

**Delegations to the Director of City Housing and Environment**

I	Function	Limits or restrictions on delegation
1	Responding to applications for operating centres under the Good Vehicles (Licensing of Operators) Act 1995.	
2	To exercise the Council's functions under the War Memorials (Local Authorities' Powers) Act 1923.	
3	<p>In respect of the Construction (Design and Management) Regulations 1994 (made under the Health and Safety at Work Act 1974): -</p> <p style="margin-left: 40px;">(i) to act as Agent for in-house clients in respect of duties defined for clients and undertaking highways and civil engineering projects; and</p> <p style="margin-left: 40px;">(ii) to carry out the duties defined for Planning Supervision in respect of duties defined for clients undertaking highways and civil engineering projects.</p>	
<b>Business Services</b>		
4	The appointment of Proper Officers for environmental health functions.	In accordance with the Green Decision notice dated 8 April 2003 and reported to the Developing and Supporting the Organisation Cabinet Team 25 April 2003.
5	The operational management of the Council's environmental health and trading standards and street trading services.	In accordance with the Constitution and any specific restrictions or limitations imposed by the Cabinet or relevant Regulatory or other Committee through approved

## ***Delegations to the Director of City Housing and Environment***

policies, procedures and service delivery programme.

6 The authorisation of appropriate qualified and experienced employees to act as inspectors.

7 Inspectors and other duly authorised employees are empowered to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing registrations and legal proceedings and simple cautions under the following legislation applicable thereto, and to exercise all other relevant powers, including powers of entry and authorisation of work in default provided under such legislation.

### *Cabinet functions*

Agriculture (Miscellaneous Provisions) Act 1968

Animal Act 1971

Animal Health Act 1981

Animal Health and Welfare Act 1984

Animal Welfare Act 2006

Anti-Social Behaviour Act 2003

Anti-Social Behaviour Crime and Policing Act 2014

12 November 2014 Cabinet report relating to the local implementation of the Anti-Social Behaviour Crime and Policing Act 2014

Building Act 1984

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Chronically Sick and Disabled Persons Act  
1970

Clean Air Act 1993

Clean Neighbourhoods and Environment Act  
2005

Control of Horses Act 2015

Control of Pollution Act 1974  
Amendment) Act 1989

Cremation Acts 1902 and 1952

Criminal Attempts Act 1981

Criminal Justice & Public Order Act 1994

Criminal Justice and Police Act 2001

Dangerous Dogs Act 1991

Dogs Act 1906

Dogs (Fouling of Land) Act 1996

Environment Act 1995

Environmental Protection Act 1990

Environmental and Safety Information Act  
1998

Food and Environmental Protection Act 1985

Food Safety Act 1990

Health Act 2009

Health and Safety at Work etc Act 1974

Highways Act 1980

Home Safety Act 1961

## ***Delegations to the Director of City Housing and Environment***

Housing Act 1964

Housing and Planning Act 2016

Investigatory Powers Act 2016

Local Government Acts 1972 and 1988

Local Government (Miscellaneous Provisions) Acts 1976 and 1982

Mines and Quarries (Tips) Act 1969

National Assistance Act 1948

National Assistance (Amendment) Act 1951

National Health Services (Amendment) Act 1986

Noise Act 1996

Noise and Statutory Nuisance Act 1993

Police and Criminal Evidence Act 1984

Pollution Prevention and Control Act 1999

Prevention of Damages by Pests Act 1949

Protection of Animals Act 1911

Protection of Badgers Act 1992

Public Health Acts 1875 to 1969

Public Health (Control of Diseases) Act 1984

Public Health (Recurring Nuisances) Act 1969

Refuse Disposal (Amenity) Act 1978

Registered Designs Act 1949

Regulation of Investigatory Powers Act 2000

## ***Delegations to the Director of City Housing and Environment***

Sunday Trading Act 1994

Tenant Fees Act 2019

Town and Country Planning Act 1990

Water Industry Act 1991

Weeds Act 1959

West Midlands County Council Act 1980

Wildlife and Countryside Act 1981

Wolverhampton Corporation Act 1969

Any orders or regulations made thereunder or relating to any of the foregoing or having effect by virtue of the European Communities Act 1972 and the European Union (Withdrawal) Act 2018.

Any offence under any legislation or at Common Law which is of a similar nature or related to the foregoing, including offences of aiding, abetting, counselling or procuring, incitement, conspiracy, perverting the course of justice and criminal attempts. For the avoidance of doubt, this shall include any new legislations offering an extension of powers to Local Authority.

### ***Cabinet functions***

Accommodation Agencies Act 1953

Administration of Justice Act 1970 & 1972

Agriculture Act 1970

Animal Health Act 1981

Animal Health and Welfare Act 1984

Animal Welfare Act 2006

Anti-Social Behaviour Act 2003

## ***Delegations to the Director of City Housing and Environment***

Architects Act 1997

Auctions (Bidding Agreement) Acts 1922 & 1969

Banking Act 1987

Cancer Act 1939

Children and Young Persons (Protection from Tobacco) Act 1991

Children and Young Persons Act 1933

Children and Families Act 2014

Clean Neighbourhoods and Environment Act 2005

Companies Acts 1985 & 2006

Consumer Credit Acts 1974 and 2006

Consumer Protection Acts 1961, 1971, 1987

Consumer Rights Act 2015

Control of Pollution Act 1974

Copyright, Designs and Patents Act 1988

Copyright and Trade Marks (Offences and Enforcement) Act 2002

Courts & Legal Services Act 1990

Crime and Policing Act 2014

Criminal Attempts Act 1981

Criminal Justice Act 1988

Criminal Justice and Police Act 2001

Criminal Justice & Public Order Act 1994

Criminal Law Act 1977

Customs and Excise Management Act 1979

Development of Tourism Act 1969

Education Reform Act 1988

Energy Act 1976

Energy Conservation Act 1981

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Enterprise Act 2002

Enterprise and Regulatory Reform Act 2013

Environmental Protection Act 1990

Estate Agents Act 1979

European Communities Act 1972

Fair Trading Act 1973

Food Safety Act 1990

Forgery and Counterfeiting Act 1981 & 1988

Fraud Act 2006

Hallmarking Act 1973

Health Act 2009

Health and Safety at Work etc. Act 1974

Highways Act 1980

Insolvency Act 1986

Insurance Brokers Registration Act 1977

Intoxicating Substances (Supply) Act 1985

Knives Act 1997

Licensing Act 1964 (as amended)

Licensing Act 2003

Local Government Acts 1972 and 1988

Malicious Communications Act 1988

Medicines Act 1968

Mock Auctions Act 1961

Motor Cycle Noise Act 1987

Motor Vehicles (Safety Equipment for Children) Act 1991

National Lottery etc. Act 1993

Offensive Weapons Act 1996

Olympic Symbol etc. (Protection) Act 1995

Osteopaths Act 1993

## ***Delegations to the Director of City Housing and Environment***

Poisons Act 1972

Prices Acts 1974 and 1975

Proceeds of Crime Act 2002

Property Misdescriptions Act 1991

Protection from Harassment Act 1997

Protection of Children (Tobacco) Act 1986

Regulation of Investigatory Powers Act 2000

Road Traffic Acts 1988 and 1991

Road Traffic (Foreign Vehicles) Act 1972

Road Traffic Offenders Act 1988

Road Traffic Regulation Act 1984

Solicitors Act 1974

Sunbeds (Regulation) Act 2010

Telecommunications Act 1984

Theft Acts 1968 and 1978

Timeshare Act 1992

Tobacco Advertising and Promotion Act 2002

Trade Descriptions Act 1968

Trade Marks Act 1994

Trading Representations (Disabled Persons) Acts 1958 and 1972

Unsolicited Goods and Services Acts 1971 and 1975

Vehicles (Crime) Act 2001

Video Recordings Acts 1984 and 1993

Weights and Measures Acts 1976 and 1985

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	aiding, abetting, counselling or procuring, incitement, conspiracy	
8	The management of the Council's functions relating to waste management, environmental cleansing, litter control, refuse collection and disposal, waste disposal, waste minimisation and recycling.	The Council's functions are to be discharged in accordance with the Waste Partnership.
9	To manage the Council's corporate transport service.	
10	To manage the Council's Environmental Services.	
11	To arrange outdoor events to take place throughout the City.	Performing Animals (Regulation) Act 1925 Food Safety Act 1990 Intoxicating Substances (Supply) Act 1985 Licensing Acts 1964 and 1988 Licensing Act 2003
12	Operational management of Adventure Playgrounds and other developmental play provision.	In accordance with priorities set within the Service Plan.
13	To support and assist the Wolverhampton Leisure Gardens Association.	Smallholdings & Allotments Act 1908.
	<b>Transportation</b>	
14	To implement the provisions of the New Roads and Street Works Act 1991 as respects Streets, Street Works and Undertakers.	E47–E54 In accordance with any restrictions or limitations imposed by the Cabinet or relevant Regulatory or other Committee through approved

## ***Delegations to the Director of City Housing and Environment***

policies, procedures and service delivery programmes.

- 15 To implement temporary and permanent traffic management measures and temporary prohibition of traffic on highways under the:  
Road Traffic Regulation Act 1984  
Road Traffic Act 1991  
Road Traffic (Temporary Restrictions) Act 1991  
Transport and Works Act 1992  
Traffic Management Act 2004  
and any associated legislation.
- 16 To exercise the Council's functions relating to highways in the Town Police Clauses Act 1847 and the West Midlands County Council Act 1980.
- 17 To exercise the Council's functions under the Road Traffic Act 1988.
- 18 To implement measures under the Traffic Calming Act 1992.
- 19 To undertake repair, maintenance, signage etc. of paths under the:  
National Parks and Access to the Countryside Act 1949  
Countryside Act 1968  
Wildlife and Countryside Act 1981  
Rights of Way Act 1990  
Countryside and Rights of Way Act 2000

## ***Delegations to the Director of City Housing and Environment***

- 20 To exercise the Council's functions under the Highways Act 1980 including: -
- Section:
- 56 - repair of highways
  - 59 - recovery of expenses due to extraordinary traffic
  - 60 - liability for cost of alternative routes
  - 79 - removal of obstructions
  - 100 - laying and repair of drains
  - 101 - filling ditches
  - 102 - protection of highways
  - 130 - rights of public to use highway
  - 132 - consent to display temporary signs
  - 133 - repairing damage to footways
  - 139 - placing of builders skips
  - 142 - planting in the highway
  - 144 - erection of flagpoles
  - 143, 149, 151-153 – removal of obstructions
  - 154 - removal of trees
  - 156 - activities of statutory undertakers
  - 163 - water from private land
  - 164 - removal of barbed wire
  - 165 - fencing of dangerous land
  - 166 - dangerous forecourts
  - 167 - retaining walls
  - 169 - erection of scaffolding
  - 171 - deposit of building materials
  - 172 - erection of hoardings
  - 176 - construction of bridges

## ***Delegations to the Director of City Housing and Environment***

177	-	construction of buildings	
178	-	placing of cables etc.	
179 & 180	-	construction of cellars	
181 & 182	-	private apparatus	
184	-	vehicle crossings	
193 & 194	-	new streets	
205 & 212	-	private street works schemes	
230	-	urgent repair of private streets	
286	-	new buildings	
287	-	barriers	
289 & 290	-	surveys	
291 & 294	-	powers of entry	
295	-	disposal of materials	
296	-	execution of works	
297	-	information on to ownership	
21		To implement the Council's functions under the Midland Metro Act 1989 and associated legislation.	
22		To enter into an adoption agreement with a developer under section 38 of the Highways Act 1980.	
23		To confirm the adoption of the roads once the development is complete.	
24		To enter into agreements with developers under section 278 of the Highways Act.	
25		The authorisation of appropriately qualified and experienced employees to act as markets officers	Scheme of delegation in respect to allocation

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	<p>Markets officers and other duly authorised employees are empowered to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices, (including suspension and compliance notices) notifications, waivers, transfer, authorisations, licensing registrations, legal proceedings and formal cautions under the following legislation thereto, and to exercise all other relevant powers including powers of entry provided under such legislation.</p> <p>Markets and Fairs Clauses Act 1847 Fairs Act 1868 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Food Act 1984</p>	<p>procedures and Market rules Cabinet 17.04.07</p>
26	<p>The operational management of the Council's licensing functions.</p>	<p>In accordance with the Constitution and any specific restrictions or limitations imposed by the Cabinet or relevant Regulatory or other Committee through approved policies, procedures and service delivery programmes. Employee delegations relating to the Licensing Act 2003 were approved by the Licensing Committee 2 March 2005</p>
27	<p>To exercise such functions of the Licensing Committee as may be delegated by the Committee from time to time.</p>	<p>Scheme of Delegation approved by the Licensing Committee 02.03.05.</p>
28	<p>All enforcement powers under the Health Protection (Coronavirus, Restrictions) (Local Authority Enforcement Powers and Amendment) (England) Regulations 2020</p>	

## ***Delegations to the Director of City Housing and Environment***

- 29 Endorsed and approve the delegation of decision-making functions under the Scrap Metal Dealers Act to the Director with responsibility for Licensing functions, with a recommendation that they further delegate decision making to Head of Service/Licensing Manager/Licensing Officer.
- Cabinet (Resources) Panel, Schedule of Individual Executive Decision Notices, 20 March 2018

### **Strategic Housing and Neighbourhood Renewal**

- 30 The operational management of the Council's housing and neighbourhood renewal Strategies and Plans including Performance monitoring and effective delivery of housing management services by Wolverhampton Homes and any Tenant Management Organisations and Estate Management Boards.
- In accordance with the Constitution and any specific restrictions or limitations imposed by the Cabinet or relevant Regulatory or other Committee through approved policies, procedures and service delivery programme.
- 31 To agree capital expenditure and operational decisions regarding investment in the Council's housing stock, in consultation with the Asset Management Group.
- Financial procedure rules and limits on expenditure.
- 32 The authorisation of appropriately qualified and experienced employees to act as inspectors.
- In accordance with the Scheme of Delegation approved by the former Housing Services Committee on 03.06.97.
- 33 Inspectors and other duly authorised employees are empowered to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing registrations and legal proceedings and formal cautions under the following legislation applicable thereto (including any related statutory instrument), and to exercise all other relevant powers, including powers of entry provided under such legislation.

Building Act 1984

## ***Delegations to the Director of City Housing and Environment***

Caravan Sites Act 1968

Chronically Sick and Disabled Persons Act  
1970

Defective Premises Act 1972

Environmental Protection Act 1990

Evictions Act 1977

Health and Safety at Work etc. Act 1974

Homelessness Act 2002

Homelessness Reduction Act 2018

Housing Acts 1980, 1985, 1988, 1996 and  
2004

Housing and Building Control Act 1984

Housing Grants, Construction and  
Regeneration Act 1996

Housing and Planning Act 1986

Housing and Planning Act 2016

Landlord and Tenant Act 1985

Local Government (Miscellaneous  
Provisions) Act 1976 and 1982

Local Government and Housing Act 1989

Public Health Acts 1936 and 1961

Protection from Eviction Act 1977

Regeneration Act 1996

Rents Act 1974 and 1977

Rent (Agriculture) Act 1976

Rent (Agriculture) Amendment Act 1977

Social Security and Housing Benefits Act  
1982, Parts II and III

Town Development Act 1952

West Midlands County Council Act 1980 Ss  
32 and 43

Any orders or regulations made thereunder or  
relating to any of the foregoing or having

Report approved by Cabinet  
28.11.06 with response to legal  
proceedings pursuant to  
Sections 189, 352 and 376 of  
the Housing Act 19

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effect by virtue of the European Communities Act 1972.

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34 To implement the Approved Development Programme for Housing Association newbuild. In accordance with the Programme.

35 To implement the annual investment programme identified for housing under the Major Repairs Allowance and Unitary Capital Pot. In accordance with the Programme.

### **Housing Support Services**

36 To carry out the investigative and assessment duties of the Council under Part III of the Housing Act 1985 (Housing and Homelessness).

37 To provide general and specific advice on housing in order to prevent homelessness and assist in maintaining existing tenancies.

38 The nomination of tenants to Housing Associations schemes.

39 The administration of the 24-Hour Control Centre and the Carelink alarm system.

40 To make arrangements for asylum seekers.

41 To manage the Anti-Social Behaviour Unit in conjunction with Director of Education and, in conjunction with the Director of Governance



## ***Delegations to the Director of City Housing and Environment***

to make orders, serve notices and institute proceedings to combat anti-social behaviour under but not limited to the following legislation:

Anti-Social Behaviour Crime and Policing Act 2014

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Any offence under any legislation or at Common Law which is of a similar nature or related to the foregoing, including offences of aiding, abetting, counselling or procuring, incitement, conspiracy, perverting the course of justice and criminal attempts. For the avoidance of doubt, this shall include any new legislations offering an extension of powers to a Local Authority.

12 November 2014 Cabinet report relating to the local implementation of the Anti-Social Behaviour Crime and Policing Act 2014