|
| | Except as regards the above, all references to the Proper Officer in the Local Government Act and subordinate legislation | Chief Executive |
|--|---|-----------------|

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