

APPENDIX THREE

Schedule 1: functions which are the responsibility of the cabinet, Council and local choice functions – delegation to officers

General delegations

Ref	Function	Consultation (where applicable)
DELEGATIONS TO CHIEF EXECUTIVE, STRATEGIC DIRECTORS AND HEADS OF SERVICE		
1.0	FINANCIAL	
1.1	To incur expenditure within approved capital and revenue budgets.	
1.2	To remit or reduce charges normally paid to the council when there are exceptional or special circumstances justifying the remission or discount.	Relevant cabinet member (executive functions) or chairman of the relevant committee or the council (non-executive functions) if the remission or discount is £500 or above
1.3	To determine the fees and charges to be levied for all council services, excluding car parking charges.	Relevant cabinet member and chairman of scrutiny committee
1.4	To settle small compensation payments up to a value of £500, where a claim has been agreed through the council's complaints procedure.	
1.5	To award revenue and capital grants up to a maximum of £5,000	Relevant cabinet member
1.6	To prepare and submit applications to external bodies and organisations for grant funding on behalf of the council.	

Ref	Function	Consultation (where applicable)
2.0	LAND, PROPERTY AND ASSETS	
2.1	To incur expenditure on any item or service, including the acquisition of land or property, vehicles, plant and equipment.	Relevant cabinet member where the proposed expenditure exceeds £50,000 or a leasing arrangement is proposed
2.2	To serve notices to obtain particulars of persons' interests in land.	
2.3	To serve notices under any enactment and take follow up action.	
2.4	To grant permission to carry out works on the council's land.	Relevant cabinet member
2.5	To declare as surplus, and to sell, assets up to a book value of £10,000.	Relevant cabinet member in the case of land and property with a book value in excess of £5,000
3.0	LEGAL	
3.1	To serve notices, make orders, take enforcement action, and respond to consultations under the provisions of the Anti-Social Behaviour Act 2003.	
3.2	Without prejudice to any specific delegation in the scheme to authorise the issue and service of any statutory notice or requisition relating to any matters within their area of responsibility and to take any associated enforcement action and authorise default works.	

Ref	Function	Consultation (where applicable)
3.3	Without prejudice to any specific delegation in the scheme to act as the proper officer for the authentication of any statutory notices, any requisitions, Orders or other documents which are issued and served relating to any matter within their area of responsibility.	
3.4	To approve the copying of documents for the purpose of the copyright, designs and patents legislation.	
3.5	Without prejudice to any specific delegation in the scheme to authorise the commencement, continuation, defence, discontinuance or settlement of any legal proceedings (other than high court proceedings or above) relating to any matters within their area of responsibility.	Head of legal and democratic services
3.6	Subject to any rules of court to authorise members of staff to attend, appear as witnesses and represent the council in any legal proceedings in court, public inquiries, tribunals or any other hearings.	
3.7	To authorise, under Section 223 of the Local Government Act 1972 (as amended) officers to appear on behalf of the council in proceedings before magistrates' courts .	
3.8	Where any officer has delegated powers to authorise legal proceedings that power also includes the power to administer simple cautions (previously known as formal cautions).	
3.9	To deal with lost and uncollected property found on or deposited from land or property within their area of responsibility (S.41 LG(MP)A 1982).	
3.10	Without prejudice to any specific delegation in the scheme to determine any application for permissions, consents or licences or registration within their area of responsibility.	
3.11	Without prejudice to any specific delegation in this scheme, to grant, renew, refuse or cancel any authority in writing to members of staff who may exercise any statutory power of inspection and entry onto land or property, powers of inspection (including inspection of buildings, premises and vehicles). Such written authority shall allow the authorised person to exercise all the relevant statutory powers of such an authorised officer.	

Ref	Function	Consultation (where applicable)
3.12	To authorise officers to conduct directed surveillance or the use of covert human intelligence sources in accordance with the Regulation of Investigatory Powers Act 2000.	
3.13	To release Council held information under the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.	Head of HR, IT and technical services and head of legal and democratic services on any applications for exemptions
3.14	To sign statements of truth on behalf of the council under the civil procedure rules 1998.	
3.15	To make planning applications including listed building, conservation area and advertisement consents, and footpath diversion or tree preservation orders.	Relevant cabinet member in the case of major projects
3.16	To make applications for any orders and other application such as building control applications.	
3.17	To authorise any employee to admit liability or to negotiate a settlement of any professional negligence liability claim made against that employee.	Head of legal and democratic services
4.0	STAFFING MATTERS	
4.1	To enter into agreements under section 113 of the Local Government Act 1972 to place staff at the disposal of other councils or to receive the services of staff of other councils.	Relevant cabinet member
4.2	To take any action required or authorised under any recruitment and selection policies and procedures.	
4.3	To authorise the appointment of temporary and relief staff and agency staff where essential during periods of absence, sickness or holidays or as a result of resignation or to deal with unexpected peaks in workload.	

Ref	Function	Consultation (where applicable)
4.4	To determine applications to extend an employee's contractual period of sick leave on full or half pay for an additional period of up to three months.	Relevant strategic director
4.5	To determine applications for leave of absence without pay .	
4.6	To agree flexible contracts and working patterns , including job share, home working and term time working.	
4.7	To approve the payment of temporary additions to salary where the additional duties of responsibilities are shared by one or more employees.	Head of HR, IT and technical services
4.8	To authorise ex-gratia payments to employees who suffer accidental loss or damage incurred in the course of their duties.	Section 151 officer and head of HR, IT and technical services if above £500
4.9	To authorise contractual salary progression within career graded posts.	
4.10	To authorise the working and payments to employees for standby duties and for overtime .	
4.11	To approve applications for annual, compassionate or other leave .	
4.12	To determine applications for special leave with full pay .	
4.13	To enter into apprenticeship or similar agreements.	
4.14	To determine applications from officers graded senior officer and above for permission to take up secondary employment .	
4.15	To authorise the reimbursement of employees for essential additional expenditure incurred by them in carrying out their duties.	

Ref	Function	Consultation (where applicable)
4.16	To formally discipline staff in strict accordance with the any disciplinary procedures.	Head of HR, IT and technical services
4.17	To authorise time sheets, mileage and subsistence claims, and other expenses.	
4.18	To authorise the attendance by staff at meetings, training sessions, discussion groups, seminars, exhibitions and conferences.	
4.19	To give approval to staff to attend training courses and day release courses in pursuit of relevant professional or other qualifications.	
4.20	To grant paid leave of absence to staff for personal development or training purposes.	
4.21	To authorise the acceleration of increments to staff within their salary scale until the top of the scale is reached.	Head of HR, IT and technical services
4.22	To approve permanent additions to the establishment , which will come forward as an essential growth bid.	Head of paid service, section 151 officer, leader of council and Cabinet member for finance
5.0	PURCHASES, PLANT, STOCK, EQUIPMENT AND MATERIALS	
5.1	To authorise and incur expenditure of a recurring nature or to purchase stock, plant, equipment and other materials subject to compliance with contracts procedure rules.	
5.2	To hire plant subject to the inclusion of cost of hire within approved estimates.	
5.3	To incur expenditure on the reception and entertainment of persons connected with local government or other public services.	

Ref	Function	Consultation (where applicable)
5.4	To authorise the disposal of surplus stock , plant, equipment and other materials at the best possible prices subject to compliance with contracts procedure rules.	
6.0	CONTRACTUAL AND FINANCIAL MATTERS	
6.1	To take any action authorised by the council's contracts procedure rules and any financial rules and procedures.	
6.2	To monitor and take all necessary action (except legal proceedings) to enforce all the legal provisions contained within any deeds of transfer made between the council and any other organisation and all ancillary provisions contained within any schedules of any deeds relating to any matter within their area of responsibility	Head of legal and democratic services
6.3	To sign on the council's behalf any contract for works, good or services.	
6.4	To approve an additional on-going budget of the lesser of £50,000 or 20% of the contract price if following the tendering of a contract, the new contract sum is greater than the approved budget. This would subsequently come forward as an essential growth bid.	Chief executive, section 151 officer, leader of council and Cabinet member for finance
7.0	MISCELLANEOUS	
7.1	To respond to consultations from the government, neighbouring authorities and other public or private sector bodies having regard to any protocol on responding to consultation documents.	
7.2	To carry out the maintenance and publication of performance indicators and other information relating to performance standards.	
7.3	To undertake any roles and functions allocated under any council policies or procedures.	
7.4	To make minor amendments to strategies/policies after approval by council/cabinet prior to publication.	

Ref	Function	Consultation (where applicable)
7.5	To exercise powers delegated to the council under agency agreements or contracts with other councils.	
7.6	To review and deal with all complaints in accordance with any comments and complaints procedure.	
7.7	To instruct consultants and other agents (other than counsel or outside solicitors) to advise or otherwise assist the council in connection with any work of the council.	
8.0	URGENCY	
8.1	Without prejudice to any specific delegation in the scheme in cases of emergency or urgency only to carry out any action or exercise any statutory power within their area of responsibility on behalf of the council.	

Chief executive (head of paid service)

CHIEF EXECUTIVE (HEAD OF PAID SERVICE)		
Ref	Function	Consultation (where applicable)
1.0	HUMAN RESOURCES	
1.1	To act as the council's head of the paid service .	
1.2	To determine the council's establishment , numbers of staff, grading, remuneration and deployment and agree terms and conditions for the employment of staff, subject to fundamental changes to the organisation structure being agreed by the cabinet.	
1.3	To approve any redundancies, retirements, secondments, unpaid leave requests, pension related matters, job maintenance decisions, market premia, annual increments and any other employment related matters , subject to proposals for enhanced benefits exceeding £10,000 being determined by the Audit and Governance Committee.	
1.4	To authorise the payment of recruitment and retention incentives .	
2.0	ASSETS OF COMMUNITY VALUE	
2.1	To determine or authorise another officer to determine a formal review requested by the landowner.	
3.0	MISCELLANEOUS	
3.1	To receive and deal with all Ombudsman complaints and authorise local settlements (LGA 1974 and S92 LGA 2000).	
3.2	To take any action considered necessary in an emergency .	Group leaders

Electoral registration officer and returning officer

(Elections and Electoral Registration)

ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER		
Ref	Function	Consultation (where applicable)
1.0	ELECTIONS AND ELECTORAL REGISTRATION	
1.1	To take such action and make such decisions as are necessary as the council's electoral registration officer and returning officer .	
1.2	Assigning officers in relation to requisitions of the electoral registration officer.	
1.3	As returning officer to designate an alternative polling place if the designated polling place becomes unavailable for a particular election.	
1.4	To make changes to polling districts and polling places where circumstances dictate that this is desirable.	Members of the Community Governance and Electoral Issues Committee and the relevant ward councillor(s)
1.5	Providing assistance at European parliamentary elections .	
1.6	Power to fill vacancies in office and giving notice of casual vacancies .	
1.7	Duties relating to providing notice to the Electoral Commission and relating to publicity .	

Chief finance (section 151) officer

CHIEF FINANCE OFFICER (SECTION 151) OFFICER		
Ref	Function	Consultation (where applicable)
1.0	PAYMENTS	
1.1	To deal with all the council's staff salaries and wages , together with all tax, superannuation and similar deductions	
1.2	To organise, administer and monitor the council's loan scheme and authenticate all agreements relating to the scheme	
2.0	FINANCIAL	
2.1	To sign all cheques and similar documents for the payment of monies due by the council	
2.2	To make determinations relating to government controls over spending and borrowing and to administer the council's accounts and various bank accounts Sections 42, 56, 60 and 63 LGFA1988	
2.3	To organise, administer and monitor any council overdrafts with the council's bank.	
2.4	To organise, administer and monitor any loans or other borrowing arrangements with the council's bank or other lending institutions or individuals.	Cabinet member for finance in the case of borrowing for more than 365 days.
2.5	To organise, administer and monitor the investment of council funds and other treasury management functions .	
2.6	To act as the money laundering reporting officer .	
2.7	To make exceptions to the limits in the treasury management investment strategy in any financial year up to £3,000,000, where he is satisfied that it is financially advantageous to the council and at a comparable level of risk to that detailed in the treasury management investment strategy.	Cabinet member for finance

CHIEF FINANCE OFFICER (SECTION 151) OFFICER		
Ref	Function	Consultation (where applicable)
3.0	DEBT COLLECTION	
3.1	To authorise the writing off of any debt.	Cabinet member for finance when over £5,000
4.0	COUNCIL TAX AND LOCAL TAXATION	
4.1	To grant discounts/relief to non-domestic ratepayers under Sections 43, 45, 47 and 49 LGFA 1988.	
4.2	To determine all applications for discretionary council tax reductions in accordance with any rules made by the council. (S.13A(c).LGFA 1992).	
4.3	To approve and submit the Council's national non-domestic rates 1 form (NNDR1) each year as required by the Local Government Finance Act 1988 (as amended by the Local Government Finance Act 2012).	Cabinet member for finance
5.0	MISCELLANEOUS	
5.1	To determine variations in interest rates on mortgages and advances for private house purchase. (S.438 HA 1985).	
5.2	To authorise action and incur expenditure in connection with emergencies and disasters , in accordance with the Financial procedure rules.	
5.3	To authorise postponement of the council's right to repayment of discount until after a lender has received the amount owing on a mortgage.	
5.4	To determine applications for the postponement of the council's registered charge following the sale of a council house. (S.156 HA 1985).	

Head of corporate strategy

(Communications, community strategy, climate change, environmental health, environmental protection, waste including waste strategy; grounds maintenance)

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
1.0	GRANTS	
1.1	To approve or refuse extensions for the take up of capital grants awards.	
1.2 (VALE ONLY)	To approve or refuse time extensions for the take up of new homes bonus grants awards.	
1.3 (VALE ONLY)	To approve festival and event grant awards of up to £1,000.	Cabinet member for corporate strategy
1.4 (SOUTH ONLY)	To approve grant awards of up to £1,000 for young achievers .	Cabinet member for grants
1.5	To change the percentage of a grant award in line with the grants policy.	Cabinet member for grants
1.6	To withhold or reduce a revenue grant for failing to meet the agreed targets.	Cabinet member for grants
1.7	To amend agreed targets relating to revenue grant awards.	
1.8 (SOUTH ONLY)	To transfer money allocated in the provisional capital programme for external capital grants to the approved capital programme as and when required to pay grants previously approved.	
1.9	To remove conditions on grants awarded.	
1.10	To decide to accept grant applications that do not meet all of the eligibility criteria .	
2.0	PUBLICITY	
2.1	To compile and deal with all the council's publicity material including the publication of any council magazine and all press releases (S142, 144, 145 LGA 1972 and S2 LGA 1986).	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
3.0	OPEN SPACES (Recreation grounds, parks and gardens and riverbanks)	
3.1	To monitor and take all necessary action relating to the day to day management of all the council's open spaces.	
3.2	To monitor and take all necessary action (except legal proceedings against the relevant contractor) to enforce the provisions of any contract or quasi-contract for the management and maintenance of all open spaces.	
3.3	To determine all applications for the letting and use of all the council's open spaces.	Relevant cabinet member (in the case of free or other special terms only)
3.4	To determine all applications for the holding of fairs, fetes and other entertainment on the council's recreation grounds, parks and gardens.	Relevant cabinet member
3.5	To negotiate and authorise the entering into of open space agreements . (S.9 OSA 1906)	Relevant cabinet member
3.6	To authorise the commencement continuation, discontinuance or settlement of any legal proceedings for any offence against any statute byelaw or other law relating to the council's recreation grounds, open spaces and gardens.	Head of legal and democratic services
4.0	REFUSE AND STREET CLEANING	
4.1	To monitor and take all necessary action to enforce the provisions of the contract with any contractor relating to refuse and street cleaning.	Relevant cabinet member and head of legal and democratic services in the case of legal proceedings only
4.2	To authorise and serve any notices and take all necessary action relating to the removal of abandoned vehicles or other things. (S.3-8 RD(A)A 1978)	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
4.3	To authorise the service of any Notices and take all necessary action relating to the collection of waste, the provision of dustbins and to secure the removal of rubbish. (S.34 PHA 1961)	
5.0	BURIAL	
5.1	To grant exclusive rights of burial and sign the necessary certificate	
6.0	LEGAL PROCEEDINGS	
6.1	To authorise the commencement, continuation, defence, discontinuance or settlement of any legal proceedings (other than High Court proceedings or above) relating to offences under the relevant council enforced legislation highlighted in sections 8.0 to 22.2 below.	
6.2	To exercise the council's powers to gather evidence and investigate under the Police and Criminal Evidence Act 1984.	
7.0	HOUSING STANDARDS, HOUSING GRANTS AND MOBILE HOMES	
7.1	To exercise the council's powers and duties under the Housing Act 1985 (as amended) and the Housing Act 2004 including determining all applications, licensing and registration functions, taking of enforcement action, service of notices, inspections, powers of entry, and appointment of inspectors.	
7.2	To exercise the council's powers and duties under the Caravan Sites and Control of Development Act 1960 and the Mobile Home Act 2013 including determining all applications, licensing and registration functions, taking of enforcement action, service of notices, inspections, powers of entry, and appointment of inspectors.	
7.3	To determine applications for mandatory and discretionary grants for the provision, repair, maintenance, renewal or improvement of housing in accordance with the Housing Grants, Construction and Regeneration Act 1996.	
7.4	To determine applications for disabled facilities grants in accordance with the Housing Grants, Construction and Regeneration Act 1996.	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
7.5	To determine applications for Homes Repair Assistance for minor works in accordance with the Housing Grants, Construction and Regeneration Act 1996 .	
7.6	To determine applications for loans through the Flexible Home Improvement Loans Limited scheme.	
8.0	ENVIRONMENTAL PROTECTION, AIR QUALITY AND CONTAMINATED LAND	
8.1	To exercise the council's powers and duties under the Environmental Protection Act 1990 including taking enforcement action, service of notices, inspections, powers of entry, and appointment of inspectors.	
8.2	To exercise the council's powers and duties under the Pollution Prevention and Control Act 1999 including issuing and revoking Permits, taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
8.3	To exercise the council's powers and duties under the Environmental Act 1995 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
8.4	To exercise the council's powers and duties under the Control of Pollution Act 1974 and 1989 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
8.5	To exercise the council's powers and duties under the Clean Air Act 1993 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
8.6	To exercise the council's duties under the Licensing Act 2003 as the responsible authority for public safety and the prevention of public nuisance .	
9.0	ANTI-SOCIAL BEHAVIOUR	
9.1	To exercise the council's powers and duties under the Anti-Social Behaviour Act 2003 and the Anti-Social behaviour, Crime and Policing Act 2014 including	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
	taking enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
10.0	FOOD SAFETY AND HYGIENE	
10.1	To exercise the council's powers and duties under the Food Safety Act 1990 including statutory powers of inspection and entry, service of notices, taking of enforcement action, and the appointment of inspectors.	
10.2	To authorise the commencement, continuation, defence, discontinuance or settlement of any legal proceedings (other than High Court proceedings or above) relating to the food safety or hygiene powers mentioned above or to the relevant regulations made under the European Communities Act 1972 .	
10.2	To determine applications for certificates in connection with the export of food to certain foreign countries.	
11.0	HEALTH AND SAFETY	
11.1	To exercise the council's powers and duties under the Health and Safety at Work etc Act 1974 including statutory powers of inspection and entry, service of notices, taking enforcement action and the appointment of inspectors.	
12.0	NOTIFIABLE DISEASES	
12.1	To exercise the council's powers and duties under the Public Health (Control of Diseases) Act 1984 including powers of entry, service of notices, taking of enforcement action and the appointment of inspectors.	Medical officer/community physician
12.2	To appoint in writing a suitably qualified medical practitioners to act as the council's community physician (proper officer) and deputies in connection with the control of disease (S74 PH (CD) A 1984) and to rescind any appointment.	
13.0	RATS AND MICE / PEST CONTROL	
13.1	To exercise the council's powers and duties under the Prevention of Damage by Pests Act 1949 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
	inspectors.	
13.2	To take all necessary action to reduce the number of pigeons etc in any built up area in the district. (S.74 Public Health Act 1961).	
13.3 (SOUTH ONLY)	To approve the use of the council's contracted pest control service.	
13.4	In cases of hardship, to waive or vary the charges for pest control measures.	
14.0	SANITATION AND LAND DRAINAGE	
14.1	To exercise the council's powers and duties under the Public Health Act 1936 and the Public Health Act 1961 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
14.2	To exercise the council's powers and duties under the Local Government (Miscellaneous Provisions) Act 1976 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
14.3	To exercise the council's powers and duties under the Building Act 1984 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
15.0	CLEAN NEIGHBOURHOODS	
15.1	To exercise the council's powers and duties under the Clean Neighbourhoods and Environment Act 2005 including taking of enforcement action, service of notices, inspections, powers of entry, and the appointment of inspectors.	
15.2	To authorise town and parish council officers and staff nominated by the district council's contractors to implement the fixed penalty provisions of the Dogs (Fouling of Land) Act and the Clean Neighbourhoods and Environment Act 2005.	
15.3	To give authority to police community support officers to issue fixed penalty notices in respect of litter, dog fouling, graffiti and fly posting under the Clean	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
	Neighbourhoods and Environment Act 2005.	
16.0	SMOKING CONTROLS	
16.1	To exercise the council's powers and duties under the Health Act 2006 , including powers of entry, service of notices, taking of enforcement action and the appointment of inspectors.	
17.0	SUNDAY TRADING	
17.1	To exercise the council's powers and duties under the Sunday Trading Act 1994 , including taking of enforcement action, powers of entry and the appointment of inspectors.	
18.0	ANIMALS	
18.1	To exercise the council's powers and duties under the Animal Welfare Act 2006 , including licensing and registration functions, service of notices, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.	
18.2	To exercise the council's powers and duties under The Dangerous Wild Animals Act 1976, The Pet Animals Act 1951, The Breeding of Dogs Acts 1973 and 1991, The Animal Boarding Establishments Acts 1964 and 1970, The Zoo Licensing Act 1981, and The Riding Establishments Acts 1964 & 1970 including licensing and registration functions, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.	
19.0	STRAY DOGS AND KENNELS	
19.1	To discharge the council's statutory responsibilities in connection with stray dogs under the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 .	
19.2	To approve the use of the council's contracted dog warden service, dog boarding establishments, kennelling and veterinary services .	
19.3	In cases of hardship, to waive or vary the charges for collection of and kenneling of lost or stray dogs.	

HEAD OF CORPORATE STRATEGY		
Ref	Function	Consultation (where applicable)
20.0	LOCAL AMENITY (OVERGROWN GARDENS)	
20.1	To serve Notice in respect of the condition of land and buildings (S.215 TCPA 1990)	
20.2	To serve notice in respect of information relevant to the S.215 procedure (S.330 TCPA 1990).	
20.3	To instigate powers to undertake clean up works in default of a Notice (S.219 TCPA 1990).	
20.4	To instigate legal proceedings under for failure to comply with a Notice (S.216 TCPA 1990).	
21.0	SCRAP METAL	
21.1	To exercise the council's powers and duties under the Scrap Metal Dealers Act 2013 including licensing and registration functions, taking of enforcement action, inspections, powers of entry and the appointment of inspectors.	
22.0	PRIVATE WATER SUPPLIES	
22.1	To exercise the council's powers and duties under the Water Industry Act 1991 including risk assessment functions (rechargeable), undertaking water sampling (rechargeable), taking of enforcement action, service of notices, inspections, powers of entry and the appointment of inspectors.	
22.2	To give authority to approved companies or organisations to carry out water sampling on behalf of the council under the Water Industry Act 1991 .	
23.0	LEISURE FACILITIES (INCLUDES LEISURE CENTRES, CIVIC CENTRES AND TOURISM FACILITIES)	
23.1	To manage the council's non-contracted facilities and monitor and take all necessary action relating to the day to day management of all the council's leisure facilities.	
23.2	To monitor and take all necessary action (except legal proceedings against the relevant contractor) to enforce the provisions of any contract for the management of the council's leisure and sports centres and other facilities .	

HEAD OF CORPORATE STRATEGY

Ref	Function	Consultation (where applicable)
23.3	To authorise the commencement, continuation, discontinuance or settlement of any legal proceedings for any offence against any statute byelaw or other law relating to the council's leisure and sports centres.	Head of legal and democratic services
23.4	To determine and take all necessary action in respect of the promotion of sports within the district.	
23.5	To procure approved capital investment projects for the leisure centres where the funding for such projects is in the council's approved capital programme.	Cabinet member for leisure

Head of finance

(Revenues and benefits client/benefit fraud (Vale), accountancy (SODC), revenues, benefits, payments and assisted travel (Capita), internal audit (Vale), payroll, and the Arts)

HEAD OF FINANCE		
Ref	Function	Consultation (where applicable)
1.0	FINANCIAL	
1.1	To effect such insurances as are necessary, compatible with the proper management of the council's assets, and having regard to potential liabilities and other risks.	
1.2	To deal with all insurance claims and the settlement of such claims with the council's insurers.	
1.3	To receive and bank all income received by the council.	
1.4	To administer the statutory schemes for payment of housing benefit, rent allowances, rent rebates, council tax rebates and transitional relief, including the exercise of discretion in exceptional circumstances.	
1.5	To approve the issue of liability orders .	
1.6	To grant discretionary housing payments in accordance with the Child Support, Pensions and Social Security Act 2000.	
1.7	To administer sanctions and initiate proceedings in accordance with the Social Security Administration Act 1992 and the Theft Act 1968 and any future enactments.	
1.8	To authorise officers to obtain information from employers, etc under Section 110A of the Social Security Administration Act 1992.	
2.0	DEBT COLLECTION	
2.1	To organise, administer and monitor the collection and recovery of sundry debts owed to the council, including excess parking charges and to authorise the issue and service of all notices and demands concerning the same.	

HEAD OF FINANCE		
Ref	Function	Consultation (where applicable)
2.2	Subject to any rules of court, to authorise those members of staff who may represent the council as advocates or as witnesses in any legal proceedings relating to the council tax community charge or housing benefit and in any other proceedings relating to any other locally levied or collected taxes fees and charges in court, public inquiries, tribunals or similar hearings or panels.	
3.0	COUNCIL TAX, COMMUNITY CHARGE AND LOCAL TAXATION	
3.1	To administer the demand, collection and recovery of the council tax, community charges, rates and other locally levied or collected taxes .	
3.2	Subject to any rules of court, to authorise those members of staff who may represent the council as advocates or as witnesses in any legal proceedings relating to the council tax community charge and rates and in any other proceedings relating to any other locally levied or collected taxes fees and charges in court, public inquiries, tribunals or similar hearings or panels.	
4.0	BENEFITS	
4.1	To administer and determine all applications for housing, council tax, community charge or other benefits .	
4.2	To determine entitlement to concessionary fares and to organise, administer and maintain the concessionary fares scheme.	
4.3	To authorise criminal proceedings for housing and council tax benefit (SSAA 1992 and WRA 2007)	
4.4	To prosecute for offences relating to national benefits administered by the Department for Work and Pensions.	
4.5	To investigate national benefits (income support, jobseeker's allowance, incapacity benefit, state pension credit or employment and support allowance) in conjunction with investigating housing and council tax benefit in the same case.	
5.0	AUDIT	
	Functions for maintaining an adequate and effective system of internal audit .	

HEAD OF FINANCE		
Ref	Function	Consultation (where applicable)
6.0	MISCELLANEOUS	
6.1	To exercise discretion in waiving the repayment of renovation and associated housing grants .	
7.0	THE ARTS, INCLUDING THE CORNERSTONE	
7.1	To manage the council's non-contracted facilities and monitor and take all necessary action relating to the day to day management of all the council's arts facilities.	
7.2	To monitor and take all necessary action (except legal proceedings against the relevant contractor) to enforce the provisions of any contract for the management of the council's arts facilities .	
7.3	To authorise the commencement continuation, discontinuance or settlement of any legal proceedings for any offence against any statute byelaw or other law relating to the council's arts facilities.	Head of legal and democratic services
7.4	To determine and take all necessary action in respect of the promotion of the arts within the district.	
7.5	To procure approved capital investment projects for arts facilities where the funding for such projects is in the council's approved capital programme.	Cabinet member for leisure
8.0	SAFEGUARDING	
8.1	In the absence of the strategic director (finance, HR, IT and technical and legal and democratic), to handle cases of abuse/suspected abuse in accordance with the council's safeguarding policy. (Nominated officer: Emma Dolman)	

Head of development and housing

HEAD OF DEVELOPMENT AND HOUSING		
Ref	Function	Consultation (where applicable)
1.0	HOUSING	
1.1	Allocation management of housing accommodation.	
1.2	To be responsible for the annual review of the statutory homelessness strategy .	Cabinet member for housing and strategic director
1.3	To discharge the council's statutory responsibilities for homelessness under the housing legislation.	
1.4	To carry out statutory section 202 reviews under the Housing Acts 1996 Parts 6 and 7 in accordance with legislation and guidance.	
1.5	To keep and maintain a housing register .	
1.6	To exercise the council's powers and duties under Housing Act 1996 Part VI (and the Localism Act 2011).	
1.7	To carry out the annual review of the statutory allocations policy .	
1.8	To determine on application or otherwise whether any person should be placed on the housing register and amend or remove any such entry in appropriate circumstances and to review any decision not to place or to remove a person from the housing register.	
1.9	To provide information to any person on the housing register relating to himself.	
1.10	To allocate housing accommodation to those persons qualifying for accommodation in accordance with the council's approved allocation scheme and taking in to account equalities considerations under the Equalities Act 2010.	
1.11	To provide information about the council's allocation scheme to any member of the public.	

HEAD OF DEVELOPMENT AND HOUSING		
Ref	Function	Consultation (where applicable)
1.12	In exercising the allocation of housing functions mentioned above to notify all applicants and other relevant persons of all decisions made giving reasons where appropriate.	
1.13	To determine applications for accommodation / assistance by former agricultural workers under the rent (agriculture) legislation.	
1.14	To determine the allocation of dwellings to local people who have housing needs .	
1.15	To determine claims and authorise payments for home loss and disturbance .	
1.16	To comment on bids from registered social landlords for funding .	Cabinet member for housing
1.17	To allocate sites for affordable housing development to registered social landlords.	Relevant strategic director and Cabinet member for housing
1.18	To serve statutory notices and take enforcement action relating to housing and associated matters for example prohibition orders, improvement notices, hazardous awareness notices and empty dwelling management orders.	
1.19	To enter into nomination agreements .	
1.20 (VALE ONLY)	To acquire and dispose of land and property where the transaction forms part of the council's housing capital budget and is for a sum less than £500,000 and the transaction and associated costs can be met from the housing association programme budget.	
1.21 (VALE ONLY)	To authorise the approval and amendment of council's housing capital budget subject to any approved criteria for housing association developments.	
2.0	HOUSING RENEWAL / ASSISTANCE	
2.1	To exercise the powers conferred on housing authorities under the Regulatory Reform Order (Housing Assistance) (England & Wales) Order 2002 Article 3.	

HEAD OF DEVELOPMENT AND HOUSING

Ref	Function	Consultation (where applicable)
2.2	To determine all applications for housing renewal and disabled facilities adaptations in accordance with the councils adopted policy.	
2.3	To recover monies secured by charge on sale of property or transfer of title deed in accordance with housing renewal policy applicable when application determined	
2.4	To exercise the powers and duties of the council under the national assistance legislation.	

Head of HR, IT and technical services

(Car parks, contact services, emergency planning, facilities management, human resources, ICT, mobile home parks, organisational change, and street naming)

HEAD OF HR, IT AND TECHNICAL SERVICES		
Ref	Function	Consultation (where applicable)
1.0	HUMAN RESOURCES	
1.1	To take any action required or authorised under the council's recruitment and selection policy and procedures.	
1.2	To issue and authenticate all council contracts of employment .	
1.3	To make awards to employees achieving qualifications.	
1.4	To authorise contractual salary progression .	
1.5	To determine staff salary grades in accordance with the council's approved job evaluation scheme.	
1.6	To authorise honoraria to staff.	
1.7	To implement pay awards and decisions of national negotiating bodies.	
1.8	To make appointments and dismissals of staff.	
1.9	To undertake any disciplinary action .	
1.10	To undertake any action necessary in respect of job maintenance and staff capabilities .	
1.11	To authorise casual and essential user car allowances	
2.0	FREEDOM OF INFORMATION	
2.1	To adopt future versions of the Information Commissioner's Standard Publication Scheme .	
2.2	All responsibilities under the Freedom of Information Act 2000 and Environmental Information Regulations 2004 , mainly maintain a publication scheme for the proactive release of information; confirm or deny to applicants whether the council holds information not covered by the	Head of legal and democratic services in respect of any applications for exemptions

HEAD OF HR, IT AND TECHNICAL SERVICES		
Ref	Function	Consultation (where applicable)
	publication scheme and disclose the information to applicants, providing it is not exempt under the Act.	
3.0	STREET NAMING AND NUMBERING	
3.1	To authorise the display and service of any Notice and authorise the naming of any street, or the alteration of any street name provided it is unopposed (S.13 OA 1985).	
3.2	To place the name of any street in a conspicuous position (S.13 OA 1985).	
3.3	To confirm new street names .	Group leaders and local ward councillors
4.0	MOBILE HOMES	
4.1	To allocate pitches for the stationing of mobile homes on the council's mobile home sites and enter into agreements with occupiers of such mobile homes (S.1 MHA 1983).	
4.2	To determine applications for the succession, transfer or exchange or sale of Mobile Homes (S.3 MHA 1983).	
4.3	To determine all others matters relating to the management of the council's Mobile Home Sites, including authorising the service of any notices and the commencement, continuance, defence, settlement or discontinuance of any legal proceedings (other than High Court Proceedings or above) against occupiers, including also the issue and execution of Warrants for Possession. (Sch 1968 S.2 and Sch.1 MHA 1983).	Cabinet member for technical services in the case of legal proceedings only (other than cases of rent arrears or urgency).
5.0	SEWERAGE AND LAND DRAINAGE	
5.1	To carry out all the statutory duties and powers of Thames Water Utilities under the terms and conditions of any agency agreement or contract including the adoption of any sewer or drains by Agreement or otherwise. (WA 1989 and S.17 18 PHA 1936).	
5.2	To authorise and serve any notices of entry onto land in connection with the provision or maintenance of sewerage facilities or the alteration of sewerage or drainage systems. (WA 1989).	

HEAD OF HR, IT AND TECHNICAL SERVICES

Ref	Function	Consultation (where applicable)
5.3	To authorise the making of any agreement with the highway authority for the use of highway sewers as sewers for sanitary purposes or to allow public sewers to be used for the drainage of public highways. (S.21 PHA 1936).	
5.4	To require works to be carried out relating to the disconnection of drains (S62 BA 1984).	
5.5	To authorise and serve any notice for the repair, maintenance and cleansing of any culvert (S.264 PHA 1936).	
5.6	To authorise drainage works and exercise any powers of the drainage authority to prevent flooding or remedying or mitigating any flood damage (S.14 LDA 1991).	Cabinet member for technical services, except in cases of emergency or urgency.
5.7	To provide a drainage clearance service to clear private blocked sewers and all drains and to serve the necessary notice and form on the relevant owners and occupiers (S17 and 22 PHA 1961 and S35 LG (MP) A 1976).	
5.8	To authorise and serve any notice for the maintenance of the flow of non-main river watercourses . (S.25 LDA 1991).	
6.0	CAR PARKING	
6.1	To authorise the enforcement of the provisions of the council's car parking orders (S.35A 112 RTRA 1984)	
6.2	To determine applications to use the council's pay and display car parks for the following purposes:	Cabinet member for technical services
	(a) Requests for charitable organisations to use the car parks to hold fund raising events such as flag days and charity car washes.	
	(b) Requests for charities or other not-for-profit organisations to locate temporary mobile units offering advice and information at car parks.	

HEAD OF HR, IT AND TECHNICAL SERVICES		
Ref	Function	Consultation (where applicable)
	(c) Requests from public bodies such as Southern Electricity and training and enterprise councils, offering advice and information at car parks.	
	(d) Requests to reserve spaces in the car parks or waive charges for parking during special events .	
	(e) Requests for permits to be issued to allow car parks to be used for the purposes of dropping off and picking up where no other suitable parking facilities exist, such as schools and playgroups.	
	(f) Requests from private companies wishing to gain alternative temporary access to their businesses or have a temporary base (e.g. film crews) at the car parks for which a charge is made.	
6.3	To waive car park charges for Christmas and other special occasions.	Cabinet member for technical services
6.4	To determine appeals against excess charge notices issued for contravention of regulations in the council's car parks.	
6.5	To write off excess charge notices .	
7.0	EMERGENCY PLANNING	
7.1	All operational matters in relation to preparation for and management of the council's response to civil emergencies.	
8.0	ASSETS OF COMMUNITY VALUE	
8.1	To decide whether to list or not to list an asset as an asset of community value.	
8.2	To determine a formal review requested by the landowner.	Strategic director for planning, housing and development
8.3	To determine landowner claims for compensation.	Strategic director for finance, HR, IT and customer services

HEAD OF HR, IT AND TECHNICAL SERVICES		
Ref	Function	Consultation (where applicable)
9.0	SAFEGUARDING	
9.1	In the absence of the strategic director (finance, HR, IT and technical and legal and democratic), to handle cases of abuse/suspected abuse in accordance with the council's safeguarding policy.	
10.0	LAND AND PROPERTY MATTERS	
10.1	To manage the council's land and property portfolio.	
10.2	To authorise the following types of land and property transactions provided that: <ul style="list-style-type: none"> (i) in the case of paragraph (a), the consideration is the best that can reasonably be obtained unless a general consent of the Secretary of State applies; and (ii) all disposals shall be on the best financial terms unless otherwise agreed by the chief finance officer in consultation with the relevant Cabinet member. 	
	(a) To approve the freehold or leasehold sale of land and property where the land or property transaction is up to a book value of £10,000.	Relevant cabinet member in the case of land and property with a book value in excess of £5,000
	(b) To approve and accept surrenders or terminations of leases and licences and any ancillary documents and determine applications for the assignment, sub lettings and transfer of leases and licences and the granting of sub-leases and under leases and other applications for consent required by lessees.	Head of legal and democratic services
	(c) To determine the renewal of leases and tenancies .	Cabinet member for property/head of legal and democratic services where the annual rental value exceeds £10,000

HEAD OF HR, IT AND TECHNICAL SERVICES

Ref	Function	Consultation (where applicable)
	(d) To grant new leases and tenancies up to an annual rental value limit of £50,000.	Cabinet member for property/head of legal and democratic services where the annual rental value exceeds £10,000
	(e) To negotiate and approve rent reviews and licence fee reviews .	Head of legal and democratic services
	(f) To determine applications for the release or variation of covenants .	Head of legal and democratic services
	(g) To grant wayleaves, easements, licences and other rights of users in respect of council owned land or property.	Head of legal and democratic services
	(h) To dedicate land owned by the council as a highway.	Head of legal and democratic services
	(i) To enter into agreements under section 278 of the Highways Act 1980.	Head of legal and democratic services
	(j) To determine requests from developers for the council to adopt land on housing developments , subject to the payment of a commuted sum and the land being transferred at a nominal sum.	Head of corporate strategy and head of planning
	(k) To serve notices required in relation to the acquisition, disposal, rental, leasing and management of land and property.	
	(l) To grant the consent of the council and agree to release covenants in respect of land and property matters including retrospective consents and consents under section 157 of the Housing Act 1985.	SOUTH ONLY
10.3	To acquire the freehold of leasehold land.	
10.4	To enter into easements, wayleaves and other licences on non-council owned land.	

HEAD OF HR, IT AND TECHNICAL SERVICES		
Ref	Function	Consultation (where applicable)
11.0	ECONOMIC DEVELOPMENT	
11.1	To award capital grants for economic development projects for which there is an approved budget.	
11.2	To carry out day to day management of the council's role as accountable body for the Oxfordshire LEADER programme , including the hosting of staff associated with the project.	

Head of legal and democratic services

(Community safety, democratic services, elections, legal, licensing, local land charges)

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
1.0	LEGAL	
1.1	To authorise the commencement, continuation, defence, discontinuance or settlement of any legal proceedings and to deal with all related matters.	Relevant head of service
1.2	To authorise the commencement, continuation, defence, settlement or discontinuance of any legal proceedings for the prosecution of any alleged offences following the service of any notice issued by the council or relating to any breach of the advertisement regulations or the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990.	Head of planning
1.3	To prepare any agreements, orders, directions, notices and other documents for the council.	
1.4	To accept service of any legal proceedings commenced against the council and any pleadings, notices and other documents relating to such proceedings.	
1.5	To instruct counsel or outside solicitors to represent or otherwise assist the council in any legal proceedings in court, public inquiries, tribunals and similar hearings .	
1.6	To instruct counsel or outside solicitors to advise or otherwise assist the council in connection with any legal work of the council.	
1.7	To make road closure orders under the Town Police Clauses Act 1847.	
1.8	To authorise and make orders for the temporary closure of streets during public processions. (S.21 TPCA 1847).	
1.9	To grant wayleaves, easements, licences and other rights of use in respect of council property.	
1.10	To document rent reviews .	
1.11	To enter into agreements with developers in relation to proposed foul sewerage systems for estates.	

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
1.12	To enter into other legal agreements .	Relevant head of service
1.13	To initiate proceedings for the recovery of all sums due to the council.	
1.14	To institute proceedings for making anti-social behaviour orders .	
1.15	To make orders and make temporary appointments to parish councils as required under the powers in Section 91(1) of the Local Government Act 1972.	
1.16	To be responsible for the authentication of any council documents .	
1.17	To be responsible for the common seal and for sealing any documents on behalf of the council.	
1.18	To organise, administer and monitor the collection and recovery of sundry debts owed to the council, including excess parking charges and to authorise the issue and service of all notices and demands concerning the same.	
1.19	To make an order under Section 109 of the Local Government act 1972 to grant, on request, powers to parish meetings .	
2.0	DEMOCRATIC	
2.1	To make any necessary amendments to the Constitution to give effect to any council decisions.	
2.2	To update the Constitution to reflect changes in staff responsibilities.	
2.3	To make appointments to outside bodies , occurring during the period of appointments, where they arise as a result of vacancies or new appointments.	Group leaders
2.4	To approve attendance of councillors at seminars and conferences, training courses and any other events.	
2.5	To appoint members to task groups and panels.	Group leaders
2.6	To approve and make amendments to the calendar of meetings .	Group leaders

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
2.7	To approve up to two consecutive three-month periods of non-attendance at meetings by councillors with the agreement of group leaders.	Group leaders
2.8	To change committee memberships in accordance with the wishes of the group leader.	Group leader
3.0	LICENSING	
3.1	To determine all matters (including applications, variations, transfers, suspensions, terminations and revocations), exercise all statutory powers and carry out all functions for which the service is responsible in relation to licensing and registration as specified in Regulation 2 and schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and any amendments thereto.	
3.2	To appoint new hackney carriage ranks following the statutory consultation process (S63 LG(MP)A 1976).	Cabinet member for legal and democratic services and local ward councillor(s)
3.3	To apply on behalf of the council relevant powers in connection with provisions of the Road Traffic Act 1988 (RTA 1988) and Road Safety Act 2006 (RSA 2006).	
3.4	To exercise the council's powers and duties under the Licensing Act 2003 to take enforcement action, review licences, carry out inspections, exercise powers of entry, and appoint inspectors.	
3.5	To serve a counter notice in respect of temporary event notices .	
3.6	To determine applications for personal licences where there are no police objections and no unspent convictions.	
3.7	To determine applications for premises licences/club premises certificates , including variation and transfer applications where there are no valid representations.	
3.8	To determine applications for designated premises supervisors , including variations (and removal requests) where there are no police objections.	
3.9	To deal with applications for interim authorities where there are no police objections.	

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
3.10	To decide whether a complaint is irrelevant, frivolous, vexatious, repetitious etc.	
3.11	To decide whether a representation is a valid representation.	
3.12	To decide on behalf of the authority that a hearing is not necessary when all relevant persons so agree.	
3.13	To determine applications for gambling premises licences , including variation and transfer applications where no representations have been received or representations have been withdrawn.	
3.14	To determine applications for provisional statements where no representations have been received or representations have been withdrawn.	
3.15	To determine applications for club gaming / club machine permits where no objections have been made or objections have been withdrawn.	
3.16	To cancel licensed premises gaming machine permits .	
3.17	To determine applications for other permits .	
4.0	LOCAL LAND CHARGES	
4.1	To be responsible for local land charges and any registration or searches in accordance with the local land charges legislation.	
4.2	To negotiate and agree with enquirers fees for supplementary enquiries when the standard fees are inappropriate.	
5.0	HIGHWAYS	
5.1	To authorise the making of an agreement for the adoption of highways on behalf of the Highway Authority. (S.38 HA 1980).	
5.2	To authorise and serve any notice relating to the removal of structures from highways . (S.143 HA 1980).	
5.3	To authorise and serve any notice relating to the enlargement of gates across highways or bridleways . (S.145 HA 1980).	

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
5.4	To authorise and serve any notice relating to the maintenance of stiles, gates or other works . (S.146 HA 1980).	
5.5	To authorise the erection of stiles, gates or other works on footpaths or bridleways . (S.147 HA 1980).	
5.6	To authorise and serve any notice requiring the removal of things deposited on highways and authorise the removal of the same with or without a Disposal Order. (S.148 HA 1980).	
5.7	To authorise and serve any notice and take any other action relating to any dead, diseased, damaged, insecure or overhanging hedges, trees or shrubs . (S.154 HA 1980).	
5.8	To authorise and serve any notice for the prevention of water flowing onto highways . (S.163 HA 1980).	
5.9	To authorise and serve any notice and take any other action to require the removal of barbed wire near a highway . (S.164 HA 1980).	
5.10	To authorise and serve any notice and take any other action relating to dangerous land, forecourts and retaining walls near streets . (S.165-167 HA 1980).	
5.11	To require the removal of obstructions and the filling in of excavations on streets. (S.174 HA 1980).	
5.12	To issue consents for the construction of vaults, arches or cellars under streets . (S.179 HA 1980).	
5.13	To issue consents for the control of openings and works on a street to provide access, air or light to premises . (S.180 HA 1980).	
5.14	To determine applications for Licences relating to apparatus in or under highways . (S.181 and 182 HA 1980).	
5.15	To require payments and determine liability and amounts of payments under the Advance Payments Code (S.219 and 220 HA 1980).	
6.0	FOOTPATHS AND BRIDLEWAYS	
6.1	To authorise the making and confirmation of any footpath and bridleway orders for the stopping up, or	

HEAD OF LEGAL AND DEMOCRATIC SERVICES		
Ref	Function	Consultation (where applicable)
	diversion of footpaths and bridleways, subject to: -	
	- where there are objections	Chair of the planning committee with the local ward councillor(s) being kept informed
7.0	COMMUNITY SAFETY	
7.1	To authorise expenditure in connection with the funding of projects from specific government funding streams provided for community safety initiatives	
7.2	To issue community protection notices and fixed penalty notices , to make public spaces protection orders , to issue closure notices and make applications for closure orders under the Anti-Social Behaviour, Crime and Policing Act 2014.	
8.0	ELECTIONS	
8.1	To declare a vacancy if a councillor fails to attend a meeting of the authority for six months without the prior approval of Council.	

Head of planning

(Building control; development management; planning policy; trees)

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
1.0	PLANNING	
1.1	To determine all applications made to either District Council relating to planning matters, except in the following cases:	
	(a) A Ward councillor (to include adjacent ward councillor whose parish has been consulted) calls in the application to be considered by the Planning Committee within 28 days of the date of registration of the application (unless an extension to the consultation period has been granted) and the request is agreed by the Chairman or, in their absence, the Vice Chairman in consultation with the Head of Planning. (This request must be in writing and deal with the planning issues to ensure that the audit trail for making that decision is clear and unambiguous). Councillors' right of call-in does not apply to applications for certificates of lawful development.	
	(b) No application being determined before the expiry of the consultation period(s) .	

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
<p>VALE only</p> <p>SODC only</p>	<p>(c) Where the following applies the planning matter shall be referred to the Planning Committee for determination:</p> <p>(i) The Head of Planning, in consultation with the Planning Committee Chairman, considers that the Planning Committee should consider it.</p> <p>(ii) The application is recommended for approval and would represent a significant departure from:</p> <p>a. the policies of the development plan (includes the adopted local plan, neighbourhood plans, and the waste and minerals local plan);</p> <p>b. the views of a technical statutory consultee (e.g. the County Highway Authority, the Environment Agency, Natural England);</p> <p>or the development plan policies are 'set aside'.</p> <p>(iii) The application is recommended for approval and falls into the category of a 'large scale major' application (<i>defined as 200 or more dwellings, or where the site is 2 hectares or more in size</i>).</p> <p>(iv) In major applications (<i>defined as ten or more dwellings, commercial space of over 1,000 square metres, or any sites over a hectare in size</i>) where any written or e-mailed objection on material planning grounds is received from the town or parish council or parish meeting, which is contrary to the officer's recommendation and cannot be resolved by condition or negotiation.</p> <p>(v) In applications categorised as major or minor where the officer's recommendation for approval/consent is in direct conflict with the clear and</p>	

HEAD OF PLANNING

Ref	Function	Consultation (where applicable)

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
	<p>unambiguous views of the parish/town council (in whose area the application is located) where that is received in writing not later than 12 noon on the last day of the consultation period, unless such views are considered not material to planning or unreasonable in the circumstance by the head of planning after consultation with the planning committee chairman and the local ward councillor.</p> <p>(vi) The proposal involves either council as applicant or landowner, provided that the Head of Planning may determine applications for 'minor proposals' (<i>defined as fewer than ten dwellings; commercial space of less than 1,000 square metres; or sites of less than a hectare in size</i>) or 'other proposals' (<i>defined as changes of use, householder development (development within the curtilage of a residential property), adverts, listed building consents, conservation area consents, lawful development certificates, agricultural notifications, telecommunications, etc</i>) where no objections on planning grounds have been received.</p> <p>(vii) The applicant, landowner or planning agent or consultant is a councillor of either Council.</p> <p>(viii) Any application where an employee of either council is involved in any capacity as either agent or consultant and objections have been received on planning grounds.</p> <p>(viii)The applicant is a member of staff who, in the course of their duties has an input</p>	<p>Chairman of the Planning Committee and relevant Ward councillor</p>

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
	in to the planning process and objections have been received on planning grounds. (Any other application from employees of either council are delegated to the Head of Planning unless the employee works in planning.)	
1.2	To invoke in the following circumstances a 'cooling off period' following a decision taken by the planning committee:	
	(a) where the committee refuses an application on grounds that the head of planning / or an officer authorised by him/her considers it puts the council at significant risk of having a cost award made against it in the event of an appeal being lodged.	
	(b) where the committee approves an application that the head of planning / or an officer authorised by him/her considers it is clearly contrary to the development plan and could set a planning precedent for the future.	
	(c) When the head of planning, or an officer authorised by him/her, considers that he/she may wish to use the "cooling off" powers, s/he will inform the planning committee accordingly before the meeting proceeds to the next item. S/he will then consult with the cabinet member for planning or in his/her absence the leader of the council and confirm his/her decision by noon on the second working day after the date on which the decision was taken. If he/she confirms a "cooling off period", s/he will not issue the decision notice but will bring a further report to the committee at the first opportunity setting out the relevant issues and inviting it to reconsider the matter. The decision taken by the committee having considered this second report will be final and the head of planning will issue the decision notice.	Relevant cabinet member for planning or in his/her absence the leader

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
1.3	To refuse a planning application in circumstances where a section 106 agreement is not signed within the application target decision date.	
1.4	To grant planning permission in circumstances where a section 106 agreement is signed outside the application target decision date.	
1.5	To decline to accept a repeat planning application following a previous refusal.	
1.6	To determine all applications under the Town and Country Planning (General Permitted Development) Order 1995.	
1.7	To approve or refuse non-material amendments to approved plans.	
1.8	To determine Certificates of Lawfulness of existing and proposed uses or development.	
1.9	To approve or refuse items reserved for further approval by a condition attached to a planning permission or approval, or an advertisement or listed building consent (for example, details of landscaping or materials).	
1.10	To determine which applications should be the subject of a formal site visit . Note - This does not preclude the planning committee from agreeing to hold a site visit in respect of any application submitted to it for determination.	Chairman of the planning committee
1.11	To authorise the entering into, acceptance of, amendment to, or revocation of any planning or any other agreement, consent or obligation regulating or controlling the use or development of land.	Chairman of the planning committee (for all applications referred to committee)

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
1.12	To receive and consider all environmental statements submitted with an application for planning permission, and to request further information when necessary.	
1.13	To determine requests made by ward councillors to attend, observe and take part in pre-application discussions where a formal officers' development team has been set up.	
1.14	To determine which applications need to be referred to the Secretary of State .	
1.15	To designate neighbourhood planning areas .	Cabinet member for planning policy (VALE ONLY)
2.0	APPEALS	
2.1	To deal with all matters relating to planning appeals , subject to the following:	
	(a) any proposal to challenge appeal decisions ; and	Chief executive, leader of the council and Chairman of the planning committee
	(b) any amendment to the grounds on which the council will defend an appeal against a decision made by the planning committee.	Chair of the planning committee
3.0	CONSULTATION / RESPONSES	
3.1	To determine which applications should be the subject of consultation and to undertake that consultation.	
3.2	To determine and undertake any publicity required in respect of planning applications.	
3.3	To issue directives requiring the submission of information relating to planning applications.	

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
3.4	To determine the council's response to all consultations on planning matters by statutory undertakers and utility companies, government departments and other authorities and bodies (e.g. ecclesiastical exemptions), including the council's view on applications that are the subject of appeals against non-determination.	
3.5	To comment on any planning applications submitted to adjacent local authorities or by Oxfordshire County Council in cases when this council is a consultee.	
3.6	To submit and pursue objections with the traffic commissioners against applications for goods vehicles operators' licences .	Head of legal and democratic services
3.7	To express the opinion of the council as local planning authority on whether a proposal is affected by the Town and Country Planning (Assessment of Environmental Effects) Regulations and The Environmental Assessment of Plans and Programme Regulations, to include providing a screening or scoping opinion, and assessment of statements.	
4.0	ENFORCEMENT / EXERCISE OF POWERS	
4.1	To exercise the council's powers in relation to planning enforcement .	Local ward councillor(s) to be kept informed
4.2	To authorise the service of notice on the owner of any listed building of the council's intention to execute urgent works for the preservation of such building, and to authorise the execution of those works.	Chairman of planning committee
4.3	To issue stop notices and temporary stop notices .	Chair of the planning committee
4.4	To authorise and serve any requisition for information including planning contravention notices.	

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
5.0	FOOTPATHS AND BRIDLEWAYS	
5.1	To authorise and certify the necessary works for the creation of any footpath or bridleway (S 26 & 27 HA 1980).	
6.0	TREES	
6.1	To make, confirm, vary, modify and / or revoke a tree preservation order (including those in the conservation area) subject to:	
	- where there are objections	Chairman of the planning committee with the local ward councillor(s) being kept informed
6.2	To grant or refuse consent under a tree preservation order to cut down, top, lop, destroy or uproot any trees.	
6.3	To determine notices in relation to trees in conservation areas .	
6.4	To exercise the council's powers relating to dangerous trees (s.23 and 24 of the Local Government (Miscellaneous Provisions) Act).	
7.0	HEDGEROWS	
7.1	To exercise the council's powers relating to hedgerows to include the issuing of any Notices.	Head of legal and democratic services
	- where there are objections	Chair of the planning committee with the local ward councillor(s) being kept informed
7.2	To authorise the service of any high hedges remedial notice , and to authorise works to be carried out in default of compliance with any high hedges remedial notice.	Head of legal and democratic services

HEAD OF PLANNING		
Ref	Function	Consultation (where applicable)
8.0	LICENSING	
8.1	To apply to the licensing authority for a review of a premises licence or club premises certificate.	
9.0	BUILDING CONTROL	
9.1	To exercise the council's powers under the Building Act 1984 .	
10.0	DEFECTIVE AND DANGEROUS BUILDINGS AND DEMOLITIONS	
10.1	To authorise and make application to the magistrates' court for an order to demolish or to obviate the danger in respect of dangerous buildings (S.77 BA 1984).	Head of legal and democratic services
10.2	In cases of urgency to take such emergency measures including the service of any notice to make safe any dangerous building and authorise the recovery of any expenses in so doing. (S.78 BA 1984).	Head of legal and democratic services
10.3	To authorise and serve any notice to provide for the satisfactory drainage of any courtyard or passage (BA 1984).	
10.4	To authorise the execution of default works and the recovery of expenses of so doing, including the recovery of expenses by the sale of materials. (S.99-100 BA 1984).	
10.5	To authorise and serve any notice and take all necessary action including default action to deal with dangerous excavations . (S.25 and 26 LG(MP)A 1976).	
10.6	To act as the appointing officer as required by S.10(8) of the Party Wall Act 1996.	

Monitoring officer

MONITORING OFFICER		
Ref	Function	Consultation (where applicable)
1.0	CODE OF CONDUCT	
1.1	To receive complaints that a councillor may have failed to comply with the code of conduct and to determine the action to take in dealing with complaints subject to referring a complaint to a panel of the audit and governance sub-committee when considered appropriate to do so..	Independent person
1.2	To establish and maintain a register of members' interests including co-opted members	
1.3	To receive requests for dispensations under section 33 of the Localism Act	

Strategic director (finance, HR, IT and technical, and legal and democratic)

STRATEGIC DIRECTOR (FINANCE, HR, IT AND TECHNICAL, AND LEGAL AND DEMOCRATIC)		
Ref	Function	Consultation (where applicable)
1.0	ASSETS OF COMMUNITY VALUE	
1.1	To determine landowner claims for compensation.	
2.0	SAFEGUARDING	
2.1	To handle cases of abuse/suspected abuse in accordance with the council's safeguarding policy.	

