**Governance Framework Document**

**Document G: Delegations to Officers**

**Table of Delegations to Officers**

| **Number** | **Description** | **Legislation** | **Executive or**  **Non-Executive** | **Officer(s) to whom**  **function delegated** |
| --- | --- | --- | --- | --- |
| 1. | All functions within remit  To administer all functions within their remit including the exercise of all relevant duties and powers under any legislation or at Common Law. This includes the power to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of those functions. By way of example this delegation includes, but is not limited to:  • administration (including taking all necessary action to implement Council, committee and executive decisions within approved budgets),  • regulation (including the administration of any relevant order making, permit and certification, registration, consent, or permission processes and powers),  • investigation, and enforcement (including the power to issue simple cautions),  • advice and information giving,  • funding and finance,  • providing instructions to the Director for Legal and Governance and/or the Legal Service Manager(s) in relation to any relevant legal proceedings, service of notice, or the entering or negotiation of any agreements, property matters or controls,  • appointment of inspectors and authorised officers to carry out some or all of the powers  specified under any legislation relating to any matter within their remit,  • appointment of experts, consultants and advisors (in accordance with the corporate procedure and with the exception of legal advisors who can only be appointed with the approval of the Director for Legal and Governance);  • acting in accordance with any authorisation, instruction, or order granted by any Government Department or body, entering into relevant memorandum of understanding, and carry out any associated powers and duties. | -- | Can be either  depending on the circumstances | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 2. | Visits abroad  To determine officer and councillor attendance on visits  (including visits abroad). | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 3. | Attendance at Conference/Seminars  To determine officer and Councillor attendance at  Conference/Seminars, (including those held abroad).  Where more than one service is involved and in the event of any disagreement, determination of attendance by Officers and Councillors at Conference/Seminars, (including those held abroad), shall be by the Chief Executive. | -- | Executive | General function to all Corporate Directors and the Director for Public Health for all matters within their remit |
| 4. | Fees and Charges  Subject to any statutory provision and/or any specific provision made elsewhere in this Constitution, to agree,  in consultation with the appropriate Chair (for non- executive functions) or Portfolio Holder (for executive functions), fees and charges for all matters within their remit where a power to charge exists. | -- | Can be either depending on the circumstances | General function to all  Corporate Directors and the Director for Public  Health for all matters within their remit  Director of Communities |
| 4.a | |  | | --- | | Fixed Penalty Notices  Subject to any statutory provision and/or any specific provision made elsewhere in this Constitution, to agree, in consultation with the appropriate Chair (for non- executive functions) or Portfolio Holder (for executive functions), the level of the penalty to be charged in relation to fixed penalty notices for all matters within their remit where a power to issue a fixed penalty notice exists. | | Various | Can be either  depending on the circumstances | General function to all  Corporate Directors and the Director for Public Health and the Director for Communities for all matters within their remit. |
| 5. | Service of Statutory Notices  Service of statutory notices, fixed penalty notices, orders and/or arranging for the execution of work consequent on non-compliance with such notices or orders in relation to any matter within their remit, together with any action to recover associated costs and expenses.  N.B  (i) In respect of planning enforcement notices, breach of condition notices, stop notices, tree replacement and preservation notices, listed building repair notices, blight and purchase notices (and responses thereto), they are to be served only by the Director for Legal and Governance or the Head of Legal, subject to him/her being satisfied with the evidence available.  (ii) Where a matter falls within the remit of more than one Director (e.g. those matters which are Planning Functions but also relate to enviro- crime such as enforcement of unauthorised advertisements, or land affecting the amenity of an area) then the powers may be exercised by either Director. |  | Can be either  depending on the circumstances | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit  Director for Legal and  Governance  Head of Legal  Director for Communities for matters within his remit and also under the Nottingham City Council Act 2013  Head of Communities |
| 6. | **Blank – this delegation has been deleted** |  |  |  |
| 7. | Authorisation to invite and accept tender(s) and bid(s)  **Up to contract value of £25,000**  1. To have the power to invite quote(s), tender(s) or bid(s) and to accept quote(s), tender(s) or bid(s) for the carrying out of works for the Council, the purchase, leasing or hiring of goods, materials and equipment by the council, or the supply of services to the council where the estimated total contract value is below £25,000, subject to compliance with Contract Procedure Rules.  **For contract values above £25,000**  2.(a) To have the power to invite quote(s), tender(s) or bid(s) and to accept tender(s) or bid(s) for the carrying out of works for the Council, the purchase, leasing or hiring of goods, materials and equipment by the council, or the supply of services to the council where the estimated contract value is above £25,000, subject to the appropriate level of approval being sought and in compliance with Contract Procedure Rules which require:   1. three quotations to be sought where the total contract values are between £25,000 and £100,000 2. a full tender process being undertaken for a contract estimated to exceed £100,000.   3 Provided that authority to a let a contract has been obtained, acceptance of the most economically advantageous tender or bid for the award of concession/sponsorship contracts and the acceptance of other than the highest tender or bid with the agreement of the Chief Executive and the Corporate Director, Finance and Resources.  NB – Concessions Contracts are now covered by Concessions Regulations 2016. Any concession contract needs to be secured through a process as outlined in part 1 and 2 of this delegation | -- | Executive | General function to all Corporate Directors and the Director for Public Health for all matters within their remit  Executive Committee, Portfolio Holder or Corporate Directors and the Director for Public Health depending on value of tender(s) or bid(s) |
| 7.a | Framework Agreements  Authority to enter in to Framework Agreements in line with any relevant procurement process for:   1. with an indicative contract value between £1 and £750,000   (b) with an indicative contract value of £750,000 or over (key decision)  NB – approval to enter in to a Framework Agreement does not constitute approval to spend against the framework which must be sought by appropriate Scheme of Delegation or other appropriate approval | -- | Executive | Relevant Corporate Director, Director of Public Health or Portfolio Holder in line with delegated decision making thresholds in Article 10 of the Constitution.  Commissioning and Procurement Executive Committee |
| 8. | Tenders – Invitations to suppliers  To ensure that invitations to suppliers to provide quotations or to submit tenders for work, goods, materials or services incorporate adequate and appropriate price adjustment provisions (unless the circumstances of the particular invitation requires a different approach). | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 9. | Invitation to tenders – written consent for assignment or  sub-contracts  Corporate Directors shall ensure that invitations to suppliers to provide quotations or to submit tenders for work, goods, materials or services incorporate a notification that assignment or sub-contracting is not permitted without prior written consent from the City  Council unless the circumstances of the particular invitation required a different approach. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 10. | **This delegation has been deleted** |  |  |  |
| 11. | Contracts  The assignment or novation of a contract. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 12. | Virements  May exercise virement on budgets under his/her control for amounts up to £50,000 on any one budget head during the year, following notification to the Chief Finance Officer and in consultation with the appropriate Portfolio Holder under arrangements agreed by the full council and subject to the conditions set out in the Corporate Financial Procedures. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 13. | Management of stock  Subject to the agreement of the Corporate Director for  Finance and Resources and Chief Finance Officer:  (i) the writing off of debts which are irrecoverable or losses due to burglaries, break-ins, etc and  (ii) the writing off or making adjustments in respect of deficiencies or surpluses of stock, equipment, etc  (iii) the write-off and disposal of redundant stocks and equipment. The procedures for disposal for such stocks and equipment should be by competitive quotations or auction. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 14. | **This delegation has been deleted** |  |  |  |
| 15. | Variation of price of goods and services  To vary the price of goods and services supplied, in accordance with changes in the cost incurred by the City Council, in consultation with the Corporate Director for Finance and Resources and Chief Finance Officer: . | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 16. | Management of Employees  The recruitment (within approved staffing budgets), management and discipline of all employees in their department below the level of Director, in accordance with and subject to restrictions in the relevant national and local schemes and conditions of service, as set out in:  (a) the City Council’s People Management  Handbook,  (b) the Officer Employment Procedure Rules and Appointments and Conditions of Service Committee terms of reference (as set out in the Articles 14 and 9 respectively of the Constitution);  noting that these may be reviewed and amended from time to time to reflect the changing needs of the Council, in consultation (or where necessary, negotiation) with recognised trade unions).  Note to Corporate Directors and the Director for Public Health: In exercising this general delegation, reference should always be made to the specific procedures as set out in the People Management Handbook. | -- | Non- Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 17. | Variation in contracts  To negotiate and agree variations in contracts. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 18. | Opening hours of facilities  Determination of hours of opening of Council owned or operated premises and facilities, including seasonal arrangements and closure during holiday periods. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 19. | Production of publications relating to the service  Production of publications, relating to the service provided, for sale or free distribution to the public, subject to Section 2 of the Local Government Act 1986 and the Code of Recommended Practice on Local Authority Publicity. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 20. | Consultation papers – responses  To respond to consultation papers relating to matters within the Corporate Director’s remit. | -- | Executive | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 21. | Disclosure of information  To exercise the functions of the Council pursuant to Section 115 (disclosure of information to a relevant authority) of the Crime and Disorder Act 1998. | Crime and  Disorder Act  1998 – Section  115 | Executive | General function to all Corporate Directors and the Director Public Health for all matters within their remit  Director of Communities |
| 22. | Power of Entry  To authorise appropriate competent officers to enter premises under any legislation granting such powers to the Council (including the power to be accompanied by such other persons as may be deemed appropriate), and exercise any or all relevant statutory powers under that legislation such as powers of inspection, examination, investigation, seizure, forfeiture, condemnation, destruction, sampling, testing, recording, closure and prohibition. | -- | Can be either  depending on the circumstances | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit  Director of Communities |
| 23. | Particulars of persons interested in land  Obtaining particulars of persons interested in land. | Local  Government (Miscellaneous Provisions) Act  1976 – Section  16 | Can be either  depending on the circumstances | General function to all  Corporate Directors and the Director for Public Health for all matters within their remit |
| 24. | Urgent Decisions by Chief Executive  Discharge any non-executive function of the Council which has not been specifically delegated to another colleague or committee or to discharge a function which is necessary before the next meeting of the appropriate committee after consultation with the Chair or Vice-Chair and with the main minority party spokesperson, provided:  (i) that every such decision is recorded in accordance with current corporate requirements and open to public inspection unless the decision falls within the rules relating to Exempt Information; and  (ii) that a report on the exercise of the delegation together with a summary of the consultations and the reasons for urgency shall be submitted to the next meeting of the committee concerned and that the power shall be exercised by the Corporate Director for Finance and Resources and Chief Finance Officer: only when the Chief Executive is not available. | -- | Non-Executive | Chief Executive |
| 25. | Capital and Revenue Grants  Make all decisions relating to the reclaim of capital grants, cessation of revenue grants and variation to any legal agreement (including financial returns to the City Council) in relation to the above expenditure. | -- | Executive | Chief Executive |
| 26. | Economic Regeneration – administration of fund  Administer, following consultation with the Leader, the economic regeneration fund for the purposes of improving services, keeping and generating jobs, attracting visitors to the City, or raising Nottingham’s national and international profile. | -- | Executive | Chief Executive |
| 27. | Capital Investment bids  Be responsible for Capital Investment bids for the refurbishment of property, changes in office layout, replacement of lifts, heating and other plant. | -- | Executive | Corporate Director for  Growth and City Development  Director for Economic Development and Property |
| 28. | List of Senior Nominated Officers – Protection of  children  Maintain the list of Senior Nominated Officers in connection with establishment arrangements for the protection of children. | -- | Executive | Chief Executive |
| 29. | Approval of Development briefs  Approve development briefs in consultation with the  Leader and other relevant Portfolio Holders. | -- | Executive | Chief Executive  Corporate Director, Growth and City Development |
| 30. | Civil emergencies and disasters  Deal with emergencies and disasters and the carrying out of civil defense functions.  Planning for, and responding to, emergencies that present a risk to public health. | -- | Executive | Chief Executive  Corporate Director, Finance and Resources  Director for Public Health |
| 31. | Press and Media – Co-ordination  Control and co-ordinate press and media relations, the organisation of press conferences, publicity and public relations including approval of the issue of all official publicity and official publications. | -- | Executive | Chief Executive |
| 32. | Complaints – Chief Officer and Councillors  Deal with issues relating to the Commission for Local  Administration provided that:  (i) complaints involving Councillors shall be notified to the Councillor concerned and the Leader of the political group of which the Councillor is a member;  (ii) complaints involving the Chief Executive shall be undertaken by a Corporate Director nominated by the Leader;  (iii) the Leader shall be consulted about statements to be published with the Local Commissioner. | -- | Executive | Chief Executive |
| 33. | Arrangements for civic hospitality  Determine arrangements for civic hospitality. | -- | Executive | Corporate Director, Finance and  Resources |
| 33.a | Councillor Absence  Power to approve reasons for a councillor’s non-attendance at meetings prior to that councillor reaching six consecutive months without attending a meeting. | Section 85 of the Local Government Act 1972 | Executive | Chief Executive in consultation with the Director of HR and EDI |
| 34. | Claims settling  To settle claims of any value in line with the Council’s procedure for claims handling and in accordance with the Ministry of Justice - Pre Action Protocols for Personal Injury Claims, subject to claims in excess of  £100,000 being referred to the Strategic Finance  Manager for approval. | -- | Executive | Corporate Director, Finance and Resources  Insurance and Risk  Manager |
| 35. | Allocation of funds for the purpose of managing risk  To allocate funds for the purposes of managing risk, subject to all allocations over £500 being referred to the Strategic Finance Manager. |  |  | Corporate Director, Finance and Resources  Head of Internal Audit and Risk  Insurance and Risk  Manager |
| 36. | Outside Bodies – Appointments  To approve and action in-year nominations to existing outside bodies as directed by relevant group whips. | -- | Executive | Director of Legal and Governance |
| 37. | Protection of rights and interests of the Council  Take preliminary steps to protect the rights and interests of the Council subject to consultation with the Leader in relation to any Bill or Statutory Instrument or Order in Parliament. | -- | Can be either  depending on the circumstances | Corporate Director for  Finance and Resources  Director of Legal and  Governance |
| 38. | Members’ Allowances Scheme  Administer the scheme of Members’ allowances and to adjust such allowances annually in accordance with the formula agreed by the Council. | -- | Non-Executive | Corporate Director, Finance and Resources  Director of Legal and  Governance |
| 39. | Pensions  Subject to 1 and 2 below, to exercise the functions of the authority in relation to pensions.  (CFP D10 3-5)  (1) In consultation with the Portfolio Holder for Resources and the Director for Legal and Governance, to determine requests for guarantees to the Nottinghamshire Pension Fund from bodies entering into admission agreements with the Fund.  (2) Be the person specified to determine disputes in the first instance arising from the decisions of the Council as scheme employer under the Local Government Pension Regulations 1997. | Local  Government Pension Scheme (Benefits, Membership and Contributions) Regulations  2007 (as amended)  Local Government Pension Scheme  (Miscellaneous) Regulations  2009 (as amended)  Local Government Pension Scheme (Administration)  2008 (as amended)  National Health Service Pension Scheme Regulations  2008 (as amended)  National Health Service (Injury Benefits) Regulations  1995 | Non-Executive | Corporate Director, Finance and Resources |
| 40. | Petty Cash  Determine appropriate arrangements for the reimbursement of expenditure incurred by staff in exercise of Council duties, including establishing petty cash accounts where this is the most appropriate arrangement. | -- | Non-Executive | Corporate Director, Finance and Resources |
| 41. | Accounts and Audit  To discharge the functions of the Council under the Accounts and Audit Regulations 2009 [with the exception of Regulation 4(3), 6(4) and 10(3)]. | Accounts and  Audit  Regulations  2009 | Non-Executive | Corporate Director, Finance and Resources |
| 42. | Statement of Accounts  In accordance with Regulation 5(2) of the Accounts and Audit Regulations 2009 as amended, to sign and date the statement of accounts, and certify that it presents a true and fair view of the financial position of the Council at the end of the year to which it relates and of the Council’s income and expenditure for that year. | Accounts and  Audit  Regulations  2009 | Non-Executive | Corporate Director, Finance and Resources |
| 43. | Financial Regulations and Corporate Financial  Procedures  To exercise the responsibilities assigned to the Chief Finance Officer in the Standing Orders and Financial Regulations and Corporate Financial Procedures | -- | Executive | Corporate Director, Finance and Resources |
| 44. | Loans and Investments  To raise loans and make investments (temporary investment of surplus monies and longer term investment of monies for specific purposes) as and when required at appropriate rates in accordance with Council Treasury Management policy. | -- | Executive | Corporate Director, Finance and Resources |
| 45. | Leasing agreements completion  To complete and sign leasing agreements for items included within the approved capital or revenue budgets. | -- | Executive | Corporate Director, Finance and Resources |
| 46. | Home Loans Scheme  To operate the Home Loans scheme including  mortgage advances, transfer of mortgages, sales of houses in possession and guarantees to building societies. | -- | Executive | Corporate Director, Finance and Resources |
| 47. | Benefits  (a) To assess and pay Council Tax Benefits, Housing Benefits and Education Benefits.  (b) To determine requests for the award of discretionary housing benefit in exceptional circumstances.  (c) To represent the Council at HM Court and Tribunal Service or equivalent body in connection with Benefit Appeals.  (d) To select and contract with third party agencies and suppliers as required in the administration of Benefits.  (e) To initiate and carry out whatever steps are necessary in accordance with any legislation now or subsequently made relating to the administration of Council Tax Benefit, Housing Benefit and Education Benefit. | -- | Executive | Corporate Director, Finance and Resources |
| 48. | Council Tax  (a) To institute and conduct recovery proceedings  (including winding up of companies) in relation to Council Tax.  (b) To nominate persons to appear in Courts of Law in connection with any proceedings for recovery action relating to the Council Tax.  (c) To represent the City Council at Valuation  Tribunals.  (d) To maintain and make available the valuation list and to supply information to the Listing Officer in order to assist that officer in maintaining the list.  (e) To serve completion notices in respect of any newly completed or erected property, specifying the date of completion or the date upon which it could reasonably be expected to be completed.  (f) To issue proposals for alterations to the valuation list.  (g) To issue notices requiring information from occupiers, owners or management agents, and to issue notices advising of joint and several liability, and exempt dwellings.  (h) To take all steps necessary to ascertain whether discounts or exemptions should apply, including discounts under Section 13(A) (1) of the Local Government Finance Act 1992.  (i) To serve and quash penalties.  (j) To serve demand notices and reminder notices. (k) To initiate and carry out whatever steps are  necessary in accordance with any regulations  now or subsequently made under the Local  Government Finance Act 1992.  (l) To select and contract with third party agencies and suppliers as required in the administration of Council Tax.  (m) In accordance with Section 38 of the Local  Government Finance Act 1992, to publish within  21 days in the local newspaper notice of the amount of Council Tax set by the authority. | -- | Executive | Corporate Director, Finance and Resources |
| 49. | Non Domestic Rates  (a) To grant discretionary rate relief under Sections  47 and 48 of the Local Government Finance Act  1988.  (b) To reduce or remit liability for rates under  Section 49 of the Local Government Finance Act  1988.  (c) To institute and conduct recovery proceedings (including winding up of companies) in relation to Non Domestic Rates.  (d) To nominate persons to appear in Courts of Law in connection with any proceedings for recovery action relating to the Non Domestic Rates.  (e) To represent the City Council at Valuation  Tribunals.  (f) To maintain and make available the valuation list and to supply information to the Valuation Officer in order to assist that officer in maintaining the list.  (g) To serve completion notices in respect of any newly completed or erected property, specifying the date of completion or the date upon which it could reasonably be expected to be completed.  (h) To issue proposals for alterations to the valuation list.  (i) To ascertain whether reliefs or exemptions should apply.  (j) To serve demand notices and reminder notices. (k) To initiate and carry out whatever steps are  necessary in accordance with any regulations now or subsequently made under the Local Government Finance Act 1988.  (l) To select and contract with third party agencies and suppliers as required in the administration of Non Domestic Rates. | Local Government Finance Act  1988 – Sections  47 and 48  Local Government Finance Act  1988 – Section  49 | Executive | Corporate Director, Finance and Resources |
| 50. | Financial Services  To provide financial services, either on an agency basis or where required by statute for other authorities or bodies. | -- | Executive | Corporate Director, Finance and Resources |
| 51. | Loans to Housing Associations – interest rates  To determine and declare local average rates in accordance with legislation and the interest rate for loans to housing associations. | -- | Executive | Corporate Director, Finance and Resources |
| 52. | Sign certificates under Local Government (Contracts)  Act 1997  To sign certificates under the Local Government  (Contracts) Act 1997. | Local  Government  (Contracts) Act  1997 | Executive | Corporate Director, Finance and Resources |
| 53. | Nominated Officer – Proceeds of Crime Act 2002  To be the officer nominated, or to nominate in writing another officer, as the person to receive disclosures of suspicious transactions for the purposes of the Proceeds of Crime Act 2002 and any regulations made thereunder. | -- | Executive | Corporate Director, Finance and Resources |
| 54. | Receipt of Cash by Council – Maximum amount  To determine an amount (not exceeding the sterling equivalent of 15,000 euros) being the maximum sum which the Council will receive in cash without the express written consent of the Corporate Director for Stratey and Resources. | -- | Executive | Corporate Director, Finance and Resources |
| 55. | VAT status on land and property transactions  Where appropriate, to elect for VAT status on particular land and property. | -- | Executive | Corporate Director, Finance and Resources |
| 56. | Conditions of Service and Pay Awards  Implement and adopt nationally negotiated decisions  on conditions of service and pay awards. | -- | Non-Executive | Corporate Director, Finance and Resources |
| 57. | Outside bodies – Company and Creditors Meetings  To authorise persons to act for the Council at Company and creditors meetings. | -- | Executive | Corporate Director, Finance and Resources |
| 58. (a) | Legal – General  The provision of legal advice to the authority (including all meetings, decision makers, Members and officers of the authority), the instruction of solicitors and counsel, the approval of contract terms, the conveyancing of land and property and the formal certifying of documents on behalf of the authority. | -- | Can be either  depending on the circumstances | Director for Legal and  Governance and Head of Legal |
| 58( b) | Designated Persons - Regulation of Investigatory Powers  To appoint officers of an appropriate description as defined in Chapter 2 of the Regulation of Investigatory Powers Act 2000 and part 2 of the Regulation of Investigatory Powers (Communication Data) Order  2010 who may authorise and acquire communication data, those persons to include the following officers:  • Director of Legal and Governance  • Director Community Protection  • Deputy Director of Community Protection  • Head of Environmental Services and Trading  Standards | Sections 21,22  and 25  Regulation of Investigatory Powers Act  2000 and part 2  Regulation of Investigatory Powers ( Communication Data) Order  2012 | Executive | Director for Legal and  Governance |
| 59. | Legal Services – Sealing of Documents  To authorise the sealing or signature of any Order, Deed, notice, undertaking, contract or any other document when this is necessary to give effect to the substance of a decision of the Executive Board, an Executive Member, the Council (or any of its committees) or of an officer acting under delegated powers, or otherwise to protect the authority’s position. | -- | Can be either  depending on the circumstances | Director for Legal and  Governance and Head of  Legal |
| 60. | Legal Services - Authorisation to institute or defend the  authority in legal proceedings  To:  (i) (subject to being satisfied as to the evidence available) authorise, institute or defend on behalf of the authority any legal proceedings (under any legislation or at common law);  (ii) appear on behalf of the authority in proceedings before any Courts, Tribunals or other legal forums;  (iii) take all necessary action in connection with such proceedings (including as to settlement of actual or threatened litigation on the best terms available where this is in his/ her opinion appropriate);  (iv) make all appropriate applications and take all reasonable steps in relation to ancillary matters and the enforcement of judgements (e.g. as to costs, forfeiture, proceeds of crime, anti-social behaviour orders, levying distress etc);  (v) authorise council officers to appear in court where they do not otherwise have legal rights of audience;  (vi) instruct Counsel, professional advisers and experts where appropriate;  (vii) accept on behalf of the Council the service of  notices, orders and legal procedures. | -- | Can be either  depending on the circumstances | Director for Legal and  Governance and Head of Legal |
| 61. | Legal Services – Instructions to Counsel/ professional  advisers  To instruct Counsel and professional advisers, where appropriate. | -- | Can be either  depending on the circumstances | Director for Legal and  Governance |
| 62. | Legal Services – Procedural arrangements for issue of  decisions  (1) To determine procedural arrangements for the issue of all consents, refusals, decisions and notices on behalf of the Council under statutory powers.  (2) In conjunction with the Corporate Director for Development and Growth or Director of Planning, to determine applications for Certificates of Lawfulness of Existing and Proposed Use and to issue or refuse such Certificates. | -- | Can be either  depending on the circumstances | Director for Legal and  Governance |
| 63. | Democratic Services – School Exclusion appeals  Make arrangements for appeals against exclusion of pupils. | -- | Non-Executive | Director for Legal and  Governance |
| 64. | Democratic Services – School Admission Appeals  Make arrangements for school admission appeals. | -- | Non-Executive | Director for Legal and  Governance |
| 65. | Democratic Services - Petitions Administration  To arrange for the discharge of the Council’s functions relating to petitions. | Local Democracy, Economic Development and Construction Act  2009 – Sections  10 to 22 | Executive | Director for Legal and  Governance |
| 66. | Legal Services – Appeals by governing bodies  Make arrangements for appeals by governing bodies. | -- | Non-Executive | Director for Legal and  Governance |
| 67. | Registrars – Approval of Premises  Approve premises for the solemnisation of marriages and civil partnerships. | -- | Non-Executive | Corporate Director, Finance and Resources  Director of Customer Services |
| 68. | Enforcement order – Common Land  Power to apply for an enforcement order against unlawful works on common land. | Commons Act  2006 – Section  41 | Non-Executive | Director for Legal and  Governance |
| 69. | Common Land – Unlawful Interference  Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference. | Commons Act  2006 – Section  45(2) | Non-Executive | Director for Legal and  Governance |
| 70. | Applications for registration of town of village greens Power to determine whether any current or future applications for registration of town or village greens are duly made. | Commons  Registration Act  1965 and  Commons Act  2006 | Non-Executive | Director for Legal and  Governance |
| 71. | Applications for registration of town of village greens –  appointment of independent expert  Power in relation to any application for registration of land as a town or village green determined to be duly made, to appoint an independent expert to consider the application and either:  (a) in the event that no objections to the application are received, to instruct the independent expert to make recommendations regarding the determination of the application, such recommendations to be submitted to the Planning Committee for consideration;  or  (b) if objections to the application are received, to appoint the independent expert to:  (i) hold a non-statutory local inquiry; or  (ii) if all objectors agree, consider written representations; and  (iii) in each case, to make recommendations to the Planning Committee regarding the determination of the application. |  | Non-Executive | Director for Legal and  Governance |
| 72. | Local Land Charges  To arrange for the discharge of the Council’s functions relating to Local Land Charges. | -- | Executive | Director for Legal and  Governance |
| 73. | Access Land  Without prejudice to the generality of number 59 above delegations:  (i) To prosecute any person who places or maintains a notice deterring public use of access land;  (ii) to enter into an agreement re access land with an owner/occupier and to serve notice to do works in default of compliance with such agreement;  (iii) to serve notice re: access land in the absence of agreement with the owner/occupier and to do works in default;  (iv) to defend appeals against notices served under sections 36 (3) and 37 (1) of the above legislation. | Countryside and  Rights of Way Act 2000 provisions as follows:  Section 14(1),  Sections 35 and  36  Section 37  Section 38 | Executive | Director for Legal and  Governance |
| 74. | Undertakings  To give undertakings on behalf of the Council. | -- | Executive | Director for Legal and  Governance and Head of Legal |
| 75. | Authorisation of Officers to conduct actions – recovery  of houses/rent etc  To authorise officers of the Council to conduct actions on behalf of the Council in the County Court in respect of:  (i) the recovery of possession of houses and other property belonging to the Council;  (ii) the recovery of any rent, mesne profits, damages or other sum claimed by the Council in respect of the occupation by any person of such a house. | County Courts  Act 1984 – Section 60 | Executive | Director for Legal and  Governance |
| 76. | Freedom of Information – determination of exemptions  To determine exemptions. | Freedom of  Information Act – Section 36 | Executive | Director for Legal and  Governance. |
| 77. | Amendments to Constitution  Power to make amendments to the Constitution which are required to comply with the law, or decisions that only have to be noted by Council (eg Executive changes made by the Leader) (any such amendments to be reported to Council in the next scheduled constitutional update report), or to reflect decisions of Council. All other changes to the Constitution require the specific approval of full Council. |  | Non-Executive | Director for Legal and  Governance |
| 77(a) | Council Tax Support Scheme Consultation  1. To determine the consultation timetable and arrangements and to produce and publish a draft local Council Tax Support scheme annually (or  as appropriate) subject to consultation with the relevant Portfolio Holder and the Leader of the Council;  2. To consult any major precepting authority in relation to the proposed scheme and to amend the draft scheme to take account of matters arising from consultation with those authorities, as the Corporate Director for Finance and Resources and Chief Finance Officer: considers appropriate;  3. To consult such other persons as the Corporate Director for Finance and Resources and Chief Finance Officer: considers are likely to have an interest in the operation of the scheme. | -- | Executive | Corporate Director, Finance and Resources |
| 78. | Crime and Disorder Strategy - Implementation  To implement the Crime and Disorder Strategy and to discharge or arrange for the discharge of the Council’s functions in relation to the reduction of crime and disorder and antisocial behaviour. | Crime and  Disorder Act  1998 (as amended) | Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities |
| 79. | Parenting Contracts  Discharge the functions of the Council in relation to Parenting Contracts (under the Anti-Social Behaviour Act 2003) and Parenting Orders (including making applications for parenting orders whether within existing proceedings or freestanding under the Crime and Disorder Act 1998 or the Anti-Social Behaviour Act  2003). | Anti-Social  Behaviour Act  2003 (as amended) | Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities |
| 80. | Anti-social Behaviour Orders  Discharge the functions of the Council in relation to Anti-Social Behaviour Orders (including making applications for Anti-Social Behaviour Orders whether on conviction in criminal proceedings (following sentence) or freestanding under the Crime and Disorder Act 1998) | Crime and  Disorder Act  1998 | Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities  Director of Legal and Governance  Head of Legal |
| 81. | Child Curfew Schemes  Discharge (in consultation with the Corporate Director for Children and Adults) the functions of the Council in relation to local child curfew schemes under Section 14 of the Crime and Disorder Act 1998 and in relation to  the local provision of youth justice services under  Section 38 of the Crime and Disorder Act 1998. | Crime and  Disorder Act – Section 14 and Section 38 | Executive | Corporate Director Communities, Environment and Resident Services  Corporate Director People  Director of Communities |
| 82. | Waste Disposal Plans  To liaise with the Chief Executive, the Waste Disposal Authority and other local authorities in the preparation and revision by the Waste Disposal Authority of waste disposal plans. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 82(a) | Ward Level Decision Making   1. Approval of Spend under the Area Capital Fund   Delegated to the Portfolio Holder responsible for Neighbourhoods, Corporate Director for Resident Services, Director of Community Protection and Head of Community Partnerships in line with the standard financial thresholds for delegations. Resident Development Officer have the authority to approve spend with a value of up to £1500. Approvals should be based upon recommendations from the relevant Ward Councillors.   1. Approval of various matters in local areas   Approval the following is delegated to the Portfolio Holder responsible for Neighbourhoods, Corporate Director for Resident Services, Director of Community Protection and Head of Community Partnerships in line with the standard financial thresholds for delegations. Resident Development Officer have the authority to approve spend with a value of up to £1500. Approvals should be based upon recommendations from the relevant Ward Councillors.   1. housing environmental improvements; 2. highway environmental improvements of a local nature; 3. minor traffic schemes, diversions and closures under highways and road traffic legislation, of a local nature; 4. applications for footpath closures on grounds of amenity or development; 5. requests for the variation or revocation of gating orders; 6. Consultation on the following services   Decisions relating to:   1. strategic planning applications; 2. schools re-organisation; 3. detailed proposals for landscaping, open space provisions, park equipment provision, affordable housing and other local enhancements relating to agreements under section 278 of the Highways Act 1980 or funded by obligations under section 106 of the Town and Country Planning Act 1990 unless there is a specific detailed allocation provided for by the terms of the agreement itself. 4. The development of housing policies and strategies.   are only to be taken following consultation with the relevant Ward Councillors.   1. Appointments to Outside Bodies   Appoints previously made by Area Committees will be made by Executive Board when required.   1. Ward Budgets   All spending decisions on Ward Budgets to be reported quarterly on the Council’s website. Where Officers are unable to take a decision it will be taken by the Portfolio Holder with responsibility for Neighbourhoods, in consultation with the relevant Ward Councillors. | -- | Executive | Portfolio Holder responsible for Neighbourhoods, Corporate Director Communities, Environment and Resident Services  Director of Resident Services.  Resident Development Officers have the authority to approve spend with a value of up to £1500.  Approvals should be based upon recommendations from the relevant Ward Councillors. |
| 83. | Markets  (i) To discharge the functions of the Council relating to markets and fairs  (ii) Without prejudice to the generality of discharging the functions of the Council relating to markets, to determine the following matters:  • allocation, letting or revocation of stalls and premises to traders;  • applications for occupants of markets to install equipment in connections with their business;  • routine assignment of tenancies;  • minor variations in type of business and change of names;  • charity collections in markets;  • applications for licences for privately operated specialist markets and the level of licence fees;  • applications for licences for charity car boot sales. | -- | Executive | Corporate Director Communities, Environment and Resident Services  Head of Communities |
| 84. | Market Trader Licence Appeals  To determine appeals by market traders where the trader’s licence has been revoked under the Council’s non-statutory appeal procedure. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 85. | War memorials and public statues  To maintain war memorials and public statues. | War Memorials  (Local Authorities Powers) Act  1923 | Can be either  depending on the circumstances | Corporate Director Communities, Environment and Resident Services |
| 86. | Issue, amend or replace Safety Certificates (whether  general or special) for sports grounds  Power to issue, amend or replace safety certificates  (whether general or special) for sports grounds. | Safety of Sports  Grounds Act  1975 | Non-Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities  Head of Environmental Health and Public Protection  Food and Health and  Safety Manager |
| 87. | Safety Certificates – regulated stands  Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part 3 of the Fire and Safety of Places of Sport act 1987. | -- | Non-Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities  Head of Environmental Health and Public Protection  Food and Health and  Safety Manager |
| 88. | Fire Safety  To administer and enforce the requirements in accordance with Articles 25 (d) (i) and (ii) of the Regulatory Reform (Fire Safety) Order 2005 at designated sports grounds requiring a general safety certificate, under section 1(1) of the Safety at Sports Grounds Act 1975 and Regulated Stands within the meaning of section 26(5) of the Fire Safety and Safety of Places of Sports act 1987. | -- | Non-Executive | Corporate Director Communities, Environment and Resident Services  Director of Communities  Head of Environmental Health and Public Protection  Food and Health and  Safety Manager |
| 89. | Licensing Functions  (i) For those licensing and registration functions set out in Schedule 1 of the Functions Regulations and within the remit of the Regulatory and Appeals Committee to:  • grant, refuse, renew, refuse to renew, transfer, authorise, vary, review, suspend, revoke and cancel licences/ permits/ registrations and approvals;  • determine, impose, periodically review and revise, application procedures, conditions, byelaws, regulations, specifications, standards and similar policy guidelines associated with the above;  • review and revise fees and charges associated with the above.  (ii) For those Functions that are within the remit of the Licensing Committee to:  • determine and deal with applications, permits, registrations, and notices other than those matters which are required to be referred to the Licensing Committee or a Licensing Panel by operation of Article 9 of the Constitution or law;  • to serve and receive notices, counter notices, notifications, etc;  • determine points of clarification required for hearings and whether representations are frivolous, vexatious, not relevant, etc;  • reject applications/representations in accordance with the governing legislations;  • agree that a hearing is unnecessary;  • adjourn hearings where all parties are in agreement;  • extend time limits;  • exercise the role of the Licensing Authority as a Responsible Authority (including proposals to attach conditions and exclude default conditions).  (iii) To:  • grant, refuse, renew, refuse to renew, vary, review, and revoke licences;  • determine, impose, periodically review and revise application procedures, standards and similar policy guidelines associated with the above;  • review and revise fees and charges associated with the above;  • hear oral representations from applicants whose application it is proposed to refuse or revoke.  (iv) To keep and maintain any public registers associated with the above.  (v) To give effect to the decision of the Court on an appeal. | --  Scrap Metal  Dealers Act  2013 | Non-executive  Executive  Can be either depending on the circumstances | Corporate Director Communities, Environment and Resident Services  Director of Communities  Head of Environmental Health and Public Protection  Licensing  Officer/Manager  NB  The power to grant, refuse, renew, refuse to renew, transfer, authorise, vary, review, suspend, revoke and cancel licences/  permits/registrations/ and approvals which are within the remit of the Regulatory and Appeals Committee is also delegated to the Senior Licensing Officers.  The power to exercise the role of the Licensing Authority as a Responsible Authority (including proposals to attach conditions and exclude default  conditions) is not exercisable by the Licensing Officer/Manager  The Power to grant, refuse, renew, refuse to renew, vary, review, and revoke licences under the Scrap Metal Dealers Act 2013 is also delegated to the Senior Licensing Officers but only the  • Director for Community Protection  • Head of Regulations  • Licensing Officer/Manager  are appointed to hear oral representations. |
| 90. | Burials  To arrange and undertake public and private burials and associated activities under the Local Government Act 1972 and Local Authorities’ Cemeteries Order 1977 (as amended). | Local  Government Act  1972 and Local Authorities’ Cemeteries Order 1977 (as amended) | Executive | Corporate Director Communities, Environment and Resident Services |
| 91. | Burials and Crematoria  To exercise the functions of the Council as Burial Authority, manage the Council’s cemeteries and crematoria, issue deeds of grant of right of burial and exercise the Council’s powers in respect of closed or disused church yards and burial grounds. |  | Executive | Corporate Director Communities, Environment and Resident Services |
| 92. | Cremations  To arrange and undertake cremations and associated activities under the Regulations as to Cremations 1930(as amended) and the Environmental Protection Act 1990. | Regulations as  to Cremations  1930 (as amended) and  the Environmental Protection Act  1990 | Executive | Corporate Director Communities, Environment and Resident Services |
| 93. | Municipal Funeral Service  To arrange for the provision of a municipal funeral service under the Local Government Act 1972. | Local  Government Act  1972 | Executive | Corporate Director Communities, Environment and Resident Services |
| 94. | Maintenance and repair of Vehicles  To arrange for the maintenance and repair of Council owned and operated vehicles and to be responsible for the testing of Hackney Carriages and Private Hire vehicles, and the M.O.T testing of motor vehicles. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 95. | Management of Council Vehicles  To arrange for the management of the Council’s vehicle fleet including the disposal of surplus vehicles. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 96. | Abandoned Vehicles  To deal with abandoned vehicles and vehicles causing a nuisance and to take whatever action is required, including authorisation of entry into land and premises. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 97. | Public Conveniences  To be responsible for the provision of public conveniences. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 98. | Street Scene Maintenance (1)  To discharge the functions of the Council relating to  grounds maintenance, street cleansing, arboriculture services and the removal of graffiti, etc. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 99. | Street Scene Maintenance (2)  To arrange for sweeping of highways, streets and passages, the removal of fallen leaves, the removal of litter from landscaped areas, and the emptying of litter bins. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 100. | Grounds Maintenance  To be responsible for grounds maintenance functions  (excluding schools, parks and gardens). | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 101. | Concessionary use of facilities  To determine applications for the concessionary use of parks, open space and public realm | -- | Executive | Corporate Director Communities, Environment and Resident Services  Head of Public Realm |
| 101a. | Concessionary use of facilities  To determine concessionary use of sport and leisure facilities and activities | - | Executive | Corporate Director Communities, Environment and Resident Services  Head of Sport and Leisure |
| 102. | Concessions for Council commissioned events  To determine applications for the letting of individual concessions and attractions for events.  To agree a schedule of pricing or tender process for concessions at Council commissioned events and relevant fees and charges for services delivered. | - | Executive | Corporate Director Communities, Environment and Resident Services  Director of Sports, Culture and Tourism  Head of Tourism and Events |
| 103. | Use of Council land to hold events  To determine third party applications for hosting events and attractions on Council land.  To agree a schedule of pricing for the licensing of Council land for events and relevant fees and charges for services delivered by the Council. | -- | Executive | Corporate Director Communities, Environment and Resident Services  Head of Tourism and Events |
| 103a. | To determine whether any event (Council commissioned, Council contracted, commercial or community led) should proceed on Council land in the event of:   1. exceeding a capacity of 15,000 people (or a cumulative attendance for free to access events of 50,000 2. a SAGe member raising an objection to an event taking place that cannot be resolved as a part of the major event planning process via the Safety Advisory Group for Events (SAGe) | - | Executive | Corporate Director Communities, Environment and Resident Services |
| 104. | Entertainment and content programming  To programme and contract entertainment, attractions and other content as required at Council commissioned events | -- | Executive | Corporate Director Communities, Environment and Resident Services  Head of Tourism and Events |
| 105. | Council commissioned events  To approve a programme of Council commissioned events in accordance with approved budgets.  Events staged under contract issued by the Council over £25,000 in value  To approve the letting of contracts in accordance with financial regulations and contract procedure rules to deliver events on behalf of the Council | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| ~~106.~~ |  |  |  |  |
| 107. | Tariffs and Charges – Leisure Facilities  To set tariffs and charges for the use of Council controlled leisure facilities. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 108. | Parking places in parks, etc  Provision of parking places in parks, etc. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 109. | Vehicles in parks, etc  Provision of vehicles in parks, etc. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 110. | Provision of recreational facilities | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 111. | Complimentary Tickets for events, promotions and competitions  Complimentary tickets to be issued in accordance with the complimentary tickets principle and guidance to ensure that transparency, fairness and record keeping | -- | Executive | Corporate Director Communities, Environment and Resident Services  Director of Sport, Culture  And Tourism |
| 112. | Nottingham Theatre Royal and Concert Hall – booking  performances  To enter into negotiations and contractual agreements with promoters, producers, agents and artist(s) in order to book performances for the Theatre Royal and Royal Concert Hall Nottingham, or other performances to be delivered at venues elsewhere within Nottinghamshire, including agreement of ticket pricing, subject to a maximum of £749,000 per week per engagement contract. | - | Executive | Corporate Director Communities, Environment and Resident Services  Venue Director Theatre Royal and Royal Concert Hall |
| 112a. | Museum and Libraries – booking events  To enter into negotiation and contractual agreement with promoters and exhibition providers for events to be delivered at museum and library facilities, including agreement of ticket pricing, subject to a maximum of £149,000 per engagement contract. |  | Executive | Corporate Director Communities, Environment and Resident Services  Head of Culture and Libraries |
| ~~113.~~ | Deleted |  |  |  |
| 113a. | Nottingham Theatre Royal and Concert Hall –  Marketing Brochure  To undertake marketing activity including for and on behalf of visiting promoters and producers for the programme at the Theatre Royal and Royal Concert Hall up to a spend of £700,000 per financial year | -- | Executive | Corporate Director Communities, Environment and Resident Services  Venue Director Theatre Royal and Concert Hall |
| 114. | Selection of Books in Libraries  To authorise the selection of books and other materials in accordance with the City Council’s policies. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 115. | Libraries – refusal of borrowing rights  To bar persons from library premises and/or refuse persons borrowing rights in accordance with the byelaws and regulations approved by the City Council. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 116. | Library Collections – loan arrangements  Authority to make loan arrangements for items in the library collections. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 117. | Reproduction of items in the library  To grant permission to reproduce items in the library collections. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 118. | Private Room hire of Council premises  To hire out rooms in departmental premises to suitable external organisations and individuals and power to charge, when deemed appropriate, a fee for such service. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 119. | Grant/sponsorship applications  To apply for grants to support and fund the work of the Department. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 119a. | Grant/ sponsorship applications  To source and accept sponsorship and gifts (in kind support) to support the programme of events and facilities at Theatre Royal and Concert Hall and across Sport and Leisure Services ensuring that corporate values and priorities are reflected | - | Executive | Corporate Director Communities, Environment and Resident Services |
| 120. | Gifts from benefactors  To accept gifts from benefactors to the Council. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 121. | Offer of accommodation to suitable bodies  To offer accommodation in departmental premises, including free use, to suitable organisations and bodies e.g. societies of educational or cultural nature. | -- | Executive | Corporate Director Communities, Environment and Resident Services |
| 122. | ~~Removal of things so deposited on highways as to be a~~  ~~nuisance~~  ~~Powers relating to the removal of things so deposited~~ ~~on highways as to be a nuisance.~~  These are now covered in delegation number 155 | ~~Highways Act~~  ~~1980 – Section~~  ~~149~~ | ~~Non-Executive~~ | ~~Corporate Director for~~  ~~Community Services~~ |
| 123. | Deposit of builders’ skips on the highway  Power to permit deposit of builders’ skips on the highway. | Highways Act  1980 – Section  139 | Non-Executive | Corporate Director, Growth and City Development |
| 124. | Control scaffolding or other structures which obstruct the highway  Power to control scaffolding or other structures which obstruct the highway. | Highways Act  1980 – Section  169 | Non-Executive | Corporate Director, Growth and City Development |
| 125. | Dispense with obligation to erect hoarding or fence  Power to dispense with obligation to erect hoarding or fence. | Highways Act  1980 – Section  172 | Non-Executive | Corporate Director, Growth and City Development |
| 126. | Workplace Parking Levy – administration and  enforcement  To administer the City Council’s Workplace Parking Levy Scheme and to take necessary compliance and enforcement action in relation to the Scheme. | The City of Nottingham  Workplace Parking Levy Order 2008  The Workplace Parking Levy (England) Regulations  2009 | Executive | Corporate Director Communities, Environment and Resident Services  Director of  Resident Services |
| 127. | Community Protection – Various Environmental  Protection delegations  The power to exercise the Public and Community Protection functions within the remit of the Corporate Director for Commercial and Opertaions, including:-  • Environmental Health  • Trading Standards  • Food Safety and Standards  • Health and Safety enforcement  • Noise and Pollution Control  • Statutory Nuisance  • Public Health  • Tobacco Control and Strategy  • Student Strategy  • Safer Housing (including but not limited to Houses in Multiple Occupation and Selective Licensing)  • Housing strategy  • Infectious disease control  • Dog and pest control  • Licensing Registration and Permits  • Parking enforcement  • CCTV  • Licensing permits and regulation  • Prevention of terrorism  • Community safety  • Abandoned and untaxed vehicles  • Enviro-crime, crime and anti-social behaviour (including litter, high hedges, graffiti and relevant functions of the Council as Local Planning Authority such as enforcement powers relating to the amenity of land, advertisement control etc).  The delegations granted are of the complete functions within their remit including the exercise of all relevant duties and powers under any legislation or at Common Law. This includes the power to do anything which is calculated to facilitate, or is conducive, or incidental to the discharge of those functions including those things cited by way of example in delegation 1 above. | Various | Executive or non-  executive depending on the circumstances | Corporate Director Communities, Environment and Resident Services  Director of Communities |
| 127 (a) | Public Spaces Protection Orders (PSPOs)  To commence consultation on (which includes the necessary publicity and necessary notification) and approve the making, variation, extension or discharge of Public Spaces Protection Orders in the following circumstances:   * Where a proposed PSPO (or proposed variation, extension or discharge of a PSPO), in the opinion of the relevant Director, is significant or likely to be politically sensitive or contentious, the relevant Portfolio Holder is responsible for commencing the consultation process via a Portfolio Holder Decision.   Executive Board is responsible for deciding whether to approve the making, variation, extension or discharge of the order following the consultation.   * Where a proposed PSPO or proposed variation, extension or discharge of a PSPO impacts on the City Centre (ie crosses several ward areas), and therefore impacts on those working in or visiting the city centre as well as residents (and is not deemed by the relevant Director to be politically contentious or sensitive), the Director of Community Protection is responsible for commencing the consultation process.   The relevant Portfolio Holder is responsible for deciding whether to approve the making, variation, extension or discharge of the order following consultation.   * In relation to PSPOs that impact upon only one ward and following consultation (commenced by the Director of Community Protection), the decision whether to approve the making, variation, extension or discharge of the order is delegated to the Portfolio Holder responsible for Neighbourhoods, in consultation with the relevant Ward Councillors. | Anti-social Behaviour, Crime and Policing Act 2014 –Part 4, Chapter 2 | Executive | Relevant Portfolio Holder  Executive Board  Director of Communities  Relevant Portfolio Holder  Director of Communities |
| 128. | Traffic Regulation Orders - determination  To consider and determine objections and representations in respect of proposed traffic regulation orders, speed limits, on street parking places orders and traffic calming measures, and disposal or appropriation of open spaces. | -- | Executive | Corporate Director, Growth and City Development |
| 129. | Traffic Regulation Orders  To approve the making of permanent and experimental traffic regulation orders, speed limits and on and off street parking places orders and their implementation including associated engineering measures. | Road Traffic  Regulation Act  1984 Sections 1, 9, 32, 45 & 84 | Executive | Corporate Director, Growth and City Development |
| 130. | Temporary Traffic Regulation Orders and Notices  To make temporary traffic regulation orders and issue temporary notices under the Road Traffic Regulation Act 1984 and to make Orders under the Town Police Clauses Act 1847 and to carry out associated works. | Road Traffic  Regulation Act  1984 – Section  14, 16 | Executive | Corporate Director, Growth and City Development |
| 131. | Traffic Regulation Orders - Advertisements  To commence consultation (including the necessary publicity and advertisement), on permanent and experimental Traffic Regulation Orders, speed limits and on and off-street parking places orders. | -- | Executive | Corporate Director, Growth and City Development |
| 132. | Traffic Calming schemes  To approve the construction of road humps and other traffic calming measures. | Highways Act  1980 – Sections  90A and 90G | Executive | Corporate Director, Growth and City Development |
| 133. | Traffic Management – Network Management  To exercise the Council’s network management responsibility. | Traffic  Management  Act 2004 Part 2 | Executive | Corporate Director, Growth and City Development |
| 134. | Pedestrian Crossings  To make arrangements for the establishment, alteration and removal of pedestrian crossing facilities. | Highways Act  1980 – Section  23 | Executive | Corporate Director, Growth and City Development |
| 135. | School Crossing Patrols  To make arrangements for the provision of school crossing patrols. | Road Traffic  Regulation Act  1984 – Section  26 | Executive | Corporate Director, Growth and City Development  Director of Communities |
| 136. | Road Safety Schemes  To undertake schemes to improve road safety and pedestrian and cycling facilities. | -- | Executive | Corporate Director, Growth and City Development |
| 137. | Register Common Land  Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to an exchange of lands affected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981, or an order under section 147 of the Inclosure Act 1845. | Acquisition of  Land Act 1981, Schedule 3 section 19(3) or paragraph 6(4) or Inclosure Act  1845 section  147 | Non-Executive | Corporate Director, Growth and City Development |
| 138. | Register variation of rights of common  Power to register variation of rights of common. | -- | Non-Executive | Corporate Director, Growth and City Development |
| 139. | Discharge of functions associated with common land  To discharge the Council’s functions relating to the registration of common land and town or village greens pursuant to Part 1 of the Commons Act 2006 and the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations. | Commons Act  2006 – Part 1 | Non-Executive | Corporate Director, Growth and City Development |
| 140. | Access land or land proposed to be access land  To exercise the power conferred on land owners or persons having an interest in access land or land proposed to be access land. | Countryside and  Rights of Way  Act 2000 | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 141. | Highways – dedication of Council owned land  Dedicate where appropriate Council owned land as a highway. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 142. | Highways – execution of works  Making agreements for the execution of works under  Section 278 of the Highways Act 1980. | Highways Act  1980 – Section  278 | Non – Executive | Corporate Director, Growth and City Development |
| 143. | Highways – Applications  Power to decline to determine certain applications. | Highways Act  1980 – Section  121C | Non – Executive | Corporate Director, Growth and City Development |
| 144. | Highway Improvement Schemes  To approve the construction, alteration and removal of highway improvement schemes. | -- | Executive | Corporate Director, Growth and City Development |
| 145. | Highways – Dedication of Land  To accept the dedication of land as highways (including for highway widening) and to adopt highways and to approve the entering into of agreements for these purposes. | Highways Act  1980 section 38 | Executive | Corporate Director, Growth and City Development |
| 146. | Highways – Stop up or Diversion Orders  To approve the making of applications to the magistrates court for orders to stop up or divert highways. | Highways Act  1980 – Section  116 | Executive | Corporate Director, Growth and City Development |
| 147. | Highways – Provision of Road and Directional signage To make arrangements for the provision of and authorise the provision of road and directional signing (except temporary direction signing). | -- | Executive | Corporate Director, Growth and City Development |
| 148. | Highways - Traffic Regulation Conditions  To make applications to the Traffic Commissioner for the imposition of traffic regulation conditions in respect of local services. | Transport Act  1985 Section 7 | Executive | Corporate Director, Growth and City Development |
| 149. | Highways/Traffic implications of planning proposals  To respond to consultation on the highways/traffic  implications of planning applications. | -- | Executive | Corporate Director, Growth and City Development |
| 150. | Amendments to highways/traffic related proposals  To make minor amendments to the details of approved highways or traffic related proposals. | -- | Executive | Corporate Director, Growth and City Development |
| 151. | Parking - highways  To provide and maintain parking spaces on the highway and regulate parking on grass verges, central reservations and footways. | -- | Executive | Corporate Director, Growth and City Development |
| 152. | Maintenance of Highways  To maintain and repair highways within approved revenue budgets (with the exception of highway bridges and other structures). | -- | Executive | Corporate Director, Growth and City Development |
| 153. | Highways – Control of Works  To be responsible for the control of work and the placing of items in, over, under, on or adjacent to highways and streets including the taking of enforcement action. | -- | Executive | Corporate Director, Growth and City Development |
| 154. | Rights of the public to the use and enjoyment of highways  Duty to assert and protect the rights of the public to the use and enjoyment of highways. | Highways Act  1980 – Section  130 | Non-Executive | Corporate Director, Growth and City Development |
| 155. | Action in relation to obstructions and other items on the  highway  Power to take action in relation to obstructions,  structures, things deposited and booths placed on or  over the highway. | Highways Act  1980 - Section  130A, 137, 137ZA, 138, 143,  148, 149, 151  154, 155, 161, 162, 163, 164, 165 | Non-Executive | Corporate Director, Growth and City Development  Corporate Director Communities, Environment and Resident Services  Director of Communities |
| 156. | Confirmation of orders  Power to confirm unopposed orders and to take all necessary steps (including submission to the Secretary of State) to obtain confirmation of orders, where such orders have been made pursuant to a delegation under this Scheme of Delegation | Highways Act 1980  Acquisition of Land Act 1981  Wildlife and Countryside Act 1981  Cycle Tracks Act 1984  Town and Country Planning Act 1990 | Non-Executive | Corporate Director, Growth and City Development |
| 157. | License of planting, retention and maintenance of trees,  etc in part of the highway  Power to license planting, retention and maintenance of trees etc in part of the highway. | Highways Act  1980 – Section  142 | Non-Executive | Corporate Director, Growth and City Development |
| 158. | Provision, etc of services, amenities, recreations and  refreshment facilities on highways  Power to grant permission for provision etc. of services, amenities, recreations and refreshment facilities on highways and power to enforce failure to comply with the terms of such permissions | Highways Act  1980 – Section  115E | Non-Executive | Corporate Director, Growth and City Development  Corporate Director Communities, Environment and Resident Services  Director of Communities |
| 159. | Orders to stop up and divert highways  To make applications to the Secretary of State for orders to stop up and divert highways and to respond to consultations as highway authority on applications made by others to the Secretary of State | Town and  Country  Planning Act  1990 – Section  247 | Executive | Corporate Director, Growth and City Development  Director of Planning and Transport |
| 160. | Rights of Way – extinguishment  (a) Power to extinguish certain public rights of way  (b) Power to extinguish public right of way on land acquired for clearance | Acquisition of  Land Act 1981 – Section 32  Housing Act  1985 – Section  294 | Non – Executive | Corporate Director, Growth and City Development |
| 161. | Rights of Way – cycle tracks  Power to designate footpath as cycle track and to carry out works to give effect to the designation order. | Cycle Tracks  Act 1984 – Section 3 | Non – Executive | Corporate Director, Growth and City Development |
| 162. | Rights of Way Network  To manage the Council’s rights of way network including the exercise of the Council’s functions in respect of such matters. | -- | Executive | Corporate Director, Growth and City Development |
| 163. | Temporary disturbance of surface of footpath,  bridleway or restricted byway  Power to authorise temporary disturbance of surface of footpath bridleway or restricted byway. | Highways Act  1980 – Section  135 | Non-Executive | Corporate Director, Growth and City Development |
| 164. | Erection of stiles, etc on footpaths and bridleways  Power to authorise the erection of stiles etc on footpaths and bridleways. | Highways Act  1980 – Section  147 | Non-Executive | Corporate Director, Growth and City Development |
| 165. | Create footpaths, bridleways and restricted byways by  agreement  Power to create footpaths bridleways and restricted  byways by agreement. | Highways Act  1980 – Section  25 | Non-Executive | Corporate Director, Growth and City Development |
| 166. | Create footpaths, bridleways and restricted byways by  order  Power to create footpaths bridleways and restricted byways by order. | Highways Act  1980 – Section  26 | Non-Executive | Corporate Director, Growth and City Development |
| 167. | Construction of cellars, etc under street  Power to consent to construction of cellars etc under street. | Highways Act  1980 – Section  179 | Non-Executive | Corporate Director, Growth and City Development |
| 168. | Making of opening into cellars, etc under streets,  pavements lights, ventilators  Power to consent to the making of openings into cellars etc. under streets, pavement lights, ventilators. | Highways Act  1980 – Section  180 | Non-Executive | Corporate Director, Growth and City Development |
| 169. | Register of information with respect to maps and  statements deposited and declarations lodged in accordance with Section 31(6)Highways Act 1980  Duty to keep register of information with respect to maps and statements deposited and declarations lodged in accordance with Section 31(6) Highways Act  1980. | Highways Act  1980 – Section  31A | Non-Executive | Corporate Director, Growth and City Development |
| 170. | Public path extinguishment orders  Power to stop up footpaths bridleways and restricted byways. | Highways Act  1980 – Section  118 | Non-Executive | Corporate Director, Growth and City Development |
| 171. | Rail crossing extinguishment orders  Power to make rail crossing extinguishment orders. | Highways Act  1980 – Section  118A | Non-Executive | Corporate Director, Growth and City Development |
| 172. | Special extinguishment orders  Power to make special extinguishment orders. | Highways Act  1980 – Section  118B | Non-Executive | Corporate Director, Growth and City Development |
| 173. | Public path diversion orders  Power to divert footpaths bridleways and restricted byways. | Highways Act  1980 – Section  119 | Non-Executive | Corporate Director, Growth and City Development |
| 174. | Rail crossing diversion orders  Power to make rail crossing diversion orders. | Highways Act  1980 – Section  119A | Non-Executive | Corporate Director, Growth and City Development |
| 175. | Special diversion orders  Power to make special diversion orders. | Highways Act  1980 – Section  119B | Non-Executive | Corporate Director, Growth and City Development |
| 176. | Special diversion orders – requirement of applicant to enter into an agreement with regard to costs or expenses  Power to require an applicant for a special diversion order to enter into an agreement with regard to costs or expenses. | Highways Act  1980 – Section  119C(3) | Non-Executive | Corporate Director, Growth and City Development |
| 177. | SSSI diversion order  Power to make a SSSI diversion order. | Highways Act  1980 – Section  119D | Non-Executive | Corporate Director, Growth and City Development |
| 178. | Definitive map and statement under review  Duty to keep definitive map and statement under review, including making modifications by order, confirming unopposed orders and referring opposed orders to the Secretary of State. | Wildlife and  Countryside Act  1981 – Section  53 | Non-Executive | Corporate Director, Growth and City Development |
| 179. | Modifications in other orders  Power to include modifications in other orders. | Wildlife and  Countryside Act  1981 – Section  53A | Non-Executive | Corporate Director, Growth and City Development |
| 180. | Register of prescribed information – application under  Section 53B of the Wildlife and Countryside Act 1981  Duty to keep register of prescribed information with respect to applications under this section. | Wildlife and  Countryside Act  1981 – section  53B | Non-Executive | Corporate Director, Growth and City Development |
| 181. | Prepare map and statement by way of consolidation of  definitive map and statement  Power to prepare map and statement by way of consolidation of definitive map and statement. | Wildlife and  Countryside Act  1981 – Section  57A | Non-Executive | Corporate Director, Growth and City Development |
| 182. | Street works licence  Power to grant a street works licence. | New Roads and  Street Works Act 1991 – Section 50 | Non-Executive | Corporate Director, Growth and City Development |
| 183. | Rights of way improvement plan  Duty to prepare and publish a rights of way improvement plan. | Countryside and Rights of Way Act 2000 – Section 60 | Executive | Corporate Director, Growth and City Development |
| 184. | Walkway Agreements  To approve the entering into of Walkway Agreements. | Highways Act  1980 section 35 | Executive | Corporate Director, Growth and City Development |
| 185. | Heavy Goods Vehicle Operators’ Licences  To make objections/representations in relation to the proposed grant of or changes to heavy goods vehicle  operators’ licences. | -- | Executive | Corporate Director, Growth and City Development |
| 186. | Maintenance of bridges and other structures  To undertake maintenance and repair of bridges and other structures. | -- | Executive | Corporate Director, Growth and City Development |
| 187. | Bridges over highways - Licences  To determine and issue licences for bridges over the highways. | -- | Executive | Corporate Director, Growth and City Development |
| 188. | Temporary deposits or excavations in streets  Power to consent to temporary deposits or excavations in streets. | Highways Act  1980 – Section  171 | Non-Executive | Corporate Director, Growth and City Development |
| 189. | Placing of rails, beams, etc over highways  Power to restrict the placing of rails, beams etc. over highways. | Highways Act  1980 – Section  178 | Non-Executive | Corporate Director, Growth and City Development |
| 190. | Retaining Walls  To take action in relation to retaining walls near streets. | -- | Executive | Corporate Director, Growth and City Development |
| 191. | Street Naming and Numbering  To exercise the Council’s function in relation to the naming and numbering of streets and their renaming and renumbering. | -- | Executive | Corporate Director, Growth and City Development |
| 192. | Street Trees and Highway grass verges  To provide street trees and highway grass verges and their removal and replacement. | -- | Executive | Corporate Director, Growth and City Development |
| ~~193.~~ |  |  |  |  |
| 194. | Home and Business Watch Signage  To determine applications for Homewatch/Business  Watch signs. | -- | Executive | Corporate Director, Growth and City Development |
| 195. | Adopted Streets List  To keep and update the Council’s list of adopted streets. | -- | Executive | Corporate Director, Growth and City Development |
| 196. | Urgent repairs – private streets  To carry out urgent repairs to private streets or to require such urgent repairs to be carried out. | -- | Executive | Corporate Director, Growth and City Development |
| 197. | Events – Directional Signage  To provide or approve the provision of temporary directional signing for events. | -- | Executive | Corporate Director, Growth and City Development |
| 198. | Remedial and enforcement functions in respect of watercourses, non-main rivers classified as streams, brooks and ditches, etc  To exercise remedial and enforcement functions in respect of watercourses, non-main rivers classified as streams, brooks and ditches, etc. | -- | Executive | Corporate Director, Growth and City Development |
| 199. | Culverting watercourses  To determine plans relating to schemes for culverting watercourses. | -- | Executive | Corporate Director, Growth and City Development  Director of Communities |
| 200. | Reservoirs  To perform the enforcement functions of the Council regarding reservoirs. | -- | Executive | Corporate Director, Growth and City Development |
| 201. | Private forecourts - Improvements  To carry out improvements to private forecourts where this would promote the environmental well-being of the area when the Council undertakes adjoining highway improvement schemes. | -- | Executive | Corporate Director, Growth and City Development |
| 202. | Local Access Forum  To establish and appoint members to the Local Access  Forum. | Countryside and  Rights of Way Act 2000 – Section 94 | Executive | Corporate Director, Growth and City Development |
| 203. | Town and Country Planning Act – making of orders  To apply for orders and to make orders and to exercise associated functions under these statutory provisions. | Town and  Country  Planning Act  1990 – Sections  248, 249, 251,  253, 254, 256,  257, 258, 259,  260 and 261  Civil Aviation Act 1982 – Section 48  Housing Act  1985 – Section  294 | Executive (except  for 257 and 258) which are non- executive) | Corporate Director, Growth and City Development |
| 204. | Urgent Action – Planning and Building Control matters  To take any urgent action in relation to planning and building control matters after consultation with the  appropriate Chair or Portfolio Holder, subject to any  such action taken under this power being reported to the next ordinary meeting of the Executive Board or appropriate Committee. | -- | Can be either  depending on the circumstances | Corporate Director, Growth and City Development |
| 205. | Decision Notices – Planning/Listed Building Consents  To issue decision notices in respect of any application for planning consent and for listed building consent upon receipt of an indication by the Secretary of State that he/she does not require that application to be referred to him/her, such notices to reflect the decision which the Council has already indicated that it is minded to take on the application concerned. | -- | Can be either  depending on the circumstances | Corporate Director, Growth and City Development |
| 206. | Response to consultations – planning applications, etc  To respond to consultations and all other requests relating to planning applications, listed building applications, nationally significant infrastructure projects and any other plans and proposals, and all other matters of a planning nature in accordance with approved planning policies of the Council. | -- | Can be either  depending on the circumstances | Corporate Director, Growth and City Development |
| 207. | Planning Consents – Determination of need  To take decisions on applications to determine whether planning permission is required, in consultation with the Director for Legal and Governance (Monitoring Officer) where appropriate. | -- | Can be either  depending on the circumstances | Corporate Director, Growth and City Development |
| 208. | Determination of planning and other related  Applications  To determine the following planning and other related  applications, including approvals subject to conditions, with or without planning obligations:  (i) Applications for planning permission  (ii) Applications for reserved matters approval  (iii) Applications for listed building consent  (iv) Applications for conservation area consent  (v) Applications to vary or remove planning conditions  (vi) Applications to discharge planning conditions (vii) Applications for hazardous substances consent (viii) Applications for advertisement consent  (ix) Applications for works to protected trees  (including trees within a conservation area)  (x) Applications submitted by the City Council or another local authority  (xi) Applications for non-material changes to an approved planning permission  (xii) Applications for minor material amendments to an approved planning permission  (xiii) Applications for prior approval  (xiv) Applications for Certificates of Lawfulness of Existing and Proposed Development (but not uses)  (xv) Modifications and discharge of Planning Obligations (except where what is proposed would be substantially less than either a) those typically required by adopted planning policies or, b) those required by a previous Planning Committee resolution)  (xvi) Applications for Permission in Principle and Technical Details Consent |  | Non-Executive | Corporate Director, Growth and City Development |
| 208a | Determination of applications for Certificates of Appropriate Alternative Development  To determine applications for Certificates of Appropriate Alternative Development | Section 17 of the Land Compensation Act 1961 | Executive | Corporate Director, Growth and City Development  Director of Planning and Transport |
| 208b | Permission in Principle – Brownfield Land  Granting of Permission in Principle for sites on the Council’s Brownfield Land Register |  | Non-Executive | Corporate Director, Growth and City Development |
| 209. | **Blank – this delegation has been deleted** |  |  |  |
| 210. | Decline to determine application for planning  permission  Power to decline to determine application for planning permission. | Town and  Country  Planning Act  1990 – Sections  70A and 70B | Non-Executive | Corporate Director, Growth and City Development |
| 211. | Planning Applications Determinations  Duties relating to the making of determinations of planning applications under Sections 69, 76 and 92 of the 1990 Act as well as the Town and Country Planning (Development Management Procedure (England)) Order 2010 and directions made thereunder | Sections 69, 76  and 92 of the  1990 Act as well as the Town  and Country Planning (Development Management Procedure (England) ) Order 2010 and directions made thereunder | Non-Executive | Corporate Director, Growth and City Development |
| 212. | **Blank – this delegation has been deleted** |  |  |  |
| 213. | Permitted Development Rights  Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights under Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995. | Schedule 2 to  the Town and Country Planning (General Permitted Development) Order 1995 | Non-Executive | Corporate Director, Growth and City Development |
| 214. | Service of Completion Notices  In consultation with the Director of Legal and Governance the power to serve a completion notice. | Town and  Country  Planning Act  1990 – Section  94(2) | Non-Executive | Corporate Director, Growth and City Development  Director for Legal and  Governance |
| 215. | Applications for hazardous substances consent and  related powers  Power to determine applications for hazardous substances consent, and related powers. | Planning  (Hazardous  Substances) Act  1990 | Non-Executive | Corporate Director, Growth and City Development |
| 216. | Old Mining Sites – determination of conditions  Duty to determine conditions to be attached to old mining permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites. | Schedule 2,  paragraph  2(6)(a) Planning and Compensation Act 1991 and Schedule 13, Paragraph 9(6) and Schedule  14, paragraph 6 (5) of the Environment Act  1995 | Non-Executive | Corporate Director, Growth and City Development |
| 217. | Mineral Planning Authority  To exercise the functions of the Council as a mineral planning authority. | Environment Act  1995 | Executive | Corporate Director, Growth and City Development |
| 218. | Environmental Impact Assessments (EIAs)  (i) To screen development proposals, in response to requests being made by developers, prior to the submission of a planning application, to determine whether an EIA is required.  (ii) To screen planning and other relevant  applications to determine whether an EIA is  required.  (iii) Where a scheme is determined to be EIA development, to produce a scoping option. | Town and  Country Planning (Environmental Impact Assessment) (England and Wales)  Regulations | Executive | Corporate Director, Growth and City Development |
| 219. | Energy Conservation  To provide advice and guidance to Council departments and other organisations about energy conservation, purchasing and efficiency and related promotional activities and , in conjunction with the Corporate Director for Finance and Resources and Chief Finance Officer, to enter into agreements for the purchase and supply of energy and water. | -- | Executive | Corporate Director, Growth and City Development |
| 220. | Environmental Improvement Schemes  To progress environmental improvement schemes across the City through to final completion on site following approval of the schemes by the relevant Committees of the Council. | -- | Executive | Corporate Director, Growth and City Development |
| 221. | Disabled Access Grants  To administer the Council’s Disabled Access grants scheme. | -- | Executive | Corporate Director, Growth and City Development |
| 222. | Car Parking Spaces  To determine applications for operational car parking spaces in the Council’s car parks and to reserve car parking spaces in off-street car parks for exhibitions and other events, subject to capacity being available. | -- | Executive | Corporate Director, Growth and City Development |
| 223. | On/off Street Parking  To discharge the functions of the Council other than the making of the relevant orders relating to on-street and off-street parking, including without prejudice to the generality of the foregoing the administration of parking within the Council’s remit and dealing with the misuse of permits and badges on vehicles, including disabled persons’ badges. | -- | Executive | Corporate Director, Growth and City Development  Director of Communities |
| 224. | Council Controlled Car Parks - Charging  To set charges for parking at off-street parking places and Council controlled car parks. | Road Traffic  Regulation Act  1984 | Executive | Corporate Director, Growth and City Development |
| 225. | CCTV Traffic Enforcement  To discharge the Council’s functions relating to bus lane and parking enforcement, via the use of an approved device, including prosecution if necessary, subject to the Director of Legal and Governance being satisfied with the evidence. | -- | Executive | Corporate Director, Growth and City Development |
| 226. | Bus timing points  To agree bus timing points. |  | Executive | Corporate Director, Growth and City Development |
| 227. | Siting and erection of bus shelters  To respond to consultation regarding the siting and erection of bus shelters. |  | Executive | Corporate Director, Growth and City Development |
| 228. | Open Spaces  Where a disposal of open space within the meaning of the Open Spaces Act 1906 is in prospect, to instruct the Director of Legal and Governance to advertise in accordance with Section 123 of the Local Government Act 1972 or Section 233 of the Town and Country Planning Act 1990. | Open Spaces  Act 1906  Section 123 of the Local Government Act  1972  Section 233 of  the Town and  Country  Planning Act  1990 | Executive | Corporate Director, Growth and City Development |
| 229. | Cleaning of Council owned buildings  To be responsible for the cleaning of Council owned buildings. | -- | Executive | Corporate Director, Growth and City Development |
| 230. | Catering – schools, parks, catering concessions and  adult social care  To discharge the functions of the council relating to the strategic management of catering in schools and to manage the service delivery of catering in parks and catering concessions, schools meals services and catering for adult social care (e.g. meals on wheels). | -- | Executive | Corporate Director, Growth and City Development |
| 231. | Catering – City Council establishments  To exercise or waive the rights to sole and exclusive catering rights within all City Council establishments. | -- | Executive | Corporate Director, Growth and City Development |
| 232. | Council owned Land and Property – Assignment and  Under lettings  To agree assignment and under lettings of leases and tenancies. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 233. | Council owned Land and Property – approval of plans To approve plans where the Council’s consent is required as owner. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 234. | Land and Property – Claims under  Leasehold Reform Act 1967  To admit or deny claims and where admitted settle the sale price under the Leasehold Reform Act 1967. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 235. | Council owned Land and Property – licences,  wayleaves and easements  To authorise the grant of licences, wayleaves and easements. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 236. | Council mortgaged Land and Property – repossessed  properties  To accept offers for the sale of repossessed properties. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 237. | Council owned Land and Property – grant of tenancies  and leases  To grant tenancies and leases of property, other than Housing Revenue account dwellings, for up to 30 years where rent does not exceed £100,000 per annum. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 238. | Council owned Land and Property – Dilapidations  (1) To settle terms, agree dilapidations and accept  the surrender of existing leases and to recover possession of premises on expiry of leases.  (2) To approve settlement of the dilapidations claim up to £50,000 where the Council has been the tenant. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 239. | Land and Property – acquisition of  properties following compulsory purchase action  To negotiate and settle terms for the acquisition of properties following compulsory purchase action by the Council. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 240. | Council owned Land and Property – Notice and Review  To authorise service of appropriate notices to determine tenancies and leases to initiate possession, rent review and lease renewal or where there has been a breach of covenant and to settle rents on review and renewal where rent does not exceed £100,000 per annum. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 241. | Council owned Land and Property – Variations of  covenants  To approve variations of covenants in leases and tenancies and to agree terms. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 242. | Council owned Land and Property – Statutory  Compensation to Tenants  To settle statutory compensation payable to tenants. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 243. | Land and Property – Land Compensation Act 1973  (1) To settle and pay home loss payments under Sections 29 and 32 of the Land Compensation Act 1973.  (2) To settle and pay disturbance payments under Sections 37 and 43 of the Land Compensation Act 1973. |  | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 244. | Council owned Land and Property – Sales of Council  Property  To market, negotiate and approve sales of land and property for values up to £100,000 where the property has been declared surplus to council requirements. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 245. | Land and Property – Acquisition of Land  and Property  To approve the acquisitions of land and property and the taking of surrenders, wayleaves, easements, licences, tenancies and leases by the Council over property up to a maximum capital payment of £25,000 or £10,000 initial rental payment and for terms up to 10 years in respect of leases and 50 years in respect of easements. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 246. | Land and Property – Release of Covenants  To negotiate and approve terms of release of covenants on freehold land to a maximum value of  £50,000. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 247. | Council owned Land and Property – Planning  Applications  To submit planning applications in relation to council owned land and property. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 248. | Council owned Land and Property – Overdue Rent  In consultation with the Corporate Director for Strategy and Resources and Chief Finance Officer to determine arrangements for reduction and recovery of overdue rent. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 249. | Council owned Land and Property – Rental Reductions  To agree rental reductions and rent free periods in appropriate cases where the tenant or lessee undertakes work to the premises. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 250. | Council owned Land and Property – Property Trading  Account  To approve building improvement for property as the  Property Trading Account up to £50,000, subject to the necessary budget provision being identified. | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property |
| 251. | Land and Property – Recovery of Land  To authorise recovery of possession of land and property from trespassers | -- | Executive | Corporate Director, Growth and City Development  Director for Economic Development and Property  Director for Legal and  Governance  Head of Legal  Director of Communities |
| 252. | Building Regulations  (i) To pass and reject plans deposited under the building regulations, and to pass or reject Building Notices and certificates under those regulations.  (ii) To accept or reject notices given under the  Building (Approved Inspectors, etc) Regulations  1985.  (iii) To grant or refuse applications for relaxation of the Building Regulations where, after appropriate consultation, no objection has been received.  (iv) To issue notices to remove or alter work not complying with the Building Regulations.  (v) To deal with all matters relating to Building  Regulations and associated matters, including  the service of notices under (but not limited to)  Sections 76, 77, 78, 79 81 and 99 of the Building Act 1984 relating to Dangerous Structures together with the powers under S.265  Housing Act 1985 (Demolition Orders). | Building Act  1984 (and associated legislation) | Non-executive | Corporate Director, Growth and City Development  Director of Planning and Transport  Head of Planning Strategy and Building Control |
| 252(a) | Major Adaptations for Disabled People  To authorise approval and payment of major adaptation schemes for disabled people (within the agreed capital budget for the year) as follows:  Up to £15,000  £15,000 - £25,000  Above £25,000 |  | Executive | Delegated under portfolio  holder decision 0767  Managers within the Adaptations and Renewal Agency  Head of Service responsible for adaptations  Corporate Director, Growth and City Development or Director for Economic Development and Property |
| 252(b) | Discharge of full homelessness duty  To authorise offers of accommodation using the Private Rented Sector Offer (PRSO) to fulfil the housing duty for households accepted by the local authority as statutorily homeless, in accordance with Nottingham  City Council’s Housing Allocations Policy. | s.193(7AA)-(8)  Housing Act  1996 as amended by s.148(5)-(7)  Localism Act  2011  Localism Act  2011 (Commenceme nt No. 2 and Transitional Provisions) (England) Order  2012 SI  2012/2599 | Executive | Head of Service responsible for adaptations |
| 252(b)(i) | Evictions Following the Expiry of Duty to Provide Interim Homelessness Accommodation  To carry out eviction proceedings following the expiry of the duty to provide interim homelessness accommodation in accordance with s188 of the Housing Act 1996 following the issuing of reasonable written notice and with the assistance of a private bailiff and in accordance with City Council procedures. | s.188 Housing Act 1996 (as amended) | Executive | Head of Service responsible for adaptations |
| 252(c) | The Advanced Payment Code (APC)  To implement the legal process (APC) in which developers who are to construct buildings fronting private streets are required to deposit monies or give security to cover the cost of proposed road works.  To approve a procedure for the operation of the APC. To grant exemptions from the APC where justified in  accordance with the legislative provisions. | Highway Act  1980 - Section  219 – 225 | Executive | Corporate Director, Growth and City Development  Head of Service responsible for Traffic and Safety |
| 252(d) | Flood and Water Management Act  Discharge the Council’s functions, duties and powers under Part 1 and Schedule 1 of the Flood and Water Management Act 2010 | Flood & Water  Management  Act – Part 1 and  Schedule 1 | Executive | Corporate Director, Growth and City Development  Head of Service responsible for Traffic and Safety |
| 252(e) | Consent Works on Ordinary Watercourses  The power to give consent for:  • The erection or alteration of any mill dam, weir or other like obstruction to the flow of any ordinary watercourse or the raising or other alteration of such obstruction  • The erection or alteration of any culvert that would be likely to affect the flow of any watercourse  The operation of any drainage works, under the control of any Internal Drainage Board or local authority, so as to manage the level of water in a watercourse for the purposes of facilitating spray irrigation | Land Drainage  Act 1991, Section 23  Land Drainage Act 1991, Section 61F | Executive | Corporate Director, Growth and City Development  Head of Service responsible for Traffic and Safety |
| 253. | Court of Protection Deputy  To authorise the appropriate officer to apply to the Court of Protection to be appointed as a Deputy to manage the property and affairs and/or personal welfare of an individual who lacks capacity, in cases where that officer considers it appropriate. | Mental Capacity  Act 2005 (s.16) | Non- Executive | Director of Adult Social Services |
| 254. | Employment of children  Power to license the employment of children. | Children and  Young Persons Act 1933 – Part II byelaws made under that Part, and Part II of  the Children and Young Persons Act 1963 | Non-Executive | Corporate Director for People |
| 255. | Financial Assistance to students and pupils  To grant or refuse financial assistance to students and pupils in accordance with statutory regulations. | -- | Executive | Corporate Director for People |
| 256. | School Imprest Accounts  To increase school Imprest Accounts as appropriate, in consultation with the Corporate Director for Strategy and Resources and Chief Finance Officer. | -- | Executive | Corporate Director for People |
| 257. | Secondment of Teachers and other Education Service  staff  To arrange the secondment of Teachers and other Education Service staff to promote the provision of an efficient and effective Education Service. | -- | Executive | Corporate Director for People |
| 258. | Adopters – payment of costs  To pay legal fees for adopters where legal representation is necessary (and where there is no possibility of public funding being allowed) and in appropriate circumstances the payment of medical fees in connection with adoption. | -- | Executive | Corporate Director for People |
| 259. | Special Guardianship and Residence Orders –  payment of legal expenses  To pay reasonable legal expenses incurred in relation to applications for Special Guardianship and Residence Orders in accordance with relevant legislation, guidance and policy where there is no possibility of  public funding being allowed. | -- | Executive | Corporate Director for People |
| 260. | Special Guardianship – Financial Support  To provide financial support to holders of Special Guardianship and Residence Orders in accordance with relevant legislation, guidance and policy. | s.s 8, 14 (A) and  14 (F) Children Act 1989, Adoption and Children Act  2002 and Special Guardianship Regs 2005, Reg  6 (1) | Executive | Corporate Director for People |
| 261. | Children in Care – cost of application for Citizenship  To pay the cost of any application for registration as a British Citizen on behalf of a child in the care of the Council. | -- | Executive | Corporate Director for People |
| 262. | Children in Care – Next friend on insurance claims  To act as the next friend of any child in care with regards to insurance claims. | -- | Executive | Corporate Director for People |
| 263. | Children in Care - Consents  To consent to abortion in respect of children in care and approve the separation of siblings in care. | -- | Executive | Corporate Director for People |
| 264. | Child Placement – Secure Accommodation  To permit the placement of a child in secure accommodation for a period not exceeding 72 hours. | Regulations under Children Act 1989 s 25(2) | Executive | Corporate Director for People |
| 265. | Children in Care – change of name by deed poll  To effect a change of name by deed poll of a child in care. | -- | Executive | Corporate Director for People |
| 266. | Foster Care – prohibition of accommodation at  specified addresses  To impose requirements to prohibit the accommodation of foster children at specified addresses. | -- | Executive | Corporate Director for People |
| 267. | Placement of Older Children  To authorise the placement and cost thereof of older children under the inter agency placement scheme established by the Association of British Adoption and Fostering Agencies on the Adoption Resources Exchange. | -- | Executive | Corporate Director for People |
| 268. | Adoption and Fostering Panels - recommendations  To decide upon recommendations of Adoption and  Fostering Panels. | -- | Executive | Corporate Director for People |
| 269. | Special Guardianship and Residence Order  Applications  To consent to the making of an application for Special  Guardianship and Residence Order where required. | Children Act  1989 ss 8, 14 (A) and 14 (F) | Executive | Corporate Director for People |
| 270. | Urgent Action to protect interests of a child  To take any action urgently required to protect the interests of any child in need under the Children Act  1989. | Children Act  1989 S17 | Executive | Corporate Director for People |
| 271. | Authorised officer under Children’s and Adoption  legislation  To act as Authorised Officer under Children’s and  Adoption Legislation. | Children Act  1989 and 2004 and Adoption  and Children  Act 2002 | Executive | Corporate Director for People |
| 272. | Disabled Children  To put into place services for Disabled Children under Part 3 of the Children’s Act 1989 and to make available the provision of specific services outlined in the Chronically Sick and Disabled Persons Act 1989 including the provision of Direct Payments. | Part 3 Children  Act 1989  Chronically Sick and Disabled Persons Act  1989 | Executive | Corporate Director for People  Head of Service responsible for Family Community Teams |
| 273. | Personal Budgets and Packages for Adults (including Residential or Nursing Care)  To authorise the purchase and/or direct payment in lieu of purchase and/or direct provision of personal budgets and residential or nursing care placements for individual adults appropriate to their properly assessed needs subject to:  (i) an overall individual package expenditure limit of  £2,500 per week;  (ii) all individual packages being commissioned through providers who have been subject of a full and proper procurement exercise either directly by the City Council or through a recognised regional or national framework which remains valid at the time of commissioning, or as per the process for the award of a spot contract as set out at 276(a)(i) and 276(a)(ii);  (iii) the appropriate officer keeping full and proper records of all expenditure incurred in respect of each package purchased or provided. | -- | Executive | Corporate Director for People  Director of Adult Social Care  Heads of Service in Adult Assessment  Team Managers in Adult Assessment (up to a maximum of £325 per week only) |
| 274 (a) | Care Packages  To authorise the purchase and/or direct provision of care packages for individual children appropriate to their properly assessed needs subject to:  (i) an overall individual package expenditure limit of  £4,500 per week;  (ii) all individual packages being commissioned through providers who have been subject of a full and proper procurement exercise either directly by the City Council or through a recognised regional or national framework which remains valid at the time of commission;  (iii) the appropriate officer keeping full and proper records of all expenditure incurred in respect of each package purchased or provided. | -- | Executive | Reserved to Officers regardless of value |
| 274(b) | Care Packages for Adults (including Residential and Nursing Care)   1. In relation to residential and nursing care, to issue a spot contract where the individual chooses, or it is in their best interests to be placed with, a provider where an existing contract, framework or accreditation is not in place (eg out of County area); subject to a proper process being followed as defined by the Head of Contracting and Procurement. 2. In relation to care packages (non-residential and nursing care), to issue a spot contract where the needs of the individual cannot be met through an existing contract, framework or accreditation, (eg specialist services), subject to a proper process being followed as defined by the Head of Contracting and Procurement. |  | Executive | Reserved to Officers regardless of value |
| 275. | Education Welfare Officers  Authorisation to institute or defend the authority in legal proceedings  Authority to appoint The Education Welfare Service Manager and the Education Welfare Legal Intervention Officers to carry out the following functions:   1. to initiate, prosecute, defend or appear in legal proceedings in the Magistrates Court or any other applicable Court on behalf of the Local Authority in respect of Sections 437, 438, 440, 442, 443, 444, 444ZA, 444A, 444B, 446, 447 and 559 of the Education Act 1996; Section 103 of the Education and Inspections Act 2006; Section 36 of the Children Act 1989 (Education Supervision Orders); Section 20 of the Anti-Social Behaviour Act 2003; City Council Bye Laws governing the employment of children under the Children and Young Persons Act 1933 and 1996 and any consolidation and amending information or by virtue of any subsequent statutory consolidation or amendment to the above mentioned Acts; 2. to issue and serve any necessary Notices or Orders in connection with the above provisions. 3. to monitor the employment of children of compulsory school age and register them for entertainment licences. | - - | Executive | Corporate Director for People  Director for Legal and Governance |
| 276. | Inter-departmental Lettings  To agree interdepartmental lettings for Council owned residential premises, providing residential accommodation for care leavers or for children in care who have a complex learning disability or who are on the autistic spectrum. The mechanism will be managed between Development and Growth and Children and Families (where there are no direct costs to the Housing Revenue Account).  Agreements made will be reviewed by Housing  Strategy and Partnerships every two years (biannually).  If more than five properties are to be let on this basis in any one financial year, the relevant Portfolio Holder must be consulted. | -- | Executive | Housing Strategy and  Partnerships Manager |