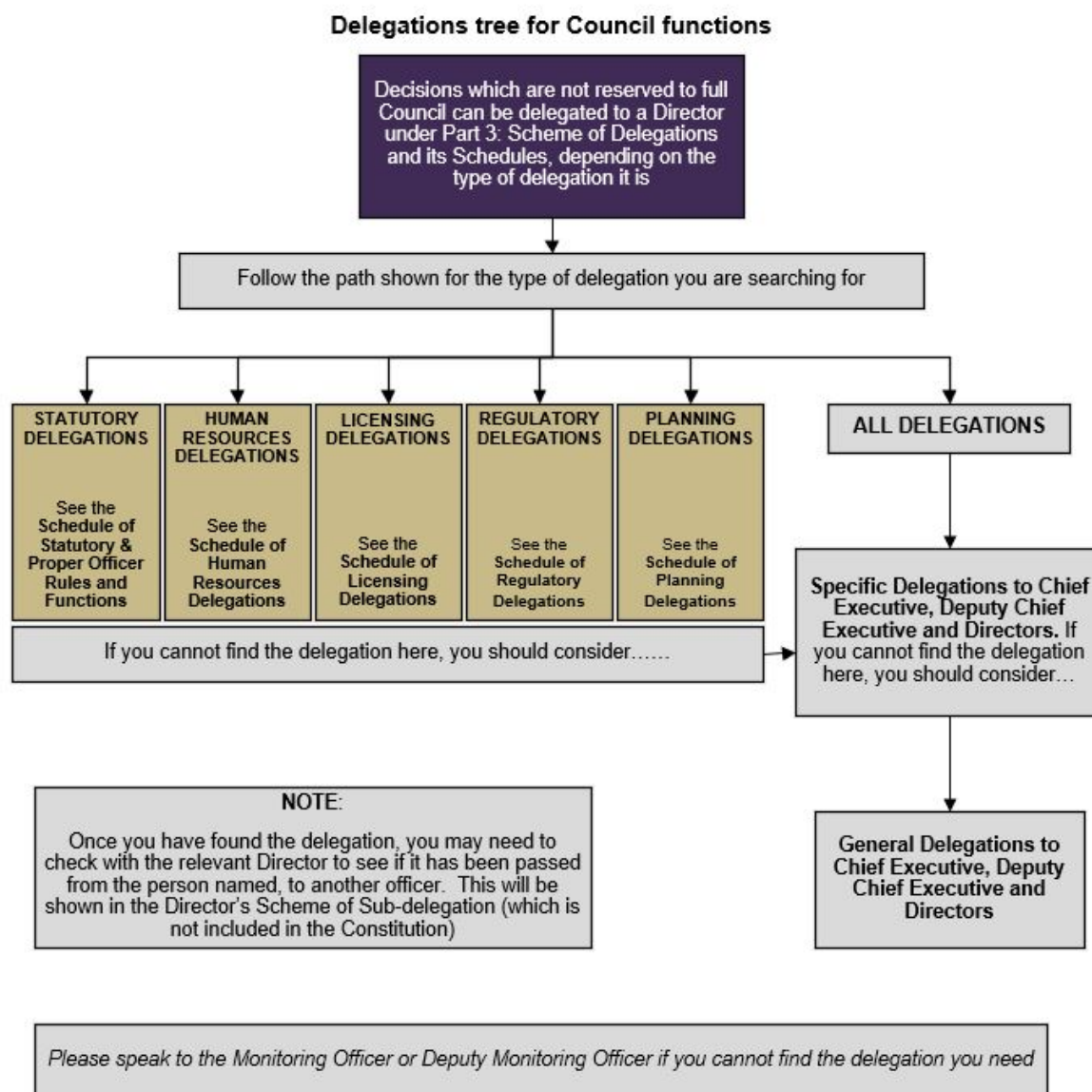


## Appendix 7a

### Part 3 Officer delegations - Proposed amended version



## Introduction

1. All officers must, in the exercise of their delegated powers and in compliance with anything in this Part, act within the law and comply with the Council's rules and policies.
2. Where any statutory provision is described, referred to, or implied, in this Part it shall be deemed to include any legislative replacements or amendments, as well as any orders, directions, regulations, codes of practice, byelaws or government guidance currently in force.

3. Where a Director is referred to it shall be deemed to include any type of Council Director.
4. Delegations are to be construed in a broad and inclusive fashion and include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions.
5. This Part comprises the following which should be read together:
  - 5.1 Principles
  - 5.2 General Delegations to Chief Executive, Deputy Chief Executive and Directors
  - 5.3 Specific Delegations to Chief Executive, Deputy Chief Executive and Directors
  - 5.4 Schedule of Statutory and Proper Officer Roles and Functions
  - 5.5 Schedule of Human Resources Delegations
  - 5.6 Schedule of Regulatory Licensing Delegations
  - 5.7 Schedule of Other Regulatory Delegations
  - 5.8 Schedule of Planning Delegations

#### Principles

6. All matters which have not been reserved to Council, the Cabinet, Committees or Panels as described elsewhere within this Constitution, may be delegated to officers. The following functions are not delegated to any officer:
  - 6.1 Any matters which the Council or an elected Councillor body to which functions have been delegated has resolved shall be determined by itself.
  - 6.2 Any function which by law may not be delegated to an officer.
  - 6.3 Any matter which the relevant officer considers inappropriate to be dealt with under delegated powers.
  - 6.4 Any matter which constitutes a Key Decision under the Constitution.
7. All delegations must be exercised in accordance with this Constitution, Schemes of Sub-delegation, policies, procedures, plans, any statute or secondary law from which they derive (whether referred to or implied), Codes of Practice and similar which are adopted from time to time by the Council, as well as any specified limitations or restrictions.
8. Delegations made under this Part may be added to, amended or revoked by the Council body that has responsibility for the function that is the subject of the additional delegation, amendment or revocation.
9. Where an officer has delegated powers, the Council or relevant Committee can still exercise that power in a particular case if it considers it appropriate to do so. Equally it is always open to an Officer not to exercise delegated powers but to refer the matter up as appropriate.
10. Schemes of Sub-delegation for officers are to be prepared and maintained by the Chief Executive, their Deputy and each Director in consultation with relevant

Committees as required. Each Scheme will show the person to whom matters have been delegated and any relevant operational and financial restrictions.

11. An officer who has delegated powers may, subject to the Scheme of Sub-delegation, authorise another employee to exercise those powers on their behalf but will remain responsible for any action and decision taken.
12. Where an employee with delegated authority deems it appropriate on any matter, a report can be presented to the appropriate decision-making body.
13. Officers who are entitled to exercise delegated powers according to this Part or a Scheme of Sub-delegation should always refer a complex or sensitive matter for a decision by Cabinet, a committee of Cabinet, Individual Decision by the relevant Cabinet member, or the relevant Committee. Complex and sensitive matters are those which in the opinion of the officer:
  - 13.1 raise significant financial or legal risk;
  - 13.2 are of a significant political nature;
  - 13.3 affect the Council's reputation; or
  - 13.4 constitute a change to explicit policies.
14. In the event that an officer is unclear about what constitutes a complex or sensitive matter, whether a function has been properly delegated, or anything within this Part, advice should be sought from the Monitoring Officer or their Deputy.
15. Directors may arrange for work which falls within their responsibility to be carried out by people who are not officers of the authority and may authorise them to take delegated decisions. All such authorisations must be recorded in the relevant Scheme of Sub-delegation. This power does not permit the relevant Director to delegate power to make a decision to another authority or body.
16. Where any new power or duty is given to the Council through legislation, the exercise of that power or duty will automatically be undertaken by the relevant officer with responsibility for that area of business save that the Chief Executive may make such changes as are necessary with such changes being reported to the next full Council meeting for approval.
17. In the event that a Director, or another officer specified in this Part or in a Scheme of Sub-delegation, ceases to exist or their responsibilities are transferred to another officer (temporarily or permanently), their powers shall be exercisable by the officer whose area of responsibility includes such powers.
18. In the event of any designated officer being unable to fulfil their duties as Proper Officer as identified in the Schedule of Statutory and Proper Officer Roles and Functions, their Deputy is authorised to undertake such duties instead. A Proper Officer may also at any time delegate or authorise other officers to perform the designated duties on their behalf.

19. In the absence of the Chief Executive their functions delivered in the capacity of Head of Paid Service may be exercised by the Deputy Chief Executive if available, and if not available, by any other Director.

General Delegations to Chief Executive, Deputy Chief Executive and Directors

20. The Chief Executive, their Deputy and each Director shall be responsible for the efficient and effective management of matters falling within their own service area (subject to the limitations above and as shown in the tables below), which includes (where applicable) the power:

	Function	Limits or restrictions on delegation
<b>General</b>		
20.1	To produce, amend, review & delete all plans, policies, procedures strategies and other similar documents except those that form part of the policy framework.	
20.2	To do anything necessary, incidental or ancillary to or in consequence of the exercise of their functions and for the carrying into effect of any decision of the Council, Cabinet, Council member or Committee.	
20.3	To ensure appropriate strategic and operational policies consistent with the Council's Health and Safety policy document are adopted and followed for their service area, and to comply with their individual responsibilities.	
20.4	To be responsible for, and take any action necessary for their service area in connection with the Council's functions relating to: <ul style="list-style-type: none"> <li>(a) customer relations;</li> <li>(b) statutory social care complaints;</li> <li>public health complaints;</li> <li>(d) complaints other than those in (b) &amp; (c).</li> </ul>	Subject to Specific Delegations.
20.5	To provide services to other local authorities and organisations.	

20.6	To respond to consultations from Government departments and other public bodies.	
20.7	To take necessary action to implement decisions taken by Committees of the Council.	<p>Subject to:</p> <p>Keeping Members properly informed of action.</p> <p>liaising with the relevant Chair and Vice-Chair when the matter falls within the remit of that Committee.</p> <p>Consulting an appropriate Director or head of service where there are significant financial, legal, property or HR implications.</p> <p>Inform Ward Councillors when delegated powers affect their area and when the matter is likely to be politically sensitive or contentious unless legal reasons prevent this.</p>
20.8	To identify and manage strategic and operational risks associated with their service area.	
20.9	To take urgent action in respect of matters otherwise reserved to the Council or some other Council body, where that is necessary in the interests of the Council.	Only where it is impracticable to obtain authorisation from the relevant Council body with responsibility for the function, and subject to the action being reported (for information) to the next convenient meeting of that body.
20.10	To ensure officers within their service area consider and address the financial, personnel and legal implications when making operational decisions and when proposing new policy developments.	
<b>Finance, Procurement and Contracts</b>		
20.11	To ensure compliance with the Council's rules and to report to the Section 151 Officer when they become aware of a failure to comply with the rules.	Financial Procedure Rules.

20.12	To incur, vary, and withdraw expenditure, and deal with the administration of payments, fees, charges, penalties, allowances and grants.	Contract Procedure Rules.  Financial Procedure Rules.  Agreed budgets.
20.13	To make ex-gratia payments up to £500.	In consultation with the Director of Finance.
20.14	To set and vary as necessary: (a) fees and charges for the delivery of services or for the issue of any licence, registration, permit, consent, or approval. (b) costs in relation to Council Tax and National Non-domestic Rates Liability Orders, and other court action.	In consultation, where appropriate, with the relevant Cabinet Portfolio Member.  Financial Procedure Rules.  Agreed budgets.
20.15	To procure and sign contracts for works, goods and services, including to invite, open and accept tenders.	Contract Procedure Rules.  Financial Procedure Rules.
<b>Human Resources</b>		
20.16	To deal with employment matters.	Schedule of Human Resources Delegations.
20.17	To designate employees under their management as “authorised officers” for the purposes of carrying out any of the Council’s functions relevant to that employee.	Schedule of Human Resources Delegations.  Schedule of Statutory and Proper Officer Roles and Functions.
20.18	To deploy other resources within their control.	Schedule of Human Resources Delegations.  Contract Procedure Rules.  Financial Procedure Rules.  Agreed budgets.
<b>Legal matters and notices etc.</b>		
20.19	To prepare, issue, serve, receive, sign and act upon notices, warrants, determinations, cautions, statutory notices, or other documents. Give or refuse consents, apply for permissions, make orders, undertake investigations	

	and assessments, grant licences in the exercise of any discretionary power, or in complying with (or doing anything incidental to) a duty of the Council.	
20.20	To request the Chief Operating Officer to enforce any bye-laws relevant to their service area.	
20.21	To institute, defend, participate in, settle, withdraw, or otherwise act as appropriate in legal proceedings in any court or tribunal including serving notices or order and doing anything incidental to or leading to the same, where they consider it necessary to protect the Council's or other interests, or where it is considered necessary to give effect to a decision of the Council.	In consultation with the Chief Operating Officer.
<b>Land and Property</b>		
20.22	To manage (including the acquisition and sale) of land and premises used for service delivery.	Financial Procedure Rules.  Contract Procedure Rules.
<b>Communications</b>		
20.23	To promote the working of the Council, within the Code of Recommended Practice on Local Authority Publicity.	
20.24	To promote the Council's views as agreed by members in the relevant decision-making forum.	

#### Specific Delegations to Chief Executive, Deputy Chief Executive and Directors

#### **Chief Executive/Deputy Chief Executive**

**21.** In addition to the Principles and General Delegations the Chief Executive and Deputy Chief Executive shall have the following responsibilities.

	<b>Function</b>	<b>Limits or restrictions on delegation</b>
21.1	To be responsible for the: (a) service delivery, (b) strategic management,	Schedule of Human Resources Delegations.



	<p>(c) day-to-day administration and operations, and (d) discharge of functions, of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p><b>Chief Executive:</b> Vision 2030 Council Plan Our Council programme Financial strategy Corporate governance Representing the Council on partnerships and other bodies Assurance framework Positioning the City Inward investment Regional and sub-regional work including work with the West Midlands Combined Authority and other local authorities/public bodies Stakeholder engagement framework Black Country transport West Midlands Pension Fund Performance management Organisational and tactical planning ICT Strategy and Resourcing</p> <p><b>Deputy Chief Executive:</b> Voluntary and community sector Officer Champion Place Based strategy Resettlement programme Wolverhampton for Everyone Corporate parenting Safer Wolverhampton Partnership WV Living Limited Housing growth &amp; development W2W housing growth City assets &amp; facilities One Public Estate Our Assets programme Sports and recreation services</p>	<p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p> <p>Agreed budgets.</p>
21.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	



21.3	To undertake, or delegate to any person, any function delegated to the Deputy Chief Executive or any other officer including Directors.	
21.4	To make donations and/or grants of up to £10,000 to local community groups.	In consultation with the Director of Finance.
21.5	To make amendments and corrections to this Constitution where in their opinion, such amendment is to correct any anomaly or ambiguity, is purely technical, to correct a clear typographical or other error, to reflect any change in law or following a review (to include changes of officer or directorate descriptions), and such amendment does not materially alter the terms or practical operation of the Constitution.	Where an amendment follows a change in legislation or will alter delegations to Members or employees, the Group Leaders should be notified in advance of any change being effected.
21.6	To deal with any matters requiring the consent of the Council as a shareholder in Birmingham Airport, or in relation to matters falling under the Shareholders' Agreement, which have been recommended by the West Midlands Joint Committee, or the financial and legal advisors to the Joint Committee, and which have no adverse financial impact on the Council or do not prejudice the value of its shareholding in the Airport.	<p>In consultation with the Section 151 Officer.</p> <p>Reports on any action taken are to be submitted to Cabinet.</p> <p>The leader, relevant portfolio holder and the shadow leader shall be consulted where necessary.</p> <p>Decisions will be guided by advice from the Airport Advisors which generally accompany such requests.</p>

### Chief Operating Officer

**22.** In addition to the Principles and General Delegations the Chief Operating Officer shall have the following responsibilities.

	<b>Function</b>	<b>Limits or restrictions on delegation</b>
22.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Democracy  Legal Services  Equality and diversity  Democratic and Member Services  Electoral registration  Elections and referenda  Information governance  Councillor support  Mayoral support  Business support programme  Projects &amp; programmes  Business improvement  Executive support  Health and Safety, and Wellbeing strategic lead  Human Resources  Maladministration, including liaison with the Local Government and Social Care Ombudsman.</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p>
22.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
22.3	To keep the Roll of Freeman and Honorary Aldermen.	
22.4	To certificate byelaws.	
22.5	To make any minor or technical changes to the Code of Corporate Governance to ensure that it is kept up to date.	
22.6	To oversee the selection process by which Independent Persons are recommended to the Council for appointment.	

22.7	To affix the Common Seal of the Council and to execute by any other means any deed or document on behalf of the Council.	Contract Procedure Rules.
22.8	To instruct Counsel and external lawyers and engage professional experts and witnesses.	
22.9	To authorise arrangements for the appointment of Education Appeals Panel Members and Chairs and make arrangements for appeal hearings.	In consultation with the relevant Director.
22.10	To deal with breaches of the Code of Conduct for Councillors.	Arrangements for Dealing with Code of Conduct Complaints.
22.11	To serve requisitions for information in connection with any of the functions of the Council.	
22.12	To monitor use of the general power of competence and compliance with the Localism Act 2011.	
22.13	To make amendments and corrections to this Constitution where in their opinion, such amendment is to correct any anomaly or ambiguity, is purely technical, to correct a clear typographical or other error, to reflect any change in law or following a review (to include changes of officer or directorate descriptions), and such amendment does not materially alter the terms or practical operation of the Constitution.	Where an amendment follows a change in legislation or will alter delegations to Members or employees, the Group Leaders should be notified in advance of any change being effected.
22.14	To maintain and operate the Local Land Charges Register.	
22.15	To maintain the Schedule of Statutory and Proper Officer Roles and Functions.	

### **Director of Finance (“Section 151 Officer”)**

**23.** In addition to the Principles and General Delegations the Director of Finance shall have the following responsibilities.

	<b>Function</b>	<b>Limits or restrictions on delegation</b>
23.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Audit services Strategic financial advice and support Revenues and benefits Taxation The Hub – payment and payroll systems Financial and Investment Strategy Procurement services Commercial (traded) services Banking arrangements</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p>
23.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
23.3	<p>To ensure that the financial management of the Council is adequate and effective and that it has a sound system of internal control which is regularly reviewed and in particular to:</p> <ul style="list-style-type: none"> <li>(a) determine accounting records and control systems;</li> <li>(b) undertake an adequate internal audit of the Council's accounting records and system of internal control; and</li> <li>(c) prepare, sign and arrange public inspection of the Council's Statement of Accounts.</li> </ul>	
23.4	To opt to tax land and property transactions not affected by policy considerations.	
23.5	To take such steps in relation to non-domestic rates and Council Tax as the Billing Authority are authorised or required to take and in particular, to collect, reduce or remit liability and protect the Council's interests in connection with bankruptcies, receiverships and liquidations.	

23.6	To review annually the Council's Local Council Tax Support Scheme subject to the proviso that if such a review results in proposals to revise or amend the Scheme, these must be approved by the Council.	
23.7	To approve exceptional hardship payments.	
23.8	To create Local Authority companies, designate employees as directors of the company for trading purposes and provide a Council indemnity to employees for the director role.	
23.9	To create trust companies, designate employees as trustees and provide a Council indemnity to employees for the trustee role.	
23.10	To set interest rates for mortgage advances for house purchases, improvements and conversions.	
23.11	To manage, administer, monitor and report on day-to-day borrowing, investment or financing, in accordance with the CIPFA Code of Practice for Treasury Management in Local Authorities and to review and report on the Treasury Management Policy.	
23.12	To deal with all risk management and insurance matters and settle all insurance claims in accordance with terms agreed from time to time with the Council's insurers.	
23.13	To make loans for vehicle purchase and to arrange leasing or contract hire as appropriate.	
23.14	To provide or approve the arrangements for financial advice and services on all matters relating to: - (a) the financial affairs of joint ventures, partnerships, companies and other arrangements in which the Council has an interest; (b) delegations of a financial nature to other bodies e.g., School Governors.	
23.15	To agree to the application of monies recovered under the Proceeds of Crime Act 2002 to a maximum of £30,000.	In consultation with the relevant Director.
23.16	To maintain a counter fraud service in order to promote raising fraud awareness and to investigate suspected cases of fraudulent activity, in partnership with the West Midland Police.	

23.17	To deliver a full risk based internal audit service, based on the CIPFA Code of Practice for internal Audit in Local Government.	
23.18	To undertake functions that support the financial management of the West Midlands Metropolitan Authorities Pension Fund.	
23.19	To delegate budgets to Schools.	

### Executive Director of Families

**24.** In addition to the Principles and General Delegations the Executive Director of Families shall have the following responsibilities.

	Function	Limits or restrictions on delegation
24.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Children in Need &amp; Child Protection  Disabled Children &amp; Young People  Multi Agency Safeguarding Hub and Duty Team  Children &amp; Young People looked after  Child protection  Childcare  Adoption services  Disabled Children and Young People  Youth Offending  Early Intervention  Education Psychology  Specialist Support  Safeguarding  Children's services commissioning  Child Transformation  Children's Partnership Boards  School Improvement  School organisation and admissions  School attendance and exclusions  Special educational needs and disabilities  Home to school transport</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p>

	<p>Free school meals</p> <p>Early Years</p> <p>Inclusion Support</p> <p>Post 16 Education</p> <p>Better Care/integrated working with health</p> <p>Carer support</p> <p>Care services including registration</p> <p>Child employment</p> <p>Cemeteries and crematoria</p> <p>Youth Offending</p>	
24.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
24.3	To place and keep a child in secure accommodation.	
24.4	To write the annual report of the Principal Social Worker.	
24.5	To provide support and facilities in relation to education and inclusion from Early Years to post-16 stages, and to maintain oversight (and secure the availability of and access to) suitable provision within the Council's area.	
24.6	To exercise powers of intervention or instruction to those schools which are subject to a formal warning, which have serious weaknesses, require special measures or for any other reason would benefit from support.	
24.7	To undertake functions under the Crime and Disorder Act 1998 in relation to youth offending, Youth Offending Service management and the prevention of crime and disorder.	
24.8	To pay appropriate fees, grants, allowances, or charges in respect of children Looked After by the Council.	Financial Procedure Rules.
24.9	The provision of financial assistance under the Children Act 1989.	Financial Procedure Rules.
24.10	To determine awards to pupils, students and parents.	



24.11	To approve grants to voluntary bodies relating to Education and Skills.	In consultation with the Director of Finance
24.12	To manage the arrangements for the payment of grants, loans and allowances to or in respect of pupils and students.	Financial Procedure Rules
24.13	To give any necessary consent, including consent to medical treatment, holidays abroad etc. in respect of children looked after by the Council.	
24.14	To instruct lawyers to act on behalf of children Looked After by the Council.	In consultation with the Chief Operating Officer.
24.15	To maintain a register of childcare providers.	
24.16	To grant licences for the employment of children and children taking part in public performances.	
24.17	To manage the delegation arrangements for Schools' Budgets.	In consultation with the Section 151 Officer.
24.18	To approve and make school instruments of Government and any subsequent changes prepared by governing bodies.	
24.19	To determine statutory proposals for schools where no objections have been received to the proposals contained in the publicised Statutory Notice.	
24.20	To approve placements in and out of city schools and colleges.	
24.21	To provide and pay for transport, board and lodging, tuition fees and expenses and other assistance if it is necessary for special education provision in accordance with Council policy	
24.22	To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs.	
24.23	To prepare disability statements relating to further education.	
24.24	To co-ordinate community development support and partnerships.	In accordance with inter-agency plans and priorities.

24.25	To arrange improvements and adaptations under the Chronically Sick and Disabled Persons Act 1970.	Financial Procedure Rules.
24.26	To take action and operate all legislative and administrative procedures in relation to the regulation of cemeteries and crematoria including: <ul style="list-style-type: none"> <li>(a) to extinguish rights of interment; and</li> <li>(b) to approve and sign grave grants and extinguish rights in respect of graves</li> </ul>	
24.27	To make arrangements for the burial or cremation of any person found dead in their area where no suitable arrangements have been made under Part III of Public Health (Control of Diseases) Act 1984.	
24.28	To discharge any functions exercisable by the council under Section 75 of the National Health Service Act 2006 and have the responsibility for any functions integrated with an NHS body.	

### Director of Adult Services

**25.** In addition to the Principles and General Delegations the Director of Adult Services shall have the following responsibilities.

	Function	Limits or restrictions on delegation
25.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Adult services and health partnerships            Adult services and communities            Adult Mental Health            Adult safeguarding            Adult improvement including education            Community financial support            Strategic commissioning for Adult Social Care            Deputyships and Appointeeships            Deprivation of Liberty Safeguards            Approved Mental Health Practitioners and assessments</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p> <p>Agreed budgets.</p>

	Support planning Safeguarding/Multi-Agency Safeguarding Hub Better Care/Integrated Working with Health Community Financial Support Adult services commissioning Independent Living Services Carers Support Adults Improvement	
25.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
25.3	To undertake assessments, provide services and approve expenditure relating to the Council's functions, powers and duties under adult social care, mental capacity and mental health legislation and to take such action to recover appropriate charges from those with a duty to pay.	
25.4	To exercise the statutory functions powers and duties of the Council in relation to vulnerable adults and adults at risk.	
25.5	To exercise the functions and duties of nearest relative in respect of persons with mental health problems where the nearest relative has been displaced.	
25.6	To exercise the Council's functions, powers and duties, except those in relation to the discharge of guardianship, in connection with guardianship under mental health legislation.	
25.7	To make applications for the admission to hospital of persons with mental health problems for the purposes of assessment, detention and treatment and to make decisions in connection with deprivation of liberty safeguards. Council's functions, powers and duties under adult social care and mental capacity and mental health legislation	
25.8	To provide after-care services, in conjunction with the NHS, to persons with mental health problems who have ceased to be detained and have left hospital.	
25.9	To appoint approved mental health professionals.	

25.10	To maintain the appropriate registration for internally provided care services.	
25.11	To arrange improvements and adaptations under the Chronically Sick and Disabled Persons Act 1970.	Financial Procedure Rules.
25.12	To make arrangements for the temporary protection of the property of persons admitted to hospital or other accommodation.	
25.13	To be the responsible person for statutory and other complaints in relation to adult social services and to ensure compliance with relevant statutory procedures where applicable.	

### Director for Public Health

**26.** In addition to the Principles and General Delegations the Director for Public Health shall have the following responsibilities.

	<b>Function</b>	<b>Limits or restrictions on delegation</b>
26.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Community safety &amp; cohesion  Health improvement  Health protection  Intelligence &amp; evidence  WV Active &amp; sports health partnerships  Emergency planning and preparedness  Workforce wellbeing  Public health commissioning  Personal, social, health &amp; economic education  Outdoor education  Wolverhampton for everyone  Homelessness prevention strategy  Housing and Homelessness  Outbreaks of Diseases  Libraries Service  Asylum Seekers and refugees</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p> <p>Agreed budgets.</p>

	<p>Anti-social behaviour</p> <p>Unauthorised encampments</p> <p>Adventure Playgrounds and Developmental Play</p>	
26.2	To exercise the Council's functions in planning for, and responding to, emergencies that present a risk to public health.	
26.3	To ensure the reinstatement of services as a result of a major disaster and to be responsible for emergency planning and business continuity generally.	
26.4	To support and assist the network of adopted Wolverhampton sport specific development groups.	
26.5	To represent the Council on partnership, external bodies such as the Health and Wellbeing Together and the Child Death Overview Panel.	
26.6	To contribute to and influence the work of NHS Commissioners, ensuring a whole system approach across the public sector and ensuring NHS Commissioners receive the public health advice they need.	
26.7	To exercise any of the Secretary of State's public health protection or health improvement functions that may be delegated to local authorities by arrangement or under regulations.	
26.8	To write the annual report on the health of the local population.	
26.9	To be responsible for tackling health inequalities, improving health care quality and for strengthening the capacity across the whole public sector to improve the health of the population.	
26.10	To oversee the NHS screening programmes, both cancer and non-cancer, ante-natal and children's screening programmes, ensuring the health of the population is adequately protected and raising issues and concerns appropriately at the Health and Wellbeing Together committee.	
26.11	To oversee the National Health Service immunisation programmes including children 0-5 years, HPV and seasonal flu and any other issues that the Secretary of State instructs, including catch up programmes, raising issues and concerns appropriately.	

26.12	To work with local Criminal Justice Partners and the Police and Crime Commissioner to promote safer communities, including cooperating with the police, the probation service, and the prison service to assess the risk posed by violent or sexual offenders.	
26.13	To implement and determine, subject to any rights of review or appeal which may apply, all matters concerning the Statutory Public Health Complaints Procedure.	
26.14	To exercise the Council's powers as landowner or landlord in relation to taking action for Summary Possession against unauthorised encampments and other unlawful occupiers of Council-owned land.	
26.15	To prepare, revise, monitor and implement a Homelessness Prevention Strategy.	
26.16	To act as Caldicott Guardian for the Council.	
26.17	To manage the Anti-Social Behaviour Unit.	In consultation with the Director of Education.

### Director of Regeneration

**27.** In addition to the Principles and General Delegations the Director of Regeneration shall have the following responsibilities.

	Function	Limits or restrictions on delegation
27.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>City Development Planning City regeneration projects Management of non-operational investment property City Skills and Employability Enterprise</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p> <p>Agreed budgets.</p>

	Black Country Impact Wolves at Work Connexions Service Adult Education Civic Halls Youth Service War memorials	
27.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
27.3	Authorise appropriately qualified and experienced employees to act as Inspectors, and other duly authorised employees to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing functions and registration, legal proceedings, cautions under applicable legislation, and to exercise all other relevant powers including powers of entry and authorisation of work in default.	On matters falling within the general remit of the role or work of their Directorate.
27.4	To carry out minor development on Council owned land, for which a specific planning permission is not required and provided the specific expenditure is authorized.	

### Director of Resident Services

**28.** In addition to the Principles and General Delegations the Director of Resident Services shall have the following responsibilities.

	Function	Limits or restrictions on delegation
28.1	To be responsible for the: (a) service delivery, (b) strategic management, (c) day-to-day administration and operations, and (d) discharge of functions, of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:  City Transport Strategic Housing and Neighbourhood Renewal	Schedule of Human Resources Delegations.  Contract Procedure Rules.  Financial Procedure Rules.



	Private Sector Housing Environmental services Environmental crime Environmental health Vehicle Operating Centres Trading Standards Street Trading Waste & recycling Refuse Collection and Litter Control Corporate Transport Service Markets Service Roads, paths and street works Road and Traffic Management Highways Licensing Taxi licensing Climate change Sustainability & energy Coroner	Agreed budgets.
28.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
28.3	In respect of the Construction (Design and Management) Regulations 1994 (made under the Health and Safety at Work Act 1974): <ul style="list-style-type: none"> <li>(a) to act as Agent for in-house clients in respect of duties defined for clients and undertaking highways and civil engineering projects; and</li> <li>(b) to carry out Planning Supervision in respect of duties defined for clients undertaking highways and civil engineering projects.</li> </ul>	
28.4	To serve notice and subsequent action to make trees safe and to recover costs from owners/occupiers.	
28.5	To take action and operate all legislative, enforcement and administrative procedures in relation to (but not limited to) air quality, contaminated land and private water supplies, environmental health and protection. Specifically, but not exclusively to: <ul style="list-style-type: none"> <li>(a) maintain a register of remediation notices in relation to contaminated land;</li> <li>(b) authorise specified burning processes;</li> </ul>	

	<p>carry out Part IIA contaminated land investigations and identify remedial requirements;</p> <p>(c) environmental permitting;</p> <p>(d) review and monitor air quality; and</p> <p>(e) environmental management of construction sites.</p>	
28.6	<p>To take action and operate all legislative, enforcement and administrative procedures in relation to:</p> <p>(a) environmental amenity and crime;</p> <p>(b) parks;</p> <p>(c) open spaces and sports;</p> <p>(d) recreational and cultural facilities;</p> <p>(e) regulation of waste management and cleansing of streets;</p> <p>(f) fair-trading, trading standards, weights &amp; measures and consumer protection.</p>	
28.7	<p>To issue or amend certificates and carry out all associated functions and to authorise emergency action in connection with sports grounds and places of sport.</p>	
28.8	<p>To make, and where unopposed (or where objections have been withdrawn), to confirm any order in relation to the Council's functions as Highways Authority including but not limited to orders in relation to:</p> <p>(a) public paths;</p> <p>(b) footpaths and gating;</p> <p>(c) trees;</p> <p>(d) traffic regulation, parking and cycle tracks;</p> <p>(e) the Definitive Map;</p> <p>(f) determination of village green / open spaces ;</p> <p>(g) conservation areas.</p>	
28.9	<p>To direct unauthorised campers to leave highway land and to apply for court order to remove vehicles off highway.</p>	
28.10	<p>To take action and operate all legislative, enforcement and administrative procedures in relation to environmental amenity and crime. Specifically, but not exclusively in relation to:</p> <p>(a) enforcement of the Smoke Free legislation;</p> <p>(b) littering, street litter control notices, free distribution of material fly posting and fly tipping;</p>	

	<ul style="list-style-type: none"> <li>(c) authority to transport waste and failing to furnish waste documentation;</li> <li>(d) control of dogs;</li> <li>(e) land and property affecting amenity including graffiti, abandoned vehicles and nuisance parking;</li> <li>(f) waste offences in relation to commercial and domestic receptacles.</li> </ul>	
28.11	<p>To undertake functions of the Council as "responsible authority" under the Licensing Act 2003 in relation to:</p> <ul style="list-style-type: none"> <li>(a) Health and Safety;</li> <li>(b) Pollution Control/Environmental Health;</li> <li>(c) Weights and Measures; and</li> <li>(d) Licensing authority.</li> </ul>	
28.12	To prepare, revise, monitor and implement a Housing and Homelessness Strategy.	In consultation with the Director of Health, as necessary.
28.13	To take action and operate all legislative and administrative procedures and to exercise all of the powers of the Council in relation to the assessment of applicant's housing need and priority for housing.	
28.14	To arrange statutory returns to government departments in connection with the Council's functions relating to housing including homelessness.	In consultation with the Director of Health, as necessary.
28.15	<p>To exercise all of the powers and duties of the Council in relation to housing and private land, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) enforcing housing legislation, but excluding demolition and closing orders;</li> <li>(b) overcrowded premises and houses in multiple occupation.</li> </ul>	
28.16	To provide housing advice and information including nominations to registered social landlords.	
28.17	To recover costs incurred in putting Neighbourhood Development Plans or orders in place.	
28.18	To take action and operate all legislative, enforcement and administrative procedures in relation to noise and other nuisances.	

28.19	To take action and operate all legislative, enforcement and administrative procedures in pursuit of food safety and food hygiene and in relation to food export certificates and training fees for food hygiene, food safety courses and health and safety courses (discharged in the authority's capacity as an employer).	
28.20	To support and assist the Wolverhampton Leisure Gardens Association and comply with duties under the Smallholdings & Allotments Act 1908.	
28.21	To implement the Council's functions in relation to the West Midlands Metro.	
28.22	To monitor the performance and effective delivery of housing management services by Wolverhampton Homes and any Tenant Management Organisations and Estate Management Boards.	
28.23	To agree capital expenditure and operational decisions regarding investment in the Council's housing stock.	In consultation with the Asset Management Group.
28.24	To implement the Approved Development Programme for Housing Association newbuild.	In accordance with the Programme.
28.25	To enter into an agreement regulating development or use of land and approve the negotiation, completion and subsequent variation of legal agreements in accordance with the development plan and adopted guidelines.	
28.26	To implement the annual investment programme identified for housing under the Implement Stock Investment as approved in the Housing Revenue Account business plan (as per Social Housing (Regulation) Act 2023).	In accordance with the Programme.
28.27	The provision of markets.	
28.28	Authorise appropriately qualified and experienced employees to act as Inspectors or market officers, and other duly authorised employees to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing functions and registration, legal proceedings, cautions under applicable	On matters falling within the general remit of the role or work of their Directorate.

	legislation, and to exercise all other relevant powers including powers of entry and authorisation of work in default.	
28.29	To exercise the Council's powers and carry out the operational management of the licensing and regulatory functions detailed in the Schedules to this part.	
28.30	To administer a 24-Hour Control Centre and the Carelink alarm system.	
28.31	To manage the Council's functions relating to Strategic Housing and Neighbourhood Renewal, housing stock and Housing Support Services.	
28.32	To provide an effective Coroner Service.	

### Director of Communications and Visitor Experience

29. In addition to the Principles and General Delegations the Director of Communications and Visitor Experience shall have the following responsibilities.

	Function	Limits or restrictions on delegation
29.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Corporate Relationship Management Media enquiries Promoting the City City and outdoor events Digital engagement &amp; Social Media Internal communication &amp; engagement Corporate campaign planning Events strategy &amp; delivery City marketing Web services Arts and Museums Service Archives Service Tourism</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p>

29.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	
29.3	To issue statements to the press on behalf of the Council if the public standing of the Council could be affected.	Agreed with the Cabinet Member or committee chairman concerned, where possible.
29.4	To collect and commission works of art for the Arts and Museums Service.	Wolverhampton Arts and Museums Service Acquisition and Disposal Policy (1999).
29.5	To accept items on deposit and provide for the safekeeping of the City Council's documentary heritage and make it available for public consultation in accordance with the Local Government (Records) Act 1962.	Wolverhampton Archives and Local Studies Acquisition and Disposal Policy (2000).
29.6	To grant aid to a number of projects, companies and individuals in the furtherance and provision of cultural development in the City.	Wolverhampton Archives and Local Studies Acquisition and Disposal Policy (2000).  Financial Procedure Rules.
29.7	To provide information and services with regard to local places of interest, events, accommodation and travel in accordance with the Development of Tourism Act, 1969.	
29.8	To administer heritage grants, including the making of grant offers and authorisation of grant payments made pursuant to such offers, in accordance with codes of practice and terms and conditions for grants as determined by the Cabinet (Resources) Panel.	
29.9	To be responsible for the strategic and operational management of sporting or outdoor events being held within, or affecting, the City.	
29.10	To undertake the management of bars and licensed premises attached to Aldersley Leisure Village, in compliance with licensing and food safety legislation.	

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### Director of Strategy

**30.** In addition to the Principles and General Delegations the Director of Strategy shall have the following responsibilities.

	Function	Limits or restrictions on delegation
30.1	<p>To be responsible for the:</p> <ul style="list-style-type: none"> <li>(a) service delivery,</li> <li>(b) strategic management,</li> <li>(c) day-to-day administration and operations, and</li> <li>(d) discharge of functions,</li> </ul> <p>of matters falling within their remit as shown at Part 2, Article 11 of this Constitution, namely:</p> <p>Strategy and policy development Regional and sub-regional partnerships Relighting Our Council Data driven Decision making, insight, performance and analytics Customer Services and engagement Organisational Development Digital Champion Digital Infrastructure and transformation</p>	<p>Schedule of Human Resources Delegations.</p> <p>Contract Procedure Rules.</p> <p>Financial Procedure Rules.</p>
30.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below, and to undertake the functions delegated in the other Schedules to this Part.	

### Executive Director of Pensions

**31.** In addition to the Principles and General Delegations the Executive Director of Pensions shall have the following responsibilities.

	Function – general	Limits or restrictions on delegation
31.1	To be responsible for the administration and management of matters in connection with the Council's role as administering authority for the West Midlands Pension Fund (WMPF) (as required by the Public Service Pensions Act 2013, the Local	As per below.



	Government Pension Scheme Regulations 2013 and associated legislation).	
31.2	To fulfil the roles shown in the Schedule of Statutory and Proper Officer Roles and Functions below.	
31.3	To operate and manage the operating budget of WMPF in accordance with the requirements of The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 (Separation of accounts).	<p>Pensions Committee (annual decision).</p> <p>WMPF Financial Procedure Rules.</p> <p>WMPF Contract Management Rules.</p>
31.5	To authorise the affixing of the Common Seal of the Council and to execute by any other means any deed or document on behalf of the Council where such relates to the management and administration of WMPF.	
31.6	To provide services to other local authorities and organisations in connection with their role as an administering authority or service provider for the Local Government Pension Scheme.	
31.7	The creation of separate entity companies together with the designation of employees as directors of those companies in line with their designated roles as officers of the council.	
31.8	To respond to consultations from Government departments and other public bodies, as relevant to the role of administering authority for the Local Government Pension Scheme.	
31.9	To manage premises used for WMPF service delivery and ensure appropriate strategic operational health and safety policies consistent with the Councils H&S policy document are adopted and followed.	
	<b>Function – management of pension fund assets</b>	<b>Limits or restrictions on delegation</b>
31.10	The investment and general management of WMPF assets in line with the Local Government Pension Scheme Investment Regulations 2016.	In accordance with WMPF's approved Investment

		Strategy Statement.
31.11	The creation of trust companies/structures and/or partnerships relevant and required for the purpose of general management of pension fund assets	
31.12	To hold the role of Shareholder in WMPF's Investment Pooling Company.	
31.13	To agree and determine the tax status of fund assets, including the application of tax on rents and investment income.	
	<b>Function – human resources</b>	<b>Limits or restrictions on delegation</b>
31.14	To manage and employ officers/employees and to authorise restructures and reviews, ensuring appropriate knowledge, skill and competency to meet statutory and regulatory requirements (including MIFID II).	In accordance with WMPF policies.
31.15	To deal with employment matters including those relating to dismissals, disciplinary, and grievance actions.	Appeals against dismissals to be heard by an officer panel from City of Wolverhampton Council.
31.16	To designate employees under their management as “authorised officers” for the purposes of carrying out any of the WMPF functions relevant to that employee.	
31.17	To deploy other resources within their control.	WMPF Financial procedure Rules  WMPF Contract management rules.
31.18	To appoint and dismiss JNC (Senior Management) Officers within the officer structure of WMPF, including the approval of settlement agreements and payment of severance payments.	Payments below £20,000 – Chief Executive, Deputy Chief Executive or Director in consultation with the Deputy Director of People and Change and

		<p>Section 151 Officer, Monitoring Officer.</p> <p>Payments of £20,000 and above but below £100,000 – personally approved by the Head of Paid Service with a clear record of the Leaders approval and that of any others who have signed off the payment through an Individual Executive Decision Notice.</p> <p>Payments of £100,000 and above – recommendation from the Special Appointments Committee for vote at full council.</p>
31.19	To determine the grade for posts below JNC for Senior Management grading levels.	In consultation with WMPF Head of Finance/Deputy S151 officer.
31.20	To approve redundancies (compulsory and voluntary) including retirements on grounds of business efficiency.	In consultation with WMPF Head of Finance/Deputy s151 and WMPF Head of People and Corporate Services.
31.21	To approve accelerated salary increments.	
31.22	To approve applications for discretionary added years for pension purposes with a maximum financial impact of £20,000 together with Flexible retirement approvals (less or greater than 2 years).	In consultation with WMPF Head of Finance/Deputy s151.

31.23	To develop and maintain an employee training and development policy, including the payment and time support for employee study.	In line with WMPF People Strategy.
31.24	To approval overseas trips by employees.	
31.25	To approve "continuous service in the public sector" to be recognised for the purposes of annual leave entitlement.	

### Schedule of Statutory and Proper Officer Roles and Functions

**32.** The following officers are appointed Statutory chief officers and Proper Officers and shall carry out functions in relation to the statutory provisions specified. The list is not exhaustive, and any omission shall not affect the validity of any action or decision taken by the Proper Officer.

	Function and enabling power	Enabling power	Delegations and controls
<b>Officers</b>			
32.1	Statutory Chief Officer - Head of Paid Service.	Local Government & Housing Act 1989, s4.	Chief Executive.
32.2	Statutory Chief Officer responsible for Financial Administration.	Local Government Act 1972, s151.	Director of Finance.
32.3	Statutory Chief Officer - Monitoring Officer.	Local Government & Housing Act 1989, s5(1).	Chief Operating Officer.
32.3	Act in the absence of the Monitoring Officer.	Local Government and Housing Act 1989, s5(7).	Deputy Monitoring Officer.
32.4	Statutory Chief Officer - Director of Children's Services.	Children Act 2004, s18.	Executive Director of Families.
32.5	Statutory Chief Officer - Director of Adult Social Services.	Local Authority Social Services and Adults' Services Act 1970.	Executive Director of Families.
32.5	Statutory Chief Officer - Director of Public Health.	National Health Service Act 2006, s73A.	Director of Public Health.

32.6	Statutory Chief Officer – Electoral Registration Officer and Returning Officer.	Representation of the People Act 1983, ss 8, 28, 35.	Chief Executive.
32.7	Designation of Statutory Scrutiny Officer.	Local Democracy, Economic Development and Construction Act 2009, s31.	Chief Operating Officer.
32.8	Appointment to Chief Education Officer.	Education Act 1996, s532.	Executive Director of Families.
32.9	Appoint 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.	Director of Resident Services.
32.10	Appoint Proper Officers for public health functions.	Public Health (Control of Diseases) Act 1984, legislation relating to Food Safety and Hygiene.	Director of Public Health
32.11	Qualified person to confirm or deny whether disclosure of information is likely to prejudice the effective conduct of public affairs.	Freedom of Information Act 2000, s36.	Chief Operating Officer.
32.12	Designation as Data Protection Officer, to discharge the associated functions.	Data Protections Act 2018 s69, 70 and 71.	Chief Operating Officer.
32.13	Appointment as Chief inspector of Weights and Measures.	Weights and Measures Act 1985, s72(1).	Director of Resident Services.
32.14	Identify “employees responsible for the management of investigations”.	Regulation of Investigatory Powers Act.	All Directors.

32.15	Appoint Proper Officers not mentioned in this Part.	Any.	Chief Executive, Deputy Chief Executive.
<b>Procedures and documents</b>			
32.16	Meetings, documents and notices.	<p>Local Government Act 1972, ss100B(2), 100C(2), 100D(1), 100F(2), 225(1), 229(5), 232, 233, 234(1), 238, Sch. 12 Pt. 1 Para 4(2)(b) &amp; Para 4(3).</p> <p>Local Government (Miscellaneous Provisions) Act 1976, s41.</p> <p>Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012/2089, r7(2), 7(7)(c), 20.</p>	Chief Operating Officer.
32.17	Accept service on behalf of the local authority of notices, orders and other documents.	<p>Public Health Control of Disease Act 1984.</p> <p>Health Protection (Notification) Regulations 2010, r2, 3, 6.</p>	Director of Public Health.
32.18	Give public notice of Local Governments Ombudsman reports.	Local Government Act 1974, s30(5).	Chief Executive, Deputy Chief Executive, Chief Operating Officer.
32.19	Chief Financial Officer Reports and notifications.	Local Government Finance Act 1988, ss114, 114A, 115, 115B.	Director of Finance.
32.20	Notify external auditor of meeting to consider reports from Chief Finance Officer.	Local Government Finance Act 1988, s116(1).	Chief Executive, Deputy Chief Executive.
<b>Members and elections</b>			

32.21	Acceptance and resignation of Members.	Local Government Act 1972, ss83, 84.	Chief Operating Officer.
32.22	Declarations, notices and incidental election matters.	Representation of the People Act 1983 ss 67(7)(b), 82(4), 131(1).  Local Government Act 1972, ss88(2), 89(1)(b).	Chief Operating Officer.
32.23	Publish the verification number of electors for the purpose of petitions.	Local Government Act 2000, s34  Local Authority (Referendums) (Petitions and Directions) Regulations 2000.	Chief Operating Officer.
32.24	Maintain of an up-to-date register of Members Interests, which is made available for inspection and published, and consideration of requests for exemptions.	Localism Act 2011, ss29, 31, 32, 33.	Chief Operating Officer.
<b>Political restriction</b>			
32.25	Hold the Council's list of politically restricted posts LGHA 89 s2(4).	Local Government and Housing Act 1989, s2(4).	Chief Operating Officer.
32.26	Determine applications for exemption from political restriction or for designation of posts as politically restricted.	Local Government and Housing Act 1989, s3A.	Chief Executive in consultation with the Chief Operating Officer.
32.27	Notifications regarding the formation of a political group, changes in membership, names of group leaders and deputies, and group nominations to sit on committees.	Local Government and Housing Act 1989, ss15-17.  Local Government (Committees and Political Groups) Regulations 1990, r14.	Chief Operating Officer.
<b>Functions</b>			



32.28	Registration of births, deaths and marriages and related functions under the relevant enactment including the setting of fees,	<p>Registration Services Act 1953.</p> <p>The Local Registration Scheme.</p> <p>Registration of Births, Deaths and Marriages Regulations 1968 etc.</p> <p>Marriage Act 1949 and subordinate legislation related to Marriage on Approved premises.</p> <p>Civil Partnership Act 2004.</p>	Chief Operating Officer.
32.29	Control of diseases, health protection and public health.	<p>Public Health (Control of Diseases) Act 1984, ss 48, 60.</p> <p>Health Protection (Local Authority) Regulations 2010.</p> <p>Public Health Act 1936.</p> <p>Public Health Act 1961.</p> <p>Public Protection (Notification) Regulations 2010.</p>	Director of Public Health.
32.30	Implement community safety strategy.	Crime and Disorder Act 1998.	Director of Public Health.
32.31	Receive from officers any money and property committed to their charge in connection with their office.	Local Government Act 1972, s115(2).	Director of Finance.
32.32	Exercise residual functions in relation to charities.	Local Government Act 1972, s210(6)(7).	Chief Operating Officer.
32.33	Prosecute and defend legal proceedings and to authorise employees to appear in court.	Local Government Act 1972, ss222, 223.	All, in consultation with the Chief Operating Officer.

		County Courts Act 1984, s60.	
32.34	Street Works and related matters.	Highways Act 1980, ss59(1), 193(3), 205(3)-(5), 210(2), 211(1), 212(4), 216(2)-(3), 295(1), 321, Sch. 9 Para. 4	Director of Resident Services.
32.35	Take immediate action in relation to buildings.	Building Act 1984, ss16-25, 35, 36, 55, 77, 78, 80-82, 99, 102.	Director of Regeneration.
32.36	Authorise the carrying out of directed surveillance or the conduct of a covert human intelligence source.	Regulation of Investigatory Powers Act 2000, s30.  The Regulation of Investigatory Powers (Prescription of Offices, Ranks and Positions) Order 2000.	Chief Executive, Deputy Chief Executive.
32.37	Produce Annual Assurance Statement.	Local Code of Corporate Governance.	Chief Executive, Deputy Chief Executive.
32.38	Incidental functions not mentioned.	Any.	All.

### Schedule of Human Resources Delegations

**33.** The following officers are permitted to undertake or delegate the Human Resources matters specified.

*Note: Nothing in this Schedule applies to the Executive Director of Pensions.*

	HR Topic/Procedure	Delegations and Controls (Please note this Schedule does not apply to the Director of Pensions)
33.1	Appoint all employees below director level excluding persons appointed as assistants for political groups.	Chief Executive, Deputy Chief Executive, Director.

		In accordance with Council HR policies, procedures and processes.
33.2	Appoint and dismiss JNC (Senior Management) Officers, excluding the dismissal of the Head of Paid Service, Monitoring Officer and Section 151 Officer.	Deputy Director of People & Change.  In accordance with HR policies, procedures and processes.
33.3	Dismiss all employees below director level. Excluding Head of Paid Service, Monitoring Officer and Section 151 Officer.	Chief Executive, Deputy Chief Executive, Director.  In accordance with Council HR policies, procedures and processes.
33.4	Establish new posts and approve extensions to fixed term contracts.	Chief Executive, Deputy Chief Executive, Director.  In accordance with Council HR policies, procedures and processes.
33.5	Authorise appropriately qualified and experienced employees to act as Inspectors or market officers, and other duly authorised employees to undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing functions and registration, legal proceedings, cautions under applicable legislation, and to exercise all other relevant powers including powers of entry and authorisation of work in default.	In relation to Inspectors: <ul style="list-style-type: none"> <li>- Director of Resident Services (on matters falling within the general remit of the role or work of their Directorate).</li> <li>- Director of Regeneration (on matters falling within the general remit of the role or work of their Directorate).</li> </ul> In relation to market officers: <ul style="list-style-type: none"> <li>- Director of Resident Services.</li> </ul>
33.6	Evaluation and review of job allocation and pay grade outcome for all employees.	Chief Executive, Deputy Chief Executive, in consultation with the s151 officer.  In accordance with Council HR policies, procedures and processes.

		Job Allocation Reviews are endorsed by the Pay Strategy Board.
33.7	Special Severance Payments – excluding the Head of Paid Service, the Leader or Section 151 or Monitoring Officer.	<p>As prescribed within the Council's Statutory Severance Pay guidance as follows:</p> <p>Payments below £20,000 – Chief Executive, Deputy Chief Executive or Director in consultation with the Deputy Director of People and Change and Section 151 Officer, Monitoring Officer.</p> <p>Payments of £20,000 and above but below £100,000 – personally approved by the Head of Paid Service with a clear record of the Leaders approval and that of any others who have signed off the payment through an Individual Executive Decision Notice.</p> <p>Payments of £100,000 and above – recommendation from the Special Appointments Committee for vote at full council.</p>
33.8	Special Severance Payments related to the Head of Paid Service.	Two independent persons, not connected with the SSP or dismissal circumstances, usually the Chief Executive and Deputy Chief Executive. The persons must have sufficient knowledge of HR and governance issues.
33.9	Special Severance Payments related to the Leader.	Deputy Leader.
33.10	Special Severance Payments related to Section 151 or Monitoring Officer.	Chief Executive and Deputy Chief Executive.
33.11	Redundancies (compulsory and voluntary).	<p>Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p>
33.12	Approval of:	In relation to (1):

	<p>(1) voluntary redundancies in excess of the current scheme; or</p> <p>(2) settlements agreements where either does not constitute a Special Severance Payment.</p>	<p>- Chief Executive, Deputy Chief Executive or Director in consultation with the Deputy Director of People &amp; Change and Section 151 Officer.</p> <p>In relation to (2):</p> <p>- Chief Operating Officer.</p>
33.13	Submission of HR1 Redundancy Notifications to Secretary of State.	Deputy Director of People & Change, in consultation with Section 151 Officer.
33.14	Other dismissals and disciplinary action.	<p>Chief Executive, Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p> <p>Appeals against dismissal are heard by the Human Resources Panel.</p>
33.15	Grievances from employees, excluding Head of Paid Service, Monitoring Officer and Section 151 Officer.	<p>Chief Executive, Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p> <p>Appeals against grievances are heard by the Human Resources Panel.</p>
33.16	Restructures and reviews to services with staffing implications.	<p>Chief Executive, Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p>
33.17	Extension of full sick pay beyond the entitlement under the national agreement.	Deputy Director for People & Change.
33.18	Approval of accelerated salary increments.	Chief Executive, Deputy Chief Executive, Director.

		<p>In accordance with council HR policies, procedures and processes, collective agreement and senior manager's terms and conditions.</p> <p>Accelerated increments are delegated to the Pay Strategy Board.</p>
33.19	Approval of attendance on all training courses.	<p>Chief Executive, Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p>
33.20	Approval for overseas trips by employees.	<p>Chief Executive, Deputy Chief Executive, where there are associated costs.</p> <p>Relevant Director where there are no costs.</p>
33.21	To approve "continuous service in the public sector" to be recognised for the purposes of annual leave entitlement.	<p>Head of Service.</p> <p>In accordance with Council HR policies, procedures and processes.</p>
33.22	Lead Counter signatory for Disclosure Barring Service (DBS) checks.	HR Business Partner.
33.23	Terms and Conditions authorisations not mentioned elsewhere.	<p>Chief Executive, Deputy Chief Executive, Director.</p> <p>In accordance with Council HR policies, procedures and processes.</p>
33.24	Flexible retirement approvals where the strain on the pension fund is 2 years and under.	Chief Executive, Deputy Chief Executive, Director in consultation with the Deputy Director of People & Change and Section 151 Officer.
33.25	Flexible retirement approvals where the strain on the pension fund is in excess of 2 years.	Chief Executive, Deputy Chief Executive or Director in consultation with the Deputy

		Director of People & Change and Section 151 Officer.
33.26	Retirement on the grounds of efficient exercise.	Chief Executive, Deputy Chief Executive, Director, in consultation with the Deputy Director of People & Change and Section 151 Officer.
33.27	Approval of Human Resources Policies and Procedures.	Individual Executive Decision Notice.
33.28	Role of Proper Officer in respect of appointment and dismissal of JNC (Senior Management) Officers, excluding the dismissal of the Head of Paid Service, Monitoring Officer and Section 151 Officer.	Deputy Director of People & Change.

### Schedule of Regulatory Licensing Delegations

**34.** For all delegations in the table below 'X' indicates the lowest level to which decisions can be delegated.

	Matter to be determined	Cabinet or Full Council	Licensing Committee	Licensing Sub-Committee	Director of Resident Services
Gambling Act 2005					
34.1	Statement of Gambling policy.	X (Full Council)			
34.2	Policy not to permit casinos.	X (Cabinet)			
34.3	Determination of fee amount		X (up to maximum set by Secretary of State)		
34.4	Applicability of and exemption from fees.				X
34.5	Authority to inspect premises to evaluate compliance with the requirements of the Act.				X
34.6	Determinations of the Licensing Authority as				X

	Responsible Authority (in accordance with the Gambling Act).				
34.7	Act as Responsible Authority.				X
34.8	Application for, review, suspension or revocation of, premises licence.			X	
34.9	Variation or transfer of premises licence, where representations received and not withdrawn.			X	
34.10	Variation or transfer of premises licence, where no representations received or representations have been withdrawn.				X
34.11	Applications (new or variations) for a provisional statement, where representations received and not withdrawn.			X	
34.12	Applications (new or variations) for a provisional statement, where no representations received or representations withdrawn.				X
34.13	Whether representations are irrelevant, frivolous, vexatious or certain not to influence the determination.				X
34.14	Application for club gaming/club machine permits, where objections made and not withdrawn.			X	
34.15	Application for club gaming/club machine permits, where no objections made or objections withdrawn.				X
34.16	Cancellation of club gaming/club machine permits.			X	



34.17	Applications for other permits.				X
34.18	Notification for Alcohol License Premises Gaming Machine permit.				X
34.19	Cancellation of licensed premises gaming machine permits.				X
34.20	Consideration of temporary use notice (and counter notice), where there are representations.			X	
34.21	Consideration of temporary use notice (and counter notice), where there are no representations.				X
34.22	Consideration of Occasional Use Notice, where there are representations.			X	
34.23	Consideration of Occasional Use Notice, where there are no representations.				X
34.24	Applications for new or renewals of Small Society Lotteries permits.				X
	<b>Licensing Act 2003</b>				
34.25	Final approval of the Licensing Authority Policy.	X			
34.26	Determination of fee amount		X (in accordance with current applicable Fee Regulations)		
34.27	Applicability of and exemption from fees.				X
34.28	Power to suspend Premises Licence/Club Premises Certificate for non-payment of annual fee.				X

34.29	Application for Personal Licence where no representations made.				X
34.30	Application for Personal Licence where representations made.			X	
34.31	Application, variation, provisional statements in relation to Premises Licence/Club Premises Certificate, where representation made (whether or no resolved by conditions added to licence).			X	
34.32	Application, variation, provisional statements in relation to Premises Licence/Club Premises Certificate, if no relevant representation made or representation has been withdrawn.				X
34.33	Application for Provisional Statement, where representation made and not withdrawn.			X	
34.34	Application for Provisional Statement, where no relevant representation made or representation has been withdrawn.				X
34.35	Application to vary or remove designation of Premises Supervisor where no representations made.				X
34.36	Variation (including removal) to designation of Premises Supervisor where representations made.			X	
34.37	Variation (including removal) to designation of Premises				X

	Supervisor where no representations made.				
34.38	Application for transfer of Premises Licence/Club Premises Licence where no representations made.				X
34.39	Application for transfer of Premises Licence/Club Premises Licence where representations made.			X	
34.40	Application for Interim Authority where no representation made.				X
34.41	Application for Interim Authority where representation made.			X	
34.42	Application for Premises Licence/Club Premises Certificate.				X
34.43	Application as Licensing Authority to initiate a review of Premises Licence/Club Premises Certificate.				X
34.44	Decision to object when Licensing Authority is a consultee and not the relevant authority considering the application.			X	
34.45	Determination of representations/service of Counter Notice in relation to Temporary Event Notice.			X	
34.46	Agree Temporary Event notice is not required where modified.				X (in consultation with Chair of Regulatory Committee)
34.47	Determination of late Temporary Event Notice.				X
34.48	Determination of minor variation application.				X

34.49	Acknowledgement of notices, applications and other documents.				X
34.50	Authority to enter and/or inspect premises in order to consider activities and compliance with the Licensing Act.				X
34.51	Determine whether a complaint is irrelevant, frivolous, vexatious etc.				X
34.52	Determinations of the Licensing Authority as Responsible Authority (in accordance with the Licensing Act).				X
34.53	In the capacity of Responsible Authority, apply to a relevant Licensing Authority for a review of Premises License or Club Premises Certificate.				X
34.54	Mediate outcome of Appeal.				X

### Schedule of Other Regulatory Delegations

**35.** For all delegations in the table below 'X' indicates the lowest level to which decisions can be delegated.

	Matter to be determined	Cabinet/Full Council	Regulatory Committee	Regulatory Sub-Committee	Director of Resident Services
<b>Anti-Social Behaviour Crime and Policing Act 2014</b>					
35.4	Power to issue closure notice for up to both 24 hours and 48 hours (as per sections 76 and 77).		X		
<b>Animal Welfare</b>					
35.5	Final approval of policy.		X		

35.6	Determination of fee amount.		X		
35.7	Applicability of and exemption from fees.				X
35.8	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Grant / Renewal.				X
35.9	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Variation with consent of licence holder.				X
35.10	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Variation without consent of licence holder.				X
35.11	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Variation - where written representations are received.				X
35.12	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Suspension without consent.				X
35.13	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/Pet Shops and Riding Establishments – Suspension where written representations are received.				X

35.14	Animal Boarding Establishments/ Dog Breeding/ Performing Animals/ Pet Shops and Riding Establishments - Revocation of licence.				X
<b>Caravans</b>					
35.15	Final approval of Policy.		X		
35.16	Determination of fee amount.		X		
35.17	Applicability of and exemption from fees.				X
35.18	Caravan Sites Grant – Attachment of Model Conditions.				X
35.19	Caravan Sites Grant – Attachment of Conditions other than all Model Conditions.			X	
35.20	Caravan Sites Grant - On Transfer of Benefit for use of land - model conditions.				X
35.21	Caravan Sites Grant - On Transfer of Benefit for use of land - other than model conditions.			X	
35.22	Caravan Sites Refusal.			X	
35.23	Caravan Sites Alteration of Conditions - No representations.				X
35.24	Caravan Sites Alteration of Conditions – Representations.			X	
35.25	Caravan Sites Fit and Proper Person Applications, granted without condition.				X

35.26	Caravan Sites Fit and Proper Person Applications, granted with constitution, or refused.			X	
<b>General Licensing</b>					
35.27	Final approval of Policy.		X		
35.28	Determination of fee amount.		X		
35.29	Applicability of and exemption from fees.				X
35.30	House to House.				X
35.31	Free Printed Matter – Grant.				X
35.32	Free Printed Matter – Suspension, Revocation.				X
35.33	Free Printed Matter – Review of Decision.				X
35.34	Free Printed Matter – Mediate outcome of Appeal.		X		X (in consultation with Chair of Regulatory Committee)
35.35	Street Collections.				X
35.36	Registrations - Acupuncture/Tattooing/ Electrolysis/Cosmetic Piercing and Permanent Skin Colouring.				X
35.37	Hypnotism.				X
35.38	Hypnotism – review of decisions.				X
35.39	Marriage Venues.				X
35.40	Marriage Venues – Appeals.			X	
35.41	“A” Boards, where no representations.				X

35.42	"A" Boards, where representations made or where non-compliant policy.			X	
35.43	"A" Boards, appeal.				X
35.44	Table and Chairs, where no representations.				X
35.45	Table and Chairs, where representations or where non-complaint with policy.				X
35.46	Table and Chairs, appeal.				X
35.47	Goods on the Highway, where no representations.				X
35.48	Goods on the Highway, where representations made, or where non-complaint with policy.				X
35.49	Goods on the Highway, appeal.				X
35.50	Mini Bus Permits.				X
35.51	Dangerous Wild Animals.				X
35.52	Dangerous Wild Animals - Grounds for Refusal under the Act - Revocation of Licence.			X	
35.53	Zoos - No representations.				X
35.54	Zoos - Representations/Review of Licence.			X	
35.55	Pavement Licences - No representations.				X
35.56	Pavement Licences - Representations/Noncompliant with policy.				X
35.57	Review of Decision – Refusal				X



	to Grant/Revoke Licence				
<b>Hackney Carriage &amp; Private Hire Functions</b>					
35.58	Final approval of Policy.		X		
35.59	Determination of fee amount.		X		
35.60	Applicability of and exemption from fees.				X
35.61	Hackney Carriage/Private Hire Vehicle Driver's Licence - New applications.				X
35.62	Private Hire Vehicle Operators Licence – New applications.				X
35.63	Determination of Renewal-Applications Hackney Carriage/Private Hire Vehicle Drivers Licences/Operators Licence.				X
35.64	Determination of Reviews/Reviews Prior to Renewal – Hackney Carriage/Private Hire Vehicle Drivers/Operators Licence.				X
35.65	Additional Conditions - Private Hire Vehicle Operators Licence.				X (in consultation with Chair of Regulatory Committee)
35.66	Additional Hackney Carriage/Private Hire Vehicle Driver's Licence Conditions.				X (in consultation with Chair of Regulatory Committee)
35.67	New/Renewal Hackney Carriage/Private Hire Vehicle Applications where applicant clear of guidelines.				X
35.68	New/Renewal Hackney Carriage/Private Hire Vehicle				X

	Applications where applicant not clear of guidelines.				
35.69	Reviews – Hackney Carriage/Private Hire Vehicle Licence.				X
35.70	Hackney Carriage Exceptional Condition Criteria.				X
35.71	Hackney Carriage/Private Hire Fees and Charges.		X		
	Advertising on/in Hackney Carriages: a. All over b. Tip up seats c. Doors d. Rear Window				X
35.72	Advertising on/in Private Hire Vehicles: a. Rear Window b. Rear Doors c. Rear Wings				X
35.73	Private Hire Vehicle Identification Plate – Exemption Policy.				X
35.74	Limousines/Applications for Private Hire Vehicles.				X
35.75	Novelty Vehicles Applications for Private Hire Vehicles, Fire Engines etc.				X
35.76	Approval of Hackney Carriage – Types.				X
35.77	Approval of Hackney Carriage Fares.		X		
35.78	Digital advertising in Hackney Carriage/Private Hire Vehicles.				X

35.79	Hackney Carriage/Private Hire Vehicles – section 68 Notices.				X
35.80	Suspension/Removal of Suspension for Non-mechanical tests.				X
35.81	VOSA MOT Testing facilities for Hackney Carriage/Private Hire vehicles – Mechanical Safety checks – Approval.				X
35.83	VOSA MOT Testing Facilities for Hackney Carriage/Private Hire Vehicles Mechanical Safety checks - Revocation/Attachment of Conditions/Refusal.				X
35.84	VOSA MOT Testing Facilities for Hackney Carriage/Private Hire Vehicles Mechanical Safety checks - Review of decision.				X
35.85	Non-Mechanical compliance check of Hackney Carriage and Private Hire Vehicles – Approval.				X
35.86	Non-Mechanical compliance check of Hackney Carriage and Private Hire Vehicles - Review of Decision.				X
35.87	Private Hire Vehicle Exceptional Condition Criteria – Approval.				X
35.88	Private Hire Vehicle Exceptional Condition Criteria - Review of Decision.				X
35.89	Hackney Carriage Replacement Vehicles – outside existing criteria.				X

35.90	Hackney Carriage replacement vehicles – review of Decision				X
35.91	Investigations into complaints.				X
35.92	Authorisations of Cautions.				X
35.93	Authorise prosecutions.				X
35.94	Investigation of offences under the Town and Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976.				X
35.95	Authorisation to conduct interviews under Police and Criminal Evidence Act 1984 (PACE).				X
<b>Safety of Sport Grounds Act 1975 and Safety of Places of Sports Act 1987</b>					
35.96	Final approval of Policy.		X		
35.97	Determination of fee amount.		X		
35.98	Applicability of and exemption from fees.				X
35.99	Variation of capacity via prohibition or restriction of all, or part of the stadium amending the safety certificate and replacement of the safety certificate.				X
35.100	Power of entry to facilitate 'periodic inspection' of the stadium.				X
35.101	Vice Chair of Safety Advisory Group.				X
<b>Scrap Metal</b>					
35.102	Final approval of Policy.	X			

35.103	Determination of fee amount.				X
35.104	Applicability of and exemption from fees.				X
35.105	Scrap metal licence, site/collectors applications, where no representations.				X
35.106	Scrap metal licence, site/collectors applications, where representations.				X
35.107	Scrap Metal Licence Site/Collectors Refusal.				X
35.108	Scrap Metal Licence Site/Collectors Review/Revocation.				X
35.109	Scrap Metal Licence Site/Collectors Variation where no representations.				X
35.110	Scrap Metal Licence Site/Collectors Variation where representations.				X
35.111	Scrap Metal Site Issue of Closure Notice - Application to Magistrates for Closure Order / Termination of Order.				X
35.112	Delegation of decision making functions under the Act.				X
<b>Sex Establishments</b>					
35.113	Final approval of the Licensing Authority Policy.		X		
35.114	Determination of fee amount.		X		
35.115	Applicability of and exemption from fees.				X
35.116	Sex Establishment Licence			X	

	Shops/Cinema/Sexual Entertainment Venues New Applications.				
35.117	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications - No Representations.				X
35.118	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications – Representations.			X	
35.119	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.				X
35.120	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - Representations.			X	
35.121	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.				X
35.122	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	
35.123	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.				X
35.124	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications –			X	

	Representations.				
35.125	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications – Representations.			X	
35.126	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.			X	
35.127	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	
35.128	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.				X
35.129	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.				X
35.130	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications – Representations.			X	
35.131	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.				X
35.132	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	

35.133	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.				X
35.134	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	
35.134	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications – Representations.			X	
35.134	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications - No representations.			X	
35.135	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	
35.136	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.			X	
35.137	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.				X
35.138	Sex Establishment Licence Shops/Cinema/ Sexual Entertainment Venues Renewal Applications – Representations.			X	
35.140	Sex Establishment Shop/Cinema/ Sexual				X



	Entertainment Venues Variation Applications - No representations.				
35.141	Sex Establishment Shop/Cinema/ Sexual Entertainment Venues Variation Applications – Representations.			X	
35.142	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – No representations.				X
35.143	Sex Establishment Licence Shop/Cinema/Sexual Entertainment Venues Transfer Applications – Representations.			X	
35.144	Revocation of Sex Establishment Licence.			X	
<b>Street Trading</b>					
35.145	Final approval of the Licensing Authority Policy.		X		
35.146	Determination of fee amount.		X		
35.147	Applicability of and exemption from fees.				X
35.148	Pitches – Create, Relocate or Deletion.				X
35.149	Pitches – create, relocate, delegation (including review of decision).				X
35.150	Consents – Grant, renewal, revocation (including review of decision).				X

35.151	Private land consents – Grant (including renewal of decision).				X
35.152	Private land consents – Grant and revocation of grant.				X
35.153	Temporary/street trading occasional consents.				X
35.154	Change of Tradeline.				X
35.155	Transfer of street trading consent subject to consent conditions, and review of decision.				X
35.156	Street Trading Fees and charges.		X		
35.157	Change of unit design approval, and review of decision.				X
<b>Regulation of Investigatory Powers Act 2000</b>					
35.161	Regulation of Investigatory Powers Act (RIPA) 2000 - authorisation to the Magistrates Court under Section 223 Local Government Act 1972.				X

### Schedule of Planning Delegations

**36.** For all delegations in the table below 'X' indicates the lowest level to which decisions can be delegated.

	<b>Function</b>	<b>Officer with delegation</b>
36.1	Make decisions on any planning application falling within the remit of the Planning Committee except those in respect of applications for planning permission/ listed building consent/works to a protected tree or advertisement consent where: (i) a Councillor requests that an application be referred to Planning Committee	Director of Regeneration

	<p>(ii) the application is submitted by or on behalf of the Council, or includes Council-owned land,</p> <p>(iii) the application relates to a Councillor or Officer of the Council and the application:</p> <p>(a) has been submitted by them or on their behalf; or</p> <p>(b) affects land that they own or occupy; or is one where they have made representations of support or objection and where (in respect of Councillors only) that representation would constitute a personal and prejudicial interest.</p>	
36.2	<p>All other functions within the remit of the Planning Committee, (subject to any exceptions or conditions stated below):</p> <p>(a) issue, vary, modify or revoke Tree Preservation Orders;</p> <p>(b) make decisions on the confirmation of Tree Preservation Orders (with or without modifications) except where objections have been received and have not been withdrawn, which are reserved for decision by the Development Management Committee;</p> <p>(c) In consultation with the Chair of the Planning Committee (or in his or her absence, the Vice-Chair of the Committee) to determine any application cases where it would not be reasonably practicable for the matter to be dealt with by the Planning Committee within any period prescribed for Decision</p> <p>(d) The authority to make screening and scoping opinions under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 in connection with prospective or current applications;</p> <p>(e) Authority to exercise the functions of the Council under the Conservation of Habitats and Species Regulations 2010 and 2017, including in relation to appropriate assessments</p> <p>(f) Authority to make decisions on Lawful Development Certificates under Section 191 and Section 192 of the Town and Country Planning Act 1990 (see also powers delegated to the Head of Legal);</p> <p>(g) Authority to respond to consultations and notifications from other local planning authorities;</p> <p>(h) Authority to make immediate Article 4 Directions removing permitted development rights under the Town and Country Planning (General Permitted Development) (England) Order 2015, in cases of urgency</p> <p>(i) Authority to make determinations as to whether prior approval is required under the Town and Country</p>	Director of Regeneration

	<p>Planning (General Permitted Development) (England) Order 2015</p> <p>(j) Authority to stop up or divert a public footpath under Section 257 of the Town and Country Planning Act 1990 or under Sections 118 or 119 of the Highways Act 1980.</p> <p>(k) To reduce the charge for making a public path order by 20% or 40% where it is considered that the charge would otherwise be unreasonably in excess of the actual costs of the City Council.</p>	
36.3	<p>To submit or determine planning applications:</p> <p>(a) for the development or redevelopment of surplus properties (where Development Briefs or Planning Briefs are not required?) in order to maximise sales potential prior to offering the properties for disposal on the open market.</p> <p>(b) for deemed applications for building works where funding is contained in approved Capital or Revenue budgets.</p>	
36.4	<p>Generally to issue, serve, vary or withdraw any notice in relation to the Council's functions as a Local Planning Authority including but not limited to :</p> <p>(a) planning contravention notices;</p> <p>(b) breach of condition notices (including extending time for compliance);</p> <p>(c) stop notices and temporary stop notices;</p> <p>(d) enforcement notices in respect of security shutters and grilles, and Article 4 notices prevention of demolition without planning consent.</p>	
36.5	<p>To prosecute on behalf of the Council as Local Planning Authority offences in connection with:</p> <p>(a) planning contravention notices;</p> <p>(b) breach of condition notices;</p> <p>(c) stop notices and temporary stop notices;</p> <p>(d) enforcement notices;</p> <p>(e) listed buildings and conservation areas;</p> <p>(f) trees and high hedges;</p> <p>(g) advertisements; and</p> <p>(h) proper maintenance of land.</p>	Chief Operating Officer.
36.6	<p>To prosecute on behalf of the Council as Local Planning Authority offences in connection with:</p> <p>(a) planning contravention notices;</p> <p>(b) breach of condition notices;</p> <p>(c) stop notices and temporary stop notices;</p> <p>(d) enforcement notices;</p>	Chief Operating Officer.

	(e) listed buildings and conservation areas; (f) trees and high hedges; (g) advertisements; and (h) proper maintenance of land.	
36.7	To appear at Local Inquiries arising under the Town and Country Planning Acts and legislation relating to compulsory purchase.	
36.8	To determine applications for the disposal of land and in the case of disposals of “open space” land to advertise the intention to do so where the disposal is (a) in compliance with all appropriate City Council policies or guidance; and (b) not the subject of any unresolved public objection or of any unresolved conflicts of advice from other Council Directorates or Committees?	