

## **Appendix 3**

# **ROCHDALE METROPOLITAN BOROUGH COUNCIL**

## **CONSTITUTION**

## **SCHEME OF DELEGATION TO OFFICERS**

**Revised December 2010  
Committee Services Section  
Legal and Democratic Services**

## **SCHEME OF DELEGATION TO OFFICERS**

### **CONTENTS**

	<b>Page</b>
General Scheme	1
Employee Related Matters	4
Resources	10
Children, Schools & Families	14
Planning and Regulation/Environmental Management	18
Housing and Regeneration	44
Recreation	49
Social Care Services	51
Impact Partnership Services	64
Highways	71
Land and Property	75

## **SCHEME OF DELEGATION TO OFFICERS**

### **GENERAL SCHEME**

#### **1. AUTHORITY TO DELEGATE**

Functions may not be delegated without the approval of the Council on the recommendation of the Chief Executive.

#### **2. SENSITIVE ISSUES**

If a matter is regarded by an Officer as involving an issue of a sensitive nature, the Officer shall not exercise delegated powers in respect of that matter but shall refer the matter to a more senior Officer, the Executive or the Council for decision as the case may be.

#### **3. DELEGATED FUNCTIONS**

The functions which are delegated to Officers in accordance with Section 1 are set out in the Schedules to this Scheme.

#### **4. GENERAL DELEGATIONS**

In addition to the functions referred to in Section 3 the following general functions are delegated as indicated -

(1) **Legal Proceedings**

- (a) The Service Director for Legal and Democratic Services shall report to the Cabinet on cases which are significant in policy or monetary terms.
- (b) The Service Director for Legal and Democratic Services is authorised to take, conduct, defend, prosecute, intervene in or appear in any legal proceedings whatsoever before any Court, the Lands Tribunal, an Employment Tribunal, a Coroner's Court, or any other statutory Tribunal or Inquiry or an Arbitrator, including the instruction of Counsel and the giving of undertakings on behalf of the Council, where the interests of the Council (whether on its own behalf or on behalf of any authority for which the Council is an agent) are involved.
- (c) The Service Director for Legal and Democratic Services is authorised to institute appeals or defend appeals arising out of any proceedings.
- (d) The Service Director for Legal and Democratic Services is authorised to take criminal proceedings in respect of offences against any legislation (including byelaws) which the Council is authorised to enforce and to institute appeals arising out of such proceedings.
- (e) The Service Director for Legal and Democratic Services is authorised to defend any criminal proceedings brought against the Council and to institute appeals or defend appeals arising out of such proceedings.
- (f) The Service Director for Legal and Democratic Services is authorised to accept service of any proceedings.
- (g) The Service Director for Legal and Democratic Services is authorised to represent employees of the Council in proceedings arising out of their employment.
- (h) The Service Director for Legal and Democratic Services is authorised to apply for warrants to enter property.
- (i) The Service Director for Legal and Democratic Services is authorised to take proceedings in respect of the recovery of possession of land where notice has been served or a trespass is being committed.

- (j) The Service Director for Legal and Democratic Services is authorised to settle any proceedings, including contemplated proceedings, brought by or against the Council.
- (k) The Service Director for Legal and Democratic Services, after consultation with the appropriate Service Director, is authorised to take proceedings in respect of non-compliance with a notice served by or order made by the Council in pursuance of its statutory functions.
- (l) The Service Director for Legal and Democratic Services or the Service Director for Finance and Procurement and Procurement is authorised to take proceedings (including winding-up proceedings) in respect of the recovery of rates, Council tax and debts of all other kinds.
- (m) The Service Director for Legal and Democratic Services or the Service Director for Finance and Procurement and Procurement is authorised to take proceedings (including winding-up proceedings) to recover expenses due to the Council under any statutory provisions.
- (n) The Service Director for Legal and Democratic Services, after consultation with the appropriate Service Director, is authorised to settle disputed claims to compensation arising out of the exercise of the Council's statutory functions.
- (o) The Service Director for Legal and Democratic Services is authorised to take all steps incidental to implementing, completing or obtaining the confirmation of any order made by the Council or any other formal action authorised or taken by the Council.
- (p) The Service Director for Legal and Democratic Services is authorised to approve the appearance of non-admitted legal staff in the Magistrates' Court in accordance with the provisions of Section 223 of the Local Government Act 1972 and in the County Court under the provisions of Section 60 of the County Courts Act 1984.
- (q) The Service Director for Legal and Democratic Services is authorised to take action (including legal proceedings) by the Council in default of compliance with a notice served by or order made by the Council in pursuance of its statutory functions.
- (r) The Service Director for Legal and Democratic Services is authorised to instruct Counsel, and the Service Director only is authorised to commission external legal advice services, and partners are not permitted to commission external legal advice on behalf of the Council directly.
- (s) The Service Director for Legal and Democratic Services is authorised to delegate to a Service Director the power to investigate legal proceedings in respect of any legislation as deemed appropriate by the Service Director for Legal and Democratic Services.
- (t) The appropriate Service Director for Service be authorised to approve minor amendments and variations to Orders, schemes, contracts and agreements made or authorised by the Council.
- (u) The appropriate Service Director be authorised to allow, in circumstances as defined in Section 14A of the Land Acquisition Act 1981, the confirmation of a Compulsory Purchase Order.
- (v) The Service Director for Legal and Democratic Services is authorised to delegate to a further Service Director the power to issue Fixed Penalty Notices in pursuance of any relevant legislative powers granted to the Council.

(2) **Information concerning ownership of land**

The Service Director for Legal and Democratic Services (in respect of all statutory provisions) and the Service Director for Planning and Regulation and/or the Service Director for Housing and Regeneration (in respect of statutory provisions relating to public health and housing) are authorised to serve notices under any statutory provision entitling the Council to require information as to the ownership of land.

(3) **Powers of Entry for Inspection Etc.**

Each Service Director may authorise Officers within his or her Service to exercise power of entry for inspection, survey, execution of work or any other purpose under any statutory provision relevant to the work of the Service.

(4) **Conferences, Seminars, Exhibitions Etc.**

- (a) Where a conference or similar event will not involve an overnight stay and is intended for Officers only, the Service Director may authorise attendance by Officers in his or her Service.
- (b) In all other cases, the Chief Executive, after consultation with the appropriate Portfolio Holder, may authorise the attendance of Members or Officers at a conference or similar event.
- (c) These delegations are subject to the cost being covered by approved revenue estimates and do not apply to conferences of a training nature where post entry training facilities apply.

(5) **Employees leaving Council's Service**

The Cabinet has power in exceptional cases to agree terms under which an employee will leave the Council's service. In the case of a teacher, there must be consultation with the Chairman of the appropriate Governing Body.

**5. FINANCIAL LIMITS IN DELEGATIONS**

The Cabinet shall review the financial limits in delegations set out in the Schedules and make recommendations to the Chief Executive as to what amendments, if any, are required.

**6. EMERGENCY POWERS**

The Chief Executive has delegated power to act on behalf of the Council in an emergency.

**7. FURTHER DELEGATION OF OFFICER DELEGATIONS**

Functions delegated to an Officer may be further delegated by that Officer to other Officers, in accordance with the Service's own Officer Scheme of Delegated Responsibilities. Delegations must be exercised in accordance with policy and/or guidance issued by the appropriate Service Director e.g. Service Director for Human Resources or Service Director for Finance and Procurement and Procurement.

This Scheme covers all areas of responsibility outside formally agreed national and local conditions of service and employment legislation, for which separate policy and procedural guidance is provided. All areas covered by such policy and guidance are delegated from Members to the appropriate Officers for implementation.

**8. DECISIONS BY INDIVIDUAL CABINET MEMBERS**

Where a delegation in this Scheme indicates that a decision may be made by an individual Cabinet Member, that decision shall be taken in accordance with the procedure determined in connection with the Scheme of Delegation to individual Cabinet Members.

**9. IMPACT PARTNERSHIP – APPLICATION OF THE DELEGATION SCHEME**

- (1) In the following sections of this Scheme which do not relate directly to the Impact Partnership, any general delegation to the Chief Executive, Executive Directors and Service Directors shall apply to the Managing Director or to a Director (of equivalent level) of the Impact Partnership, as appropriate. Further delegations (Section 7 above refers) shall be as determined by the Impact Partnership.

- (2) Employees of the Impact Partnership shall not, in accordance with Article 11.05 of the Council's Constitution, exercise any discretionary decision making powers of the Council: any such matter should be referred to the Chief Executive and/or the Service Director for Legal and Democratic Services and/or the Service Director for Finance and Procurement and Procurement, as appropriate, for determination.

**Note:**

- a) **The management and maintenance of Council housing is now delegated to Rochdale Boroughwide Housing Limited.**
- b) **The management and maintenance of Council leisure and cultural functions is now delegated to Link4Life.**

## EMPLOYMENT RELATED MATTERS

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
A. Removal Expenses	1. Power to approve claims and payments outside the scheme, including power to approve temporary housing accommodation for employees moving less than 20 miles and not taking up residence within the Borough in accordance with policy and/or guidance issued by the Service Director for Human Resources.	Service Director
	2. Power to approve claims for removal expenses and allowances for employees who are required to occupy or vacate specific accommodation.	Service Director
B. Probation	1. Power to approve extensions to probationary period outside the scheme.	Service Director
	2. Power to dismiss on the basis of failure to satisfactorily complete a probationary period.	Chief Executive/Executive Director
C. Period of Notice and Extension	1. Power to approve variation in notice periods including extension of service beyond normal retirement date.	Service Director for all posts, other than Executive Director for Service Director, Chief Executive for Executive Director and the Leader for Chief Executive
D. Training	1. Power to approve applications for assistance to attend qualification and non-qualification courses outside local conditions.	Service Director in accordance with current scheme(s) and available budgetary provision
	2. Power to authorise applications for attendance of Members and Officers at conferences/seminars.	Chief Executive in the case of Members; Service Director in respect of Officers
E. Salaries	1. Power to determine applications for regrading submitted by employees in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Director
	2. Power to approve starting salaries in excess of two increments above current remuneration in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Director
	3. Power to grant substitution pay to staff temporarily undertaking additional duties of a higher graded post in full, in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Director

- |     |   |   |
|-----|---|---|
| 4.  | Power to grant honoraria to Officers temporarily undertaking additional duties associated with a higher graded post in part in accordance with policy and/or guidance issued by Service Director for Human Resources. | Service Director  |
| 5.  | Power to authorise planned overtime to staff paid substantively up to SCP28.  | Service Manager/ Section Head in consultation with Service Director in accordance with Council scheme   |
| 6.  | Power to authorise planned overtime by staff paid substantively over SCP28. Payment restricted to SCP28.  | Service Manager/ Section Head in consultation with Service Director in accordance with Council scheme   |
| 7.  | Power to permit progress through qualification bands in a career grade in accordance with career grade progression/appointment criteria.  | Service Manager/Section Head  |
| 8.  | Power to implement pay awards determined by National or Provincial Negotiating Bodies.  | Mandatory Provisions – Service Director for Human Resources.<br>Discretionary Provisions – Service Director for Human Resources after consultation with Chair of Employment Committee |
| 9.  | Power to implement circulars relating to terms and conditions determined by National or Provincial Negotiating Bodies.  | Mandatory Provisions – Service Director for Human Resources.<br>Discretionary Provisions – Service Director for Human Resources after consultation with Chair of Employment Committee |
| 10. | Power to award accelerated increments for outstanding performance on basis of one increment per annum based upon outstanding performance over the last 12 months.   | Service Director in consultation with Service Manager/ Section Head   |
| 11. | Power to authorise the allocation of standby duty allowances, in accordance with current scheme and subject to available budget provision.  | Service Director  |

---

F. Establishment

- |    |   |  |
|----|---|--|
| 1. | Establishment of permanent posts where funding exists.                        | Service Director except posts of Service Director where delegation is to Chief Executive with approval from Employment Committee |
| 2. | Approval of variations to establishment including determination of grades and | Service Director for Human Resources after   |

	associated conditions of service, including the approval of the detailed implementation of arrangements given strategic and resource approval by Cabinet.	consultation with Chair of Employment Committee
	3(a) Determination of whether a proposed organisational change is "significant" and requires Cabinet/Executive approval at a strategic level.	Service Director for Human Resources
	3(b) Final approval of proposals for organisational change not deemed to be "significant" as defined in (a) above where consultations with staff and trade unions have been concluded and where there is agreement on the final outcome.	Service Director
	4. Power to approve the appointment of temporary staff including agency staff in accordance with corporate procurement guidance.	Service Director
G. Hours	1. Power to extend opening times of offices when required in specific instances, subject to compliance with Work-Life Balance Initiative and available budget provision.	Service Manager/ Section Head in consultation with Service Director
	2. Authority to revise working hours of staff in line with service/personal requirements, subject to compliance with Work-Life Balance Initiative and available budget provision.	Service Manager/ Section Head in consultation with Service Director
H. Leave	1. Authority to permit carry over of leave for periods in excess of 10 days, provided statutory minimum leave period has been satisfied.	Service Director
	2. Authority to permit bring forward of leave from next leave year, provided statutory minimum leave period will be satisfied subject to service requirements/needs.	Service Manager / Section Head up to 10 days, Service Director over 10 days
	3. Power to approve time off with or without pay, outside the special leave scheme, subject to service requirements.	Service Director
	4. Power to approve a payment for outstanding annual leave provided statutory minimum leave period has been satisfied, subject to available budget provision and in accordance with relevant policy.	Service Director for all posts, except Chief Executive for Executive Directors, and Executive Director for Service Director
I. Sick Pay	1. Power to extend sick pay up to doubling of the period of benefit in the case of industrial injury or potential retirement cases.	Service Director

	2.	Power to extend sick pay up to 3 months in cases of hardship, in accordance with Council policy or guidance issued by the Service Director for Human Resources.	Service Director
	3.	Power to extend sick pay in all other cases.	Service Director with advice from Service Director for Human Resources
	4.	Power to authorise payment of medical expenses in relation to illness arising from the actual discharge of duties.	Service Director
J. Maternity Leave	1.	Authority to approve maternity, paternity or adoption leave outside statutory requirements.	Service Director with advice from Service Director for Human Resources
K. Assistance with the Purchase of Motor Vehicles	1.	Power to grant assistance for car purchase in accordance with local conditions of service.	Service Director up to but excluding Service Director level Chief Executive/ Executive Director in all other cases
	2.	Power to grant assistance with car purchase outside the local scheme.	Service Director in consultation with Service Director for Finance and Procurement and Procurement
	3.	Power to agree to take over existing loans granted by other authorities or other accredited bodies.	Service Director in consultation with Service Director for Finance and Procurement and Procurement
	4.	Power to grant second loan within one year.	Service Director in consultation with Service Director for Finance and Procurement and Procurement
	5.	Power to approve purchase of motor cycle.	Service Director up to but excluding Service Director level Chief Executive/ Executive Director all other cases
L. Motor Cars and Motor Cycles	1.	Power to allocate essential and casual user car allowances, in accordance with Council policy and subject to available budget provision.	Service Director– casual user Service Director for Human Resources – essential user
	2.	Power to allocate free car park permits, in accordance with Council scheme.	Service Director for Human Resources
	3.	Power to allocate motor cycle allowances.	Service Director
	4.	Responsibility to reconsider decisions relating to allocation of allowances at request of officer concerned.	Executive Director/Chief Executive

M. Motoring Offences	1.	Power to make ex gratia payments in connection with motoring offences	Service Director in consultation with Service Director for Finance and Procurement and Procurement
N. Subsistence Allowances	1.	Power to approve payments made in accordance with Council local scheme.	Service Manager/ Section Head
O. Travelling Expenses	1.	Power to approve any claims for travelling outside local conditions.	Service Manager/ Section Head (Service Director for Service Manager/Section Head)
	2.	Power to approve journeys by car beyond a radius of 50 miles from Rochdale Town Centre in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Manager/ Section Head (Service Director for Service Manager/Section Head)
P. External Activities	1.	Power to approve additional part-time employment outside the service of the Authority.	Service Director
	2.	Power to approve external activities during normal working hours.	Service Director
Q. Pensions and Retirement	1.	Power to approve applications for early retirement in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Director for Finance and Procurement and procurement and Service Director for Human Resources
	2.	Power to consider requests for the early release of pension benefits with or without enhancement to lump sum to employees over the age of 50 dismissed on the grounds of medical incapacity who were unable to be granted ill-health retirement.	Service Director for Finance and Procurement and Procurement and Service Director for Human Resources
	3.	Power to determine other ad hoc issues, such as employment/re-employment of persons granted early retirement and to exercise other further pension discretions.	Service Director for Human Resources
R. Preserved Superannuation on Benefits of Former Employee	1.	Power to authorise the administering body to put into payment preserved superannuation benefits of former employee by reason of ill-health.	Service Director for Human Resources following medical advice and in consultation with Service Director for Finance and Procurement and Procurement
S. Professional Subscriptions	1.	Power to consider applications to pay subscriptions to professional associations within the established criteria, in accordance with Council scheme and available budget provision.	Service Director (up to Service Director level) Executive Director/Chief Executive all other cases

T. Staff Suggestions	1. Power to determine awards for suggestions made in accordance with Council scheme.	Executive Director/Chief Executive
U. Telephone Allowances	1. Power to allocate telephone allowances in accordance with Council scheme.	Service Director
V. References	1. Authority to prepare references for all posts up to Service Director level.	Service Director for all posts, except Executive Director for Service Directors, Chief Executive for Executive Director and Leader for Chief Executive
	2. Service Director/Executive Director	Executive Director/Chief Executive as appropriate
W. Disciplinary Issues	1. Power to suspend staff in connection with disciplinary issues.	Service Director or nominated officer
	2. Power to investigate disciplinary issues.	Service Director or nominated officer
	3. Power to act as hearing officers, including authority to issue warnings up to and including final written warnings.	Service Director or nominated officer
	4. Power to act as hearing officer, including power to dismiss employees.	Chief Executive/Executive Director
	5. Power to act as hearing officer, including power to dismiss employees employed below Service Director level.	Executive Director/Service Directors
X. Grievance Issues	1. Power to hear and determine grievances up to, but excluding, the final officer stage within the procedure.	Service Director or nominated officer
	2. Power to hear and determine grievances up to, and including, the final officer stage within the procedure.	Chief Executive/ Executive Director
Y. Sickness and Attendance Issues	1. Power to manage attendance issues in accordance with the agreed procedures.	Service Manager, Section Head or nominated Officer
	2. Power to act as hearing officer, including power to dismiss employees on grounds of medical incapacity.	Chief Executive/Executive Director
Z . Dismissals on grounds other than conduct or capability	1. Power to dismiss for all other reasons other than conduct or capability.	Chief Executive / Executive Director
	2. Power to dismiss for all other reasons other than conduct or capability employees employed below Service Director level.	Executive Director/Service Directors
AA. Application of changes in Employment Legislation	1. Power to implement changes in employment legislation, including the amendment of employment policies and procedures to incorporate such	Service Director for Human Resources

changes.

---

## RESOURCES

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>	
A. Treasury Management	1. <u>General</u>		
	1.1 Review of procedures and comparison of activities to appropriate performance indicators.	Service Director for Finance and Procurement	
	1.2 Projection of cash flows including estimation of daily balances, monitoring and assessments of variations to projections.	Service Director for Finance and Procurement	
	2. <u>Dealing procedures</u>		
	2.1 Power to undertake dealing activities for borrowing/ investments.	Service Director for Finance and Procurement	
	2.2 Duty to maintain documentation recording details of transactions, including calculations of interest payable/receivable.	Service Director for Finance and Procurement	
	2.3 Power to pay/repay investments and/or borrowings at appropriate times.	Service Director for Finance and Procurement	
	2.4 Power to authorise documents relating to raising and administration of all loan instruments and such other forms of borrowing which may from time to time be developed, within policies and schemes approved by the Council and subject periodically to report to the Executive.	Service Director for Finance and Procurement	
	3. <u>Investments</u>		
	3.1 Power to authorise all necessary documents and management of all matters relating to investments of money, subject to the approved organisations at any one time being limited to the approved amount.	Service Director for Finance and Procurement	
	4. <u>Borrowing</u>		
	4.1 Power to determine the price, rates of interest, and period until redemption of all borrowings, within policies and schemes approved by the Council.	Service Director for Finance and Procurement	
	<hr/>		
	B. Rating, Charging and Billing	1. Authority to Grant Council Tax Benefit and Housing Benefit.	Service Director for Customers and Communications
2. Power to grant discretionary relief from business rates to charities and other non-profit making bodies within Council policy.		Service Director for Customers and Communications	

- |  |   |
|--|---|
| <p>3. Authority to write off uncollectable Council Tax, Business Rates, General Income, Sundry Debtors and Housing Benefit overpayment debt as irrecoverable due to reason such as bankruptcy, absconding etc.</p>   | <ul style="list-style-type: none"> <li>• Up to £1,000 – Other Revenues Team Leader and Billing and Collection Team Leader</li> <li>• Up to £3,000 – Billing and Collection Team Manager</li> <li>• Up to £5,000 – Billing and Collection Manager</li> <li>• Up to £25,000 – Revenues and Benefits Managers</li> <li>• Up to £100,000 – Service Director for Customers and Communications</li> <li>• Up to £250,000 – Service Director for Finance and procurement</li> <li>• Over £250,000 – Portfolio Holder for Finance after approval by Service Director for Finance and Procurement</li> </ul> |
| <p>4. Authority to grant refunds of over-payments of Council Tax, Business Rates, General Income and Housing Benefit overpayments</p>  | <p>Service Director for Finance and Procurement</p>   |
| <p>5. Power to levy statutory penalties for refusal to supply information to enable the taxpayer's liability to be correctly determined or for providing false information.</p>  | <p>Service Director for Customers and Communications</p>  |
| <p>6. Duty to determine appeals in relation to the levying of penalties and decisions regarding sole or main residence, benefits, discounts, exemptions, reductions or relief, including attendance at Valuation Tribunals and Review Boards on behalf of the Council.</p> | <p>Service Director for Customers and Communications</p>  |
| <p>7. Power to authorise staff to appear on behalf of the Council in the Magistrates Court and other courts in connection with the recovery of general rate, community charge, business rate and council tax.</p>  | <p>Service Director for Customers and Communications</p>  |
| <p>8. Authority to proceed with investigations, prosecutions, proceedings and imposition of penalties under The Social Security Administration Act 1992, The Theft Acts, The Fraud Act 2006 and Proceeds of Crime Legislation.</p>   | <p>Service Director for Customers and Communications</p>  |

C.	Payments	1.	Authority to pay accounts duly certified as required by Financial Regulations.	Service Director for Finance and Procurement
		2.	Authority to authorise officers to sign or endorse cheques.	Service Director for Finance and Procurement
		3.	Payment of annual grants to voluntary organisations defined as "Boroughwide" provided that value of grant has been approved by Members and provision made in annual estimates supported by a detailed schedule of grants.	Service Directors
D.	Accounts	1.	Authority to publish an annual Statement of Accounts.	Service Director for Finance and Procurement
E.	Equipment, Supplies and Stores	1.	Authority to agree price increase where a price variation clause has been included in a contract for supplies.	Corporate Procurement Manager
		2.	Power to write off or make adjustments in respect of deficiencies or surpluses of stock equipment, etc.	Service Director after consultation with the Service Director for Finance and Procurement
F.	Debts	1.	Authority to write off debts which are irrecoverable to the limits as follows:	<ul style="list-style-type: none"> <li>• Up to £250,000 - Service Director for Finance and Procurement</li> <li>• Above £250,000 - Portfolio Holder for Finance</li> </ul>
G.	Car Loans	1.	Authority to approve car loans within the approved Scheme.	Service Director for Finance and Procurement
H.	Hospitality	1.	Authority to provide reasonable hospitality to official visitors visiting the Council and for internal affairs such as presentations and annual inspections of departments etc.	Service Directors
I.	Mayoral Expenses	1.	Authority to make advance payments to the Mayor-elect and Deputy Mayor-Elect to finance expenses prior to Mayormaking.	Service Director for Finance and Procurement
J.	Ex Gratia Payments	1.	Power to approve and pay claims for damages to or loss of personal property of employees up to a maximum of £500.	Service Directors

		2. Power to approve and pay claims for minor loss (at no claims bonus) or damage to employees' own vehicle whilst being used on Council business up to a maximum of £500.	Service Director
K.	Private Street Works	1. Authority to agree repayment of charges by instalments over maximum period of ten years.	Service Director for Finance and Procurement
L.	Capital Fund	1. Power to determine rate of interest on repayments, repayment period, and application of fund monies to approved expenditure.	Service Directors
M.	Internal Audit	1. Responsibility for maintaining an adequate and effective system of internal audit in accordance with Section 6 of the Accounts and Audit Regulations 2006.	Service Director for Finance and Procurement
N.	Contracts	1. Power to terminate contracts.	(a) Director of Property after consultation with the Leader and Deputy Leader in the case of contracts for the execution of work (b) Corporate Procurement Manager, after consultation with the Leader and Deputy Leader, in the case of contracts for goods or services
O.	Authorised Officers	1. Power to appoint or withdraw the appointment of authorised officers under Section 110A of the Social Security Administration Act 1992 (as amended by the Child Support, Pensions and Social Security Act 2000).  2. Power to sign certificates or instruments of such appointment or withdrawal.	Chief Executive or Service Director for Finance and Procurement  Chief Executive or Service Director for Finance and Procurement

## **CHILDREN, SCHOOLS & FAMILIES**

<b><u>Subject</u></b>	<b><u>Function</u></b>	<b><u>Delegation</u></b>
A. Admission to Maintained Schools	1. Power to consent to number of pupils per year group and the number of pupils per school being exceeded.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
B. Assistance to Pupils in Maintained Primary and Secondary Schools	1. Power to make grants for necessary and distinctive clothing outside scheme in cases of exceptional hardship.	Service Director for Learners & Young People
	2. Power to accept suppliers into the clothing scheme.	Service Director for Learners & Young People
	3. Power to accept or reject accounts received from suppliers outside the scheme.	Service Director for Learners & Young People
	4. Power to approve grants to 16-18 year old pupils for attendance at courses where pupils show special potential or have special needs.	Service Director for Learners & Young People
	5. Power in exceptional circumstances to approve free conveyance to school for pupils under eight where walking distance exceeds one mile and is less than two miles.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
	6. Power to approve free conveyance of pupils where health warrants it from home to school by taxi or other means in lieu of provision of home tuition.	Service Director for Learners & Young People
	7. Power to authorise payment of travelling expenses in exceptional cases not covered by regulations.	Service Director for Learners & Young People
C. Assistance to Pupils in Non-Maintained Schools	1. Power to grant financial assistance with boarding education.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
D. Assistance to Pupils in Special Schools	1. Power to exercise discretion to provide escorts when taxis are used.	Service Director for Learners & Young People
	2. Power to make grant for one parent for overnight stay on visit to pupil aged eight or less in residential school where considered necessary.	Service Director for Learners & Young People
	3. Power to authorise payment of	Service Director for Learners &

E. Educational Premises		travelling expenses in exceptional cases.	Young People
	1.	Authority to deal with urgent maintenance problems within approved budget.	Service Director for Schools
	2.	Authority to vary specified maintenance programme within approved budget.	Service Director for Schools after consultation with the Portfolio Holder for Children, Schools & Families
	3.	Authority to deal with any appeal concerning letting charges.	Service Director for Schools
	4.	Power to select the method of tender for the investigation of health and safety hazards and to authorise the planned closure of schools in any future cases where there may be a hazard to health.	Service Director for Schools after consultation with the Portfolio Holder for Children, Schools & Families
	5.	Power to authorise the emergency closure of schools or planned closure for removals.	Service Director for Schools
F. Teachers in Schools and Higher & Further Education which do not have full Local Management of Schools Delegation – Conditions of Service.	1.	Power to make minor alterations in allowance available to schools under discretionary elements of In School Teachers Conditions of Service provided costs fall within approved estimates.	Service Director for Learners & Young People/Service Director for Schools
	2.	Power to grant exceptional leave of absence in accordance with agreed scheme.	Service Director for Learners & Young People/Service Director for Schools
	3.	Power to arrange a suitable programme of in-service training within the Authority, and to allocate to the programme and to use a reasonable proportion of the monies from the appropriate Service Director for Revenue Estimates.	Service Director for Learners & Young People/Service Director for Schools
	4.	Authority to implement salary awards.	Service Director for Learners & Young People/Service Director for Schools and Service Director for Finance and Procurement
	5.	Authority to consider applications for payment of legal fees for teaching staff in connection with assaults.	Service Director for Learners & Young People/Service Director for Schools and Service Director for Finance and Procurement
	6.	Authority to consider and determine proposals not to replace the second Deputy Head in a school which is likely to lose	Service Director for Learners & Young People/Service Director for Schools

	its entitlement to such a post during its tenure by the next incumbent.	
	7. Power to extend Teachers' sick pay beyond the date specified in Conditions of Service.	Service Director for Learners & Young People/Service Director for Schools
G. Membership of Appeals Committee.	1. Power to select and approve suitable persons to serve on a panel of independent Members of Appeals Committee.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
	2. Power to select and approve suitable persons to serve on the panel of persons with knowledge of Special Education.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
H. Non-school Attendance (New Delegation)	1. Power to serve a Notice requiring parents to satisfy LEA that child is receiving education (Section 37, Education Act 1944).	Service Director for Learners & Young People
	2. Power to serve a School Attendance Order on a parent (Section 37, Education Act 1944).	Service Director for Learners & Young People
	3. Power to authorise legal proceedings against parents (Sections 36 and 39, Education Act 1944).	Service Director for Learners & Young People
	4. Power to authorise an application for an Education Supervision Order (Section 36, Children Act 1989).	Service Director for Learners & Young People
	5. Power to appoint a Supervising Officer in respect of an Education Supervision Order (paragraph 12, Schedule 3, Children Act 1989).	Service Director for Learners & Young People
	6. Duty to consult with the Director of Social Services or the person to whom its function is delegated in respect of the proposal to make an Application for an Education Supervision Order (Section 36, Children Act 1989).	Service Director for Learners & Young People
	7. Duty to notify "appropriate Local Authority" (Social Services) where a child subject to an Education Supervision Order persistently fails to comply with any directions given under the Order (paragraph 19, Schedule 3, Children Act 1989).	Service Director for Learners & Young People
	8. Power to determine whether or	Service Director for Learners &

	not to apply for an Education Supervision Order, where the Court has directed the LEA to apply for such an Order (Section 40, Education Act 1944, as amended by Children Act 1989).	Young People after consultation with the Portfolio Holder for Children, Schools & Families
	9. Duty to inform the Court of reasons for decision not to apply for an Education Supervision Order where the Court has directed the LEA to apply for such an Order (Section 40, Education Act 1944, as amended by Children Act 1989).	Service Director for Learners & Young People
	10. Power to prosecute parents for persistent failure to comply with a direction given under an Education Supervision Order in respect of their child (paragraph 18 Schedule 3, Children Act 1989).	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
	11. Power to apply for an extension of an existing Education Supervision Order (paragraph 15 Schedule 3, Children Act 1989).	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
	12. Power to apply for the discharge of an Education Supervision Order.	Service Director for Learners & Young People after consultation with the Portfolio Holder for Children, Schools & Families
I. Local Education Authority – School Relations	1. Power to exercise duties and responsibilities in accordance with Department of Education Code of Practice (Education Schools Standards and Framework Act 1998) and/or Education Act 2006.	Service Director for Schools after consultation with the Portfolio Holder for Children, Schools and Families
J. Appointment to School Governing Bodies	1. Power to determine nominating bodies for School Governing Body vacancies in accordance with agreed formula.	Executive Director with responsibility for Children, Schools and Families after consultation with Portfolio Holder for Children, Schools and Families and Opposition Spokespersons
	2. Removal from office of an LEA School Governor.	Executive Director with responsibility for Children, Schools and Families in consultation with Leaders of the three main political groups
K. Adult Education	1. Power to remit fees for Adult Education Services.	Service Director for Learners & Young People in accordance with policy (Minute 31, 8 <sup>th</sup> June 1994)

- |  |  |
|--|--|
| 2. Power to act on Applications for grant aid from youth and community organisations/agencies. | Service Director for Learners & Young People in accordance with policy |
|--|--|
-

## PLANNING AND REGULATION/ENVIRONMENTAL MANAGEMENT

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
<b><u>ENVIRONMENTAL HEALTH, LICENSING AND TRADING STANDARDS</u></b>		
A. Pollution Control	Pollution Control under the Clean Air Act 1993:-	
	1. Power to approve incurring of expenditure on adaptations to dwellings in smoke control areas (including retrospective approvals) and repayment of expenditure incurred (including exercise of discretion to repay up to 100% of expenditure).	Chief Environmental Health & Licensing Officer
	2. Duty to serve notice requiring carrying out of adaptations to dwelling to smoke control areas where purpose is to enable repayment of expenditure to be made.	Chief Environmental Health & Licensing Officer
	3. Power to approve or refuse plans for smokeless furnaces.	Chief Environmental Health & Licensing Officer
	4. Power to approve or refuse plant or plans and specifications for arresting grit/dust from new furnaces.	Chief Environmental Health & Licensing Officer
	5. Power to approve or refuse heights of chimneys and to attach conditions to approval.	Chief Environmental Health & Licensing Officer
	6. Power to serve notice controlling emissions of grit and dust from furnaces.	Chief Environmental Health & Licensing Officer
	7. Power to require information regarding furnaces and fuel.	Chief Environmental Health & Licensing Officer
	8. Power to take enforcement action with respect to dark or black smoke from chimneys or from fires in the open area on trade or industrial premises.	Chief Environmental Health & Licensing Officer
	9. Power to take enforcement action with respect to dark smoke in a Smoke Control Area.	Chief Environmental Health & Licensing Officer
	10. Power to take enforcement action with respect to the acquisition and sale of unauthorised fuel in a Smoke Control Area.	Chief Environmental Health & Licensing Officer
	11. To exercise all powers and duties under the Environment Act 1995 and the Regulations made under it with regard to air quality, except the	Chief Environmental Health & Licensing Officer

power to declare Air Quality Management Areas.

- |   |  |
|---|--|
| 12. Authority to appoint Authorised Officers with respect to the Environment Act 1995 and associated Regulations. | Chief Environmental Health & Licensing Officer |
|---|--|

---

B. Noise Control

- |  |  |
|--|--|
| 1. To exercise all powers and duties under the Environmental Protection Act 1990 and the Control of Pollution Act 1974 ('COPA 1974'), apart from the designation of noise abatement zones and powers listed below. | Chief Environmental Health & Licensing Officer |
| 2. Power to serve notices and power to designate Officers authorised to serve notices requiring abatement of noise nuisance and execution of works (Environmental Protection Act 1990).                            | Chief Environmental Health & Licensing Officer |
| 3. Power to serve Notices to control noise on construction sites (COPA 1974 s.60).   | Chief Environmental Health & Licensing Officer |
| 4. Power to give prior consent for work on construction sites (COPA 1974 s.61).  | Chief Environmental Health & Licensing Officer |
| 5. Power to serve Notices requiring reduction of noise levels (COPA 1974 s.66).  | Chief Environmental Health & Licensing Officer |
| 6. Power to determine level of noise from new building and service of Notice of Intention where there is a declared Noise Abatement Zone (COPA 1974 s.67).   | Chief Environmental Health & Licensing Officer |
| 7. Power to execute works in default of compliance with Notices or Orders relating to noise abatement (COPA 1974 s.69).  | Chief Environmental Health & Licensing Officer |
| 8. Power to take action under the provisions of the Noise and Statutory Nuisance Act 1993 (under the powers conferred to the Council).   | Chief Environmental Health & Licensing Officer |

---

C. Licences, Authorisations, Consents, Permits and Registrations

- |  |   |
|--|---|
| 1. Power to grant, renew, transfer or refuse, cancel, suspend permits or registrations and to attach or vary conditions in respect of the following matters:-<br>Dealers in second-hand goods<br>Breeding of Dogs<br>Employment Agencies | Chief Environmental Health & Licensing Officer or, Consumer Protection and Registration Services Manager with appeals against refusal, cancellation, revocation, suspension or imposition of conditions to Regulatory Committee where |
|--|---|

<p>Game and Game Dealers  Rag Flock and other filling materials  Food hawkers and their premises  Pet shops  Animal boarding establishments  Riding establishments  Protection of wild birds  Dangerous wild animals  Hypnotists  Zoos  Hairdressers and barbers  Acupuncturists, tattooists, ear-piercers, electrolysis, etc  Street and house to house collection  Scrap metal dealers  Betting, Gaming and Lotteries (subject to implementation of the Gambling Act 2005)  Food Premises (including stalls and vehicles)  Caravan sites and mobile homes  Hackney Carriage and Drivers/Private Hire Vehicles, Drivers and Operators  Street Trading – Consents/Licenses  Poisons  Sunday Trading  Motor Salvage Operators</p>	<p>no statutory appeal is available</p> <p>In cases where objections have been received re Gaming Permits – appropriate Township Delegated Sub-Committee (subject to the implementation of the Gambling Act 2005)</p>
<p>2. Power to introduce additional 'Licence' Streets and any other form of variation under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982, to the Council's Street Trading Control Scheme.</p>	<p>Chief Environmental Health &amp; Licensing Officer after consultation with Chair of appropriate Township Committee</p>
<p>3. Appointment of Hackney Carriage Stands in accordance with Section 63(1) of the Local Government (Miscellaneous Provisions) Act 1976.</p>	<p>Chief Environmental Health &amp; Licensing Officer after consultation with Chair of appropriate Township Committee, subject to any objections to and representations being referred to Members as appropriate</p>
<p>4. Power to grant authorisation for premises to be licensed for civil marriage ceremonies, naming ceremonies and renewal of marriage vows ceremonies.</p>	<p>Consumer Protection and Registration Services Manager</p>
<p>5. Power to grant and vary premises licences and club premises certificates, under the provisions contained in the Licensing Act 2003, where there are no relevant representations from responsible authorities/interested parties.</p>	<p>Licensing Manager</p>

- |   |  |
|---|--|
| 6. Power to grant personal licences, under the provisions contained in the Licensing Act 2003, where there are no representations from the police.  | Licensing Manager  |
| 7. Power to make Provisional Statements, under the provisions contained in the Licensing Act 2003, where there are no relevant representations from responsible authorities/interested parties. | Licensing Manager  |
| 8. Power to grant Interim Authorities, and to transfer premises licences, under the provisions contained in the Licensing Act 2003, where there are no representations from the police.         | Licensing Manager  |
| 9. Power to vary designated premises supervisors on premises licences, under the provisions contained in the Licensing Act 2003, where there are no representations from the police.            | Licensing Manager  |
| 10. Power to deal with requests to be removed as designated premises supervisors from premises licences, under the provisions contained in the Licensing Act 2003.                              | Licensing Manager  |
| 11. Power to decide whether a complaint, or request for review of a licence, is repetitious frivolous vexatious etc, under the provisions contained in the Licensing Act 2003.                  | Licensing Manager, in consultation with Chair or Vice Chair of Licensing Committee |
| 12. Power to authorise officers to enter premises under Parts 3 and 4, and section 108, of the Licensing Act 2003, and to carry out any other duties under the Act.                             | Chief Environmental Health & Licensing Officer                                     |
| 13. Power to authorise officers to enter premises, and to demand and inspect documents etc under the Gambling Act 2005.   | Chief Environmental Health & Licensing Officer                                     |
| 14. Power to authorise officers to demand and inspect a Security Industry Authority Licence under the Private Security Industry Act 2001.   | Chief Environmental Health & Licensing Officer                                     |
| 15. Power to grant applications for premises licenses, under the  | Licensing Manager  |

provisions of the Gambling Act 2005, where no representations have been received or where representations have been withdrawn.

- |   |                    |
|---|--------------------|
| 16. Power to vary a licence under the provisions of the Gambling Act 2005, where no representations have been received or where representations have been withdrawn.                            | Licensing Manager  |
| 17. Power to transfer a licence under the provisions of the Gambling Act 2005, where no representations have been received from the Commission.   | Licensing Manager  |
| 18. Power to approve a provisional statement under the provisions of the Gambling Act 2005, where no representations have been received or where representations have been withdrawn.           | Licensing Manager  |
| 19. Power to grant applications for club gaming/club machine permits under the provisions of the Gambling Act 2005, where no objections have been made or where objections have been withdrawn. | Licensing Manager  |
| 20. Power to deal with applications for other permits under the provisions of the Gambling Act 2005.  | Licensing Manager. |
| 21. Power to cancel licensed premises gambling machine permits under the provisions of the Gambling Act 2005.   | Licensing Manager  |
| 22. Power to give consideration of temporary use notice under the provisions of the Gambling Act 2005.  | Licensing Manager  |
| 23. Functions relating to the registration and regulation of small lotteries.   | Licensing Manager  |
-

D. Public Health	1. Power to serve and enforce (other than by the institution of legal proceedings) Notices and to designate Officers authorised to serve and enforce such notices under any provisions of the Public Health Acts 1936 and 1961 and the Public Health (Recurring Nuisances) Act 1969, and any subsequent similar legislation and/or any regulations made thereunder.	Chief Environmental Health & Licensing Officer or Service Director for Environmental Management
	2. Authority as the Officer responsible for the seizure of stray dogs under Section 149(1) of the Environmental Protection Act 1990.	Chief Environmental Health and Licensing Officer
	3. Power to authorise payment of proportion of expenses incurred in replacement of earth closets by water closets (Public Health Act 1936 s.47(4)).	Chief Environmental Health & Licensing Officer
	4. Power to serve Notice and to designate Officers authorised to serve Notice for the execution of works under the Prevention of Damage by Pests Act 1949.	Chief Environmental Health & Licensing Officer or Service Director for Environmental Management
	5. Power to authorise applications for Entry Warrants in respect of the Prevention of Damage by Pests Act 1949.	Chief Environmental Health & Licensing Officer or Service Director for Environmental Management
	6. Power to serve Notices requiring the provision of sanitary accommodation at places of entertainment Local Government (Miscellaneous Provisions) Act 1976, Section 20.	Chief Environmental Health & Licensing Officer
	7. Power to serve Notices and to designate Officers authorised to serve Notices for remedial works for removal of obstructions within private sewers (Local Government (Miscellaneous Provisions) Act 1976 S.35).	Chief Environmental Health & Licensing Officer
	8. Power to appoint Inspectors and enforcement of legislation under the Animal Health Act 1981.	Chief Environmental Health & Licensing Officer
	9. Power to serve Notices and to designate Officers authorised to serve Notices under the Building Act 1984 relating to the drainage of premises.	Chief Environmental Health & Licensing Officer
	10. Power to authorise enforcement officers to exercise the Council's	Chief Environmental Health & Licensing Officer

powers and duties under the Health Act 2006 and any other subsequent regulations, including right of entry, inspection and to require information.

- |  |  |
|--|--|
| 11. Power to authorize the service of Fixed Penalty Notices and the power to designate enforcement officers to serve Fixed Penalty Notices in respect of offences under the Smokefree Regulations and Health Act 2006. | Chief Environmental Health & Licensing Officer |
| 12. Power to instigate legal proceedings under the Smokefree Regulations and Health Act 2006.  | Chief Environmental Health & Licensing Officer |

---

E. Health & Safety at Work

- |   |  |
|---|--|
| 1. Power to appoint Inspectors to enforce provisions within Council's field of responsibility under the Health & Safety at Work Etc. Act 1974 ('HSAWA 1974'), Section 19. | Chief Environmental Health & Licensing Officer |
| 2. Power to authorise any other person to assist Inspectors (HSAWA 1974 S.20).  | Chief Environmental Health & Licensing Officer |
| 3. Power to terminate such appointments (HSAWA 1974 S.19(1)).   | Chief Environmental Health & Licensing Officer |
| 4. Power to determine levels of enforcement responsibility which an Inspector is entitled to exercise (HSAWA 1974 S.19(3)).   | Chief Environmental Health & Licensing Officer |
| 5. Power to designate relevant Officers for the service of Improvement Notices and Prohibition Notices (HSAWA 1974 S.21 and 22).  | Chief Environmental Health & Licensing Officer |
| 6. Power to enable service of Notices under the Factories Act 1961.   | Chief Environmental Health & Licensing Officer |

---

F. Food

- |  |  |
|--|--|
| 1. Power to designate 'authorised Officers' under the provisions of the Food Safety Act 1990 ('FSA 1990') and the Food Hygiene (England) Regulations 2006. | Chief Environmental Health & Licensing Officer / Consumer Protection and Registration Services Manager |
| 2. Power to designate Officers authorised to serve Hygiene Improvement Notices under Regulation 6 of the Food Hygiene (England) Regulations 2006.          | Chief Environmental Health & Licensing Officer   |

	3. Power to designate Officers authorised to serve Hygiene Emergency Prohibition Notices under Regulation 8 of the Food Hygiene (England) Regulations 2006.	Chief Environmental Health & Licensing Officer
	4. Power to appoint Public Analysts and Food Examiners to act on behalf of the Council (FSA 1990).	Chief Environmental Health & Licensing Officer / Consumer Protection and Registration Services Manager
	5. Power to appoint official veterinary surgeons on behalf of the Council (FSA 1990).	Chief Environmental Health & Licensing Officer
	6. Power to appoint officers under the European Communities Act 1972 and regulations orders or other instruments made thereunder relating thereto or any modification or re-enactment thereof.	Chief Environmental Health & Licensing Officer / Consumer Protection and Registration Services Manager
	7. Power to designate officers authorised to serve Feed Business Improvement Notices (Agriculture Act 1970)	Consumer Protection and Registration Services Manager
	8. Power to designate officers authorised to serve Feed Business Emergency Prohibition Notices (Agriculture Act 1970)	Consumer Protection and Registration Services Manager
<hr/>		
G. Buildings	1. Power to serve Notices and to issue consents relating to dust etc from building operations (Greater Manchester Act 1981, Sections 34(2) and (6)).	Chief Environmental Health & Licensing Officer
	2. Power to serve notices and carry out works and initiate the recovery of expenses regarding the security of unoccupied buildings (Local Government Miscellaneous Provisions) Acts 1976 and 1982.	Chief Environmental Health & Licensing Officer or Service Director for Environmental Management
	3. Power to serve Notices re repairs of walls, etc of yards (Greater Manchester Act 1981 s.43).	Chief Environmental Health & Licensing Officer
	4. Power to serve Notices for the restoration or continuation of supply of water, gas and electricity (Local Government (Miscellaneous Provisions) Act 1976 S.33).	Chief Environmental Health & Licensing Officer
	5. Power of enforcement, including the power to execute work re drainage of buildings; use and ventilation of soil pipes; provision of closets in buildings; replacement	Chief Environmental Health & Licensing Officer

of earth closets; loan of temporary sanitary conveniences; provision of water supply; goods storage; fire precautions in entrances and exits of existing buildings; means of escape; raising of chimneys; cellars and rooms below subsoil water levels; premises and dilapidated buildings; defective premises; paving and drainage of yards and passageways.

---

H. Control of Communicable Disease	1. Power to add, vary or delete the names of appropriate medical practitioners to the list of those appointed for the purpose of Proper Officer functions carried out by the Council.	Chief Environmental Health & Licensing Officer after consultation with the Director of Public Health for Primary Care Trust (PCT)
	2. Power to execute the Council's powers under Public Health (Control of Disease) Act 1984 and the Public Health (Infectious Disease) Regulations 1988	Chief Environmental Health & Licensing Officer
	3. Power to nominate registered Medical Practitioner for the purpose of compulsory medical examination of infectious persons.	Chief Environmental Health & Licensing Officer
	4. Power to designate additional diseases as notifiable.	Chief Environmental Health & Licensing Officer
	5. Power to exclude patients and contacts from places of entertainment or assembly so as to control the spread of infectious disease.	Chief Environmental Health & Licensing Officer
	6. Power to certify that it is necessary to remove persons in need of care and attention from the premises in which they are residing. National Assistance Act 1948. S.47	Chief Environmental Health & Licensing Officer
	7. Power to certify that it is necessary to remove, without delay, persons in need of care and attention from the premises in which they are residing. National Assistance (Amendment) Act 1951. S.1	Chief Environmental Health & Licensing Officer

---

I. Environmental Protection Act 1990 Part 1	1. Power to approve, vary, revoke and refuse authorisation of processes under Part 1 of the Act.	Chief Environmental Health & Licensing Officer
	2. Power to serve Prohibition Notices under Section 14 of the Act.	Chief Environmental Health & Licensing Officer

	3.	Power to designate relevant Officers as being 'authorised' to exercise the Council's powers under Part 1, including right of entry, inspection, power to take samples and require information.	Chief Environmental Health & Licensing Officer
J. Burial and Cremation	1.	Issue of Rights of Burial.	Bereavement Services Manager/Registrar
	2.	Authority to waive all or part of the Council's fees and charges in respect of a particular burial or cremation.	Bereavement Services Manager/Registrar
K. Consumer Protection	1.	Power to authorise Officers and Inspectors to undertake Council duties relating to Trading Standards functions (except (2)) under the legislation below:	Consumer Protection and Registration Services Manager
	2.	Power to authorise appointment of Officers relating to the requirements of the Weights and Measures Act 1985.	Consumer Protection and Registration Services Manager
	3.	Power to undertake all matters arising from the European Communities Act 1972/General Product Safety Regulations 2005, including the designation of authorised officers to serve Notices (Intention to Serve a Product Recall Notice, Recall, Requirement to Mark, Requirement to Warn, Seizure, Suspension and Withdrawal) under the provisions of the Regulations and the taking of legal proceedings.	Consumer Protection and Registration Services Manager
	4.	Power to give consent to investigations and/or prosecution by Officers from other Local Authorities in connection with offences under the Video Recordings Act 1994.	Consumer Protection and Registration Services Manager
	5.	Power to take legal action under the Video Recordings Act 1994.	Consumer Protection and Registration Services Manager
	6.	Power to authorise officers / individuals to make test purchases under the Licensing Act 2003.	Consumer Protection and Registration Services Manager
	7.	Power to request Licensing Reviews under the Licensing Act 2003.	Consumer Protection and Registration Services Manager
	8.	Power to give consent to investigations and / or prosecution	Consumer Protection and Registration Services Manager

	by Accredited Financial Investigators from other Local Authorities in connection with matters under the Proceeds of Crime Act 2002.	
	9. Power to take legal action under the Proceeds of Crime Act 2002.	Consumer Protection and Registration Services Manager
L. Requisitions for Information	1. Power to serve notice under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 requiring the provision of information regarding ownership of land or properties.	Chief Environmental Health & Licensing Officer
M. Control of Dogs	1. Power to enforce legislation contained in the Control of Dogs Order 1992 in relation to wearing a collar or tag.	Chief Environmental Health & Licensing Officer
	2. Power to appoint an officer for the purpose of dealing with stray dogs. Environmental Protection Act 1990. Part VIII. S 149-151.	Chief Environmental Health & Licensing Officer
	3. Power to authorise the service of Fixed Penalty Notices in respect of offences under Dog Control Orders, Cleaner Neighbourhoods and Environment Act 2005.	Service Director for Environmental Management
N. Dangerous Dogs	1. Power to enforce the Dangerous Dogs Act 1991 in relation to dogs dangerously out of control on public areas and the illegal keeping of dangerous breeds.	Chief Environmental Health & Licensing Officer
O. Private Water Supplies	1. Power to exercise all powers contained within the Private Water Supply Regulations 1991 and associated legislation.	Chief Environmental Health & Licensing Officer
P. Specialist Legislation	To exercise the Council's powers and duties in relation to the specified legislation listed below, and to appoint authorised officers under such legislation any other legislation which relates to Environmental Health and Licensing, Consumer Protection and Registration or Environmental Management.	
	<b><u>Specified Legislation</u></b>	
	Access to Health Records Act 1990	Consumer Protection and Registration Services Manager
	Accommodation Agencies Act 1953	Consumer Protection and Registration Services Manager

Administration of Justice Act 1970	Consumer Protection and Registration Services Manager
Administration of Justice Act 1985	Consumer Protection and Registration Services Manager
Agricultural Produce (Grading and Marking) Act 1928	Consumer Protection and Registration Services Manager
Agriculture Act 1970	Consumer Protection and Registration Services Manager
Airports Act 1986	Consumer Protection and Registration Services Manager
Animal Boarding Establishments Act 1963	Chief Environmental Health & Licensing Officer
Anti-social Behaviour Act 2003	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Arbitration Act 1996	Consumer Protection and Registration Services Manager
Bankers' Books Evidence Act 1879	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Banking Act 1987	Consumer Protection and Registration Services Manager
Breeding of Dogs Acts 1921 to 1991	Chief Environmental Health & Licensing Officer
Broadcasting Act 1990	Consumer Protection and Registration Services Manager
Business Names Act 1985	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Cancer Act 1939	Consumer Protection and Registration Services Manager
Caravan Site Act 1968	Chief Environmental Health & Licensing Officer
Caravan Sites Control of Development Act 1960	Chief Environmental Health & Licensing Officer
Celluloid and Cinematograph Film Act 1922	Chief Environmental Health & Licensing Officer
Charities Act 1992	Consumer Protection and Registration Services Manager
Cheques Act 1992	Consumer Protection and Registration Services Manager

Children and Young Persons (Protection from Tobacco) Act 1991	Consumer Protection and Registration Services Manager
Children and Young Persons Act 1933	Consumer Protection and Registration Services Manager
Christmas Day (Trading) Act 2004 (C.26)	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Clean Air Act 1993	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Clean Neighbourhood and Environment Act 2005	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Communications Act 2003	Consumer Protection and Registration Services Manager
Companies Act 1985	Consumer Protection and Registration Services Manager
Companies Act 2006	Consumer Protection and Registration Services Manager
Companies Consolidation (Consequential Provisions) Act 1985	Consumer Protection and Registration Services Manager
Company Directors Disqualification Act 1986	Consumer Protection and Registration Services Manager
Competition Act 1998	Consumer Protection and Registration Services Manager
Consumer Credit Act 1974	Consumer Protection and Registration Services Manager and Birmingham City Council *
Consumer Credit Act 2006	Consumer Protection and Registration Services Manager
Consumer Protection Act 1987	Consumer Protection and Registration Services Manager
Contracts (Rights of Third Parties) Act 1999	Consumer Protection and Registration Services Manager
Control of Pollution Act 1974	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Copyright, Designs and Patents Act 1988	Consumer Protection and Registration Services Manager
County Courts Act 1984	Consumer Protection and

	Registration Services Manager
Court Act 2003	Consumer Protection and Registration Services Manager
Courts and Legal Services Act 1990	Consumer Protection and Registration Services Manager
Crime and Disorder Act 1998	Consumer Protection and Registration Services Manager
Criminal Attempts Act 1981	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Criminal Justice Act 1982	Consumer Protection and Registration Services Manager
Criminal Justice Act 1988	Consumer Protection and Registration Services Manager
Criminal Justice Act 1991	Consumer Protection and Registration Services Manager
Criminal Justice Act 1993	Consumer Protection and Registration Services Manager
Criminal Justice Act 2003	Consumer Protection and Registration Services Manager
Criminal Justice and Court Services Act 2000	Consumer Protection and Registration Services Manager
Criminal Justice and Police Act 2001	Consumer Protection and Registration Services Manager
Criminal Justice and Public Order Act 1994	Consumer Protection and Registration Services Manager
Criminal Law Act 1977	Consumer Protection and Registration Services Manager
Criminal Procedure and Investigations Act 1996	Consumer Protection and Registration Services Manager
Dangerous Dog Acts 1989 to 1991	Chief Environmental Health & Licensing Officer
Dangerous Wild Animals Act 1976	Chief Environmental Health & Licensing Officer
Data Protection Act 1984	Consumer Protection and Registration Services Manager
Development of Tourism Act 1969	Consumer Protection and Registration Services Manager
Dogs Act 1871 and 1906	Chief Environmental Health & Licensing Officer
Education Reform Act 1988	Consumer Protection and

	Registration Services Manager
Employment Act 1989	Consumer Protection and Registration Services Manager
Employment Agencies Act 1973	Consumer Protection and Registration Services Manager
Energy Act 1976	Consumer Protection and Registration Services Manager
Energy Conservation Act 1981	Consumer Protection and Registration Services Manager
Enterprise Act 2002	Consumer Protection and Registration Services Manager
Environment and Safety Information Act 1988	Chief Environmental Health & Licensing Officer
Environmental Protection Act 1990	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Estate Agents Act 1979	Consumer Protection and Registration Services Manager
European Communities Act 1972 and 1986	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Explosives (Age of Purchase) Act 1976	Consumer Protection and Registration Services Manager
Explosives Act 1875	Consumer Protection and Registration Services Manager
Explosives Act 1923	Consumer Protection and Registration Services Manager
Fair Trading Act 1973	Consumer Protection and Registration Services Manager
Farm and Garden Chemicals Act 1967	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Fireworks Act 1951	Consumer Protection and Registration Services Manager
Fireworks Act 1964	Consumer Protection and Registration Services Manager
Fireworks Act 2003	Consumer Protection and Registration Services Manager
Food and Environment Protection Act 1985	Consumer Protection and Registration Services Manager & Chief Environmental Health &

	Licensing Officer
Food Safety Act 1990	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Forgery and Counterfeiting Act 1981	Consumer Protection and Registration Services Manager
Fraud Act 2006	Consumer Protection and Registration Services Manager
Freedom of Information Act 2000	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Gambling Act 2005	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Game Dealers Act 1831	Chief Environmental Health & Licensing Officer
Gaming Act 1968	Chief Environmental Health & Licensing Officer
Greater Manchester Act 1981	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Hallmarking Act 1973	Consumer Protection and Registration Services Manager
Health and Safety at Work Etc. Act 1974	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Housing Act 2004	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Human Rights Act 1998	Consumer Protection and Registration Services Manager
Indictable Offences Act 1848	Consumer Protection and Registration Services Manager
Insolvency Act 1986	Consumer Protection and Registration Services Manager
Insurance Brokers (Registration) Act 1977	Consumer Protection and Registration Services Manager
Insurance Companies Act 1982	Consumer Protection and Registration Services Manager

Interpretation Act 1978	Consumer Protection and Registration Services Manager
Intoxicating Substances (Supply) Act 1985	Consumer Protection and Registration Services Manager
Knives Act 1997	Consumer Protection and Registration Services Manager
Late Payment of Commercial Debts (Interest) Act 1998	Consumer Protection and Registration Services Manager
Law of Property (Miscellaneous Provisions) Act 1989	Consumer Protection and Registration Services Manager
Licensing Act 2003 and Associated Regulations	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Limitation Act 1980	Consumer Protection and Registration Services Manager
Local Government Act 1972	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Local Government Act 1987	Consumer Protection and Registration Services Manager
Local Government Act 1999	Consumer Protection and Registration Services Manager
Local Government Act 2000	Consumer Protection and Registration Services Manager
Local Government Act 2003	Consumer Protection and Registration Services Manager
Local Government (Miscellaneous Provisions) Act 1976 and 1982 (excluding grant of Sex Establishment Licence under Section 2 of the 1982 Act)	Chief Environmental Health & Licensing Officer
Lotteries and Amusements Act 1976	Chief Environmental Health & Licensing Officer
Magistrates' Courts Act 1980	Consumer Protection and Registration Services Manager
Magistrates' Courts Procedure Act 1998	Consumer Protection and Registration Services Manager
Malicious Communications Act 1988	Consumer Protection and Registration Services Manager
Medicines Act 1968	Consumer Protection and Registration Services Manager
Merchant Shipping Act 1979	Consumer Protection and

	Registration Services Manager
Mines and Quarries Act 1969	Chief Environmental Health & Licensing Officer
Misrepresentation Act 1967	Consumer Protection and Registration Services Manager
Mock Auctions Act 1961	Consumer Protection and Registration Services Manager
Motor Cycle Noise Act 1987	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Motor Salvage Operators Regulations 2002	Chief Environmental Health & Licensing Officer
Motor Vehicles (Safety Equipment for Children) Act 1991	Consumer Protection and Registration Services Manager
National Assistance Act 1948	Chief Environmental Health & Licensing Officer
Noise and Statutory Nuisance Act 1993	Chief Environmental Health & Licensing Officer
Offshore Safety Act 1992	Consumer Protection and Registration Services Manager
Olympic Symbol etc (Protection) Act 1995	Consumer Protection and Registration Services Manager
Open Spaces Act 1906	Chief Environmental Health & Licensing Officer
Patents, Designs and Marks Act 1986	Consumer Protection and Registration Services Manager
Performing Animals (Regulations) Act 1925	Chief Environmental Health & Licensing Officer
Pesticides (Fees and Enforcement) Act 1989	Consumer Protection and Registration Services Manager
Pet Animals Act 1951	Chief Environmental Health & Licensing Officer
Petroleum (Consolidation) Act 1928	Consumer Protection and Registration Services Manager
Petroleum (Transfer of Licences) Act 1936	Consumer Protection and Registration Services Manager
Poisons Act 1972	Consumer Protection and Registration Services Manager
Police and Criminal Evidence Act 1984	Consumer Protection and Registration Services Manager
Powers of Criminal Courts Act 1973	Consumer Protection and

	Registration Services Manager
Prevention of Damage by Pests Act 1949	Chief Environmental Health & Licensing Officer
Prices Act 1974	Consumer Protection and Registration Services Manager
Prices Act 1975	Consumer Protection and Registration Services Manager
Proceeds of Crime Act 1995	Consumer Protection and Registration Services Manager
Proceeds of Crime Act 2002	Consumer Protection and Registration Services Manager
Property Misdescriptions Act 1991	Consumer Protection and Registration Services Manager
Prosecution of Offences Act 1985	Consumer Protection and Registration Services Manager
Protection of Animals Act 1911 and 1954	Chief Environmental Health & Licensing Officer
Protection from Harassment Act 1997	Consumer Protection and Registration Services Manager
Protection of Children (Tobacco) Act 1986	Consumer Protection and Registration Services Manager
Public Health Acts 1875, 1936 and 1961	Chief Environmental Health & Licensing Officer
Public Health (Recurring Nuisances) Act 1969	Chief Environmental Health & Licensing Officer
Rag Flock and Other Filling Materials Act 1951	Chief Environmental Health & Licensing Officer
Refuse Disposal (Amenity) Act 1978	Chief Environmental Health & Licensing Officer
Registered Designs Act 1949	Consumer Protection and Registration Services Manager
Regulation of Investigatory Powers Act 2000	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Regulatory Reform Act 2001	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Riding Establishments Acts 1964 and 1970	Chief Environmental Health & Licensing Officer
Road Traffic (Consequential Provisions) Act 1988	Consumer Protection and Registration Services Manager

	& Chief Environmental Health & Licensing Officer
Road Traffic (Foreign Vehicles) Act 1972	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Road Traffic Act 1988	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Road Traffic Act 1991	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Road Traffic Offenders Act 1988	Consumer Protection and Registration Services Manager
Sale and Supply of Goods Act 1994	Consumer Protection and Registration Services Manager
Sale of Goods (Amendment) Act 1994	Consumer Protection and Registration Services Manager
Sale of Goods (Amendment) Act 1995	Consumer Protection and Registration Services Manager
Sale of Goods Act 1979	Consumer Protection and Registration Services Manager
Scotch Whisky Act 1988	Consumer Protection and Registration Services Manager
Scrap Metal Dealers Act 1964	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Serious Organised Crime and Police Act 2005	Consumer Protection and Registration Services Manager
Shops (Airports) Act 1962	Consumer Protection and Registration Services Manager
Shops (Early Closing Days) Act 1965	Consumer Protection and Registration Services Manager
Solicitors Act 1974	Consumer Protection and Registration Services Manager
Sunday Trading Act 1994	Consumer Protection and Registration Services Manager
Supply of Goods and Services Act 1982	Consumer Protection and Registration Services Manager
Telecommunications Act 1984	Consumer Protection and Registration Services Manager

Theft Act 1968	Consumer Protection and Registration Services Manager
Theft Act 1978	Consumer Protection and Registration Services Manager
Timeshare Act 1992	Consumer Protection and Registration Services Manager
Tobacco Advertising and Promotion Act 2002	Consumer Protection and Registration Services Manager
Torts (Interference with Goods) Act 1977	Consumer Protection and Registration Services Manager
Trade Descriptions Act 1968	Consumer Protection and Registration Services Manager
Trade Marks Act 1994	Consumer Protection and Registration Services Manager
Trading Representations (Disabled Persons) Act 1958	Consumer Protection and Registration Services Manager
Trading Representations (Disabled Persons) Act 1972	Consumer Protection and Registration Services Manager
Trading Schemes Act 1996	Consumer Protection and Registration Services Manager
Unfair Contract Terms Act 1977	Consumer Protection and Registration Services Manager
Unsolicited Goods and Services (Amendment) Act 1975	Consumer Protection and Registration Services Manager
Unsolicited Goods and Services Act 1971	Consumer Protection and Registration Services Manager
Vehicle (Crime) Act 2001	Consumer Protection and Registration Services Manager & Chief Environmental Health & Licensing Officer
Vehicles (Excise) Act 1971	Consumer Protection and Registration Services Manager
Video Recordings Act 1984	Consumer Protection and Registration Services Manager
Video Recordings Act 1993	Consumer Protection and Registration Services Manager
Violent Crime Reduction Act 2006	Consumer Protection and Registration Services Manager
Weights and Measures Act 1985	Consumer Protection and Registration Services Manager
Weights and Measures etc. Act 1976	Consumer Protection and Registration Services Manager

\* Denotes joint authority for enforcement of the Consumer Credit Act 1974 by (i) Rochdale MBC and (ii) Birmingham City Council insofar as it relates to the work of Birmingham City Council's Illegal Money Lending Team.

---

Q. Institution of Legal Proceedings	1. Power to authorise the institution of legal proceedings for all matters related to the work of the Environmental Health & Consumer Protection and Registration Services or provided under the legislation in listed in ( Q ) above.	Chief Environmental Health & Licensing Officer or Consumer Protection and Registration Services Manager, as appropriate in the particular case or matter
-------------------------------------	--	--

---

**BUILDING CONTROL**

R. Administration and Enforcement of the Building Regulations and Related Legislation	1. Duty to determine applications under Building Regulations but excluding applications where there have been declarations of interest by Members of Council or by Council employees.	Building Control Manager
	2. Power to authorise Officers to undertake site inspection work to ensure compliance with the Building Regulations and to require any necessary remedial work.	Building Control Manager
	3. Power to serve Notices under Section 35 and 36 Building Act 1984 relating to contraventions of the Building Regulations.	Building Control Manager
	4. Access for Fire Brigade – power to determine applications under Section 63 of the Greater Manchester Act 1981.	Building Control Manager
	5. Fire precautions in high buildings – power to determine applications under Section 64 of the Greater Manchester Act 1981.	Building Control Manager
	6. Fire precautions in large storage buildings – power to determine applications under Section 66 of the Greater Manchester Act 1981.	Building Control Manager
S. Dangerous Buildings	1. Power to authorise Officers to make decisions on site regarding remedial action required.	Building Control Manager
	2. Power to authorise legal action to be taken regarding dangerous buildings, including Court action.	Building Control Manager

---

T. Safety at Sports Grounds	1. Issue of Safety Certificate under the Safety at Sports Grounds Act 1976 and associated legislation.	Building Control Manager
	2. Power to take action and require works to be undertaken under the Safety at Sports Grounds Act 1976 and associated legislation.	Building Control Manager
U. Dangerous Trees	1. Power to take action relating to dangerous trees affecting the structure of buildings or on land not adjacent to a highway.	Building Control Manager

### **PLANNING CONTROLS**

V. Planning Applications, Planning Appeals and other Planning Control Matters	1. Power to determine planning applications and for decision-making on related matters.	As set out in the Council's Development Control Scheme
	2. Power to authorise action in respect of planning appeals.	As set out in the Council's Development Control Scheme
	3. Power to authorise action in respect of other planning control matters.	As set out in the Council's Development Control Scheme
	4. Power to determine whether an Environmental Impact Assessment (E.I.A.) is to be required for particular proposals, either before a planning application is made through a screening opinion under the provisions of Regulations 4 and 5 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999, or after a planning application is received, under the provisions of Regulation 7 of the Regulations, and the power to adopt a scoping opinion under Regulation 10 of the Regulations.	Development Control Manager

### **OTHER ENVIRONMENTAL CONTROLS**

W. Itinerant Caravans	1. Power to initiate proceedings to deal with the unauthorised use of land by itinerants under the Caravan Sites Act 1968 and Criminal Justice and Public Order Act 1994 (Section 77-78).	Development Control Manager
	2. Power to take action to remove trespassers from land under the control of the Council through the appointment of a Bailiff and removal contractors.	Development Control Manager

X.	Removal, Storage and Disposal of Abandoned Vehicles and Other Refuse	1.	Power to serve Notices, including Fixed Penalty Notices relating to abandoned vehicles and to remove and dispose of such vehicles (under Section 3-5) of the Refuse Disposal (Amenity) Act 1978.	Service Director for Environmental Management
		2.	Power to take action under Section 79-80 of the Environmental Protection Act 1990 to secure the removal of refuse and other rubbish from land.	Service Director for Environmental Management
Y.	Enforced Sales Procedure – Empty Private Properties	1.	Power to enforce sale of private empty properties bringing them back into use and allowing the authority to recoup debts owed to it in default.	Service Director for Environmental Management
Z.	Neglected Land	1.	Power to authorise action under Section 215 of the Town and Country Planning Act 1990.	Service Director for Environmental Management or Building Control Manager in consultation with the Chair and Vice Chair of the appropriate Township Planning Sub-Committee
AA.	Dilapidated Buildings and Structures	1.	Power to authorise the service of notices in respect of ruinous and dilapidated buildings and neglected sites under Section 79 of the Building Act 1984.	Building Control Manager
AB.	Dogs (Fouling of Land) Act 1996	1.	Power to authorise the service of fixed penalty notices and the institution of legal proceedings in relation to the fouling of designated land.	Service Director for Environmental Management or Chief Environmental Health and Licensing Officer
AC.	Environmental Protection Act 1990 Part 2: Waste on Land and Cleaner Neighbourhoods and Environment Act 2005	1.	Power to take action to enforce the provisions of Sections 33 (prohibition on unauthorised or harmful depositing, treatment or disposal of waste) and Sections 34 (duty of care etc, as respects waste).	Service Director for Environmental Management
		2.	Power to serve notices under Section 47 requiring the provision of receptacles for the storage of waste.	Service Director for Environmental Management
		3.	Power to authorise the service of Fixed Penalty Notices under S.47ZA(2) in respect of offences in	Service Director for Environmental Management

		relation to waste receptacles.	
		4. To authorise Fixed Penalty Notices for failure to produce authority (waste transfer notes).	Service Director for Environmental Management
		5. To authorise Fixed Penalty Notices for failure to furnish documentation (waste carriers licence).	Service Director for Environmental Management
AD.	Environmental Protection Act 1990 Part 3: Statutory Nuisance	1. Power to serve notices and institute legal proceedings and to designate Officers authorised to serve Notices in respect of 'nuisance' abatement under the Act.	Chief Environmental Health & Licensing Officer or Service Director for Environmental Management.
AE.	Environmental Protection Act 1990 Part 4 and Cleaner Neighbourhoods and Environment Act 2005	1. Power to authorise the service of fixed penalty notices and to institute legal proceedings under the Act, for leaving litter. 2. Power to authorise the service of Street Litter Control Notices and Litter Control Notices. 3. Power to authorise the service of Fixed Penalty Notices in respect of the unauthorised distribution of literature.	Service Director for Environmental Management Service Director for Environmental Management Service Director for Environmental Management
AF.	Highways Act 1980 (as amended) Section 130-185. Anti-Social Behaviour Act 2003 S.43 and Cleaner Neighbourhoods and Environment Act 2005	1. Power to take action to remove, and to institute legal action, in relation to graffiti, flyposting and other marks on the highway.	Service Director for Environmental Management
AG.	Control of Pollution Act 1974.	1. Power to enforce the removal of waste from land and to take steps to eliminate/reduce the consequences of such deposits.	Service Director for Environmental Management
AH.	Town and Country Planning Act 1990 Section 224 and Regulations made under Section 220.	1. Power to take action, including legal proceedings, in relation to unauthorised advertisements (fly posting).	Service Director for Environmental Management
AI.	Contaminated Land	1. To exercise all powers and duties under the Environmental	Chief Environmental Health & Licensing Officer

Protection Act 1990 Part 2A,  
including the investigation and  
determination of sites as  
contaminated land.

---

**LAND ACQUISITION**

AJ.	Compulsory Purchase Orders	1.	Power to amend Compulsory Purchase Orders.	Service Director for Housing and Regeneration
-----	-------------------------------	----	---	--

## **HOUSING AND REGENERATION**

<b><u>Subject</u></b>	<b><u>Function</u></b>	<b><u>Delegation</u></b>
A. Home Loans	1. Power to approve loans and transfers, including endowment mortgages in line with the approved scheme (Minute 117, Housing Services Committee, 30 <sup>th</sup> September 1986 and Minute 279, Housing Services Committee, 17 <sup>th</sup> March 1987) except as indicated below.	Service Director for Housing and Regeneration
	2. Power to approve select list of insurance companies under Endowment Mortgage Scheme (Minute 117).	Service Director for Housing and Regeneration after consultation with the Service Director for Finance and Procurement
	3. Power to enter into agreements with insurance companies selected by Committee (Minute 117).	Service Director for Finance and Procurement and Service Director for Housing and Regeneration
	4. Power to add valuation fees and legal charges to advances in cases of hardship and in other appropriate cases (Minute 232, 21 <sup>st</sup> January 1986).	Service Director for Housing and Regeneration
	5. Power to take action in respect of arrears of home loan payments or breach of mortgage terms.	Service Director for Housing and Regeneration
	6. Power to give mortgage guarantees to Building Societies in respect of properties and applicants falling with the Home Loans Section and meeting one of the criteria approved by the Council (Minute 193(4), 20 <sup>th</sup> October 1981).	Service Director for Housing and Regeneration
	7. Consideration of future matters relating to mortgage interest rate changes (Minute 53, Housing Committee, 30 <sup>th</sup> July 1991).	Service Director for Housing and Regeneration and Service Director for Finance and Procurement
B. Homelessness	1. Duty to carry out functions required by the Housing Act 1996.	Service Director for Housing and Regeneration
C. Private Sector Housing Repair	1. Power to approve, cancel and refuse applications for house renovation grants, including water supplies and grants to provide satisfactory kitchens (Minute 370, 25 <sup>th</sup> January 1983), and to authorise payments, including discretion to approve grants in cases where work does not meet standards required by Council's policy.	Service Director for Housing and Regeneration

- |     |  |   |
|-----|--|---|
| 2.  | Power to assess and compile probationary and main lists of Contractors for House Renovation Grants (Minute 429, 15 <sup>th</sup> March 1983).  | Service Director for Housing and Regeneration |
| 3.  | Power to refuse grant applications where the Contractor nominated by the applicant is considered to be not capable of attaining the relevant standard on completion of the works (Minute 122, 1 <sup>st</sup> October 1985).                               | Service Director for Housing and Regeneration |
| 4.  | Power to grant extension of time for house renovation grant purposes.  | Service Director for Housing and Regeneration |
| 5.  | Power to waive repayment of outstanding contributions from owners wishing to sell properties which have been improved under Group Repair Schemes (except where evidence exists that the applicants had participated in the scheme to make financial gain). | Service Director for Housing and Regeneration |
| 6.  | Power to require a separate water service as part of any house renovation grant schedule.  | Service Director for Housing and Regeneration |
| 7.  | Power, where considered appropriate, to apply for specific approval for the payment of grant in conversion cases.  | Service Director for Housing and Regeneration |
| 8.  | Power in the case of elderly or disabled people in appropriate circumstances to approve grants for insulation only.  | Service Director for Housing and Regeneration |
| 9.  | Power to approve second grants if justified in accordance with the advice in housing circulars.  | Service Director for Housing and Regeneration |
| 10. | Power to approve grants for the conversion of non-residential buildings into dwellings where they will be owner-occupied having regard to the advice in housing circulars.   | Service Director for Housing and Regeneration |
| 11. | Power to waive condition requiring the repayment of grants in respect of houses within Compulsory Purchase Orders in appropriate cases (Minute 281, 11 <sup>th</sup> March 1986).  | Service Director for Housing and Regeneration |
| 12. | To exercise all powers and duties under the Housing Act 2004, and associated legislation to secure the repair and/or improvement as appropriate of dwellings other than  | Service Director for Housing and Regeneration |

Council dwellings.

- |   |   |
|---|---|
| 13. To make an appropriate charge for each legal notice served in respect of enforcement action detailed in Section 87(1) of the Housing Grants, Construction and Housing and Regeneration Act 1996, and Section 352 of the Housing Act 1985 (as amended by the Housing Act 1996). (Minute 16, Housing Committee 5 <sup>th</sup> June 1997).  | Service Director for Housing and Regeneration   |
| 14. To exercise all powers in relation to taking appropriate action where category 1 and 2 hazards exist, including acquisition for improvement and/or sale or retention for continued use, but not including the declaration of Compulsory Purchase Orders.  | Service Director for Housing and Regeneration   |
| 15. Power to execute works, serve notices and to initiate the recovery of expenses – urgent repairs to water, gas and electricity apparatus – Greater Manchester Act 1981, S.47.  | Service Director for Housing and Regeneration   |
| 16. Power to bear expenses incurred – urgent repairs to water, gas and electricity apparatus.   | Service Director for Housing and Regeneration   |
| 17. Power to serve and enforce notices – artificial lighting in habitable rooms etc.  | Service Director for Housing and Regeneration   |
| 18. Power to waive outstanding contributions from owners wishing to sell properties which have been the subject of Renovation Grants, Houses in Multiple Occupation Grants or Common Parts Grants, where satisfied that disposal is being made with intention of enabling disponent to move to other accommodation for the purpose of employment or disposal is being made by mortgagee in exercise of power of sale subject to the building or house being the disponent's only or main residence at the time of grant approval. | Service Director for Housing and Regeneration with power to refer cases to Secretary of State for approval where there is evidence that sale of property is for reason other than specified in the function |
| 19. Approval of works from the Housing Investment Programme/Estate Action Funding to owner-occupied properties on Council Estates where such works are considered essential to the overall success of the Scheme (Minute 144, 25 <sup>th</sup> January 1995).   | Service Director for Housing and Regeneration   |

D. Housing Benefits	1. Power to proceed with prosecutions for housing benefit fraud (Minute (7), Housing Sub-Committee, 29 <sup>th</sup> June 1993).	Service Director for Customers and Communications
E. Purchase of Houses for Improvements and Letting or Sale	1. Power to approve purchase of houses where owner not prepared to improve but is prepared to sell, but where property is not an economic proposition for purchaser in private market in unimproved state.	Service Director for Housing and Regeneration
	2. Power to re-appropriate properties acquired under the Housing Act 1985.	Service Director for Housing and Regeneration
F. Travellers Provision	1. Authority to make amendments to licences in respect of Roch Vale Caravan Park (Minute 55(2), 8 <sup>th</sup> September 1994).	Service Director for Housing and Regeneration
	2. Duty to undertake general management responsibilities in connection with lettings and control of the caravan site, including the power to nominate appropriate Officers to act in connection with the duties and as licensor (Minute 55(3), 8 <sup>th</sup> September 1994).	Service Director for Housing and Regeneration
G. Legal Proceedings	1. Authorisation of Officers to appear on behalf of the Council on proceedings before a Magistrates' Court under Section 223 of the Local Government Act 1972 and in the County Court under Section 60 of the County Courts Act 1984.	Service Director for Legal and Democratic Services
H. Amendments to Compulsory Purchase Orders, Clearance Areas	1. Power to make any amendments to Compulsory Purchase Orders/Clearance Areas made under Housing Act Powers.	Service Director for Housing and Regeneration after consultation with Chair of appropriate Township Committee
I. Relocation Grant Policy	1. Power to award Relocation Grant and determine any exceptional amounts.	Service Director for Housing and Regeneration
	2. Power to exercise all other responsibilities relating to Relocation Grants not mentioned in 1. above or delegated to Members.	Service Director for Housing and Regeneration
J. Write-Off of Debts	1. Power to write off former tenants rent arrears which are irrecoverable	(a) up to a value of £100,000 - Service Director for Housing and Regeneration (b) Over £100,000 - Service Director for Housing and

Regeneration after  
consultation with the Service  
Director for Finance and  
Procurement

---

K. Fitness Enforcement Procedure	1.	Power to serve notices and exercise all powers pursuant to the Housing Act 2004.	Service Director for Housing and Regeneration
	2.	Power to serve enforcement notices and exercise all powers relating to Houses in Multiple Occupation under Housing Act 2004 and associated legislation.	Service Director for Housing and Regeneration
	3.	Power to serve notices and exercise all powers pursuant to the Housing (Fitness Enforcement Procedures) Order 1996 and to consider representations made in response to such notices.	Service Director for Housing and Regeneration
	4.	Power to serve notices and exercise all powers pursuant to the Housing (Enforcement Procedures) for Houses in Multiple Occupation Order 1997 and to consider representations made to such notices.	Service Director for Housing and Regeneration

---

## RECREATION

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
<b><u>Libraries Functions</u></b>		
A. Libraries Premises	1. Authority to determine holiday closing times on established lines.	Service Director for Customers and Communications
	2. Authority to deal with the letting of rooms.	Service Director for Customers and Communications
	3. Power to remit charges in respect of such premises.	Service Director for Customers and Communications
B. Book Stock	1. Authority to select and purchase books and related materials for addition to the stock of the Libraries.	Service Director for Customers and Communications
C. Book Loans	1. Authority to waive book fines and charges for lost or damaged items in appropriate cases.	Service Director for Customers and Communications
D. Town Hall – General	1. Authority to determine holiday closing times on established lines.	Service Director for Business Partnerships
	2. Authority to deal with the letting of rooms.	Service Director for Business Partnerships
	3. Authority to deal with applications for free or reduced lettings:- (a) in accordance with policy, (b) in borderline cases.	Service Director for Business Partnerships
	4. Power to remit catering fees in respect of Mayoral functions.	Service Director for Business Partnerships
	5. Power to approve lettings for the sale of stamps, coins, antiques and similar specialist items and the sale of items incidental to and connected with a booking for another purpose subject to such functions not being held on Sundays, and only on fourteen days in any one year.	Service Director for Business Partnerships
E. Allotments and Small Holdings	1. Authority to allocate allotments, allotment gardens, leisure gardens and livestock pens.	Service Director for Environmental Management
	2. Authority to serve Notice to Quit to allotment holders.	Service Director for Environmental Management
F. Recreational Facilities	1. Authority to allocate such facilities, eg. Angling, bowling greens, cricket, rugby, football pitches.	Service Director for Environmental Management
	2. Authority to make opening and closing arrangements for such facilities.	Service Director for Environmental Management

	3.	Authority to vary charges.	Service Director for Environmental Management
G. Use of Land	1.	Power to grant requests for use of land, eg in parks, playing fields etc.	Service Director for Environmental Management, with terms and conditions for significant lettings being agreed with the Director of Property
	2.	Authority to arrange forward booking of promotions within approved estimates.	Service Director for Environmental Management
	3.	Power to book programmes of outstanding merit when delay could mean the loss of such a promotion.	Service Director for Environmental Management after consultation with the Portfolio Holder for Devolved and Environmental Services
H. Play Sites and Equipment	1.	Power to approve re-siting and removal of equipment.	Service Director for Environmental Management after consultation with Portfolio Holder for Devolved and Environmental Services and the appropriate Township Chair
I. Conservation of Wild Creatures and Wild Plants	1.	To bring the effect of the Act to the attention of the public and in particular to school children (Section 13(1), Conservation of Wild Creatures and Wild Plants Act 1975).	Service Director for Environmental Management
J. Healey Dell Nature Reserve	1.	Authority to receive and determine applications to hold events on the Nature Reserve.	Service Director for Environmental Management
L. Grounds Maintenance	1.	Power to vary specifications to ensure that ground maintenance standards are attained.	Service Director for Environmental Management and after consultation with Portfolio Holder for Devolved and Environmental Services
M. Charities	1.	James Handley Bequest – following allocation of £6,000 Annual Revenue Grant, allocation of further revenue expenditure in accordance with the objectives of the Trust.	Service Director for Finance and Procurement in accordance with objectives of the Trust.
N. Links Expenditure	1.	Authority to incur expenditure on links related civic visits	Service Director for Legal and Democratic Services

## SOCIAL CARE SERVICES

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
A. Court Proceedings Commenced by the Local Authority in respect of Children	1. Duty to make enquiries to decide whether action needed to safeguard or promote a child's welfare (S.47 Children Act 1989)	Service Director for Children's Social Care
	2. Authority to bring child or young person before a Court as suffering or being likely to suffer significant harm (S.31 Children Act 1989)	Service Director for Children's Social Care
	3. Authority to apply to a Court or to a single magistrate for an Emergency Protection Order, or for an extension of such an order, (S.44 Children Act 1989)	Service Director for Children's Social Care
	4. Authority to apply to the Court for a Recovery Order, with or without a warrant to enter premises (S.50 Children Act 1989)	Service Director for Children's Social Care
	5. Authority to commence wardship proceedings with leave of the Court (S.100 Children Act 1989)	Service Director for Children's Social Care after consultation with Portfolio Holder for Children, Schools & Families and Opposition Spokespersons where practicable
	6. Authority to apply to a Court for a child Assessment Order (S.43 Children Act 1989)	Service Director for Children's Social Care
	7. Authority to appeal against decisions of the Court in respect of the transfer or proposed transfer of proceedings between the Magistrates Court, County Court and High Court (S.94(10) Children Act 1989)	Service Director for Children's Social Care
	8. Authority to apply to the Court for a warrant to assist in the exercise of powers to search for children or inspect premises (S.102 Children Act 1989)	Service Director for Children's Social Care
	9. Authority to apply to a Court for discharge or variation of a Supervision Order (S.39 Children Act 1989)	Service Director for Children's Social Care
	10. Authority to apply to a Court for the discharge of an Order committing a child to the care of the Council (S.39 Children Act 1989)	Service Director for Children's Social Care

	11.	Authority to consent or refuse consent to the naming of the Council as supervisor of a child or young person under a Super-vision Order made by a Court where the child or young person does not reside within the area of the Council. (S.13(1) Children and Young Person Act 1969)	Service Director for Children's Social Care
	12.	Authority to apply to a Court for leave and to apply if leave is granted for a Prohibited Steps or Specific Issue Order.	Service Director for Children's Social Care
	13.	Authority to apply to the Court for a Secure Accommodation Order, on welfare grounds, in respect of a child being looked after by the Council (S.25 Children Act 1989)	Service Director for Children's Social Care
	14.	Authority to review children placed, on welfare grounds, in Secure Accommodation (Children (Secure Accommodation) Regulations 1991) and (Children (Secure Accommodation) (No.21) Regulations 1991)	Service Director for Children's Social Care
	15.	Authority to agree to the Court making a Family Assistance order within family proceedings (S.16 Children Act 1989).	Service Director for Children's Social Care
	16.	Authority to deal with consultations from the Local Education Authority with regard to proposed applications for Education Supervision Orders.	Service Director for Children's Social Care
	17.	Authority to investigate the circumstances of a child when directed to do so by the Court on the discharge of an Education Supervision Order or at the request of the LEA when a child has persistently failed to comply with directions under an Education Supervision Order (paras 17(2) and 19(2) Sch. 3 (Children Act 1989)).	Service Director for Children's Social Care
	18.	Authority to discharge a child placed, on welfare grounds, in Secure Accommodation (other than those young persons subject to a Court ordered remand).	Service Director for Children's Social Care
B. Contact with children subject to Care Orders	1.	Authority to refuse contact with a child in care for up to seven days (S.34 Children Act 1989)	Service Director for Children's Social Care

	2.	Authority to apply to Court for an Order: (a) allowing the Council to refuse contact with a child in care or (b) to vary a Contact Order (S.34 Children Act 1989)	Service Director for Children's Social Care
C. Arrangements for children to be looked after by the Council	1.	Authority to deal with representations or complaints about the discharge by the Council of any of their functions under the S.26 Children Act 1989.	Service Director for Children's Social Care
	2.	Authority to appoint a person who is not an Officer or Member of the Council to take part in the consideration of and discussions in relation to a child as a result of a representation or complaint (S.26 Children Act 1989)	Service Director for Children's Social Care
	3.	Duty to consult the appropriate Local Education Authority when proposing to accommodate a child in an establishment at which education is provided (S.28 Children Act 1989).	Service Director for Children's Social Care
	4.	Authority to appoint an independent visitor or to befriend children being looked after having little or no communication with a parent or guardian (Para 17 Sch 2 Children Act 1989).	Service Director for Children's Social Care
	5.	Authority to review the case of each child being looked after by the Council in accordance with the provisions of Section 26 of the Children Act 1989.	Service Director for Children's Social Care
	6.	Authority to consent or to withhold consent (in conjunction with parents' right to consent or withhold consent) to the marriage of a young person in respect of whom a Care Order in favour of the Council has been made and who has obtained the age of 16 but not 18 years. (S.3 Marriage Act 1949, as amended)	Service Director for Children's Social Care
	7.	Authority to allow a child in the Council's care to live with a family, a relative of his/hers or any other suitable person subject to the appropriate regulations (S.23 Children Act 1989)	Service Director for Children's Social Care

- |     |   |  |
|-----|---|--|
| 8.  | Authority to arrange or assist in arranging for any child in the care of the Council to live outside England and Wales with the approval of the Court. (Para 19 Sch.2 Children Act 1989).   | Service Director for Children's Social Care  |
| 9.  | Authority to admit a child into care and discharge a child from care under S.20 (including a planned series of short term breaks).  | Service Director for Children's Social Care  |
| 10. | Matching the needs of children to placement available:<br>a) In-house Residential<br>b) Foster Care (In-house and Individual/Outside placements)<br>c) Outside Residential<br>d) Inter-Agency placement (adoptive or long term)   | Service Director for Children's Social Care  |
| 11. | Agreement to use Inter-Agency fees to place a looked after child.   | Service Director for Children's Social Care  |
| 12. | Authority to give assistance in kind or in cash to any child being looked after by the Council with a view to promoting his/her welfare when he/she ceases to be looked after by the Council (S.24(1) and (2) Children Act 1989).<br>(In any one case in any one year)  | Over £3,000 -Service Director for Children's Social Care                                     |
| 13. | Authority to determine whether to advise and befriend a person who qualifies for advice and assistance but where there is no duty to do so (S.24(7) Children Act 1989).   | Service Director for Children's Social Care  |
| 14. | Authority to give assistance in kind or in cash to any person who qualifies for assistance (S.24(7) Children Act 1989).<br>(In any one case in any one year).   | Over £3,000 in any one case in any one year –<br>Service Director for Children's Social Care |
| 15. | Authority to give assistance to a person who qualifies for advice and assistance by virtue of having been looked after by a Local Authority by contributing to expenses in connection with living near the place where he/she is or will be employed or seeking employment or receiving education or training, or by making a grant to enable him/her to meet expenses connected with his/her education and training (S.24(8) Children Act 1989).<br>(In any one case in any one year). | Over £3,000 in any one case in any one year –<br>Service Director for Children's Social Care |

- |     |  |   |
|-----|--|---|
| 16. | Authority to guarantee deeds of apprenticeship etc. of a child being looked after by the Council or a person qualifying for advice and assistance and to enter into any supplemental deed etc. (Para 18, Sch.2 Children Act 1989).                   | Service Director for Children's Social Care |
| 17. | Duty to carry out a needs assessment for each child and each eligible child and for a relevant child, where this has not already been done while he/she was being looked after (Reg 5 Children Leaving Care Act 2000).                               | Service Director for Children's Social Care |
| 18. | Duty to prepare a pathway plan for each eligible child, and for each relevant child who does not already have one, as soon as possible after completing the needs assessment (Reg 8 Children Leaving Care Act 2000)                                  | Service Director for Children's Social Care |
| 19. | To arrange for each eligible and relevant child to have a personal advisor and to continue the appointment for former relevant children (Reg 12 Children Leaving Care Act 2000).   | Service Director for Children's Social Care |
| 20. | Agreement to fund the placement of a child/young person in an external residential placement (eg community Home, residential school)   | Service Director for Children's Social Care |
| 21. | Authority to defray expenses of parents attending funerals of looked after children. (Paras 16 and 20 Sch.2 Children Act 1989). (In any one case in any one year).   | Service Director for Children's Social Care |
| 22. | Authority to place in or remove from a community home, within or outside the Borough, any child in the Council's care. (Part III, Sch.4 Children Act 1989).  | Service Director for Children's Social Care |
| 23. | Authority to serve a Contribution Notice in respect of a child being looked after by the Council and the taking of proceedings for Contribution Order, or to enforce, vary or discharge such an Order. (Part III, Sch.2 Children Act 1989, Para 23). | Service Director for Children's Social Care |
| 24. | Authority to authorise rent guarantees for children in care (S.23(2) Children Act 1989).   | Service Director for Children's Social Care |

- |     |  |   |
|-----|--|---|
| 25. | Authority to apply to the Court for leave to change a child's surname who is the subject of a Care Order. (S.33 Children Act 1989).  | Service Director for Children's Social Care |
| 26. | Authority to apply for leave of the Court to permit a child who is the subject of a Care Order to leave the UK for more than one month, where persons with parental responsibility do not consent. (S.33(7) Children Act 1989).                    | Service Director for Children's Social Care |
| 27. | Duty to arrange for children who are looked after in the Council's area by or on behalf of voluntary organisations to be visited from time to time in the interests of their welfare (S.62 (2) Children Act 1989).                                 | Service Director for Children's Social Care |
| 28. | Duty to take steps to secure alternative care and accommodation where not satisfied that the welfare of any child who is looked after by or on behalf of a voluntary organisation is being satisfactorily safeguarded (S.62(5) Children Act 1989). | Service Director for Children's Social Care |
| 29. | Authority to provide accommodation for a child over 16, even though a person who has parental responsibility for the child is able to provide accommodation, to safeguard or promote the child's welfare. S.20 (4) (Children Act 1989).            | Service Director for Children's Social Care |
| 30. | Authority to provide accommodation for a person between the ages of 16 and 21 in a community home to safeguard or promote his/her welfare. S.20 (5) (Children Act 1989).   | Service Director for Children's Social Care |
| 31. | Authority to give consent to arrangements required for medical examinations for children who are looked after by the authority and are subject to a care order.  | Service Director for Children's Social Care |
| 32. | Authority to give consent to immunisations for children who are looked after by the authority and are subject to a care order.   | Service Director for Children's Social Care |
| 33. | Authority to give consent to passport applications for children who are looked after by the authority.   | Service Director for Children's Social Care |

- |     |  |   |
|-----|--|---|
| 34. | Authority to give consent to a child taking a holiday abroad for children who are looked after by the authority.                       | Service Director for Children's Social Care |
| 35. | Authority to give consent to a child taking contraception when they are looked after by the authority and are subject to a care order. | Service Director for Children's Social Care |
| 36. | Authority to give consent to a child having a pregnancy terminated, when they are looked after by the authority.                       | Service Director for Children's Social Care |
| 37. | Authority to give consent for young people to undertaken activities or outings, when they are looked after by the authority.           | Service Director for Children's Social Care |
| 38. | Duty to report a child/young person missing from accommodation.  | Service Director for Children's Social Care |

D. Adoption of Children

- |    |  |   |
|----|--|---|
| 1. | Authority to make and participate in arrangements for the adoption of children whether or not looked after by the Council.<br>(Section 3(2) of the Adoption and Children Act 2002).                | Service Director for Children's Social Care   |
| 2. | Authority to approve placement of individual children with prospective adopters<br>(Section 18 of the Adoption and Children Act 2002 and Regulation 31 of the Adoption Agencies Regulations 2005). | Service Director for Children's Social Care after advice from Adoption Panel  |
| 3. | Authority to approve adoption of individual children subject to Care Orders, by foster parents.  | Service Director for Children's Social Care after advice from Adoption Panel  |
| 4. | Authority to serve a notice on prospective adopter of intention not to allow children to remain in his/her actual custody and to apply for leave of the Court.                                     | Service Director for Children's Social Care after consultation with Portfolio Holder for Children, Schools & Families |
| 5. | Authority to apply to the Court for a placement order in respect of a child who is subject to a Care Order or being accommodated by the Council.   | Service Director for Children's Social Care   |
| 6. | Establishment of Adoption Panels and appointment of Chair and Members of each Panel<br>(Regulation 3 of the Adoption Agencies Regulations 2005)  | Service Director for Children's Social Care   |

	7.	Authority to consider and approve the recommendations of the Adoption Panels (Regulations 19, 27 and 33 of the Adoption Agencies Regulations 2005).	Service Director for Children's Social Care after advice from Adoption Panel
	8.	Authority to approve adoption allowances (Part 3 of the Adoption Support Services Regulations 2005).	Service Director for Children's Social Care
	9.	Authority to review, vary and terminate adoption allowance (Part 3 of the Adoption Support Services Regulations 2005).	Service Director for Children's Social Care
	10.	Authority to approve applications via Panel for grants to prospective adopters for house alterations, furniture and equipment (Part 3 of the Adoption Support Services Regulations 2005).	Service Director for Children's Social Care
	11.	Authority to seek separate adoptive homes for children from a sibling group. Separate adoptive or long term foster home for children from the same sub sibling group.	Service Director for Children's Social Care
E. Foster Children and Foster Parents	1.	(a) Authority to approve foster carers.  (b) Authority to approve placement of looked after children with foster carers (friends and family carers) on an emergency basis (up to six weeks).	Service Director for Children's Social Care after advice from Adoption and Fostering Panel Service Director for Children's Social Care
	2.	Authority to visit privately fostered children and to inspect the premises and children. (S.67(1) - (3) Children Act 1989).	Service Director for Children's Social Care
	3.	Authority to take steps to secure alternative care and accommodation where not satisfied that the welfare of any child privately fostered is being satisfactorily safeguarded or promoted. (S.67(5) Children Act 1989).	Service Director for Children's Social Care
	4.	Authority to disqualify persons from being private foster carers. (S.68 & S.69 Children Act 1989).	Service Director for Children's Social Care
	5.	Authority to impose requirements on a person fostering or proposing to foster a child privately (Para 6 Sch. 8 Children Act 1989).	Service Director for Children's Social Care

	6.	Authority to apply to Secretary of State for the issue of a certificate in respect of foster parents, intended to provide a refuge for children at risk (S.51 Children Act 1989).	Service Director for Children's Social Care
	7.	Authority to exempt foster parents from the usual fostering limit, or to vary, cancel or impose a condition on an exemption (Para. 4 Sch 7 Children Act 1989).	Service Director for Children's Social Care
	8.	Authority to place a child(ren) in an Independent Foster Placement.	Service Director for Children's Social Care
	9.	Authority to match a child(ren) to a placement with Independent Foster Carers.	Service Director for Children's Social Care
	10.	Authority to give consent for young people to undertaken activities or outings, when they are in foster care.	Service Director for Children's Social Care
	11.	Authority to approve payment of allowances for Foster Carers.	Service Director for Children's Social Care
F. Local Authority Support for Children and Families	1.	Authority to give assistance in kind or, in exceptional circumstances, cash, for the purpose of facilitating the discharge of the Council's duties and power under Section 17 Children Act 1989:	
	(a)	general duty to safeguard and promote the welfare of children in need and, where consistent with that duty, to promote their upbringing by their families by way of loan or grant in any one case in any one year.	Service Director for Children's Social Care – over £2,000
	(b)	provision to prevent children within the area suffering ill-treatment or neglect by way of loan or grant in any one case in any one year.	Service Director for Children's Social Care – over £2,000
	(c)	Authority to assist a person to obtain alternative accommodation in order to protect a child from ill-treatment by that person by way of loan or grant in any one case in any one year.	Service Director for Children's Social Care – over £2,000

- |     |   |   |
|-----|---|---|
| (d) | Provision for disabled children to minimise their disabilities and to give them an opportunity to lead their lives as normally as possible by way of loan or grant in any one case in any one year.   | Service Director for Children's Social Care – over £2,000 |
| (e) | Provision to reduce need for care proceedings etc. by way of loan or grant in any one case in any one year.   | Service Director for Children's Social Care – over £2,000 |
| (f) | Provision for children with their families, including advice, guidance and counselling, occupational, social, cultural, recreational, facilities, home help, travelling or holidays. (including playschemes, day care, subsidised, childminding and all other family support services under (Sch.2 of the Children Act 1989) by way of loan or grant in any one case in any one year. | Service Director for Children's Social Care – over £2,000 |
| (g) | Provision to enable children living apart from their families to live with their family, or to promote contact with their family to safeguard or promote the children's welfare, by way of loan or grant in any one case in any one year.   | Service Director for Children's Social Care – over £2,000 |
| 2.  | Authority to determine any conditions as to repayment of any assistance or its value provided under S.17 (7) Children Act 1989.   | Service Director for Children's Social Care – over £2,000 |
| 3.  | Authority to determine charge for any service provided under S.17 or 18 of the Children Act 1989 (S.29 Children Act 1989).  | Service Director for Children's Social Care               |
| 4.  | Authority to comply with or refuse a request for help by an LA, LEA or LHA in the exercise of any of their functions under Part III of the Children Act 1989 (S.27 Children Act 1989).  | Service Director for Children's Social Care               |
| 5.  | Authority to recover from LA, LEA or LHA any expenses incurred in respect of a child or person incurred as a result of compliance with a request for help from such an Authority.   | Service Director for Children's Social Care               |

G. Family Proceedings	1.	Duty to investigate a child's circumstances when requested to do so by the Court during family proceedings and to report back to the Court if no Care or Supervision Order is to be sought and to determine if a review of the case is required in such circumstances. (S.37 Children Act 1989).	Service Director for Children's Social Care
	2.	Authority to agree to the Court making a Family Assistance Order in proceedings under Part II of the Children Act 1989 where the child concerned lives or will live outside the area of the Council (S.16 (7) Children Act 1989).	Service Director for Children's Social Care
	3.	Authority to consent to a person entitled applying to the Court for an Order under Section 8 Children Act 1989 in respect of a child subject to a Care Order in favour of the Council (S. (5) Children Act 1989).	Service Director for Children's Social Care
	4.	Authority to consent to a Local Authority foster parent applying for leave of the Court to make an application for an Order under Section 8 Children Act 1989 in respect of a child who is not a relative or who has not lived with him/her/them for at least three years (S. 9(3) Children Act 1989).	Service Director for Children's Social Care

---

H. Domiciliary Care of Disabled People	1.	Power to authorise provision of telephones in homes of disabled persons. (S.2 Chronically, Sick and Disabled Persons Act 1970). (a) Where all conditions of eligibility under approved Council Scheme are clearly met. (b) Where eligibility is unclear. (c) Where circumstances are exceptional.	Service Director for Adult Care  Service Director for Adult Care Service Director for Adult Care
	2.	Power to authorise works of house adaptation and provision of facilities (except telephones) in homes of disabled persons. (S.2 CSADPA 1970).	Service Director for Adult Care – up to £2,500 in any one case in any one financial year
	3.	Power to issue blue badges carrying parking privileges for disabled people.	Service Director for Adult Care
	4.	Power to assist with holidays (S.2 CSADPA 1970).	Service Director for Adult Care

---

I. Administration of Bequests etc.	1.	Power to release monies without application being made for a grant of probate or letter of administration subject to the following conditions.	
		(a) a maximum of £1,000 where the monies are to be released to a person claiming to be entitled to the estate as a beneficiary subject to the Director being satisfied that the claimant has a prima facie claim to the estate and subject also to the claimant indemnifying the Local Authority in writing against any other preferential claim against the deceased's estate.	Service Director for Adult Care
		(b) A maximum of £2,000 where the monies are to be released to a Solicitor acting in the estate subject to the Director being satisfied that the solicitor is acting in the estate of the deceased or is acting on behalf of a person with a prima facie claim to the estate and subject also, where the Director feels appropriate, to the solicitor or claimant on whose behalf the solicitor is acting, indemnifying the Local Authority in writing against any other preferential claim against the deceased's estate.	Service Director for Adult Care
J. Guardianship of Mentally Disordered Persons	1.	Power to receive into guardianship under the Mental Health Act 1983.	Service Director for Adult Care
	2.	Power to transfer from guardianship to hospital or guardianship (i.e. change of guardian) (Regs 7 & 8 Mental Health Hospital, Guardianship and Consent to Treatment Regulations 1983).	Service Director for Adult Care
	3.	Power to instruct an Independent Mental Capacity Advocate before providing long term care for an un-befriended person lacking capacity.	Service Director for Adult Care
K. Approved Social Workers	1.	Appointment of Approved Social Workers under Mental Health Act 1983.	Service Director for Adult Care

L. Grants to Luncheon Clubs – New Applications	1.	Power to deal with applications for the provision of luncheon club facilities.	Service Director for Adult Care
M. NHS and Community Care Legislation	1.	Power to agree payments for individuals admitted to Nursing Homes and Residential Care Homes up to the maximum amount agreed by the Council.	Service Director for Adult Care
	2.	Power to agree payment for Community Support Services for individuals.	Service Director for Adult Care
	3.	Power to exceed the maximum payments for care in independent sector Nursing Homes and Residential Care Homes.	Service Director for Adult Care in consultation with Chief Executive and Service Director for Finance and Procurement and Corporate Procurement Manager
	4.	Agreements to make a payment to an independent sector organisation for Adult Care services.	Service Director for Adult Care
	5.	Authority to enter into Deferred Payments Agreements in accordance with Section 55 of the Health and Social Care Act 2001.	Service Director for Adult Care
N. Adult Services	1.	Power to deal with representations or complaints about the discharge by the Council of any of their function under the NHS and Community Care Act 1991.	Service Director for Adult Care
	2.	Power to appoint independent investigators in the process of dealing with complaints relating to any functions under the NHS and Community Care Act 1991.	Senior Complaints Officer
	3.	Power to appoint a Review Panel to further consider complaints in the formal stages of the Complaints Procedure.	Senior Complaints Officer
O. Wills	1.	Power to act where the 'Director of Social Services' is specified as Executor in the Wills of former clients of Adult Care Services.	Executive Director with responsibility for Adult Care
P. Receiver for Court of Protection Clients	1.	Power to act as appointed Receiver for Court of Protection clients.	Service Director for Adult Care
Q. Supporting People	1.	Power to act as Accountable Officer in respect of the Supporting People Programme.	Service Director for Vulnerable Adults



## **IMPACT PARTNERSHIP SERVICES**

### **EMPLOYMENT RELATED MATTERS**

<b><u>Subject</u></b>	<b><u>Function</u></b>	<b><u>Delegation</u></b>
A. Removal Expenses	1. Power to approve claims and payments outside the scheme, including power to approve temporary housing accommodation for employees moving less than 20 miles and not taking up residence within the Borough in accordance with policy and/or guidance issued by the Service Director for Human Resources.	Director
	2. Power to approve claims for removal expenses and allowances for employees who are required to occupy or vacate specific accommodation.	Director
B. Probation	1. Power to approve extensions to probationary period outside the scheme.	Director
	2. Power to dismiss on the basis of failure to satisfactorily complete a probationary period.	Managing Director
C. Period of Notice and Extension	1. Power to approve variation in notice periods including extension of service beyond normal retirement date.	Director for all posts, other than Managing Director for Director
D. Training	1. Power to approve applications for assistance to attend qualification and non-qualification courses outside local conditions.	Director
	2. Power to authorise applications for attendance of Members and Officers at conferences/seminars.	Managing Director in consultation with Service Director for Human Resources for the Council
E. Salaries	1. Power to determine applications for regrading submitted by employees in accordance with policy and/or guidance issued by Service Director for Human Resources.	Managing Director after consultation with Service Director for Human Resources for Council
	2. Power to approve starting salaries in excess of two increments above current remuneration in accordance with policy and/or guidance issued by Service Director for Human Resources.	Director
	3. Power to grant substitution pay to	Director

staff temporarily undertaking additional duties of a higher graded post in full, in accordance with policy and/or guidance issued by Service Director for Human Resources.

- |     |   |   |
|-----|---|---|
| 4.  | Power to grant honoraria to Officers temporarily undertaking additional duties associated with a higher graded post in part in accordance with policy and/or guidance issued by Service Director for Human Resources. | Director  |
| 5.  | Power to authorise planned overtime to staff paid substantively up to SCP28.  | Service Manager/ Section Head in consultation with Director in accordance with Council scheme   |
| 6.  | Power to authorise planned overtime by staff paid substantively over SCP28. Payment restricted to SCP28.  | Service Manager/ Section Head in consultation with Director in accordance with Council scheme   |
| 7.  | Power to permit progress through qualification bands in a career grade in accordance with career grade progression/appointment criteria.  | Service Manager/Section Head  |
| 8.  | Power to implement pay awards determined by National or Provincial Negotiating Bodies.  | Mandatory Provisions – Managing Director.<br>Discretionary Provisions – Partnership Board after consultation with Chair of Employment Committee |
| 9.  | Power to implement circulars relating to terms and conditions determined by National or Provincial Negotiating Bodies.  | Mandatory Provisions – Managing Director.<br>Discretionary Provisions – Partnership Board after consultation with Chair of Employment Committee |
| 10. | Power to award accelerated increments for outstanding performance on basis of one increment per annum based upon outstanding performance over the last 12 months.   | Director in consultation with Company HR Business Partner   |
| 11. | Power to authorise the allocation of standby duty allowances, in accordance with current scheme and subject to available budget provision.  | Director in consultation with Company HR Business Partner   |

---

F. Establishment

- |    |  |   |
|----|--|---|
| 1. | Establishment of permanent posts where funding exists. | Managing Director after consultation with Service Director for Human Resources for the Council and Chair of the |
|----|--|---|

		Employment Committee
	2.	Approval of variations to establishment including determination of grades and associated conditions of service, including the approval of the detailed implementation of arrangements given strategic and resource approval by Cabinet.
	3(a)	Determination of whether a proposed organisational change is "significant" and requires Cabinet/Executive approval at a strategic level.
	3(b)	Final approval of proposals for organisational change not deemed to be "significant" as defined in (a) above where consultations with staff and trade unions have been concluded and where there is agreement on the final outcome.
	4.	Power to approve the appointment of temporary staff including agency staff in accordance with corporate procurement guidance.
		<ul style="list-style-type: none"> <li>i) Service Manager/Section Head up to 6 months for cover for vacant post and for additional workload</li> <li>ii) Director in excess of 6 months but no more than 9 months</li> <li>iii) Director in consultation with Company HR Business Partner – use of fixed term/specific purpose contract solely to take account of time limited funding regime</li> </ul>
G. Hours	1.	Power to extend opening times of offices when required in specific instances, subject to compliance with Work-Life Balance Initiative and available budget provision.
	2.	Authority to revise working hours of staff in line with service/personal requirements, subject to compliance with Work-Life Balance Initiative and available budget provision.
H. Leave	1.	Authority to permit carry over of leave for periods in excess of 10 days, provided statutory minimum leave period has been satisfied.
	2.	Authority to permit bring forward of leave from next leave year, provided statutory minimum leave

Managing Director after consultation with Service Director for Human Resources for the Council and Chair of the Employment Committee

Managing Director after consultation with Service Director for Human Resources for the Council

Managing Director after consultation with Service Director for Human Resources for the Council and Chair of the Employment Committee

i) Service Manager/Section Head up to 6 months for cover for vacant post and for additional workload  
ii) Director in excess of 6 months but no more than 9 months  
iii) Director in consultation with Company HR Business Partner – use of fixed term/specific purpose contract solely to take account of time limited funding regime

Service Manager/Section Head in consultation with Company HR Business Partner

Service Manager/Section Head in consultation with company HR Business Partner

Director (with advice from Company HR Business Partner for requests exceeding 15 days)

Service Manager/Section Head up to 5 days, Director up to 10 days

		period will be satisfied subject to service requirements/needs.	
	3.	Power to approve time off with or without pay, outside the special leave scheme, subject to service requirements.	Managing Director in consultation with Company HR Business Partner
	4.	Power to approve a payment for outstanding annual leave provided statutory minimum leave period has been satisfied, subject to available budget provision and in accordance with relevant policy.	Managing Director in consultation with Company HR Business Partner
I. Sick Pay	1.	Power to extend sick pay up to doubling of the period of benefit in the case of industrial injury or potential retirement cases.	Director in consultation with Company HR Business Partner
	2.	Power to extend sick pay up to 3 months in cases of hardship, in accordance with Council policy or guidance issued by the Service Director for Human Resources.	Director in consultation with Company HR Business Partner
	3.	Power to extend sick pay in all other cases.	Managing Director
	4.	Power to authorise payment of medical expenses in relation to illness arising from the actual discharge of duties.	Director in consultation with Company HR Business Partner
J. Maternity Leave	1.	Authority to approve maternity, paternity or adoption leave outside statutory requirements.	Director in consultation with Company HR Business Partner
K. Assistance with the Purchase of Motor Vehicles	1.	Power to grant assistance for car purchase in accordance with local conditions of service.	Director up to but excluding Director level; Managing Director in all other cases
	2.	Power to grant assistance with car purchase outside the local scheme.	Managing Director in consultation with Service Director for Human Resources for the Council Services
	3.	Power to agree to take over existing loans granted by other authorities or other accredited bodies.	Managing Director in consultation with Service Director for Human Resources for the Council Services
	4.	Power to grant second loan within one year.	Managing Director in consultation with Service Director for Human Resources for the Council Services
	5.	Power to approve purchase of motor cycle.	Director up to but excluding Director level; Managing Director in all other cases

L. Motor Cars and Motor Cycles	1.	Power to allocate essential and casual user car allowances, in accordance with Council policy and subject to available budget provision.	Director – casual user. Director in consultation with Service Director for Human Resources for the Council Services – essential user
	2.	Power to allocate free car park permits, in accordance with Council scheme.	Director in consultation with Service Director for Human Resources for the Council Services
	3.	Power to allocate motor cycle allowances.	Director
	4.	Responsibility to reconsider decisions relating to allocation of allowances at request of officer concerned.	Managing Director
M. Motoring Offences	1.	Power to make ex gratia payments in connection with motoring offences	Director in consultation with Service Director for Human Resources for the Council Services and Service Director for Finance and Procurement
N. Subsistence Allowances	1.	Power to approve payments made in accordance with Council local scheme.	Service Manager/ Section Head
O. Travelling Expenses	1.	Power to approve any claims for travelling outside local conditions.	Service Manager/Section Head. Director for Service Manager/Section Head. Managing Director for Director.
	2.	Power to approve journeys by car beyond a radius of 50 miles from Rochdale Town Centre in accordance with policy and/or guidance issued by Service Director for Human Resources.	Service Manager/Section Head. Director for Service Manager/Section Head. Managing Director for Director.
P. External Activities	1.	Power to approve additional part-time employment outside the service of the Authority.	Director in consultation with Company HR Business Partner
	2.	Power to approve external activities during normal working hours.	Director in consultation with Company HR Business Partner
Q. Pensions and Retirement	1.	Power to approve applications for early retirement in accordance with policy and/or guidance issued by Service Director for Human Resources.	Managing Director after consultation with Service Director for Human Resources for the Council
	2.	Power to consider requests for the early release of pension benefits with or without enhancement to lump sum to employees over the age of 50 dismissed on the grounds of medical incapacity who were	Managing Director after consultation with Service Director for Finance and Procurement and Service Director for Human Resources for the Council

		unable to be granted ill-health retirement.	
	3.	Power to determine other ad hoc issues, such as employment/re-employment of persons granted early retirement and to exercise other further pension discretions.	Partnership Board after consultation with Chair of Council Employment Committee
R. Preserved Superannuation on Benefits of Former Employee	1.	Power to authorise the administering body to put into payment preserved superannuation benefits of former employee by reason of ill-health.	Managing Director in consultation with Service Director for Finance and Procurement and Service Director for Human Resources for the Council Services following medical advice
S. Professional Subscriptions	1.	Power to consider applications to pay subscriptions to professional associations within the established criteria, in accordance with Council scheme and available budget provision.	Director (up to Director level) Managing Director all other cases
T. Staff Suggestions	1.	Power to determine awards for suggestions made in accordance with Council scheme.	Managing Director
U. Telephone Allowances	1.	Power to allocate telephone allowances in accordance with Council scheme.	Director
V. References	1.	Authority to prepare references for all posts up to Service Director level.	Director who may delegate to another manager at the appropriate level
	2.	Service Director/Executive Director	Managing Director
W. Disciplinary Issues	1.	Power to suspend staff in connection with disciplinary issues.	Director or nominated senior manager in consultation with Service Director for Human Resources for the Council
	2.	Power to investigate disciplinary issues.	Director or nominated senior manager
	3.	Power to act as hearing officers, including authority to issue warnings up to and including final written warnings.	Director
	4.	Power to act as hearing officer, including power to dismiss employees.	Executive Director of the Council
X. Grievance Issues	1.	Power to hear and determine grievances up to, but excluding, the final officer stage within the procedure.	Director

	2.	Power to hear and determine grievances up to, and including, the final officer stage within the procedure.	Managing Director in consultation with Service Director for Human Resources for the Council
Y. Sickness and Attendance Issues	1.	Power to manage attendance issues in accordance with the agreed procedures.	Service Manager/Section Head
	2.	Power to act as hearing officer, including power to dismiss employees on grounds of medical incapacity.	Managing Director
Z . Dismissals on grounds other than conduct or capability	1.	Power to dismiss for all other reasons other than conduct or capability.	Managing Director
AA. Application of changes in Employment Legislation	1.	Power to implement changes in employment legislation, including the amendment of employment policies and procedures to incorporate such changes.	Director in consultation with Service Director for Human Resources for Council

## HIGHWAYS

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
A. Highways	All functions of the Highway Authority as contained in the following parts of the Highways Act 1980:-	
	1. <u>Maintenance of Highways – Part IV</u>	
	(i) Methods whereby highways become maintainable at public expense. )	
	(ii) Enforcement of liability for maintenance. )	Service Director for Highways
	(iii) Recovery of certain expenses incurred in maintaining highways. )	
	2. <u>Improvement of Highways – Part V</u>	
	(i) Safety provision. )	Service Director for Highways
	(ii) Widths. )	
	(iii) Miscellaneous improvements )	
	3. <u>Diversion of Watercourses – Part VI</u>	
	(i) Diversion of watercourses	Service Director for Highways
	4. <u>Stopping Up and Diversion of Highways and Stopping Up of means of Access to Highways – Part VIII</u>	
	Stopping up and of diversion of highway and Stopping up of means of access to highways.	Service Director for Highways after consultation with the Portfolio Holder for Partnerships, with any closures/diversions deemed contentious being referred to the appropriate Township Committee
	5. <u>Lawful and Unlawful Interference with Highways &amp; Streets – Part IX</u>	
	(i) Protection of public rights. )	
	(ii) Damage to highways, streets etc. )	
	(iii) Danger or annoyance to users of highways and streets. )	Service Director for Highways
	(iv) Precautions to be taken in doing certain works in or near streets or highways. )	
	(v) Miscellaneous. )	
	6. <u>New Streets – Part X</u>	
	(i) Requirements and prohibitions as to new streets. )	Service Director for Highways
	(ii) Enforcement of Byelaws or requirements of Local Authority )	
	7. <u>Making Up of Private Streets – Part IX</u>	
	(i) The private street works code)	Appropriate Township
	(ii) General. )	Committee
	(iii) The advance payment code.	

- |     |  |  |
|-----|--|--|
| 8.  | <u>Acquisition, Vesting and Transfer of Land – Part XII</u><br>(i) Acquisition of land generally. )<br>(ii) Exchange of land. )  | Service Director for Highways  |
| 9.  | <u>Miscellaneous &amp; Supplementary Provisions – Part XIV</u><br>(i) Miscellaneous powers etc of )<br>highway authorities and local )<br>authorities including powers )<br>of entry on to land. )                                   | Service Director for Highways  |
| 10. | To exercise powers of the Authority in relation to the settlement of plans and sections of road carrying out of street works.  | Service Director for Highways  |
| 11. | Authority to enter into agreements with developers under Section 278 of the Highways Act 1980 (S.23 of the New Roads and Street Works Act) where the development necessitating the highway works has a relevant planning permission. | Service Director for Highways  |
| 12. | Power to consent to placing of pipelines in streets.   | Service Director for Highways  |
| 13. | Power to authorise signposting of footpaths and bridleways.  | Service Director for Highways  |
| 14. | Use of non-prescribed signs on the highway (for example, Housing Developer's signs).   | Service Director for Highways  |
| 15. | H.G.V. Operators licences – objections to Traffic Commissioners.   | Service Director for Legal and Democratic Services   |
| 16. | Use of car park spaces for promotional purposes. Carnivals, processions and other events on the highway. Road closures to enable works to be executed within the highway.  | Service Director for Highways  |
| 17. | Emergency repairs to unadopted streets.  | Service Director for Highways  |
| 18. | Power to require a building to be marked with a number or altered under the Greater Manchester Act 1981, S22.  | Service Director for Highways  |
| 19. | Retention of obstruction in a street which is not a highway.   | Service Director for Highways  |
| 20. | Naming and renaming of streets, alteration and indication of names of streets.   | Service Director for Highways after consultation with Chair and Vice-Chair of the relevant Township Committee and Ward Councillors |
| 21. | Noise Insulation Regulations 1975 (Discretionary powers).  | Service Director for Highways  |

	22. Approval of requests requiring an agreement under Section 4 of the Highways Act 1980.	Service Director for Highways
B. Regulation of Road Traffic	1. Initiation of Traffic Regulation Orders on Principal Roads	Service Director for Highways after consultation with the Portfolio Holder for Partnerships
	2. Confirmation of Road Traffic Regulation Orders to which no objections have been made.	Service Director for Highways
	3. Confirmation of Road Traffic Regulation Orders which are the subject of objection by persons not directly affected by the proposals (i.e. not in occupation of premises in the immediate vicinity of the proposal).	Service Director for Highways
	4. Power to impose temporary prohibitions or restrictions of traffic on roads (Road Traffic Regulation Act 1984 'RTRA 1984' S.14).	Service Director for Highways
	5. Regulation of use of highways by PSVs (RTRA 1984, S.19).	Service Director for Highways
	6. Abnormal loads – permits (RTRA 1984, S.21).	Service Director for Highways
	7. Arrangements for patrolling school crossings (RTRA 1984, S.26).	Service Director for Highways
	8. Stands and racks for bicycles (RTRA 1984, S.63).	Service Director for Highways
	9. Power to authorise placing of traffic signs (RTRA 1984, S.65).	Service Director for Highways
	10. Power to serve notice requiring removal of traffic signs and removal of default (RTRA 1984, S.69).	Service Director for Highways
	11. Power to enter land (RTRA 1984, S.71).	Service Director for Highways
	12. Bollards and other obstructions (RTRA 1984, S.92).	Service Director for Highways
	13. Power to vary method of charging for the use of car parks when required for display etc. (Report to appropriate body if long term variation).	Service Director for Highways
	14. Power to provide advisory disabled persons parking places in residential areas.	Service Director for Highways
	15. Installation of road humps pursuant to the Highways Act 1980, S.90A, 90B and 90C.	(a) Service Director for Highways where no objections have been

received  
 (b) Service Director for Highways after consultation with the chair of the relevant Township Committee where no significant objections have been received and where objections from people not directly affected have been received.

	16.	Motor vehicle trials on footpaths and bridleways (Road Traffic Act 1972, S.23).	Service Director for Highways
	17.	Road Safety Information and Training (Road Traffic Act 1972, S.35).	Service Director for Highways
C. Land Drainage	1.	Maintenance of flows in watercourses (Land Drainage Act 1976, S.19, 97, 98, 102).	Service Director for Highways and Service Director for Legal and Democratic Services
D. Other Drainage	1.	Building over sewers (Building Act 1984, S.18) (LGA 1972, S.180).	Service Director for Highways
E. Demolitions	1.	Notice to Local Authority of intended demolition (Building Act ('BA') 1984 S.80).	Service Director for Highways
	2.	Prosecution for failure to notify of intended demolition (BA 1984, S.80).	Service Director for Legal and Democratic Services/Service Director for Highways
	3.	Local Authority's power to serve Notice about demolition (BA 1984, Ss,81 and 82).	Service Director for Highways
	4.	Prosecution for failure to comply (BA 1984, S.82, 3).	Service Director for Legal and Democratic Services

## LAND AND PROPERTY

<u>Subject</u>	<u>Function</u>	<u>Delegation</u>
A. Purchase of property	1. Power to approve terms of purchase of property in other proposed and confirmed Compulsory Purchase Orders.	Director of Property
	2. Power to approve requests for statutory advance payments in respect of Compulsory Purchase Orders.	Director of Property
	3. Power to make disturbance payments within budget arising from proposed or confirmed Compulsory Purchase Orders and entry on land of Public Health Act 1936, S.15 for purposes of constructing sewers.	Director of Property
	4. Power to make a payment to tenants equivalent to a disturbance payment in those cases where the Service Director for Legal and Democratic Services is satisfied that tenants have been led to believe that they are entitled to such a payment, and have acted on that belief by accepting rehousing from the Council or rehousing themselves.	Director of Property
	5. Power to make well-maintained payments and home-loss payment arising from the Council's Housing Acquisitions.	Service Director for Legal and Democratic Services or Service Director for Finance and Procurement
	6. Power to make a payment to tenants equivalent to a home loss payment in those cases where the Treasurer is satisfied that tenants have been led to believe that they were entitled to such payment, and have acted on that belief by accepting rehousing from the Council or rehousing themselves.	Service Director for Legal and Democratic Services or Service Director for Finance and Procurement
	7. Power to approve the terms of purchase of housing property in accordance with the Council's policies for the acquisition of properties.	(a) Director of Property
	(a) where payment in respect of any one interest does not exceed £150,000 exclusive of fees and costs	(b) Director of Property and Service Director for Finance and Procurement
	(b) in other cases.	
	8. Power to approve terms of purchase of properties for short term letting.	Director of Property
9. Power to approve terms of purchase of properties in Renewal Areas.	Director of Property	
10. Power to approve terms of purchase of other lands or properties under instruction from Township Committees	(a) Director of Property (b) Director of Property and Service Director for Finance	

	(a) up to £150,000 (b) above £150,000	and Procurement
B. Disposal of land and buildings excluding that allocated to or used for the purposes of a specified service or function.	1. Power to approve terms of disposal of land or buildings owned by the Council for its existing use or a use for which planning permission has been obtained where (a) the total consideration does not exceed £20,000 annual rental value or £150,000 capital value, exclusive of fees and costs; or (b) where such considerations are higher.	(a) Director of Property  (b) Director of Property and Service Director for Finance and Procurement
	2. Power to review levels of consideration for existing leases, licences or rights over land or buildings owned by the Council where the amount of increase after review (a) does not exceed £20,000 per annum; or (b) exceeds £20,000 per annum.	(a) Director of Property  (b) Director of Property and Service Director for Finance and Procurement
C. Management of land and buildings including industrial and commercial land and buildings but excluding that allocated to or used for the purposes of a specified service or function.	1. Power to approve matters reserved for Council's prior approval in Council's standard agreements (for example, assignments, alterations to premises, erection of signs and alterations of user clauses).	Director of Property
	2. Power to authorise entry onto Council owned land by prospective developers who wish to undertake site investigations	Director of Property
	3. Power to authorise service of notices on:- (i) occupiers, tenants and lessees of Council owned land and buildings where such land and buildings are required for a scheme that has received approval from the Council; (ii) tenants and lessees of the Council who are in breach of any terms of their agreement made with the Council; (iii) landlords of the Council who are in breach of any terms of the Council's tenancy or lease; (iv) tenants, lessees and landlords of the Council to enable leases to be renewed and/or rents to be renewed.	Director of Property
	4. Power to authorise service of notices to enable agreements with the Council to be determined and/or to be reviewed	Director of Property

and/or rents and fees to be reviewed.

	5.	Power to undertake general management responsibilities (including lettings of land and buildings) within the broad policies agreed by Council.	Director of Property
	6.	Power to serve notice to quit for breaches of any conditions in agreements made with the Council.	Director of Property
	7.	Power to authorise eviction proceedings including the eviction of squatters.	Director of Property
	8.	Power to approve the terms of surrender of leases, licences or other rights over land and buildings owned by the Council where the total consideration passing (a) does not exceed £50,000 per annum; or (b) exceeds £50,000 per annum	(a) Director of Property (b) Director of Property and Service Director for Finance and Procurement
	9.	Power to take legal action when business tenants do not vacate property following notice to quit.	Service Director for Legal and Democratic Services
	10.	Power to approve the terms of surrender of agreements made with the Council where the total consideration passing (a) does not exceed £50,000 per annum; or (b) exceeds £50,000 per annum.	(a) Director of Property (b) Director of Property and Service Director for Finance and Procurement
<hr/>			
D. Transactions in land and property already approved.	1.	Power to make minor amendments to the terms of such transactions.	Service Director for Legal and Democratic Services

References to Directors include those Directors of the Impact Partnership who have roles as the Council's Director of Highways & Engineering Service and Service Director for Property Services.