**Governance Framework Document**

**Document D: Delegations to Officers**

The Leader of the Council can choose to delegate Executive functions to officers as part of the Executive Scheme of Delegation. Executive functions that have been delegated to officers, and any permanent sub-delegation of those functions to Head of Service level or above, are set out below. A record of time-limited sub-delegations to Head of Service level of above is held by the Head of Governance. Records of further sub-delegations to officers below Head of Service level are held by the relevant Service. Information on arrangements for Executive decision making can be found in Article 10 – Executive Arrangements and the discharge of Executive functions by officers must be carried out in accordance with those arrangements. These functions have been delegated to officers for matters within their remit and within the limits set out in Article 10 unless the table below specifically states differently, for example a different financial threshold or requirement for consultation before a decision can be taken.

Council can decide to delegate Non-Executive functions to officers, and Non-Executive Committees can decide to delegate any of their functions to officers. Non-Executive functions that have been delegated to officers are set out below.

The exercise of Executive and Non-Executive delegated functions must be in accordance with relevant sections of the Constitution, including Article 7 – Decision Making and Article 13 – Access to Information Procedure Rules. The current remits of the Chief Executive and Corporate Directors are summarised in Article 5 – Officers and the Senior Management Structure can be found in Governance Framework Document D.

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**TABLE 1 – GENERAL FUNCTIONS**

| **General Functions – delegated to officers for matters within their remit** | | | | |
| --- | --- | --- | --- | --- |
| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| GF1 | **All functions within remit**  Subject to any limitation or specific requirement of delegation elsewhere in the Constitution or this Scheme of Delegation, to administer all functions within their remit, including the exercise of all relevant duties and powers under any legislation or at Common Law.  This delegation 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 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 power to issue simple cautions; * advice and information giving; * funding and finance; * providing instructions to the Strategic Director for Legal and Governance and/or Head of Legal 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 of all of the powers specified under any legislation relating to any matter within their remit; * appointment of experts, consultants and advisors (with the exception of legal advisors who can only be appointed with the approval of the Strategic Director of Legal and Governance); * acting in accordance with any authorised instruction or order granted by any Government department or body, entering into relevant memorandum of understanding and carrying out any associated powers and duties. | Various | Either depending on the circumstances | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director for Transformation and Change  Strategic Director of Resident Services  Head of Traffic and Flood Risk Management |
| GF2 | **Fees and Charges**  Subject to any statutory provision and/or any specific provision made in the Constitution, to agree, in consultation with the relevant Committee Chair (for Non-Executive functions) or the relevant Executive Member (for Executive functions), fees and charges where a power to charge exists. | Various | Either depending on the circumstances | Chief Executive  Corporate Directors  Director of Public Health  Head of Environmental Health and Public Protection |
| GF3 | **Fixed Penalty Notices**  Subject to any statutory provision and/or any provision made in the Constitution, to agree, in consultation with the relevant Committee Chair (for Non-Executive functions) or the relevant Executive Member (for Executive functions), the level of the penalty to be charged in relation to fixed penalty notices where a power to issue a fixed penalty notice exists. | Various | Either depending on the circumstances | Chief Executive  Corporate Directors  Head of Environmental Health and Public Protection |
| GF4 | **Service of Statutory Notices**  To serve statutory notices, fixed penalty notices, orders and/or arrange for the execution of work consequent on non-compliance with such notices or orders, together with any action to recover associated costs and expenses.  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) can only be served by the Strategic Director of Legal and Governance or the Head of the Legal, subject to them being satisfied with the evidence available. | Various | Either depending on the circumstances | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director of Communities  Strategic Director of Resident Services  Director of Planning and Transport  Head of Traffic and Flood Risk Management  NB: Where a matter falls within the remit of more than one officer, then the powers may be exercised by either officer.  Strategic Director of Legal and Governance  Head of Legal  Relevant Legal Team Leaders |
| GF5 | **Authorisation to invite and accept tender(s) and bids(s)**   1. Up to a contract value of £100,000   Subject to compliance with Contract Procedure Rules and following guidance provided by the Procurement Team, to invite and 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 £100,000.   1. For a contract value above £100,000   To invite and 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, the supply of services to the Council and concessions to provide services on behalf of the Council, where the estimated total contract value is above £100,000, subject to compliance with Contract Procedure Rules which require support by the Procurement Team to ensure compliance with legislation. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director of Transformation and Change  Head of Traffic and Flood Risk Management |
| GF6 | **Authorisation to award a contract or establish framework agreement**   1. To accept the most advantageous tender or bid for the award of a contract or framework agreement following a procurement process in line with Contract Procurement Rules. 2. To establish a framework agreement or dynamic market in line with any relevant procurement process.   Approval to enter into a framework agreement or dynamic market does not constitute approval to spend against the framework, which must be sought through appropriate approval. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director of Transformation and Change |
| GF7 | **Assignment or novation of a contract**  To assign or novate a contract. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director for Transformation and Change |
| GF8 | **Variation of a contract**  To negotiate and agree a variation of a contract. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director for Transformation and Change |
| GF9 | **Management of employees**  To recruit (within existing staffing budgets), manage and discipline employees 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 the Council’s People Management Handbook, Officer Employment Procedure Rules and terms of reference for the Appointments and Conditions of Service Committee. | - | Non-Executive | Chief Executive  Corporate Directors  Strategic Director of Resident Services  Director of Public Health |
| GF10 | **Management of stock**  Subject to the agreement of the Chief Finance Officer, to agree to:   1. Write off of debts which are irrecoverable or losses due to burglaries, break-ins etc. 2. Write off or make adjustments in respect of deficiencies or surpluses of stock, equipment etc. 3. Write off and dispose of redundant stocks and equipment. The procedures for disposal of such stocks and equipment should be by competitive quotations or auction. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health |
| GF11 | **Virements**  To exercise virements on budgets under their 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 relevant Executive Member under arrangements agreed by Full Council and subject to the conditions set out in the corporate financial procedures. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health |
| GF12 | **Variation of the price of goods and services**  To vary the price of goods and services supplied, in accordance with changes in the cost incurred by the Council, in consultation with the Chief Finance Officer. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health |
| GF13 | **Opening hours of premises and facilities**  To determine the opening hours of Council owned or operated premises and facilities, including seasonal arrangements and closure during holiday periods. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health |
| GF14 | **Production of publications**  To produce publications related 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 | Chief Executive  Corporate Directors  Director of Public Health |
| GF15 | **Response to consultation papers**  To respond to consultation papers, subject to consultation with the relevant Executive Member if the consultation raises policy issues. | - | Executive | Chief Executive  Corporate Directors  Director of Public Health |
| GF16 | **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 | Chief Executive  Corporate Directors  Director of Public Health  Directors  Head of Environmental Health and Public Protection |
| GF17 | **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 person 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. | Various | Either depending on the circumstances | Chief Executive  Corporate Directors  Director of Public Health  Strategic Director of Communities  Head of Environmental Health and Public Protection  Director of Planning and Transport |

**TABLE 2 – CHIEF EXECUTIVE**

| **Chief Executive** | | | | |
| --- | --- | --- | --- | --- |
| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| CE1 | **Councillor Absence**  In consultation with the Strategic Director of HR and EDI, to approve reasons for a councillor’s non-attendance at meetings prior to that councillor reaching six consecutive months without attending a meeting. | Local Government Act 1972 – Section 85 | Executive | Chief Executive |
| CE2 | **Senior Nominated Officers – Protection of Children**  To maintain the list of Senior Nominated Officers in connection with establishment arrangements for the protection of children. | - | Executive | Chief Executive |
| CE3 | **Complaints relating to Chief Officers and Councillors**  To deal with issues relating to the Commission for Local Administration. Complaints involving councillors will be notified to the councillor concerned and the Leader of the political group of which the councillor is a member. The Leader of the Council will be consulted about statements to be published with the Local Commissioner. | - | Executive | Chief Executive  If a complaint relates to the Chief Executive, this will be dealt with by a Corporate Director nominated the Leader. |
| CE4 | **Discharge of Non-Executive functions**  To discharge any Non-Executive function of the Council that has not been specifically delegated to a Committee or another officer. | - | Non-Executive | Chief Executive |
| CE5 | **Urgent Non-Executive Decisions**  To discharge any Non-Executive function of the Council which has been delegated to a Committee but which they consider is urgent and cannot be delayed until a meeting of the relevant Committee is convened. Such decisions must be taken in accordance with the arrangements set out in Article 9 – Non-Executive Functions and Committees. | - | Non-Executive | Chief Executive  In the absence of the Chief Executive, their nominated deputy for this purpose which, in the absence of a specific delegation, shall be taken to be any Corporate Director |

**TABLE 3 – CORPORATE DIRECTOR FOR FINANCE AND RESOURCES**

| **Corporate Director for Finance and Resources** | | | | |
| --- | --- | --- | --- | --- |
| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| FR1 | **Capital and Revenue Grants**  To make all decisions relating to the reclaim of capital grants, cessation of revenue grant and variation to any legal agreement, including financial returns to the City Council, in relation to the above expenditure. | - | Executive | Corporate Director for Finance and Resources |
| FR2 | **Claims handling**  To settle claims of any value in line with the Council’s procedure for claim handling and in accordance with the Ministry of Justice – Pre Action Protocols for Personal Injury Claim, subject to claims in excess of £100,000 being referred to the Strategic Finance Manager for approval. | - | Executive | Corporate Director for Finance and Resources  Insurance and Risk Manager |
| FR3 | **Allocation of funds for the purpose of managing risk**  To allocate funds for the purpose of managing risk, subject to all allocations over £500 being referred to the Strategic Finance Manager. | - | Executive | Corporate Director for Finance and Resources  Head of Internal Audit and Risk  Insurance and Risk Manager |
| FR4 | **Pensions**  Subject to (i) and (ii) below, to exercise the functions of the authority in relation to pensions.  (CFP D10 3-5)   1. In consultation with the Executive Member for Finance and Resources and the Strategic Director of Legal and Governance, to determine requests for guarantees to the Nottinghamshire Pension Fund from bodies entering into admission agreements with the Fund. 2. To 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 for Finance and Resources |
| FR5 | **Petty cash**  To determine appropriate arrangements for the reimbursement of expenditure incurred by staff in the exercise of Council duties, including establishing petty cash accounts where this is the most appropriate arrangement. | - | Non-Executive | Corporate Director for Finance and Resources |
| FR6 | **Account and audit**  To discharge the functions of the Council under the Accounts and Audit Regulation 2009 (with the exception of Regulation 4(3), 6(4) and 10(3). | Accounts and Audit Regulations 2009 | Non-Executive | Corporate Director for Finance and Resources |
| FR7 | **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 Regulation 2009 | Non-Executive | Corporate Director for Finance and Resources |
| FR8 | **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 for Finance and Resources |
| FR9 | **Leasing arrangements completion**  To complete and sign leasing agreements for items included within the approved capital or revenue budgets. | - | Executive | Corporate Director for Finance and Resources |
| FR10 | **Home Loans Scheme**  To operate the Home Loan Scheme including mortgage advances, transfer of mortgages, sales of houses in possession and guarantees to building societies. | - | Executive | Corporate Director for Finance and Resources |
| FR11 | **Benefits**   1. To assess and pay Council Tax Benefits, Housing Benefits and Education Benefits. 2. To determine requests for the award of discretionary housing benefit in exceptional circumstances. 3. To represent the Council at HM Court and Tribunal Service or equivalent body in connection with Benefit Appeals. 4. To select and contract with third party agencies and suppliers as required in the administration of Benefits. 5. 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 for Finance and Resources |
| FR12 | **Council Tax**   1. To institute and conduct recovery proceedings (including winding up of companies) in relation to Council Tax. 2. To nominate persons to appear in courts of law in connection with any proceedings for recovery action relating to Council Tax. 3. To represent the Council at Valuation Tribunals. 4. 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. 5. 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. 6. To issue proposals for alterations to the valuation list. 7. To issue notices requiring information from occupiers, owners or management agencies, and to issue notices advising of joint and several liability, and exempt dwellings. 8. To take all steps necessary to ascertain whether discounts or exemptions should apply, including discount under Section 13(A)(1) of the Local Government Finance Act 1992. 9. To serve and quash penalties. 10. To serve demand notices and reminder notices. 11. To initiate and carry out whatever steps are necessary in accordance with any regulations made under the Local Government Finance Act 1992. 12. To select and contract with third party agencies and suppliers as required in the administration of Council Tax. 13. 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 for Finance and Resource |
| FR13 | **Council Tax Support Scheme Consultation**  To:   1. determine the consultation timetable and arrangements and produce and publish a draft local Council Tax Support Scheme, subject to consultation with the relevant Executive Member and Leader of the Council; 2. consult any major precepting authority in relation to the proposed scheme and amend the draft scheme to take account of matters arising from that consultation as appropriate; 3. consult other persons that they consider are likely to have an interest in the operation of the scheme. | - | Executive | Corporate Director for Finance and Resources |
| FR14 | **Non Domestic Rates**   1. To grant discretionary relief under Sections 47 and 48 of the Local Government Finance Act 1988. 2. To reduce or remit liability for rates under Section 49 of the Local Government Finance Act 1988. 3. To institute and conduct recovery proceedings (including winding up of companies) in relation to Non Domestic Rates. 4. To nominate persons to appear in courts of law in connection with any proceedings for recovery action relating to Non Domestic Rates. 5. To represent the Council at Valuation Tribunals. 6. 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. 7. 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. 8. To issue proposals for alterations to the valuation list. 9. To ascertain whether reliefs or exemptions should apply. 10. To serve demand notice and reminder notices. 11. To initiate and carry out whatever steps are necessary in accordance with any regulations made under the Local Government Finance Act 1988. 12. 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, 48 and 49 | Executive | Corporate Director for Finance and Resources |
| FR15 | **Financial services**  To provide financial services, either on an agency basis or where required by statute for other authorities or bodies. | - | Executive | Corporate Director for Finance and Resources |
| FR16 | **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 for Finance and Resources |
| FR17 | **Certificate under Local Government (Contracts) Act 1997**  To sign certificates under the Local Government (Contracts) Act 1997. | Local Government (Contracts) Act 1997. | Executive | Corporate Director for Finance and Resources |
| FR18 | **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. | Proceeds of Crime Act 2002 | Executive | Corporate Director for Finance and Resources |
| FR19 | **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 Finance and Resources. | - | Executive | Corporate Director for Finance and Resources |
| FR20 | **VAT status on land and property transactions**  Where appropriate, to elect for VAT status on particular land and property. | - | Executive | Corporate Director for Finance and Resources |
| FR21 | **Conditions of Service and Pay Awards**  To implement and adopt nationally negotiated decisions on conditions of service and pay awards. | - | Executive | Corporate Director for Finance and Resources |
| FR22 | **Outside bodies – Company and creditors meetings**  To authorise persons to act for the Council at company and creditors meetings. | - | Executive | Corporate Director for Finance and Resources |
| FR23 | **Members Allowances Scheme**  To administer the Members Allowances Scheme and adjust such allowances in accordance with decisions of Council. | - | Non-Executive | Corporate Director for Finance and Resources |
| FR24 | **Registrars – Approval of premises**  To approve premises for the solemnisation of marriages and civil partnerships. | - | Non-Executive | Corporate Director for Finance and Resources  Strategic Director for Transformation and Change |

**TABLE 4 – CORPORATE DIRECTOR FOR GROWTH AND CITY DEVELOPMENT**

| **Corporate Director for Growth and City Development** | | | | |
| --- | --- | --- | --- | --- |
| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| GCD1 | **Council owned land and property – leasehold management**   1. To grant leases, tenancies, licences, wayleaves and easements of land and property (other than Housing Revenue account dwellings) for up to a term of: 2. 30 years where rent does not exceed £150,000 per annum; or 3. 99 years where the total value to be received does not exceed the Key Decision threshold plus fees. 4. To agree any other matter arising in connection with the management of leased property owned by the Council, in line with the other corporate directions, and provided the total value of the decision does not exceed the Key Decision threshold in any single matter: 5. To settle rent reviews within leases. 6. To agree rental reductions and rent-free periods within existing leases and tenancies in appropriate cases or where the tenant or lessee undertakes work to the premises. 7. To approve building improvement works for property within the Property Trading Account (Investment Portfolio) subject to the necessary budget provision being identified. 8. To agree to assignments, and under lettings of leases and tenancies. 9. To approve variations of covenants and to agree terms. 10. To approve plans, drawings or specifications where the Council’s consent is required as owner or landlord. 11. To authorise service of notices to tenants and lessees where there has been a breach of covenant. 12. To settle terms, agree dilapidations and accept the surrender of existing leases. 13. To approve payment plans for the repayment of arrears, to approve the write-off of rent arrears and to recover possession of premises on expiry of leases, or where there has been a breach of covenant including unpaid rent. 14. To approve the appointment of any required consultants for general real estate activities associated with the management of an investment property portfolio.   The Executive Member with responsibility for property matters must be consulted on decisions with a total value that exceeds the Key Decision threshold plus fees prior to the decision being taken. | - | Executive | Corporate Director for Growth and City Development  Director of Economic Development and Property  Relevant Head of Service if value does not exceed £300,000 |
| GCD2 | **Council owned land and property – freehold management**  To agree any matter arising in connection with the management of the Council’s freehold owned property, in line with other corporate directions, and provided the total value of the decision does not exceed the Key Decision threshold in any single matter:   1. To submit outline or detailed planning applications in relation to Council owned land and property. 2. To approve building improvement work subject to the necessary budget provision being identified. 3. To authorise recovery of possession of land and property from trespassers. 4. To approve the appointment of any required consultants for general real estate activities associated with the management of freehold assets.   The Executive Member with responsibility for property matters must be consulted on decisions with a total value that exceeds the Key Decision threshold plus fees prior to the decision being taken. | - | Executive | Corporate Director for Growth and City Development  Director of Economic Development and Property  Relevant Head of Service if value does not exceed £300,000 |
| GCD3 | **Council owned land and property – acquisition**   1. To approve the purchase of freehold or long leasehold (over 30 years) land and property, in line with corporate directions, and provided the total value of the decision does not exceed the Key Decision threshold plus fees in any single matter. 2. To approve the taking of leases, tenancies, licences, wayleaves and easements by the Council as a tenant, in line with corporate directions, for a term of: 3. 30 years where rent does not exceed £150,000 per annum; or 4. 99 years where the total value to be paid does not exceed the Key Decision threshold plus fees. 5. To approve the appointment of any required consultants for general real estate activities associated with the acquisition of any assets. 6. To agree any matter arising in connection with the management of leased third party property, in line with other corporate directions, and provided the total value of the decision does not exceed the Key Decision threshold in any single matter: 7. To settle rent review within leases. 8. To agree to assignments, and under lettings of leases and tenancies. 9. To approve variations of covenants and to agree terms. 10. To settle terms. 11. To agree dilapidations and accept the surrender of existing leases where the Council has been the tenant and to approve settlement of the dilapidations claim. 12. To approve the appointment of any required consultants for general real estate activities associated with the acquisition of any assets.   The Executive Member with responsibility for property matters must be consulted on decisions with a total value that exceeds the Key Decision threshold plus fees prior to the decision being taken. | - | Executive | Corporate Director for Growth and City Development  Director of Economic Development and Property  Relevant Head of Service if value does not exceed £300,000 |
| GCD4 | **Council owned land and property – disposals**   1. To declare Trading Account and General Holding (Chamber Estate) assets surplus to investment or other requirements up to the Key Decision threshold plus fees. 2. To declare General Fund land and property assets surplus to operational requirements subject to there being no further Service need, up to the Key Decision threshold plus fees. 3. To market, negotiate and approve sale of land and property, either freehold or long leasehold (over 30 years), for values up to the Key Decision threshold plus fees where the property has been formally declared surplus to Council requirements. 4. To agree any other matter arising in connection with the disposal of land and property (or other interests in the land) owned by the Council, in line with other corporate directions, and provided the total value of the decision does not exceed the Key Decision threshold in any single matter: 5. To set auction reserve prices. 6. To agree to a variation in terms where the principle of sale has already been approved. 7. To admit or deny claims and, where admitted, settle the sale price under the Leasehold Reform Act 1967. 8. To admit or deny claims and, where admitted, settle the Notice of Claim under The Leasehold Reform Housing and Urban Development Act 1993. 9. To negotiate and settle terms for the disposal of properties acquired through forced sale or compulsory purchase action, and to return the net capital receipt to the previous owner where the court order requires. 10. To settle and pay home loss payments under Sections 29 and 32 of the Land Compensation Act 1973. 11. To settle and pay disturbance payments under Section 37 and 43 of the Land Compensation Act 1973. 12. To negotiate and approve terms of release of covenants on land currently or formerly owned by the Council. 13. To approve the appointment of any required consultants for general real estate activities associated with the disposals of assets.   The Executive Member with responsibility for property matters must be consulted on decisions with a total value that exceeds the Key Decision threshold plus fees prior to the decision being taken. | - | Executive | Corporate Director for Growth and City Development  Director of Economic Development and Property  Relevant Head of Service if value does not exceed £300,000 |
| GCD5 | **Workplace Parking Levy – administration and enforcement**  To administer the 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 for Growth and City Development  Director of Planning and Transport  Head of Parking |
| GCD6 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD7 | **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 and 84 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD8 | **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  Town Police Clauses Act 1847 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD9 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD10 | **Traffic Calming Schemes**  To approve the construction of road humps and other traffic calming measures. | Highways Act 1980 – Sections 90A, 90G | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD11 | **Traffic management – network management**  To exercise the Council’s network management responsibility. | Traffic Management Act 2004, Part 2 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD12 | **Pedestrian crossings**  To make arrangements for the establishment, alteration and removal of pedestrian crossing facilities. | Highways Act 1980 – Section 23 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD13 | **School crossing patrols**  To make arrangements for the provision of school crossing patrols. | Road Traffic Regulation Act 1984 – Section 26 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD14 | **Road safety schemes**  To undertake schemes to improve road safety and pedestrian and cycling facilities. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD15 | **Highway Improvement Schemes**  To approve the construction, alteration and removal of highway improvement schemes. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD16 | **Highways – dedication of land**  To accept the dedication of land as highway, including for highway widening, and to adopt highways and to approve the entering into of agreements for these purposes (including accepting Council owned land pursuant to delegation GCD25). | Highways Act 1980 – Section 38 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD17 | **Highways – stop up or diversion orders**   1. To approve the making of applications to the Magistrates Court for orders to stop up or divert highways. 2. To make applications to the Secretary of State for orders to stop up and divert highways and to respond to consultations on the Highway Authority on applications made by others to the Secretary of State. | 1. Highways Act 1980 – Section 116 2. Town and Country Planning Act 1990 – Section 247 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD18 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD19 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD20 | **Amendments to highways/ traffic related proposals**  To make minor amendments to the details of approved highways or traffic related proposals. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD21 | **Parking – highways**  To provide and maintain parking spaces on the highway and regulate parking on grass verges, central reservations and footways. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD22 | **Maintenance of highways**  To maintain and repair highways, with the exception of highway bridges and other structures. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD23 | **Highways – control of works**  To be responsible for the control of work and the placing of items in, over, on or adjacent to highway and streets including the tasking of enforcement action. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD24 | **Rights of the public to use and enjoyment of highways**  To exercise the duty to assert and protect the rights of the public to the use and enjoyment of highways. | Highways Act 1980 – Section 130 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD25 | **Highways – dedication of Council owned land**  To dedicate, where appropriate, Council owed land as a highway. | - | Executive | Corporate Director for Growth and City Development  Director for Economic Development and Property  Head of Traffic and Flood Risk Management |
| GCD26 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD27 | **Rights of Way Improvement Plan**  To exercise the duty to prepare and publish a Rights of Way Improvement Plan. | Countryside and Rights of Way Act 2000 – Section 60 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD28 | **Walkway Agreements**  To approve the entering into of Walkway Agreements. | Highway Act 1980 – Section 35 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD29 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD30 | **Maintenance of bridges and other structures**  To undertake maintenance and repair of bridges and other structures. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD31 | **Bridges over highways – licences**  To determine and issue licences for bridges over the highways. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD32 | **Retaining walls**  To take action in relation to retaining walls near streets. | Highways Act 1980 - Section 169 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD33 | **The Advanced Payment Code (APC)**   1. 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. 2. To approve a procedure for the operation of the APC. 3. To grant exemptions from the APC where justified in accordance with the legislative provisions. | Highway Act 1980 – Sections 219 - 225 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD34 | **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 for Growth and City Development  Director of Planning and Transport  Head of Planning Strategy and Geographic Information (except for potentially controversial/ sensitive cases) |
| GCD35 | **Home and Business Watch signs**  To determine applications for Home Watch and Business Watch signs. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD36 | **Adopted Streets List**  To keep and update the Council’s list of adopted streets. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD37 | **Urgent repairs – private streets**  To carry out urgent repairs to private streets or require such urgent repairs to be carried out. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD38 | **Events – directional signage**  To provide, or approve the provision of temporary directional signage for events. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD39 | **Remedial and enforcement functions in respect of watercourses, non-main rivers classified as streams, brooks and ditches**  To exercise remedial and enforcement functions in respect of watercourses, non-main rivers classified as streams, brooks and ditches etc. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD40 | **Culverting watercourses**  To determine plans relating to schemes for culverting watercourses. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD41 | **Reservoirs**  To perform the enforcement functions of the Council regarding reservoirs. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD42 | **Flood and Water Management Act**  To discharge the Council’s functions, duties and powers under Part 1 and Schedule 1 of the Flood and Water Management Act 2010. | Flood and Water Management Act – Part 1 and Schedule 1 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD43 | **Consent works on ordinary watercourses**   1. 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 arising or other alteration of such obstruction. 2. To give consent for the erection or alteration of any culvert that would be likely to affect the flow of any watercourse. 3. To give consent for the operation of any drainage works, under the control of any Internal Drainage Board or local authority, as to manage the level of water in a watercourse for the purposes of facilitating spray irrigation. | Land Drainage Act 1991 – Sections 23 and 61F | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD44 | **Private forecourts – improvements**  To carry out improvements to private forecourts where this would promote the environmental wellbeing of the area when the Council undertakes adjoining highway improvement schemes. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD45 | **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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD46 | **Town and County 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, 259, 260, 261  Civil Aviation Act 1982 – Section 48  Housing Act 1985 – Section 294 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD47 | **Access land or land proposed to be access land**   1. To enter into an agreement about access land with an owner/ occupier and to serve notice to do works in default of compliance with such agreement. 2. To serve notice about access land in the absence of agreement with the owner/ occupier and to do works in default. | Countryside and Rights of Way Act 2000 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD48 | **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 for Growth and City Development  Director of Planning and Transport  Head of Parking |
| GCD49 | **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 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 for Growth and City Development  Director of Planning and Transport  Corporate Director for Growth and City Development  Director of Planning and Transport |
| GCD50 | **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 for Growth and City Development  Director of Planning and Transport  Corporate Director for Growth and City Development  Director of Planning and Transport |
| GCD51 | **CCTV traffic enforcement**  To discharge the Council’s functions relating to bus lane, moving traffic and parking enforcement, via the use of an approved device, 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 cited by way of example in Delegation GF1. | - | Executive | Corporate Director for Growth and City Development  Traffic Manager |
| GCD52 | **Catering – Council owned establishments**  To exercise or waive the rights to sole and exclusive catering rights within all Council establishments. | - | Executive | Corporate Director for Growth and City Development |
| GCD53 | **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. | - | Executive | Corporate Director for Growth and City Development  Head of Service with responsibility for adaptations for decisions with a value between £15,000 and £25,000  Managers within the Adaptations and Renewal Agency for decisions with a value of less than £15,000. |
| GCD54 | **Discharge of full homelessness duty**  To authorise offers of accommodation using the Private Rented Sector Officer to fulfil the housing duty for households accepted by the Council as statutorily homeless, in accordance with the Housing Allocations Policy. | Housing Act 1996 – Section 193(7AA)-(8) as amended by Localism Act 2011 – Section 148(5)-(7)  Localism Act 2011 (Commencement No.2 and Transitional Provisions) (England) Order 2012 SI 2012/2599 | Executive | Corporate Director for Growth and City Development  Head of Service with responsibility for adaptations |
| GCD55 | **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 Section 188 of the Housing Act 1996, following the issuing of reasonable written notice and with the assistance of a private bailiff and in accordance with the Council’s procedures. | Housing Act 1996 (as amended) – Section 188 | Executive | Corporate Director for Growth and City Development  Head of Service with responsibility for adaptations |
| GCD56 | **Approval of Development Briefs**  To approve development briefs, in consultation with the Leader of the Council and relevant Executive Members. | - | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport |
| GCD57 | **Determination of applications for Certificates of Appropriate Alternative Development**  To determine applications for Certificates of Appropriate Alternative Development. | Land Compensation Act 1961 – Section 17 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD58 | **Mineral Planning Authority**  To exercise the functions of the Council as a mineral planning authority. | Environment Act 1995 | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD59 | **Environmental Impact Assessments (EIAs)**   1. 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. 2. To screen planning and other relevant applications to determine whether an EIA is required. 3. Where a scheme is determined to be an EIA development, to produce a scoping option. | Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations | Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD60 | **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 Committee Chair (for Non-Executive matters) or Executive Member (for Executive matters). Any action taken under this delegation must be reported to the next meeting of the relevant Committee or Executive Board. | - | Either depending on the circumstances | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management |
| GCD61 | **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 they do not require that application to be referred to them. Such notices to reflect the decision which the Council has already indicated that it is minded to take on the application concerned. | - | Either depending on the circumstances | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD62 | **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. | - | Either depending on the circumstances | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD63 | **Planning consents – determination of need**  To take decisions on applications to determine whether planning permission is required, in consultation with the Strategic Director for Legal and Governance where appropriate. | - | Either depending on the circumstances | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD64 | **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:   1. Applications for planning permission. 2. Applications for reserved matters approval. 3. Applications for listed building consent. 4. Applications for conservation area consent. 5. Applications to vary or remove planning conditions. 6. Applications to discharge planning conditions. 7. Applications for hazardous substances consent. 8. Applications for advertisement consent. 9. Applications for works to protect trees, including trees within a Conservation Area. 10. Applications submitted to the Council or another local authority. 11. Applications for non-material changes to an approved planning permission. 12. Applications for minor material amendments to an approved planning permission. 13. Applications for prior approval. 14. Applications for Certificates of Lawfulness of Existing and Proposed Development (but not uses). 15. Modifications and discharges of planning obligations, except where what is proposed would be substantially less than either: 16. those typically required by adopted planning policies; or 17. those required by a previous Planning Committee resolution. 18. Applications for Permission in Principle and Technical Details consent. | - | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD65 | **Permission in Principle – Brownfield Land**  To grant Permission in Principle for sites on the Council’s Brownfield Land Register. | - | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD66 | **Decline to determine application for planning permission**  To decline to determine an application for planning permission. | Town and Country Planning Act 1990 – Sections 70A and 70B | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD67 | **Planning applications determinations**  To exercise 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 thereafter. | Town and Country Planning Act 1990 – Sections 69, 76 and 92  Town and Country Planning (Development Management Procedure (England)) Order 2010 and directions made thereafter | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD68 | **Permitted development rights**  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. | Town and Country Planning (General Permitted Development) Order 1995 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD69 | **Service of Completion Notices**  In consultation with the Strategic Director of Legal and Governance, to serve a Completion Notice. | Town and Country Planning Act 1990 – Section 94(2) | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport |
| GCD70 | **Applications for hazardous substances consent and related powers**  To determine applications for hazardous substances consent, and related powers. | Planning (Hazardous Substances) Act 1990 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD71 | **Old mining sites – determination of conditions**  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. | Planning and Compensation Act 1991 – Schedule 2, paragraph 2(6)(a)  Environment Act 1995 – Schedule 13, paragraph 9(6) and Schedule 14, paragraph 6(5) | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Area Planning Manager |
| GCD72 | **Town and County 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 257, 258 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD73 | **Register common land**  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)  Inclosure Act 1845 – Section 147 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD74 | **Register of variation of rights of common**  To register variation of rights of common. | - | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD75 | **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 and Village Greens) (Interim Arrangements) (England). | Commons Act 2006 – Part 1 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD76 | **Applications for registration of town or village greens – appointment of independent expert**  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:   1. 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 2. if objections to the application are received, to appoint the independent expert to:  * hold a non-statutory local inquiry; or * if all objectors agree, consider written representations; and * in each case, make recommendations to the Planning Committee regarding the determination of the application. | - | Non-Executive | Corporate Director for Growth and City Development |
| GCD77 | **Building regulations**   1. To pass and reject plans deposited under the building regulations, and to pass or reject Building Notices and certificates under those regulations. 2. To accept or reject notices given under the Building (Approved Inspectors etc) Regulations 1985. 3. To grant or refuse applications for relaxation of the Building Regulations where, after appropriate consultation, no objection has been received. 4. To issue notices to remove or alter work not complying with Building Regulations. 5. 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, 81 and 99 of the Building Act 1984 relating to dangerous structures together with the powers under the Housing Act 1985 (Demolition Orders) Section 265. | Building Act 1984, and associated legislation | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Development Management  Building Control Manager |
| GCD78 | **Deposit of builders’ skips on the highway**  To permit deposit of builders’ skips on the highway. | Highways Act 1980 – Section 139 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD79 | **Control scaffolding or other structures which obstruct the highway**  To control scaffolding or other structures which obstruct the highway. | Highways Act 1980 – Section 169 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD80 | **Dispense with obligation to erect hoarding or fence**  To dispense with the obligation to erect a hoarding or fence. | Highways Act 1980 – Section 172 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD81 | **Highways – execution of works**  To make agreements for the execution of works under Section 278 of the Highways Act 1980. | Highways Act 1980 – Section 278 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD82 | **Highways – applications**  To decline to determine certain applications. | Highways Act 1980 – Section 121C | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD83 | **Action in respect to obstructions and other items on highways and public rights of way**  To take action in relation to obstructions, structures, things deposited and booths placed on, or over the highway and/or rights of way. | Highways Act 1980 – Sections 130A, 137, 137ZA, 138, 143, 148, 149, 151, 154, 155, 161, 162, 163, 164, 165 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD84 | **Rights of way – extinguishment**   1. To extinguish certain public rights of way. 2. To extinguish public rights of way on land acquired for clearance. | 1. Acquisition of Land Act 1981 – Section 32 2. Housing Act 1985 – Section 294 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD85 | **Rights of way – cycle tracks**  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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD86 | **Temporary disturbance of surface of footpath, bridleway or restricted byway**  To authorise temporary disturbance of surface of footpath, bridleway or restricted byway. | Highways Act 1980 – Section 135 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD87 | **Erection of stiles etc on footpaths and bridleways**  To authorise the erection of stiles etc on footpaths and bridleways. | Highways Act 1980 – Section 147 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD88 | **Creation of footpaths, bridleways and restricted byways by agreement**  To create footpaths, bridleways and restricted byways by agreement. | Highways Act 1980 – Section 25 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD89 | **Creation of footpaths, bridleways and restricted byways by order**  To create footpaths, bridleways and restricted byways by order. | Highways Act 1980 – Section 26 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD90 | **Construction of cellars etc street**  To consent to construction of cellars etc under street. | Highway Act 1980 – Section 179 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD91 | **Making of opening into cellars etc under streets, pavement lights, ventilators**  To consent to the making of openings into cellars etc under streets, pavement lights, ventilators. | Highway Act 1980 – Section 180 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD92 | **Register of information with respect of maps and statements deposited and declarations lodged in accordance with Section 31(6) of the Highways Act 1980**  To exercise the duty to keep a register of information with respect of maps and statements deposited and declarations lodged in accordance with 31(6) of the Highways Act 1980. | Highway Act 1980 – Section 31A | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD93 | **Public path extinguishment orders**  To stop up footpaths, bridleways and restricted byways. | Highways Act 1980 – Section 118 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD94 | **Rail crossing extinguishment orders**  To make rail crossing extinguishment orders. | Highways Act 1980 – Section 188A | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD95 | **Special extinguishment orders**  To make special extinguishment orders. | Highways Act 1980 – Section 118B | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD96 | **Public path diversion orders**  To divert footpaths, bridleways and restricted byways. | Highways Act 1980 – Section 119 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD97 | **Rail crossing diversion orders**  To make rail crossing diversion orders. | Highway Act 1980 – Section 119A | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD98 | **Special diversion orders**  To make special diversion orders. | Highways Act 1980 – Section 119B | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD99 | **Special diversion orders – requirement of applicant to enter into an agreement with regard to cost or expenses**  To require an applicant for a special diversion order to enter into an agreement with regard to costs or expenses. | Highways Act 1980 – 119C(3) | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD100 | **SSSI diversion order**  To make a SSSI diversion order. | Highways Act 1980 – Section 119D | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD101 | **Definition map and statement under review**  To exercise the duty to keep a 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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD102 | **Modifications in other orders**  To include modifications in other orders. | Wildlife and Countryside Act 1981 – Section 53A | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD103 | **Register of prescribed information – application under Section 53B of the Wildlife and Countryside Act 1981**  To exercise the duty to keep a register of prescribed information with respect to applications under this section. | Wildlife and Countryside Act 1981 – Section 53B | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD104 | **Prepare map and statement by way of consolidation of definitive map and statement**  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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD105 | **Street works licence**  To grant a street works licence. | New Roads and Street Works Act 1991 – Section 50 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD106 | **Bridges over highways – licences**  To determine and issue licences for bridges over the highways. | - | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD107 | **Temporary deposits or excavations in streets**  To consent to temporary deposits or excavations in streets. | Highway Act 1980 – Section 171 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD108 | **Placing of rails, beams etc over highways**  To restrict the placing of rails, beams etc over highways. | Highways Act 1980 – Section 178 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD109 | **Confirmation of orders**  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 At 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 for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD110 | **License of planting, retention and maintenance of trees etc in part of the highway**  To licence planting, retention and maintenance of trees etc in part of the highway. | Highways Act 1980 – Section 142 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |
| GCD111 | **Provision etc of services, amenities, recreations and refreshment facilities on highways**  To grant permission for provision etc of services, amenities, recreations and refreshment facilities on highways, and enforce failure to comply with the terms of such permissions. | Highways Act 1980 – Section 115E  Business and Planning Act 2020 | Non-Executive | Corporate Director for Growth and City Development  Director of Planning and Transport  Head of Traffic and Flood Risk Management |

**TABLE 5 – CORPORATE DIRECTOR FOR COMMUNITIES, ENVIRONMENT AND RESIDENT SERVICES**

| **Corporate Director for Communities, Environment and Resident Services** | | | | |
| --- | --- | --- | --- | --- |
| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| CERS1 | **Markets**  To determine the following matters:   1. Allocation, letting or revocation of stalls and premises to traders. 2. Applications for occupants of markets to install equipment in connection with their business. 3. Routine assignment of tenancies. 4. Minor variations in type of business and change of names. 5. Charity collections in markets. 6. Applications for licences for privately operated specialist markets and the level of licence fees. 7. Applications for licences for charity car boot sales. | - | Executive | Corporate Director for Communities, Environment and Resident Services  Head of Community Services |
| CERS2 | **Market trader licence appeals**  To determine appeals by market traders where the trader’s licence has been revoked under the Council’s non-statutory appeals procedure. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS3 | **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  Local Authorities’ Cemeteries Order 1977 (as amended) | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS4 | **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 burials grounds. | - | Executive | Corporate Director Communities, Environment and Resident Services |
| CERS5 | **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 |
| CERS6 | **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 |
| CERS7 | **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 MOT testing of motor vehicles. | - | Executive | Corporate Director Communities, Environment and Resident Services |
| CERS8 | **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. | Refuse Disposal (Amenity) Act 1978 | Executive | Corporate Director Communities, Environment and Resident Services |
| CERS9 | **Concessionary use of facilities**   1. To determine applications for the concessionary use of parks, open space and public realm. 2. To determine concessionary use of sport and leisure facilities and activities. | - | Executive | Corporate Director Communities, Environment and Resident Services  Strategic Director of Communities |
| CERS10 | **Concessions for Council commissioned events**   1. To determine applications for the letting of individual concessions and attractions for events; and 2. 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  Strategic Director of Communities  Head of Tourism and Events |
| CERS11 | **Third party use of Council land to hold events**   1. To determine third party applications for hosting events and attractions on Council land; and 2. 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  Strategic Director of Communities  Head of Tourism and Events |
| CERS12 | **Use of Council land to hold events**  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  Strategic Director of Communities |
| CERS13 | **Complimentary tickets for events, promotions and competitions**  To issue complimentary tickets in accordance with the complimentary tickets principle and guidance to ensure transparency, fairness and record keeping. | - | Executive | Corporate Director Communities, Environment and Resident Services  Strategic Director of Communities |
| CERS14 | **Theatre Royal and Royal Concert Hall – booking performances**  To enter into negotiations and contractual agreements with promoters, producers, agents and artists in order to book performances for the Theatre Royal and Royal Concert Hall, or other performances to be delivered at venues elsewhere in 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 |
| CERS15 | **Theatre Royal and Royal Concert Hall – marketing**  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 Royal Concert Hall |
| CERS16 | **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 for Communities, Environment and Resident Services  Head of Libraries and Culture |
| CERS17 | **Selection of books in libraries**  To authorise the selection of books and other materials in accordance with the Council’s policies. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS18 | **Libraries – refusal of borrowing rights**  To bar persons from library premises and/or refuse persons borrowing rights in accordance with byelaws and regulations approved by the Council. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS19 | **Library collections – loan arrangements**  To authorise the making of loan arrangements for items in the library collections. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS20 | **Reproduction of items in the library**  To grant permission to reproduce items in the library collections. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS21 | **Gifts from benefactors**  To accept gifts from benefactors to the Council. | - | Executive | Corporate Director for Communities, Environment and Resident Services |
| CERS22 | **Parenting Contracts and Parenting Orders**  To 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 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 for Communities, Environment and Resident Services  Strategic Director of Communities |
| CERS23 | **Anti-Social Behaviour Orders**  To 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 for Communities, Environment and Resident Services  Strategic Director of Communities  Strategic Director of Legal and Governance  Head of Legal  Head of Environmental Health and Public Protection |
| CERS24 | **Public Spaces Protection Orders (PSPOs)**  To commence consultation (which includes the necessary publicity and notification) on, and approve the making, variation, extension or discharge of PSPOs in the following circumstances:   1. Where, in the opinion of the relevant Director, a proposed PSPO (or variation, extension or discharge of a PSPO) is significant or likely to be sensitive or contentious, the relevant Executive Member is responsible for commencing the consultation process via an Executive Member Decision and Executive Board is responsible for deciding whether to approve the making, variation, extension or discharge of the Order following the consultation. 2. Where a proposed PSPO or proposed variation, extension or discharge of a PSPO impacts on the city centre e.g. 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 political contentious or sensitive, the Strategic Director of Communities is responsible for commencing the consultation process and the relevant Executive Member is responsible for deciding whether to approve the making, variation, extension or discharge of the Order following consultation. 3. In relation to PSPOs that impact upon one ward and, following consultation (commenced by the Strategic Director of Communities), the decision whether to approve the making, variation, extension or discharge of the Order will be made by the Executive Member with responsibility for neighbourhoods, in consultation with the relevant ward councillors. | Anti-social Behaviour, Crime and Policing Act 2014 – Part 4, Chapter 2 | Executive |  |
| CERS25 | **Community Protection**  To exercise the public and community protection functions within the remit of the Corporate Director for Communities, Environment and Resident Services. | Various | Executive | Strategic Director of Communities  Head of Environmental Health and Public Protection |
| CERS26 | **Child Curfew Schemes**  In consultation with the Corporate Director for Children and Education, to discharge the functions of the Council in relation to local child curfew schemes and in relation to the local provision of youth justice services. | Crime and Disorder Act – Section 14 and Section 38 | Executive | Corporate Director for Communities, Environment and Resident Services  Strategic Director of Communities |
| CERS27 | **War memorials and public statues**  To maintain war memorials and public statues. | War Memorials (Local Authorities Powers) Act 1932 | Either depending on the circumstances | Corporate Director for Communities, Environment and Resident Services |
| CERS28 | **Issue, amend or replace safety certificates (whether general or special) for sports grounds**  To issue, amend or replace safety certificates, whether general or special, for sports grounds. | Safety of Sports Grounds Act 1975 | Non-Executive | Corporate Director for Communities, Environment and Resident Services  Strategic Director of Communities  Head of Environmental Health and Public Protection |
| CERS29 | **Safety certificates – Regulated Stands**  To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds. | Part 3 of the Fire and Safety of Places of Sport Act 1987 | Non-Executive | Corporate Director for Communities, Environment and Resident Services  Strategic Director of Communities  Head of Environmental Health and Public Protection |
| CERS30 | **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 and Safety of Places of Sports Act 1975. | Regulatory Reform (Fire Safety) Order 2005  Safety of Sports Grounds Act 1975  Fire and Safety of Places of Sports Act 1975. | Non-Executive | Corporate Director for Communities, Environment and Resident Services  Strategic Director of Communities  Head of Environmental Health and Public Protection |
| CERS31 | **Licensing functions**   1. 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: 2. grant, refuse, renew, refuse to renew, transfer, authorise, vary, review, suspend, revoke and cancel licences, permits, registrations and approvals; 3. determine, impose, periodically review and revise application procedures, conditions, byelaws, regulations, specifications, standards and similar policy guidelines associated with the above; 4. review and revise fees and charges associated with the above. 5. For those functions that are within the remit of the Licensing Committee to: 6. 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 – Non Executive Functions and Committees or law; 7. serve and receive notices, counter notices, notifications etc; 8. determine points of clarification required for hearings and whether representations are frivolous, vexatious, not relevant etc; 9. Reject applications/ representations in accordance with the governing legislation; 10. Agree that a hearing is unnecessary; 11. Adjourn hearings where all parties are in agreement; 12. Extend time limits; 13. Exercise the role of the Licensing Authority, including proposals to attach conditions and exclude default conditions. 14. To: 15. grant, refuse, renew, refuse to renew, vary, review and revoke licences; 16. determine, impose, periodically review and revise application procedures, standards and similar policy guidelines associated with the above; 17. review and revise fees and charges associated with the above; 18. hear oral representations from applicants whose application it is proposed to refuse or revoke. 19. To keep and maintain any public registers associated with the above. 20. To give effect to the decision of the Court on an appeal. | -  Scrap Metal Dealers Act 2013 | Non-Executive | Corporate Director for Communities, Environment and Resident Services  Strategic Director of Communities  Head of Environmental Health and Public Protection  Licensing Officer/ Manager  (a)(i) is also delegated to Senior Licensing Officers  (b)(viii) 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 Strategic Director of Communities, Head of Environmental Health and Public Protection and Licensing Officer/ Manager are appointed to hear oral representations. |

**TABLE 6 – CORPORATE DIRECTOR FOR ADULTS AND HEALTH**

| **Corporate Director for Adults and Health** | | | | |
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| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| AH1 | **Personal budgets and packages for adults, including residential and 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, subject to:   1. an overall individual package expenditure limit of £2,500 per week 2. all individual packages being commissioned through providers who have been subject to a full and proper procurement exercise either directly by the 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 set out in AH2; 3. the appropriate officer keeping full and proper records of all expenditure incurred in respect of each package purchased or provided. | - | Executive | Corporate Director for Adults and Health  Director of Adults Social Care  Heads of Service in Adult Assessment  Team Managers in Adult Assessment (up to a maximum of £325 per week only) |
| AH2 | **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 e.g. out of area, subject to a proper process being followed as defined by the Head of 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 e.g. specialist services, subject to a proper process being followed as defined by the Head of Procurement. | - | Executive | Corporate Director for Adults and Health  NB: decisions in relation to individual care packages are reserved to officers regardless of value |
| AN3 | **Court of Protection Deputy**  To authorise the appropriate officer to apply to the Court of Protection to be appointed as Deputy to manage the property and affairs and/or personal welfare of an individual who lacks capacity, in case whether they consider it appropriate. | Mental Capacity Act 2005 – Section 16 | Non-Executive | Corporate Director for Adults and Health |

**TABLE 7 – CORPORATE DIRECTOR FOR CHILDREN AND EDUCATION SERVICES**

| **Corporate Director for Children and Education Services** | | | | |
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| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| CES1 | **Adopters – payment of legal fees**  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 Children and Education |
| CES2 | **Special Guardianship and Child Arrangement Orders – payment of legal expenses**  To pay reasonable legal expenses incurred in relation to applications for Special Guardianship and Child Arrangement Orders in accordance with relevant legislation, guidance and policy and where there is no possibility of public funding being allowed. | - | Executive | Corporate Director for Children and Education |
| CES3 | **Special Guardianship and Child Arrangement Orders – applications**  To consent to the making of an application for Special Guardianship and Child Arrangement Orders, as required. | Children Act 1989 – Sections 8, 14(A) and 14(F) | Executive | Corporate Director for Children and Education |
| CES4 | **Special Guardianship and Child Arrangement Orders – financial support**  To provide financial support to adopters and holders of Special Guardianship and Child Arrangement Orders in accordance with relevant legislation. | - | Executive | Corporate Director for Children and Education |
| CES5 | **Child 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 Children and Education |
| CE6 | **Child in care - change of name**  To effect a change of name by deed poll of a child in care. | - | Executive | Corporate Director for Children and Education |
| CES7 | **Foster care – prohibition of accommodation at specified addresses**  To impose requirements to prohibit the accommodating of foster children at specified addresses. | - | Executive | Corporate Director for Children and Education |
| CES8 | **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 Resource Exchange. | - | Executive | Corporate Director for Children and Education |
| CES9 | **Adoption and Fostering Panels - recommendations**  To decide upon recommendations of Adoption and Fostering Panels. | - | Executive | Corporate Director for Children and Education |
| CES10 | **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 – Section 17 | Executive | Corporate Director for Children and Education |
| CED11 | **Authorised officer under Children and Adoption legislation**  To act as Authorised Officer under Children’s and Adoption legislation. | Children Act 1989 and 2004  Adoption and Children Act 2002 | Executive | Corporate Director for Children and Education |
| CES12 | **Care packages**  To authorise the purchase and/or direct provision of care packages for individual children appropriate to their properly assessed needs subject to:   1. an overall individual package expenditure limit of £4,500 per week; 2. all individual packages being commissioned through providers who have been subject of a full and proper procurement exercise either directly by the Council or through a recognised regional or national framework which remains valid at the time of commission; 3. the appropriate officer keeping full and proper records of all expenditure incurred in respect of each package purchased or provided. | - | Executive | Corporate Director for Children and Education  NB: decisions in relation to individual care packages are reserved to officers regardless of value |
| CES13 | **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 Children and Education |
| CES14 | **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 Children and Education |
| CES16 | **Standing Advisory Council on Religious Education (SACRE)**  To nominate councillors to sit on the Standing Advisory Council on Religious Education as directed by relevant political group whips. | - | Executive | Corporate Director for Children and Education |
| CES17 | **Employment of children**  To licence the employment of children. | Children and Young Persons Act 1933 – Part II byelaws made under that Part,  Children and Young Persons Act 1963 – Part II | Non-Executive | Corporate Director for Children and Education |

**TABLE 8 – STRATEGIC DIRECTOR OF LEGAL AND GOVERNANCE**

| **Strategic Director of Legal and Governance** | | | | |
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| **Delegation reference** | **Function delegated** | **Relevant legislation** | **Executive or Non-Executive** | **Officer(s) to whom the function is delegated** |
| LG1 | **Appointments to Outside Bodies**  To approve changes to mid-term appointments/ nominations to existing outside bodies as directed by relevant political group whips. | - | Executive | Strategic Director of Legal and Governance  In their absence, the Head of Governance |
| LG2 | **Designated Persons – Regulation of Investigatory Powers**   1. To act as the Senior Responsible Officer 2. To authorise applications for direct surveillance, covert human intelligence sources and the obtaining of communications data. | 1. Regulation of Investigatory Powers Act 2000 and the Investigatory Powers Act 2016 2. Regulation of Investigatory Powers Act 2000 and Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources Order 2010   Investigatory Powers Act 2016 – Section 61 and Schedule 4 | Executive | 1. Strategic Director of Legal and Governance or, in their absence, the Head of Legal 2. Corporate Director for Communities, Environment and Resident Services   Strategic Director of Communities  Head of Environmental Health and Public Protection  Corporate Director for Growth and City Development  Director of Planning and Transport |
| LG3 | **Undertakings**  To give undertakings on behalf of the Council. | - | Executive | Strategic Director of Legal and Governance  Head of Legal |
| LG4 | **Authorisation of officers to conduct action – 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:   1. the recovery of possession of houses and other property belonging to the Council; 2. the recovery of any rent, 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 | Strategic Director of Legal and Governance |
| LG5 | **Freedom of Information – Determination of exemptions**  To determine exemptions. | Freedom of Information Act – Section 36 | Executive | Strategic Director of Legal and Governance |
| LG6 | **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 an Executive Committee, 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. | - | Either depending on the circumstances | Strategic Director of Legal and Governance  Head of Legal |
| LG7 | **Authorisation to institute or defend the authority in legal proceedings**   1. Subject to being satisfied as to the evidence available and that it is expedient for the promotion and protection of the interests of the inhabitants of the Council’s administrative area, to authorise, institute or defend on behalf of the authority any legal proceedings (under any legislation or at common law). 2. To 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 their opinion appropriate. 3. To 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, levying distress. 4. To authorise Council officers to appear in court where they do not otherwise have legal rights of audience. 5. To instruct Counsel, professional advisers and experts where appropriate. 6. To accept, on behalf of the Council, the service of notices, orders and legal proceedings. | - | Either depending on the circumstances | Strategic Director of Legal and Governance  Head of Legal  Legal Services Team Leader subject to the following limitations:   * with regard to (a) the power to institute proceedings being those limited to the magistrates and county courts and lower tier tribunals; * with regard to (b) the power to settle actual or proposed litigation is limited to the sum of £10,000, including third party costs, and subject to approval of the budget holder and all necessary spend approvals; * (d) is excluded. |
| LG8 | **Instructions to Counsel/ professional advisers**  To instruct Counsel and professional advisers, where appropriate. | - | Either depending on the circumstances | Strategic Director of Legal and Governance  Head of Legal |
| LG9 | **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 Growth and City Development or Director of Planning and Transport, to determine applications for Certificates of Lawfulness of Existing and Proposed Use and to issue or refuse such Certificates. | - | Either depending on the circumstances | Strategic Director of Legal and Governance  Head of Legal  Legal Services Team Leader – Planning, Environment and Leisure |
| LG10 | **Protection of rights and interest of the Council**  To take preliminary steps to protect the rights and interests of the Council subject to consultation with the Leader of the Council in relation to any Bill, Statutory Instrument or Order in Parliament. |  | Either depending on the circumstances | Strategic Director of Legal and Governance |
| LG11 | **Amendments to the Constitution**  To make amendments to the Constitution which are required to comply with the law; reflect decisions of Council; reflect decisions that only have to be noted by Council e.g. Executive changes made by the Leader of the Council; or are purely administrative in nature. | - | Non-Executive | Strategic Director of Legal and Governance |
| LG12 | **Appointments to Committees**  To approve in-year changes to the membership of Non-Executive committees as directed by relevant political group whips. | - | Non-Executive | Strategic Director of Legal and Governance  In their absence, the Head of Governance |