

# **NORTH LINCOLNSHIRE COUNCIL**

## **DELEGATIONS TO OFFICERS AND APPOINTMENT OF PROPER OFFICERS**



## **APPENDIX A**

### **NORTH LINCOLNSHIRE COUNCIL**

#### **DELEGATIONS TO OFFICERS AND APPOINTMENT OF PROPER OFFICERS**

##### **TO ALL SERVICE DIRECTORS**

- (1) To incur revenue expenditure within estimates subject to:-
  - (i) compliance with the Standing Orders and Financial Regulations of the Council; and
  - (ii) the consent of the Cabinet Member where the proposed expenditure is in respect of any new purpose or project or in pursuance of a new policy or an extension of an existing policy involving a continuing financial commitment, unless the expenditure was specifically approved in the annual revenue estimates.
  
- (2) To incur capital expenditure provided that:-
  - (i) the project is included in the approved Capital Programme; and
  - (ii) the Standing Orders and Financial Regulations of the Council have been complied with.
  
- (3) Subject to the approval of the Service Director Finance the virement between heads of expenditure of amounts not exceeding £45,000
  
- (4)
  - (a) To accept tenders and quotations in accordance with Contract Standing Orders.
  
  - (b) To sign contracts (except for the acquisition or disposal of land or of any interest in land which shall be entered into by the Service Director Legal and Democratic in consultation with the Service Director Asset Management and Culture):-
    - (i) the contract does not exceed £100,000; and
    - (ii) the Standing Orders and Financial Regulations of the Council have been complied with; and
    - (iii) the Council's Scheme of Delegations has not been exceeded; and
    - (iv) the Service Director Legal and Democratic has approved the form of contract as appropriate for the type of contract concerned; and
    - (v) notification of the exercise of the delegation is given to the Service Director Legal and Democratic and in such form and with such information as he may require.

- (5) Subject to compliance with Contract Standing Orders and Financial Regulations the disposal of surplus or obsolete equipment etc. to the highest bidder where the estimated value does not exceed £10,000 in each case.
- (6) To approve price variations under contracts containing a fluctuation clause in conjunction with the Service Director Finance.
- (7) To appoint employees to posts within the approved establishment on salary grades below JNC or its equivalent except where the relevant Cabinet Member resolves otherwise.
- (8) To suspend employees in accordance with the approved disciplinary procedure. The Service Director Human Resources shall be notified of all such action.
- (9) To take disciplinary action against employees in accordance with the approved disciplinary procedure provided that the Service Director Human Resources shall be consulted before any decision is made to dismiss an employee.

NB. The Statutory Director of Children's Services shall not have power under paragraphs (8), (9) or (10) to relegate or dismiss employees in schools with delegated powers and shall take any such action in relation to such employees in accordance with the provisions of any relevant Articles and Instruments of Government for Schools.

- (10) The progression of individuals through routine grade bar in accordance with established criteria.
- (11) To implement the Council's scheme for removal expenses.
- (12) To grant special leave for urgent, personal or domestic reasons or for magisterial duties, or for trade union purposes in accordance with approved policies.
- (13) In consultation with the Service Director Finance and within council policy to grant car allowances and loans and approve applications for lease cars.
- (14) To deal with all matters relating to training within the current approved training policy and programme.
- (15) To recommend the Service Director Finance to make ex-gratia payments to employees in accordance with the approved scheme.
- (16) To deal with lost or uncollected property.
- (17) In respect of functions exercisable through their service, the appointment or authorisation of officers to issue cautions under statutory powers, to act under public protection legislation, to examine and seize food or any other articles, things or matter, to make test purchases and to remove persons from all Council premises.

- (18) The declaration of land not exceeding £5,000 in value surplus to the requirements of their service.
- (19) To sign indemnities relating to loss or injury suffered by employees in their directorate or pupils or students undergoing training or work experience providing the Service Director Finance has approved the form of indemnity and it does not exclude liability for loss or injury caused by the negligence of the body or person providing the training or work experience.
- (20) To approve ill health retirements subject to prior consultation with the Human Resources Adviser and to a quarterly report being submitted to the relevant cabinet member.
- (21) To approve voluntary redundancy and/or early retirement subject to consultation with the Human Resources Adviser, the Finance Manager and the agreement of the Service Director Human Resources and to a quarterly report being submitted to the relevant cabinet member.
- (22) To approve early retirement in the efficiency of the service subject to prior consultation with the Human Resources Adviser, Service Director Human Resources and the Finance Manager and to a quarterly report being submitted to the relevant cabinet member.
- (23) To approve the establishment of additional posts if there are no net additional costs or grading implications, subject to prior consultation with the Human Resources Adviser and the Finance Manager and to a quarterly report to the relevant cabinet member which should include the staffing costs for the service
- (24) To approve the deletion of posts subject to prior consultation with the Human Resources Adviser and the Finance Manager.
- (25) To approve changes to job descriptions and job titles where there are no grading implications subject to prior consultation with the Human Resources Adviser.
- (26) To approve honoraria payments subject to prior consultation with the Human Resources Adviser and the Finance Manager and to a quarterly report to the relevant cabinet member.
- (27) The letting of rooms on licence or lease, in buildings under their control in consultation with the Service Director Asset Management and Culture.
- (28) The hiring out of rooms on a daily basis in buildings under their control.
- (29) Identification and management of strategic and operational risks associated with the service area as set out in the council's risk management strategy.

## **TO THE CHIEF EXECUTIVE**

- (1) To take any action necessary in connection with an emergency or disaster in the district.
- (2) To exercise a power delegated to any officer when that officer is unable or unwilling to act.

## **SERVICE DIRECTOR HUMAN RESOURCES**

- (1) To interpret national and local conditions of service and to negotiate changes to the latter as necessary.
- (2) To develop, monitor and evaluate all personnel policies and procedures.
- (3) To lead on Council wide industrial relations issues.
- (4) To recommend the grading of posts and changes to grades of posts in conjunction with the relevant Human Resources Adviser.
- (5) To assist with organisational and procedural reviews and value for money studies.
- (6) To provide comments and recommendations to the relevant Cabinet Member on staffing and structural changes.
- (7) To grant additional maternity leave beyond eighteen weeks in the case of employees with more than one year but less than two years continuous service.

## **SERVICE DIRECTOR FINANCE**

- (1) The administration of the financial affairs of the Council, subject to statutory provisions, Standing Orders and Financial Regulations.
- (2) All executive decisions on borrowing, investment or financing in accordance with the approved Treasury Policy Statement.
- (3) The investment of the Council's funds in accordance with such policy as the Council may from time to time approve and with a view to achieving such enhanced returns as is consistent with security and liquidity.
- (4) To adjust where necessary the authorised and operational limits agreed each year for external debt, and to effect movement between the separately agreed figures for borrowing and long-term liabilities. Any such changes to be reported to the council at its next meeting following the change.
- (5) The day-to-day management of the Collection Fund and the disbursement of monies therefrom.

- (6) To recover Council Tax, and Business Rates (NNDR) and to write off sums outstanding in respect thereof as irrecoverable.
- (7) Administration of Housing Benefits, and Council Tax Benefits.
- (8) To grant rate relief to charities within principles laid down by the Council.
- (9) To approve the council's insurance policies and to maintain insurance cover in consultation, where necessary, with the Cabinet Member for Corporate Services.
- (10) The accounting arrangements of the Council.
- (11) In consultation with the appropriate Service Director to write off sundry debtors accounts up to £1,500 for any one debtor.
- (12) To write off sundry debtor accounts owing by a Company which is in liquidation where a proof of debt has been lodged with the liquidator.
- (13) To write off accounts for work in default in cases where it is considered that further recovery action would be fruitless.
- (14) The raising of finance by leasing of vehicles, plant and equipment where the acquisition of the item concerned has all necessary approvals.
- (15) To approve ex gratia payments to employees in accordance with the approved scheme.
- (16) To grant discretionary housing payments in exceptional circumstances in accordance with Department of Work and Pensions (DWP) guidance.
- (17) To backdate entitlement to Housing Benefit and Council Tax Benefit in accordance with DWP guidance as to "good cause".
- (18) Receivership of the property of the mentally ill.
- (19) To make mortgage advances to applicants fulfilling conditions set by the Council.
- (20) To refer to the police appropriate matters involving misappropriation of council funds or property.
- (21) To authorise such officers of the Finance Service of Grade 6 and above to initiate and conduct legal proceedings in the Magistrates and County Courts on behalf of the council in connection with the council's functions in relation to the recovery of council tax NNDR benefit overpayments and sundry debtors.
- (22) To accept on behalf of the Council all grants given to the Council by Central Government or any other agency, in consultation with the relevant Cabinet Member and Service Director.

## **SERVICE DIRECTOR LEGAL AND DEMOCRATIC**

- (1) To institute settle or defend proceedings on behalf of the Council following consultation with the Service Director.
- (2) To take all steps incidental to completing or obtaining the confirmation of any order or other formal proceedings made by the Council.
- (3) To serve any notice or requisition for information under any act requiring the owner or occupier of or any person having an interest in or managing any land or premises to give information to the local authority.
- (4) To make applications for repayment of unclaimed compulsory purchase compensation.
- (5) To authorise the service of Enforcement, Listed Building Enforcement and Stop Notices (on the recommendation of the Service Director Highways and Planning).
- (6) To make directions restricting permitted development under the Town and Country Planning General Development Order, subject to a report of the action taken being submitted to the Planning Committee. (On the recommendation of the Service Director Highways and Planning).
- (7) The maintenance of the Land Charges Register and the response to Local Searches.
- (8) All matters to be undertaken by the Council in relation to the Registration of Births, Deaths, Marriages and Civil Partnerships.
- (9) Following a recommendation from any other Service Director, the power to take all necessary steps to secure the removal of any person or persons from land, in accordance with policies established by the Council.
- (10) To take all necessary action regarding accident claims.
- (11) To accept or reject blight notices in respect of new or existing highway proposals (on the recommendation of the Service Director Highways and Planning).
- (12) The certification of the date when evidence came to the Council's notice for the purpose of health and safety at work prosecutions.
- (13) To maintain the Register and to determine authorisations for surveillance to be undertaken under the Regulation of Investigatory Powers Act 2000.
- (14) To carry out investigations and make appropriate reports under the Ethical Framework regime set out in the Local Government Act 2000.

## **SERVICE DIRECTOR COMMUNITY PLANNING AND RESOURCES**

- (1) The approval and issue of all official publicity, press statements and official publications.
- (2) The editorial content of the North Lincolnshire Council web-site.
- (3) All matters relating to Safer and Stronger Neighbourhoods, Community Safety and the requirements of Section 17 of the Crime and Disorder Act 1998.

**APPOINTMENT OF OFFICERS**

- (1) The Chief Executive is appointed Returning Officer for any constituency or part of a constituency coterminous with or contained in the District.
- (2) The Chief Executive is appointed Returning Officer for the elections of Councillors for the District and of Councillors for parishes within the District.
- (3) The Chief Executive is appointed Head of the Paid Service.
- (4) The Deputy Chief Executive Individuals is appointed Statutory Director of Children's Services as required by Section 18(2) of the Children Act, 2004.
- (5) The Service Director Finance is appointed as the officer having responsibility for the administration of the Council's financial affairs pursuant to Section 151 of the Local Government Act 1972.
- (6) The Service Director Legal and Democratic is appointed Monitoring Officer.
- (7) The Service Director Neighbourhood and Environmental is appointed as the officer having responsibility for the storage and charge of cemetery records pursuant to Article 12 of the Local Authorities' Cemeteries Order 1977 and the Service Director Legal and Democratic is appointed as the officer having responsibility for the signature of grants under Paragraph 1 of Part II of Schedule 2 of that Order and the granting of permission for the various matters referred to in Paragraph 1 of Part I of that Schedule.
- (8) The Service Director Legal and Democratic is appointed Proper Officer for all purposes concerned with the Council's Constitution.
- (9) The officers specified in the Table hereunder are appointed the Proper Officer for the purpose of the respective functions therein specified in relation to them:-

<b>Reference</b>	<b>Subject Matter</b>	<b>Proper Officer</b>
	<b>Local Government Act 1972</b>	
"S.83"	Witness and receipt of declaration of acceptance of office.	Chief Executive
"S.84"	Receipt of declaration of resignation of office.	Chief Executive
"S.88(2)"	Convening of meeting of council to fill casual vacancy in office of Chairman	Chief Executive
"S.89(1)(b)"	Receipt of notice of casual vacancy from two local government electors.	Chief Executive
"S.96(1)"	Receipt of notices of pecuniary interest	Service Director Legal and Democratic
"S.96(2)"	Keeping records of disclosures of pecuniary interest made under Section 94 and of notices under Section 96(1)	Service Director Legal and Democratic
"S.100(b)"	Exclusions reports, etc. from inspection	Service Director Legal and Democratic
"S.100(c)"	Written Summary where minutes would disclose exempt information	Service Director Legal and Democratic
"S.100(d)"	Compilation of list of background papers	For each report, the officer named in it as its author, or if more than one, the first named
"S.100(f)"	Exclusion from production to members of documents disclosing exempt information	Service Director Legal and Democratic
"S.115(2)"	Receipt of money due from officers	Service Director Finance
"S.146(1)(a) and (b)"	Declarations and certificates with regard to securities.	Service Director Legal and Democratic
"S.191"	Functions with respect to ordnance survey	Service Director Highways and Planning
"S.204(3)"	Receipt of application for licence under Schedule 2 Licensing Act 1964	Service Director Legal and Democratic
"S.210"	Charity functions	Service Director Legal and Democratic

“S.225(1)”	Deposit of documents	Service Director Legal and Democratic
“S.229(5)”	Certification of photographic copies of documents	Service Director Legal and Democratic
“S.234(1)”	Authentication of documents	Service Director Neighbourhood and Environmental Services
	(a) Statutory notices under the Public Health Acts 1936 and 1961, the Public Health (Recurring Nuisances) Act 1969, the Clean Air Acts 1956 and 1968, the Control of Pollution Act 1974, the Housing Acts 1957 and 1988 and the Local Government Act 1989 (other than for Council Houses), the Local Government (Miscellaneous Provisions) Act 1976  (except as specified in the next paragraph), the Prevention of Damage by Pests Act 1948, the Food Act 1984 and the Environmental Protection Act 1990 (as it relates to statutory nuisances)	
	(b) Notices under the Building Regulations and the Building Act 1984 and under the Local Government (Miscellaneous Provisions) Act 1976 with regard to dangerous trees and excavations.	Service Director Highways and Planning
	(c) Any other matter	Service Director Legal and Democratic
“S.238”	Certification of byelaws	Service Director Legal and Democratic
“S.248”	Keeping of roll of freemen	Chief Executive
Schedule 12 Para.4(2)(b)	Signature of summons to council meetings	Service Director Legal and Democratic
Schedule 12 Para.4(3)	Receipt of notices regarding address to which summons to meeting is to be sent	Service Director Legal and Democratic

Schedule 14 Para.25(7)	Certification of resolutions under paragraph 25	Service Director Legal and Democratic
Schedule 16 Para.28	Receipt on deposit of lists of buildings of special architectural or historical interest (Section 54(4) of the Town and Country Planning Act 1971 refers)	Service Director Highways and Planning
Schedule 29 Para.41	Exercise of functions under Section 9(1) and (2), 13(2)(h) and 3(b) and 20(b) of the Registration Services Act 1953  Local Elections (Principal Areas) Rules 1973	Service Director Legal and Democratic
Rule 47	Receipt from Returning Officer of the names of persons elected to the council	Chief Executive
Rule 49	Receipt from Returning Officer of election documents	Chief Executive
Rule 51	Retention of election documents and making them available for public inspection  Local Government Act 1974	Chief Executive
“S.30”	Publication of reports of Local Commissioners  Local Government (Miscellaneous Provisions) Act 1976	Service Director Legal and Democratic
“S.41”	Certification of copies of resolutions, minutes and other documents  Rates Act 1984	Service Director Legal and Democratic
“S.7”	Certification of Rate  Building Act 1984	Service Director Finance
	(a)Various purposes with regard to drainage, water supply, sanitary accommodation.	Service Director Highways and Planning
	(b)Purposes relating to building control other than those comprised in (a) above  Local Government and Housing Act 1989	Service Director Highways and Planning

“S.2”	Preparation of Politically Restricted Posts	Service Director Legal and Democratic
“Ss.15,16 & 17”	Receipt of notices relating to Political Groups	Chief Executive
“S.19”	Receipt of general notice of members’ prejudicial interests	Service Director Legal and Democratic
	Environmental Protection Act 1990	
“S.149”	Discharging the functions in the section for dealing with stray dogs.	Service Director Neighbourhood and Environmental Services

(9) The officer of the Council named in the second column hereunder is appointed the proper officer of the Council in relation to references to the officer named in the first column in:-

- (i) any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instrument made before the 26 October 1972 which reference is to be construed as a reference to the proper officer of the Council;
- (ii) any reference in any local statutory provision which, by virtue of any Order made under the Local Government Act 1972, is to be construed as a reference to the proper officer of the Council.

**1.  
Reference**

**2.  
Proper Officer**

Town Clerk or Clerk of the Council

Chief Executive

Treasurer

Service Director Finance

Surveyor

Service Director Highways and Planning

Public Health Inspector

Service Director Neighbourhood and Environmental Services

(10) Every appointment hereby made in relation to a provision which is replaced or re-enacted shall be effective as an appointment of the same officer in relation to the corresponding new provision.

(11) Until the Council otherwise determine the Chief Executive is appointed the proper officer for the purpose of all statutory provisions, whether existing or future, in respect of which no express proper officer appointment has for the time being been made.

- (12) An officer appointed as a proper officer may make arrangements for the carrying out of the relevant duties and functions by another officer. In the event of an officer being for any reason unable to act or the post being vacant a second tier officer in the department shall undertake the relevant duties and functions.

SERVICE DIRECTOR HIGHWAYS AND PLANNING

1. HIGHWAYS

- 1.1 - to adopt highways.
- to accept dedication for highway purposes.
- to enter into agreements under Section 38 of the Highways Act 1980.
- to enter into agreements under Section 62 of the Highways Act 1980 and all other enabling provisions whereby an applicant agrees to finance or carry out works of improvement to the public highway to facilitate a proposed development.
- to operate the Advance Payment Code
- 1.2 In consultation with the Cabinet Member for Highways and Planning to carry out minor highway improvement schemes to be funded from the highway revenue allocation and not estimated to exceed £50,000.
- 1.3 Subject to the Cabinet Member for Highways and Planning and the Head of Regeneration (where appropriate) being consulted in respect of any highway diversion proposed under Section 135 or in respect of any proposed legal proceedings, to perform the Council's functions under the following sections to the Highways Act 1980:-

Section 115 A - K	Provision of Amenities on certain highways.
Sections 26, 118, 118A, 118B, 119, 119A, 119B	Make Public Path Orders (creation, diversion and extinguishment)
Sections 118, 1182A, 118C, 119, 1192A, 119C, 119D	Determine formal and statutory applications to make extinguishment and diversion orders
Section 129A	To make Gating Orders
Section 131	Penalty for damaging highway etc.
Section 131A	Disturbance of surface of certain highways.
Section 132	Unauthorised marks on highways.
Section 133	Damage to footways of streets by excavations.
Section 134	Ploughing etc of footpath or bridleway (subject to minute 147 of the Environment Sub-Committee 3 July 1996)

Section 135	Authorisation of the works disturbing footpath or bridleway.
Section 136	Damage to highway consequent on exclusion of sun and wind.
Section 137	Wilful obstruction.
Section 137A	Interference by crops.
Section 138	Erection of building on highway without Lawful authority.
Section 139	Control of builder's skips.
Section 140	Removal of builder's skips
Section 140A	Charges for occupation of highway
Section 141	Restricting all planting of trees etc in or near carriageway
Section 142	Licence to plant trees, shrubs etc on a highway
Section 143	Power to remove structures from highways
Section 144	Power to erect flagpoles etc. on highways
Section 145	Power as to gates across highways.
Section 146	Duty to maintain stiles etc. on footpaths and bridleways.
Section 147	Power to authorise erection of stiles etc. on footpath or bridleway.
Section 147A	Roadside sales.
Section 148	Prosecutions for depositing things or pitching booths on highways.
Section 149	Removal of things so deposited on highways as to be a nuisance etc.
Section 150	Duty to remove snow, soil etc. from highway.
Section 151	Prevention of soil etc. Being washed onto street.

Section 152	Power as to removal of projections from buildings.
Section 153	Doors etc. in streets not to open inwards.
Section 154	Cutting or felling trees etc that overhang or are a danger to roads or footpaths.
Section 155	Prosecutions in connection with straying animals.
Section 161	Prosecutions for causing certain kinds of danger or annoyance.
Section 161A	Danger of annoyance caused by fires lit otherwise than on highways.
Section 162	Prosecutions for placing rope etc across highway.
Section 163	Prevention of water falling on or flowing onto highway.
Section 164	Power to require removal of barbed wire.
Section 165	Dangerous land adjoining street.
Section 166	Forecourt abutting on streets.
Section 167	Power relating to retaining walls near streets.
Section 168	Building operations affecting public safety
Section 169	Control of scaffolding on highways
Section 170	Control of mixing of mortar etc on highways
Section 171	Control of deposit of building materials and making of excavations in streets
Section 171A	(Works under Section 169 or Section 171; charge for occupation of the highway)

Section 172	Hoardings to be set up during building etc
Section 173	Hoardings to be securely erected
Section 174	Precautions to be taken by persons executing works in streets
Section 175	Liability of certain persons in respect of materials left on highway
Section 175A	Duty to have regard to needs of disabled and blind in executing works etc
Section 176	Restriction on construction of bridges over highways
Section 177	Restriction on construction of buildings over highways
Section 178	Restriction on placing rails, beams etc over highways
Section 179	Control of construction cellars etc under street
Section 180	Control of openings into cellars etc under streets and pavement lights and ventilators
Section 184	Vehicle crossings over footways and verges

- 1.4 In consultation with the Cabinet Member for Highways and Planning to respond to notices served on the Council under Section 56 of the Highways Act 1980 (as to whether the Council admits that a way or bridge is a highway and it is liable to maintain it).
- 1.5 In consultation with the Cabinet Member for Highways and Planning, to deal with applications for orders under Section 14 of the Road Traffic Regulations Act 1984 (temporary prohibition or restriction on roads).
- 1.6 To perform the Council's function under the New Roads and Street Works Act 1991.
- 1.7 To carry out the Council's functions under Noise Insulation Regulations.

- 1.8 To determine for the purpose of replying to conveyancing and planning requirements whether particular properties are likely to be affected by road proposals included within the approved Highways Capital Programme.
- 1.9 To organise the carrying out of seismic including vibroseis surveys on the highway subject to the Council being indemnified therefrom.
- 1.10 To enter into agreement with statutory undertakings to place services in or on the highway (including bridges).
- 1.11 In consultation with the Cabinet Member for Highways and Planning, to decide whether to ask the Traffic Commissioners to determine "Traffic Regulating Conditions" under Section 7 of the Transport Act 1985 and in appropriate cases to make such applications to the Traffic Commissioners.
- 1.12 Decide whether or not (as highways authority) to object to applications to the Traffic Commissioners for goods vehicle operator licences.
- 1.13 In consultation with the Leader, the Cabinet Member for Highways and Planning and the Service Director Legal and Democratic, to accept or reject (as highways authority) blight notices in respect of new or existing highway proposals.
- 1.14 To approve or refuse applications for permits at existing authorised parking places for Doctors and at the Market Place, Brigg.
- 1.15 To approve and arrange for the wall mounting of street lights in accordance with such guidelines as the Council may approve.
- 1.16 To grant or refuse requests from charitable organisations for assistance in erecting banners across any highway.
- 1.17 In consultation with the Cabinet Member for Highways and Planning to make orders to close streets to traffic pursuant to Section 21 of the Town Police Clauses Act 1847 (public processions, carnivals, fairs etc).
- 1.18 In conjunction with the Cabinet Member for Highways and Planning, to designate protected streets, streets with special engineering difficulties and traffic sensitive streets under sections 61, 63 and 64 respectively of the New Roads and Street Works Act 1991.
- 1.19 In cases of urgency, consultation with the Cabinet Member for Highways and Planning to enter site agreements for highway planting and maintenance (subject to minute 239 of the former Development and Environment Committee 30 July 1996).
- 1.20 To make experimental Traffic Regulation Orders under Section 9 of the Road Traffic Regulation Act 1984.



Building Regulations and the relevant Building Regulations (currently the Building Regulations 2000 as amended)

Section 36	Removal or alteration of offending work and the relevant Building Regulations (currently the Building Regulations 2000 as amended)
Sections 47, 50, 51 and 52	Supervision of plans and work (including issue of certificates).
Sections 54 and 56	Response to and reading of public body certificates.
Section 72	Provision of means of escape in the case of fire (buildings of more than 2 storeys).
Section 77	Application to Magistrates Court in respect of structures in dangerous condition.
Section 78	Emergency measures in respect of dangerous structures.
Section 79	Ruinous and dilapidated buildings and neglected sites
Sections 80 and 81	Control over work of demolition
Section 104	Giving effect to decision of court

5.3 In consultation with the Chairman and Vice Chairman of the Planning Committee to determine applications for relaxation of dispensation of the Building Regulations.

5.4 To determine fees in accordance with the Building (Local Authority Charges) Regulations 1998 for the time being in force.

5.5 To act as the Council's representative at the Yorkshire and Lincolnshire DSA Group.

## **6. STREET NAMING/NUMBERING**

6.1 To require that houses and other buildings in newly constructed streets are numbered and for this purpose take such action as is necessary pursuant to Sections 64 and 65 of the Town Improvement Clauses Act 1847.

6.2 In consultation with the Cabinet Member for Highways and Planning, to respond to notices served on the Council pursuant to Section 17 of the Public Health Act 1925.

6.3 To approve street names where there are no objections.

## **7. TOWN AND COUNTRY PLANNING**

- 7.1 Determination of applications for permission, approval or consent, requirements for assessment, issuing of notices and completion or modification of agreements or obligations under the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Planning and Compensation Act 1991 and the Environment Act 1995, or any subordinate rules, orders or regulations made under that legislation.
- 7.2 Determination of all other matters required to be dealt with as part of the management and administration of the Council's development control function and powers, including (but not exclusively).
- Amendments to approved plans
  - Details submitted pursuant to conditions
  - Matters relating to protected trees
  - Consultation with other bodies on planning matters
  - Enforcement of planning control (in consultation with the Service Director Legal and Democratic
  - Appeals
  - Screening opinions under the 1999 Environmental Assessment Regulations
  - Determination of and signing off decisions relating to the Council's function as competent authority, as defined in The Conservation (Natural Habitats, & C.) Regulations 1994.
- 7.3 Payment of historic building and conservation grants in response to applications fulfilling the relevant criteria, subject to finance being available within the current budget.

### **EXCEPTIONS TO THE SCHEME**

1. Applications made by members of the council, or senior officers (unit manager level and above) or any other officer responsible to the Service Director Highways and Planning, or the spouse or partner of any of the foregoing who resides at the same address, and/or applications relating to any land in which any of the foregoing have an interest.
2. Applications vetoed by any member of the council.
3. Approvals contrary to policy - i.e. departures and potentially justifiable exceptions.
4. Applications which have aroused significant public interest on valid planning grounds or an objection from a statutory consultee, at the discretion of the Service Director Highways and Planning or his nominated representative.

5. Applications subject to a parish council objection on valid planning grounds\*

where the recommendation is to grant permission or applications specifically supported by the parish council where the recommendation is to refuse.

6. Applications subject to a request from a member of the public that the matter to address be referred to the Planning Committee so that they may address the committee.
7. Confirmation of tree preservation or other orders or directions which are the subject of an objection.

## **8. COUNTRYSIDE**

- 8.1 In consultation with the Cabinet Member for Highways and Planning, to act as agent to private land owners and land managers in applying to the Forestry Authority for woodland grant schemes on both public and private land.
- 8.2 To act as agent to private landowners and land managers in applying to the Ministry of Agriculture Fisheries and Food for Countryside Stewardship grant and in implementing Countryside Stewardship schemes.
- 8.3 To determine applications to modify the definitive map and/or statement, including applications served under Section 53(5) of the Wildlife and Countryside Act, 1981.

## **9. OTHER**

- 9.1 To deal with applications/complaints in relation to high evergreen or semi-evergreen hedges as outlined in Part 8 of the Anti Social Behaviour Act, 2003.
- 9.2 Registration of common land and town/village greens and the exercise of protective powers under the relevant legislation other than on those occasions when the nature of the application is such that it should be referred to the Planning Committee.
10. That where appropriate functions relating to the carrying out of these delegated powers (including the signing and serving of notices) be delegated to an officer and the Service Director Highways and Planning be authorised to designate any such officer.

## **SERVICE DIRECTOR NEIGHBOURHOOD AND ENVIRONMENTAL SERVICES**

### **1. GENERAL**

- 1.1 To administer the Council's functions as a Weights and Measures, Food, Waste Collection, Waste Disposal and Principal Litter Authority, and under any other relevant environmental health, waste, consumer protection or trading standards legislation (see attached) including the issue of such notices, instructions or other similar documents or requirements as are permitted by legislation in such circumstances as the Service Director deems necessary.

- 1.2 To determine applications under the Licensing Act 2003 as defined and detailed

in the statement of licensing policy in accordance with guidance issued by the Secretary of State.

- 1.3 To determine the grant, renewal, variation, transfer or revocation of any licence, permit, consent, permission, registration, certificate or other like document under the legislation referred to in paragraph 4 of the Terms of Reference of Licensing Committee unless he regards such grant to be inappropriate for the use of these delegated powers and/or the application has been the subject of any unresolved objection, adverse comment or observation during any consultation or advertisement process.
- 1.4 To deal with any appeal arising out of the licensing process.
- 1.5 To authorise such officers of the Trading Standards Service of Grade 10 and above to initiate and conduct legal proceedings in the Magistrates Court on behalf of the Council in connection with the Council's functions in relation to trading standards and consumer protection.
- 1.6 To authorise such officers of the Environmental Health and Waste Management Services of Grade 10 and above to initiate and conduct legal proceedings in the Magistrates Court on behalf of the Council in connection with the Council's functions in relation to environmental health and waste management.
- 1.7 To authorise such officers of the Licensing Division of Grade 9 and above together with the Assistant Service Director Neighbourhood and Environmental Services and above to initiate and conduct legal proceedings in the Magistrates Court on behalf of the Council in connection with the Council's functions in relation to licensing.
- 1.8 In consultation with the Licensing Committee, the power to refuse licences and to deal with any matters arising out of relevant appeals.
- 1.9 In consultation with the Licensing Committee to determine applications for small lotteries in accordance with paragraph 3.5 of the report of the Service Director Neighbourhood and Environmental Services dated 7 November 2006.
- 1.10 That where appropriate, functions relating to operational enforcement (including the signing and serving of appropriate notices) be delegated to an Officer, and the Service Director Neighbourhood and Environmental Services be authorised to designate those Officers.
- 1.11 Authority to administer and decide cases where persons present themselves as homeless
- 1.12 To deal with the relevant Sections of the Land Drainage Act to provide additional coverage as follows:

(i) Section 14 – general drainage powers (to prevent flooding, mitigate

damage caused by flooding) by cleansing, repairing, maintaining, deepening, widening, straightening, or otherwise improving watercourses. To remove obstructions and to construct new works.

- (ii) Section 20 – carrying out works by agreement at the other person's expense.
- (iii) Section 22 – applications to the Minister for an Order to carry out drainage works.
- (iv) Section 25 – powers to require works for maintaining flow of watercourse.

1.13 To authorise such officers of the service to act as Inspectors in enforcing the provisions of the Animal Welfare Act 2006.

1.14 To exercise on behalf of the Council powers under the following legislation.

## **TRADING STANDARDS**

Agriculture Produce (Grading and Marking) Acts 1928 and 1931

Agricultural Act 1970

Animal Health Act 1981

Animal Welfare Act 2006

Consumer Credit Act 1974

Consumer Protection Act 1987

Control of Pollution Act 1974

Courts and Legal Services Act 1990

Development of Tourism Act 1969

Education Reform Act 1988

Energy Acts 1976 and 1983

Energy Conservation Act 1981

Estate Agents Act 1979

European Communities Acts 1972 and 1986

Fair Trading Act 1973

Food & Environmental Protection Act 1985

Food Safety Act 1990

Hallmarking Act 1973

Health Act 2006

Humberside Act 1982

Medicines Act 1968

Merchant Shipping Act 1979

Motor Cycle Noise Act 1987

Nurses Agencies Act 1957

Performing Animals (Regulations) Act 1925

Poisons Act 1972

Prices Act 1974

Property Misdescriptions Act 1991

Road Traffic Acts 1988 and 1991

Solicitors Act 1974  
Telecommunications Act 1984  
Trade Descriptions Act 1968  
Trade Marks Act 1994  
Trading Representations (Disabled Persons) Act 1958  
Video Recordings Act 1984 and 1993  
Weights and Measures Act 1985  
Wildlife and Countryside Act 1981  
Health & Safety at Work etc. Act 1974  
Celluloid and Cinematograph Film Act 1922  
Explosives Act 1875 to 1976  
Fireworks Act 1951  
Petroleum (Regulation) Acts 1928 and 1936  
Public Health Acts 1936 and 1961  
Accommodation Agencies Act 1953  
Administration of Justice Acts 1970 and 1985  
Agriculture (Miscellaneous Provisions) Act 1968  
Business Names Act 1985  
Children and Young Persons Act 1993  
Children and Young Persons (Protection from Tobacco) Act 1991  
Companies Act 1985  
Copyright, Designs and Patents Act 1988  
Criminal Attempts Act 1981  
Criminal Damage Act 1971  
Environmental Protection Act 1990  
Farm and Garden Chemicals Act 1967  
Forgery & Counterfeiting Acts 1981 and 1988  
Insurance Brokers (Registration) Act 1977  
Malicious Communications Act 1988  
Mock Auctions Act 1961  
Protection of Animals Act 1911  
Registered Designs Act 1949  
Road Traffic (Foreign Vehicles) Act 1972  
Road Traffic Offenders Act 1988  
Theft Acts 1968 and 1978  
Trading Stamps Act 1964  
Unsolicited Goods and Services Acts 1971 and 1975  
Environment and Safety Information Act 1988  
Public Passenger Vehicles Act 1981  
The Reservoirs Act 1975  
The Safety of Sports Grounds Act 1975  
The Mines and Quarries Act 1969  
Minibus Act 1977

## **ENVIRONMENTAL HEALTH**

Food Safety Act 1990  
Food & Environmental Protection Act 1985

Food Act 1984  
Water Industry Act 1991  
Game Act 1831  
Game Licences Act 1860  
Late Night Refreshment Houses Act 1969  
Health & Safety at Work etc Act 1974  
Health & Safety (Enforcing Authority) Regulations 1989  
Sunday Trading Act 1994  
The Safety of Sports Grounds Act 1975  
Cinemas Act 1985  
Theatres Act 1968  
Zoo Licensing Act 1981  
Rag Flock and Other Filling Materials Act 1951  
Riding Establishments Acts 1964 and 1970  
Breeding of Dogs Act 1973 and 1991  
Pet Animals Act 1951  
Pet Animals Amendment Act 1983  
Animal Boarding Establishments Act 1963  
Guard Dogs Act 1975  
Dangerous Wild Animals Act 1976  
Local Government (Miscellaneous Provisions) Act 1982  
Hypnotism Act 1952  
Public Health (Control of Disease) Act 1984  
Control of Pollution Act 1974  
Animal Health Act 1981  
Local Government (Miscellaneous Provisions) Act 1976  
Local Government (Miscellaneous Provisions) Act 1982  
Prevention of Damage by pests Act 1949  
Scrap Metal Dealers Act 1964  
Refuse Disposal (Amenity) Act 1978  
Clean Air Act 1993  
Caravan Sites and Control of Development Act 1960  
Environmental Protection Act 1990  
Building Act 1984  
Public Health Act 1936  
Public Health Act 1961  
Local Government Act 1972  
Refuse Disposal (Amenity) Act 1978  
Highways Act 1980  
Litter Act 1983  
Betting, Gaming and Lotteries Act 1963  
Gaming Act 1968  
House to House Collections Act 1939  
Lotteries and Amusements Act 1976  
Police, Factories etc (Miscellaneous Provisions) Act 1916  
Sunday Theatres Act 1972  
Celluloid and Cinematograph Film Act 1922  
Town Police Clauses Act 1847  
Town Police Clauses Act 1889

Transport Act 1985  
 Fire and Safety of Places of Sport Act 1987  
 Housing Act 1985  
 Protection from Eviction Act 1977  
 Local Government Act 1972  
 Meat Products (Hygiene) Regulations 1994  
 Dairy Products (Hygiene) Regulations 1994  
 Egg Products Regulations 1993  
 Food Safety (Fishery Products) Regulations 1992  
 Food Safety (Live Bivalve Molluscs) Regulations 1992  
 The Minced Meat and Meat Preparation (Hygiene) Regulations 1995  
 European Community Acts 1972 and 1986  
 Environment Act 1995  
 Dogs (Fouling of Land) Act 1996  
 Waste Minimisation Act 1998  
 Anti Social Behaviour Act 2003  
 Noise Act 1996  
 Noise and Statutory Nuisance Act 1993  
 Crime and Disorder Act 1998  
 Pollution Prevention and Control Act 1999  
 Town and Country Planning Act, 1990  
 Land Drainage Act 1991  
 Animal Welfare Act 2006

## 2. STATUTORY REGULATION AND ENFORCEMENT

Housing Grants, Construction and Regeneration Act 1996	Part 1 Section 24	Approval of disabled facilities grants (in consultation with the Cabinet Member for Housing and Strategic Planning)
Housing Grants, Construction and Regeneration Act 1996	Part 1 Section 28	Approval of HMO grants (in consultation with the Cabinet Member for Housing and Strategic Planning)
Housing Grants, Construction and Regeneration Act 1996	Part 1 Section 76 (Chapter 3)	Power to give house repair assistance (in consultation with the Cabinet Member for Housing and Strategic Planning)
Housing Act 1996	Part 2 Section 65	Making and approval of Registration Schemes (Housing and Strategic Planning Cabinet Member)
Housing Act 1976	Part 2 Section 66	Registration of individual HMOs

Protection from Eviction Act 1977	Part 1 Section 1	Unlawful eviction and harassment of occupier
Housing Act 1988	Part 1 Section 29 (Chapter IV)	Offences of harassment
Housing Act 1985 (as amended by the Local Government and Housing Act 1989 and the Housing Act 1996)	Part XI Section 380	A modification of Control Order where proprietor resides in part 4 a house in multiple occupation
“	Part XI Section 395	Powers of entry in connection with Control Orders
Local Government and Housing Act 1989	Part VII Section 97	Powers of entry in connection with housing renewal areas
Housing Grants, Construction and Regeneration Act 1996	Part IV Section 81	Deferred Action Notices
“	Part IV Section 84	Review of deferred action Notices
“	Part IV Section 87	Power to charge for enforcement action
“	Part IV Section 88	Recovery of charge for enforcement action
“	Part I Section 13	Approval of renovation grants (in consultation with the Cabinet Member for Housing and Strategic Planning
“	Part I Section 18	Approval of common parts grant applications (in consultation with the Cabinet Member for Housing and Strategic Planning
Housing Act 1985 (as amended by the Local Government and Housing Act 1996)	Part X Section 354	Power to limit number of occupants of house
“	Part XI Section 356	Power to require information about occupation of a house in multiple occupation
“	Part XI Section 357	Revocation or variation of a direction under Section 354

“	Part XI Section 358	Service of overcrowding notice relating to a house in multiple occupation
“	Part XI Section 364	Power to require information where a notice under S.358 is in force
“	Part XI Section 372	Power to require execution of works to remedy neglect of management in a house in multiple occupation
“	Part XI Section 375	Carrying out of works by local housing authority
“	Part XI Section 379	Making of Control Order
“	Part IX Section 278	Closing Orders: Determination of Order on premises being rendered fit
“	Part X Section 335	Power to require information about a person sleeping in a dwelling in connection with overcrowding
“	Part X Section 336	Power to require production of rent book
“	Part X Section 337	Power of entry to determine permitted number of persons
“	Part X Section 338	Notice to abate overcrowding
“	Part X Section 340	Powers of entry
“	Part XI Section 350	Power to require information in connection with a Registration Scheme for houses in multiple occupation
“	Part XI Section 352	Power to require execution of works to render premises fit for number of occupants

Local Government (Miscellaneous Provisions) Act 1976	Section 16	Power of Local Authorities to obtain particulars of persons interested in land
“	Section 29	Securing of buildings against unauthorised entry and recovery of expenses in so doing
Housing Act 1985 (as amended by the Local Government and Housing Act 1989 and the Housing Act 1996)	Part VI Section 189	Repair of unfit dwelling
“	Part VI Section 190	Repair of dwelling in state of disrepair but not unfit
“	Part VI Section 193	Power of Local Authority to execute works
“	Part VI Section 194	Notice of an Authority's intention to execute works
“	Part VI Section 197	Powers of entry
“	Part IX Section 264	Power to accept undertaking as to the construction or use of an unfit house
Caravan Sites and Control of Development Act 1960	Part I Section 26	Power of entry
Caravan Sites Act 1968	Part III Section 14	Offences (in consultation with the Cabinet Member for Housing and Strategic Planning)
Local Government (Miscellaneous Provisions) Act 1976	Part I Section 33	Restoration or continuation of supply of water, gas or electricity (in consultation with the Cabinet Member for Housing and Strategic Planning)
Public Health Act 1936	Part XII Section 287	Power to enter premises

Environmental Protection Act 1990	Part III Section 80	Summary proceedings for statutory nuisances in respect of dwellings
“	Part IX Section 270	Demolition Orders : Recovery of possession of building to be demolished (in consultation with the Cabinet Member for Neighbourhood, Environment and Communities).
Building Act 1984	Part IV Section 95	Power to enter premises
“	Part IV Section 97	Power to execute works
Caravan Sites and Control of Development Act 1960	Part I Section 3	Issue of site licence by Local Authorities
“	Part I Section 5	Power of Local Authority to attach conditions to a site licence
“	Part I Section 8	Power of Local Authority to alter conditions attached to site licence
Local Government and Housing Act 1989	Part VII Section 93	General Powers of Local Housing Authority (Renewal Areas) in consultation with the Cabinet Member for Housing and Strategic Planning
Power to appoint certain officers to exercise powers set out above		
Housing Act 2004 Part 1	Chapter 1	Enforcement of Housing Standards generally
	Chapter 2	Improvement Notices, Prohibition Orders and Hazard Awareness Notices and their contents and Enforcement
	Chapter 3	Emergency Measures - including Emergency Remedial Work and Emergency Prohibition Orders

	Chapter 4	Demolition Orders and Slum Clearance Declarations
	Chapter 5	General and miscellaneous Provisions relating to Enforcement action
Housing Act 2004 Part 2		Licensing of Houses in Multiple Occupation
Housing Act 2004 Part 3		Selective Licensing of Other Residential Accommodation
Housing Act 2004 Part 4	Chapter 1	Interim and Final Management Orders
	Chapter 2	Interim and Final Empty Dwelling Management Orders
	Chapter 3	Overcrowding Notices - applies To Houses in Multiple Occupation
	Chapter 4	Supplementary provisions
Housing Act 2004 Part 6	Chapter 3	Mobile Homes - extension of protection from harassment for occupiers of mobile homes
	Chapter 5	Miscellaneous - overcrowding, Disabled facilities grants
Housing Act 2004 Part 7		Register and codes of practice with regard to management of Houses in Multiple Occupation, powers of entry, warrant to enter and authorisations for enforcement purposes and service of documents
Housing Act 2004		Power to enforce the provisions of the Housing Act 2004, the Home Information Pack Regulations 2007 and the Energy Performance of Buildings (Certificates and Inspections) Regulations 2007 in relation to Home Information Packs

Health Act 2006 S6(5)	Power to appoint other officers to deal with the enforcement of the above.
S7(4)	Power to enforce offences relating to the display of no smoking signs
S8(4)	Power to enforce offence of failing to prevent smoking in smoke free places

## **HEAD OF STRATEGIC REGENERATION, HOUSING AND DEVELOPMENT**

### **1. HOUSING ALLOCATIONS**

- 1.1 Authority to allocate tenancies based on the policy approved by the Council.
- 1.2 Authority to allocate tenancies outside the policy approved by the Council in exceptional circumstances, with a report being submitted to the cabinet member on a quarterly basis.

## **SERVICE DIRECTOR ASSET MANAGEMENT AND CULTURE**

1. Assignments and sub-lettings of all Council owned property managed by Property Services.
2. All short term lettings and licenses of unused land or land capable of accommodating temporary uses not exceeding 12 months.
3. Minor amendments to leases and granting or applying for consent to carry out works or alteration/improvement.
4. To determine applications for subletting and or assignment/surrender or leases.
5. Negotiation of rent reviews/lease renewals.
6. Day-to-day management (excluding the terms for new lettings) the service of notices to quit, the acceptance of surrenders of tenancies, the varying of rents for:
  - (i) The Council's smallholdings.
  - (ii) Other farm holdings.

which (III) Any areas of agricultural land and property held by the council, are not in use for the purposes of a particular function.

7. Granting wayleaves and easements to statutory undertakers across operational, smallholdings and surplus council property.
8. Repair, letting, and closure of properties acquired under Highway powers.
9. To undertake valuation duties, including negotiations for the purchase, disposal and leasing of land and properties, rent reviews and mortgage valuations (subject to specific committee authority for the scheme in question where appropriate).
10. Approve or otherwise, applications by the purchasers of lessees of Council plots for approval of housing and other relevant schemes in accordance with the conditions of disposal and to deal with any subsequent applications for consent to carry out alterations or extensions on the land.
11. To decline the offers of properties not immediately required and for which monies are not at present available in the estimates.
12. To enforce any breaches of covenant, and non-compliance with conditions of sale, or lease.
13. Approve or otherwise, applications by mortgagors to carry out any alterations to residential properties in compliance with the conditions of their Council mortgage, providing that the Service Director is satisfied that the Council's equity will not be at risk.
14. Disposal of items of equipment and fittings surplus to the Council's requirements, arising on the purchase of any properties which are to be closed and subsequently demolished.
15. Approve or otherwise, applications for the alterations of shops and former municipal dwellings sold under the Right to Buy.
16. In conjunction with the Service Director Legal and Democratic to deal with the service of notice to quit under the Landlord and Tenant Act 1954 for the purpose of negotiating the rent or terms of leases.
17. The determination of dilapidation claims and compensation payments.
18. The disposal of structures forming new gable ends of privately owned dwellings and the land on which they are constructed.
19. The disposal of the Council's reversionary interest in residential properties under the Leasehold Reform Act 1967.

20. All other day-to-day transactions will continue to be reported for approval on the schedule to the appropriate Cabinet Member carrying responsibility for property related matters.
21. To manage trespass on all council land (and on private land when instructed, including applications to court for repossession where appropriate).
22. Disposal of surplus council land at less than £2,000 in value (or such other figure as shall be determined by the appropriate Cabinet Member carrying responsibility for property related matters, when this figure is reviewed periodically).
23. To commission development appraisals/project briefs where appropriate.
24. To contract external organisations to enable the full discharge of property related services, as appropriate and in accordance with the council's standing orders and service procedures.
25. Submission of Planning Applications in relation to council projects or on council land to assist potential disposal.
26. Take decisions on the use of repair and maintenance funds to ensure the continuing operation of council buildings as needs arise.
27. Allocate office accommodation to services in accordance with approved council standards, periodically reviewing and amending such allocations with a view to releasing surplus space and approving all occupations and any modifications to buildings.
28. Discharge the role of Corporate Property Officer for the council, as required by the Office of the Deputy Prime Minister, and as defined in the council's Capital Strategy and Corporate Asset Management Plan, in particular:
  - (i) To act as lead officer in preparing the Capital Strategy, Corporate Asset Management Plan and Asset Management Performance Indicators.
  - (ii) To gain a clear understanding of the authority's service aims and how the asset base contributes to these aims.
  - (iii) To consider corporate drivers and their impact on asset management.
  - (iv) To set out a programmed approach for change to the asset base, including implementing systems so this is achievable, costed and appraised.
  - (v) To plan ahead for corporate use and provision of property, including revenue consequences, project appraisal and developing whole life costing
29. To invoke emergency arrangements for property set out in the business continuity plan.

Information Technology Services together with the Client Technology Manager, the Infrastructure Manager and the Systems Development Manager in the event of the IT Continuity Plan being invoked in a major incident to take the following actions -

Decide priorities and direct resources as possible.

Redirect resources from other activities.

Reassign any equipment being used for less urgent uses.

Shutdown IT services when necessary to minimise impact or allow recovery actions to proceed.

## **5. ECONOMIC DEVELOPMENT**

- 5.1 Where land is vested in the Council for economic development purposes to seek planning permission for the carrying out of development by the Council or for development on such land which the Council does not itself propose to carry out.
- 5.2 To place advertisements in the media promoting North Lincolnshire as an area for economic development and/or tourism.
- 5.3 To market vacant industrial and commercial properties in accordance with the Council's marketing policy.
- 5.4 To manage Tourist Information Centres within the control of the council.

## **6. LAND DISPOSAL AND MANAGEMENT**

- 6.1 In consultation with the Leader and the relevant Cabinet Member to purchase, sell, lease, or otherwise dispose of land for regeneration, economic development highway and environmental purposes.
- 6.2 Such general powers will relate to all properties within the Council's Industrial and Commercial Investment Portfolio and any other appropriate development opportunities and will include the authority to act, negotiate and/or agree binding terms in relation to:-
  - (i) The sale/lease or licence of land and premises.
  - (ii) Acquisition of land and premises.
  - (iii) Negotiation of Rent Reviews.
  - (iv) Dealing with applications by purchasers, lessees or licensees in relation to approval or amendment of disposal terms.
  - (v) Dealing with applications of assignment, sub-letting and surrender.
  - (vi) Dilapidations and items of repair and maintenance.
  - (vii) Enforcement of covenants, and non-compliance with conditions of sale/lease or licence.
  - (viii) Removal of persons or property trespassing on land within the control of the Service.

## **DEPUTY CHIEF EXECUTIVE (DIRECTOR OF CHILDREN'S SERVICES)**

To carry out the functions conferred on or exerciseable by the council as specified in Delegations to Officers and Appointment of Proper Officers Page 36 (updated July 2009)

section 18 of the Children Act 2004 including those relating to Adult Education together with any regulations made thereunder.

**SERVICE DIRECTOR ADULT SOCIAL CARE (DIRECTOR FOR STATUTORY PURPOSES)**

Insofar as they are not within the authority of the appropriate cabinet member the powers and duties of the council under the enactments noted in Schedule 1 of the Local Authority Social Services Act 1970 other than those for which the Executive Director of Children's Services has responsibility.