

## **Appendix 2a – Scheme of Delegation to Operational Officers**

### **1. Introduction**

- 1.1. The following list sets out the Council’s scheme of delegation to officers other than the Chief Executive, the Director of Corporate Services, the Director of Environment, Housing and Regeneration and the Head of Legal Services and Monitoring Officer.
- 1.2. This scheme is without prejudice to the exercise of the council’s functions by the Full Council and the council’s committees, sub-committees and panels.
- 1.3. The statutory officers’ responsibilities are set out in the [Framework](#) (Annex 3.1). “Head of Service” means the Heads of Service reporting to the Chief Executive and / or a Director. “Operational Officers” mean any officer whose job role is listed within this Appendix. All powers with the scheme of delegation must be exercised within approved budgets and in accordance with the Council’s Financial Regulations and Contract Standing Orders.

### **2. General delegation to officers**

- 2.1. The Operational Officers listed below are empowered to make decisions on behalf of the council in accordance with the following general principles:
  - i. If a function, power or responsibility has not been specifically reserved to the Full Council or a committee, or the council acquires a new function where a decision is required before delegations have been agreed, the Operational Officers within whose remit the matter falls, are authorised to act.
  - ii. The Full Council and other council committees will make decisions on matters of significant policy. The Operational Officers have express authority to take all necessary actions to implement Full Council and committee decisions that commit resources, within agreed budgets in the case of financial resources, as necessary and appropriate.
  - iii. The Operational Officers are empowered to take all operational decisions, within agreed policies, in relation to the services for which they are responsible.
  - iv. Where there is doubt over the responsibility for the exercise of a delegated power, the Chief Executive and Directors are authorised to act.
  - v. These delegations should be interpreted widely to aid the smooth running of the organisation, the effective deployment of resources and the efficient delivery of services.

2.2. Any decision taken under such authority as set out in this scheme shall remain the responsibility of the Operational Officer and must be taken in their name.

2.3. Subject to any specific restriction in writing:

- i. A reference to any other officer will include a person who is deputising (whether in full or part time or on an absence basis) for that post. Such deputising arrangements should be made in accordance with any scheme of delegation and should be authorised in writing.
- ii. Any function or power which may be discharged to any officer under a scheme of delegation may also be discharged by a person holding a post which is a successor post to that of the original post following any reorganisation, restructure, or similar process.
- iii. In exercising these delegated powers the officers concerned shall have broad discretion, subject to complying with all relevant legislation, the council's Constitution, including its contract and financial procedures and regulations, and overall council policy, to use the most efficient and effective means available, including the deployment of staffing and other resources within their control and the procurement of other resources necessary, whether within or outside the council.
- iv. Officers shall act, so as to achieve for their service, the policies and objectives including the requirements of any service delivery plans for their service area; always having regard to the overall corporate plans and interests of the council.
- v. Notwithstanding anything contained in this scheme of delegation, officers shall not have the power to make decisions upon any matter that has been reserved to Full Council or a committee.

2.3.1. Without prejudice to the generality of the foregoing, the Operational Officers shall have the power:

- i. To take all lawful action consistent with overall council policy to deliver agreed strategies, plans and policy within their area of responsibility and within approved budgets. This shall include, but not exhaustively:
  - a. Invitation and acceptance of tenders in accordance with Contract Standing Orders.
  - b. Submission of bids for funding.
  - c. Write-off of irrecoverable debts.

- d. Virement (within the budget framework).
  - e. Disposal and acquisition of assets.
  - f. Service and placing of any necessary statutory or other notices (other than those expressly reserved to the Full Council or a committee).
  - g. In consultation and with the consent of the Head of Legal Services authorising the institution, defence or appearance in criminal or civil proceedings in relation to any legislation that they are responsible for monitoring, enforcing or otherwise implementing on behalf of the council.
- ii. To put in place management arrangements, which define the area of responsibility of all officers under their area of responsibility.
  - iii. In the case of any overspend to notify the Chief Finance Officer in the role of Section 151 Officer in accordance with the financial procedure rules and regulations.
  - iv. To determine staffing arrangements within approved budgets, subject to agreement on grading with the Head of People and Organisational Development and conformance with council policies.
  - v. To take all action to recruit, appoint, develop, manage and reward employees within approved council policies and procedures (including operation of policies for voluntary severance, early retirement, redundancy and redeployment), and relevant conditions of service.

### **3. Scrutiny**

#### **3.1. For the purposes of Audit and Scrutiny Committee:**

- i. A report should be presented annually to the Audit & Scrutiny Committee setting out significant delegated decisions taken by officers under delegated powers in the previous year.
- ii. Any councillor may request that (with the exception of decisions made by the Planning Committee and licensing hearings) decisions taken by officers under delegated powers are scrutinised by the Audit and Scrutiny Committee.
- iii. Any such scrutiny will not make any action taken as a result of the decision invalid. However, the scrutiny body will be able to recommend improvements to the process or a different course of action in future.

3.2. For further information on the council's overview and scrutiny procedures see the [Framework](#) (Annex 4.6).

#### **4. General indemnity**

4.1. The council has given a general indemnity to any officer acting in the purported discharge of any authority delegated to them for any action, costs, claim or liability incurred by them (see the [Framework](#), Annex 2.5).

#### **5. Scheme of Delegation – List of officers, relevant legislation and the extent of their delegated authority**

##### **5.1. Scheme of Delegation**

5.1.1. The following list sets out each Operational Officer, their role, the legislation relied upon (where relevant) and the extent of either the authority delegated to them by full Council or their appointment to a statutory role as made by full council.

**5.1.2. Parking and Environmental Enforcement Team: See Tab 1**

**5.1.3. Operational Services Teams: see Tab 2**

**5.1.4. Housing Team: see Tab 3**

**5.1.5. Public Protection Team: see Tab 4**

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Tab 1 - Delegated Powers list - Parking & Environmental Enforcement

Office Name	Role	Legislation	Actions being delegated
1	Parking & Enforcement Manager	Traffic Management Act 2004	To make decisions regarding the issuing of Penalty Charge Notices, cancellations and write offs. To instruct Enforcement Agents (bailiffs) to remove a vehicle, act upon a warrant or stand down
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
		Refuse Disposal Amenity Act 1978	To investigate abandoned vehicle cases including the power to remove a vehicle from a location in the open air and to instruct for a vehicle to be destroyed if all efforts to reunite with its owner have been exhausted
		Environmental Protection Act 1990 (Sections 87 & 88)	To issue Fixed Penalty Notices for offences such as littering and fly tipping
		Anti-Social Behaviour, Crime and Policing Act 2014 (Sections 59 & 66)	Miscellaneous powers to disperse groups, challenge and move on suspected perpetrators of ASB, alcohol or substance abuse.
		Anti-Social Behaviour Act 2003 (Section 43)	To take action against graffiti and flyposting
		Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002	To warn and if necessary issue a Fixed Penalty Notice to drivers who are idling their vehicle engine
<b>Parking Team</b>			
2	Parking Operations Supervisor	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
3	Civil Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
4	Civil Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
5	Civil Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
6	Civil Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
<b>Environmental Team</b>			
7	Enforcement Operations Supervisor	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	To charge a lost token fee or make a discretionary decision about a parking charge within our car parks
		Refuse Disposal Amenity Act 1978	To investigate abandoned vehicle cases including the power to remove a vehicle from a location in the open air and to instruct for a vehicle to be destroyed if all efforts to reunite with its owner have been exhausted
		Environmental Protection Act 1990 (Sections 87 & 88)	To issue Fixed Penalty Notices for offences such as littering and fly tipping
		Anti-Social Behaviour, Crime and Policing Act 2014 (Sections 59 & 66)	Miscellaneous powers to disperse groups, challenge and move on suspected perpetrators of ASB, alcohol or substance abuse.
		Anti-Social Behaviour Act 2003 (Section 43)	To take action against graffiti and flyposting
		Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002	To warn and if necessary issue a Fixed Penalty Notice to drivers who are idling their vehicle engine

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8	Environmental Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		Refuse Disposal Amenity Act 1978	To investigate abandoned vehicle cases
		Environmental Protection Act 1990 (Sections 87 & 88)	To issue Fixed Penalty Notices for offences such as littering and fly tipping
		Anti-Social Behaviour, Crime and Policing Act 2014 (Sections 59 & 66)	Miscellaneous powers to disperse groups, challenge and move on suspected perpetrators of ASB, alcohol or substance abuse.
		Anti-Social Behaviour Act 2003 (Section 43)	To take action against graffiti and flyposting
		Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002	To warn and if necessary issue a Fixed Penalty Notice to drivers who are idling their vehicle engine

9	Environmental Enforcement Officer	Traffic Management Act 2004	Issuing Penalty Charge Notices in Borough Council car parks
		Refuse Disposal Amenity Act 1978	To investigate abandoned vehicle cases
		Environmental Protection Act 1990 (Sections 87 & 88)	To issue Fixed Penalty Notices for offences such as littering and fly tipping
		Anti-Social Behaviour, Crime and Policing Act 2014 (Sections 59 & 66)	Miscellaneous powers to disperse groups, challenge and move on suspected perpetrators of ASB, alcohol or substance abuse.
		Anti-Social Behaviour Act 2003 (Section 43)	To take action against graffiti and flyposting
		Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002	To warn and if necessary issue a Fixed Penalty Notice to drivers who are idling their vehicle engine

### Business Support Team

10	Business Support Manager	Traffic Management Act 2004	To make decisions regarding the issuing of Penalty Charge Notices, cancellations and write offs. To instruct Enforcement Agents (bailiffs) to remove a vehicle, act upon a warrant or stand down
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	<i>To charge a lost token fee or make a discretionary decision about a parking charge within our car parks</i>
11	Business Support Supervisor	Traffic Management Act 2004	To make decisions regarding the issuing of Penalty Charge Notices, cancellations and write offs. To instruct Enforcement Agents (bailiffs) to remove a vehicle, act upon a warrant or stand down
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	<i>To charge a lost token fee or make a discretionary decision about a parking charge within our car parks</i>
12	Business Support Officer	Traffic Management Act 2004	To accept or reject a Penalty Charge Notice appeal or representation
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	<i>To charge a lost token fee or make a discretionary decision about a parking charge within our car parks</i>
13	Business Support Officer	Traffic Management Act 2004	To accept or reject a Penalty Charge Notice appeal or representation
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	<i>To charge a lost token fee or make a discretionary decision about a parking charge within our car parks</i>
14	Business Support Officer	Traffic Management Act 2004	To accept or reject a Penalty Charge Notice appeal or representation
		<i>Epsom &amp; Ewell Borough Council Off Street Parking Places Order March 2022 variation 1</i>	<i>To charge a lost token fee or make a discretionary decision about a parking charge within our car parks</i>

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**Tab 2 - Delegated Powers list - Operational Services**

Role	Actions being delegated	
1	Head of Operational Services, Street Care Manager & Street Care Assistant Manager	Agree rents with market traders within the fees and parameters as approved by committee and in accordance with Financial Regulations and Contract Standing Orders
2	Head of Operational Services	Signing of market traders' annual contracts, in in accordance with Financial Regulations and Contract Standing Orders
3	Head of Operational Services	Negotiation and entering into annual home ground agreements for football, cricket and bowling in accordance with Financial Regulations and Contract Standing Orders with fees as set in fees and charges
4	Head of Operational Services, Street Care Manager & Assistant Street Care Manager	Entering into Agreements for the use of Hook Road Area, Parks and Open Spaces in accordance with Financial Regulations and Contract Standing Orders
5	Head of Operational Services, Street Care Manager & Assistant Street Care Manager	Negotiation and entering into Agreements for filming rights, with fees to be charged as agreed by Committee
6	Head of Operational Services	Signing of allotment agreements
7	Head of Operational Services, Community Services Manager, Theatre Manager	Negotiation of rentals and discounts to gain business opportunities within all council owned venues (e.g. Playhouse, Bourne Hall, etc..) in accordance with Financial Regulations and Contract Standing Orders

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8	Head of Operational Services & Transport and Waste Services Manager	Negotiation of waste collection charges for large contracts, in accordance with Financial Regulations and Contract Standing Orders
9	Head of Operational Services	Signing and negotiation of service level agreements with Surrey County Council, Community Transport, Meals at Home, Home from Hospital, Community Alarm; in accordance with Financial Regulations and Contract Standing Orders
10	Head of Operational Services	Signing and negotiation of rental agreements for the use of a room or area with the portfolio of venues or parks pavilions excluding leases, which are property services; in accordance with Financial Regulations and Contract Standing Orders
11	Head of Operational Services	Determining and Issuing Refunds on services requests agreement; in accordance with Financial Regulations and Contract Standing Orders
12	Head of Operational Services	Negotiating and entering into advertising agreements concerning all council owned venues, in accordance with Financial Regulations and Contract Standing Orders
13	Head of Operational Services	Decisions to issue Non-cultivation orders on allotment sites
14	Head of Operational Services	Determining and Issuing - Tables and Chairs Licences and Scaffolding & Hoarding Licences
15	Head of Operational Services, Street Care Manager & Assistant Street Care Manager	Decisions regarding Unauthorised Encampments



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**Tab 3 - Delegated Powers list - Housing Services**

	Role	Legislation	Actions being delegated
1	Head of Housing & Community	Protection from Eviction Act 1977 Criminal Law Act 1977 Housing Act 1985 Children Act 1989 Housing Act 1996 Human Rights Act 1998 Children Leaving Care Act 2000 Housing Act 2002 Homelessness (Priority Need for Accommodation) (England) Order 2002 Housing Act 2004 Fraud Act 2006 Equality Act 2010 Localism Act 2011 Welfare Reform Act 2012 Suitability of Accommodation Order 2012 Care Act 2014 Homelessness Reduction Act 2017 The Homelessness (Review Procedure etc) Regulations 2018 Domestic Abuse Act 2021	To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.

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2	Strategic Housing Manager	<p>Protection from Eviction Act 1977          Criminal Law Act 1977          Housing Act 1985          Children Act 1989          Housing Act 1996          Human Rights Act 1998          Children Leaving Care Act 2000          Housing Act 2002          Homelessness (Priority Need for Accommodation) (England) Order 2002          Housing Act 2004          Fraud Act 2006          Equality Act 2010          Localism Act 2011          Welfare Reform Act 2012          Suitability of Accommodation Order 2012          Care Act 2014          Homelessness Reduction Act 2017          The Homelessness (Review Procedure etc) Regulations 2018          Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
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3	Housing Options Manager	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
4	Housing Options Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>

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5	<p>Housing Options Officer</p>	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
6	<p>Housing Support Assistant</p>	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>

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7	Housing Options Single Persons Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
8	Housing Solutions Manager	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>

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9	Housing Needs Move On Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
10	Rent Deposit Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>

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11	Temporary accommodation Assistant	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
12	Private Sector Leasing and Temporary accommodation Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>

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13	Housing Support Assistant	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>
14	Housing Needs and Development Officer	<p>Protection from Eviction Act 1977  Criminal Law Act 1977  Housing Act 1985  Children Act 1989  Housing Act 1996  Human Rights Act 1998  Children Leaving Care Act 2000  Housing Act 2002  Homelessness (Priority Need for Accommodation) (England) Order 2002  Housing Act 2004  Fraud Act 2006  Equality Act 2010  Localism Act 2011  Welfare Reform Act 2012  Suitability of Accommodation Order 2012  Care Act 2014  Homelessness Reduction Act 2017  The Homelessness (Review Procedure etc) Regulations 2018  Domestic Abuse Act 2021</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's housing and homelessness functions in accordance with any one or number of the legislation in List 1 and/or any adopted policy(ies) of the Council and/or any other subsequent, new or replacing legislation or adopted Council policy relating to the Council's housing and homelessness functions.</p>



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Tab 4 - Delegated Powers list - Public Protection Services

	Legislation	Description	Public Protection Manager	Principal Environmental Health Officer	Principal Licensing Officer	Environmental Health Officer	Environmental Health Officer	Environmental Health Enforcement Officer	Environmental Health Enforcement Officer	Contaminated Land Officer	Environmental Health Assistant	Licensing Officer	Licensing Officer	Licensing Officer	Licensing Officer	Community Safety and Enforcement Officer	Public Protection Technical Officer
1	Housing Act 2004 s.11	Service of Improvement notice (category 1 hazards)	X	x		x	x	x									
2	Housing Act 2004 s.12	Service of Improvement notice (category 2 hazards)	X	x		x	x	x									
3	Housing Act 2004 s.20	Service of prohibition orders (category 1 hazards)	X	x		x	x	x									
4	Housing Act 2004 s.21	Service of prohibition orders (category 2 hazards)	X	x		x	x	x									
5	Housing Act 2004 s.28	Service of Hazard Awareness Notice (category 1 hazards)	X	x		x	x	x									
6	Housing Act 2004 s.29	Service of Hazard Awareness notice (category 2 hazards)	X	x		x	x	x									
7	Housing Act 2004 s.31	Carrying out works in default	X	x		x	x	x									
8	Housing Act 2004 s.40	Emergency Remedial Action	X	x		x	x	x									
9	Housing Act 2004 s.62	Grant or refuse HMO licence	X	x		x	x	x									
10	Housing Act 2004 s.64	Grant HMO licence temporary exemption	X	x		x	x	x									
11	Housing Act 2004 s.70	Revoke HMO licence	X	x		x	x	x									
12	Housing Act 2004 s.239	Housing Act Powers of Entry	X	x		x	x	x									
13	Housing Act 2004 s.235	Powers to require documentation	X	x		x	x	x									
14	Food Safety and Hygiene (England) Regulations 2013 regulation 6	Food Hygiene Improvement Notice	X	x		x	x	x									
15	Food Safety and Hygiene (England) Regulations 2013 regulation 8	Hygiene Emergency Prohibition Notices	X	x		x	x										
16	Food Safety and Hygiene (England) Regulations 2013 regulation 9	Remedial Action Notices	X	x		x	x	x									
17	Food Safety and Hygiene (England) Regulations 2013 regulation 10	Detention notices	X	x		x	x										
18	Food Safety and Hygiene (England) Regulations 2013 regulation 14	Procurement of samples	X	x		x	x	x									
19	Food Safety and Hygiene (England) Regulations 2013 regulation 16	Powers of entry	X	x		x	x	x			x						
20	Food Safety and Hygiene (England) Regulations 2013 regulation 29	Certification of food	X	x		x	x	x									
21	Food Safety Act 1990	General Provisions (s.5(6))	X	x		x	x	x									
22	Environmental Protection Act 1990 s.33ZA	Fly tip Fixed Penalty	X	x		x	x	x	x		x						
23	Environmental Protection Act 1990 s.34ZA	Failure of waste duty of care fixed penalty	X	x		x	x	x	x		x						

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24	Environmental Protection Act 1990 s.34A	Failure to furnish documents fixed penalty	X	x		x	x	x	x		x						
25	Environmental Protection Act 1990 s.34B	Power to search and seize vehicles	X	x		x	x	x	x		x						
26	Environmental Protection Act 1990 s.78B	Identification of contaminated land	X	x		x	x	x		x							
27	Environmental Protection Act 1990 s.78E	Service of contaminated land remediation notices	X	x		x	x	x		x							
28	Control of Pollution (Amendment) Act 1989 s.5	Power to require authority to transport waste	X	x		x	x	x	x		x						x
29	Control of Pollution (Amendment) Act 1989 s.5B	Fixed penalty notice - failure to provide authority	X	x		x	x	x	x		x						x
30	Environmental Protection Act 1990 s.80	Service of abatement notice	X	x		x	x	x	x		x						
31	The Environmental Permitting (England and Wales) Regulations 2016 reg 13	Issue of permit	X	x		x	x	x	x		x						
32	Environment Act 1995 s.108	General powers of enforcing authorities, entry, demand for information etc	X	x		x	x	x	x	x	x						
33	Prevention of Damage by Pests Act 1949 s.4	Power to require treatment of land to destroy rats and mice	X	x		x	x	x	x		x						
34	Health Protection (Local Authority Powers) Regulations 2010 reg 8	Notice requesting cooperation	X	x		x	x	x									
35	Health Protection (Local Authority Powers) Regulations 2010 reg 2	Notice requiring to keep a child away from school	X	x		x	x	x									
36	Health Protection (Local Authority Powers) Regulations 2010 reg 11	Relocation of dead bodies	X	x		x	x	x									
37	Health Protection (Local Authority Powers) Regulations 2010 reg 9	Restriction of contact with dead bodies	X	x		x	x	x									
38	Health Protection (Local Authority Powers) Regulations 2010 reg 10	Restriction of access to dead bodies	X	x		x	x	x									
39	Health and Safety at Work Etc Act 1974 s.19	Be appointed as Inspectors	x	x		x	x	x									
40	Health and Safety at Work Etc Act 1974 s.26	That the Council indemnify its appointed inspectors	x	x		x	x	x									
41	Health and Safety at Work Etc Act 1974 s.20-22, 25 & 39	Be delegated the power as set out in: section 20(2) (a) to (m) inclusive section 21 section 22 section 25 section 39 (power to prosecute before magistrates in England & Wales)	X	x		x	x	x									

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42	Health and Safety at Work Etc Act 1974 s.53(1)	Be delegated any powers derived from health and safety regulations and/or powers under existing relevant statutory provisions (defined in Section 53(1) of HSWA), and regulations, orders or other legislation made under them.	X	x		x	x	x								
43	Anti-social Behaviour, Crime and Policing Act 2014 s.53	Power to issue Community Protection Notice / Fixed Penalty Notice	X	x		x	x	x	x							x
44	Dangerous Dogs Act 1991 s.5	Seizure of dangerous dogs	X	x		x	x	x	x							
45	Local Government (Miscellaneous Provisions) Act 1976 s.16	Power to obtain particulars of persons interested in land	X	x		x	x	x	x	x	x	x	x	x	x	x
46	Public Health Act 1936 s.83	Cleansing of filthy or verminous premises	X	x		x	x	x	x							
47	Public Health Act 1936 s.79	Power to require removal of noxious matter by occupier of premises in urban district	X	x		x	x	x	x							
48	Public Health Act 1961 s.17	Power to require unblocking and repair of drains	X	x		x	x	x	x							
49	The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 regulation 35	Require thermal improvements to dwellings	X	x		x	x	x								
50	The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 reg 4	Service of remedial notice	X	x		x	x	x								
51	The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 reg 6	Power to require remedial action	X	x		x	x	x								
52	The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 reg 5	Service of remedial notice	X	x		x	x	x								
53	The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 reg 6	Power to require remedial action	X	x		x	x	x								
54	Local Government (Miscellaneous Provisions) Act 1982 s.17	Power to enter premises (acupuncture etc.)	X	x	x	x	x	x			x	x	x	x		
55	Licensing Act 2003 s 120	Grant of Application for personal licence if no objection made	X		x						x	x	x	x		
56	Licensing Act 2003 s132A	Notice inviting representation following personal licence holder being convicted of a relevant offence	X		x						x	x	x	x		
57	Licensing Act 2003 Act s 178	Notice to freeholder etc. to be notified of licensing matters	X		x						x	x	x	x		
58	Licensing Act 2003 s 186	Institution of proceedings for offences	X		x						x	x	x	x		

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59	Licensing Act 2003 s 23	Grant of Application for premises licence if no relevant representation made	X		x							x	x	x	x		
60	Licensing Act 2003 s 72	Grant of Application for club premises certificate if no relevant representation	X		x							x	x	x	x		
61	Licensing Act 2003 s 35	Grant of Application to vary premises licence if no relevant representation received	X		x							x	x	x	x		
62	Licensing Act 2003 s 85	Grant of Application to vary club premises certificate if no relevant representation received	X		x							x	x	x	x		
63	Licensing Act 2003 s 86A	Determination of Minor Variation to club premises certificate	X		x							x	x	x	x		
64	Licensing Act 2003 s 39	Grant of Application to vary designated premises supervisor if no objection received	X		x							x	x	x	x		
65	Licensing Act 2003 s 41	Request to be removed as designated premises supervisor	X		x							x	x	x	x		x
66	Licensing Act 2003 s 41B	Determination of Minor Variation to premises licence	X		x							x	x	x	x		x
67	Licensing Act 2003 s 44	Application for transfer of premises licence if no objection received	X		x							x	x	x	x		x
68	Licensing Act 2003 s 47	Applications for interim authorities if no objection	X		x							x	x	x	x		x
69	Licensing Act 2003 s 18 & s 35	Decision on whether a complaint is irrelevant frivolous vexatious etc	X		x							x	x	x	x		
70	Licensing Act 2003 s 102	Acknowledgement of temporary event notice	X		x							x	x	x	x		x
71	Licensing Act 2003 s104A	Issue Counter notice following objection to late temporary event notice	X		x							x	x	x	x		x
72	Licensing Act 2003 s 105	Issue Counter notice following objection to temporary event notice	X		x							x	x	x	x		x
73	Licensing Act 2003 s 107	issue counter notice to temporary event notice where permitted limits exceeded	X		x							x	x	x	x		x

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74	Licensing Act 2003 s 108	Right of entry where temporary event notice given	X	x	x	x	x	x	x	x	x	x	x	x	x		
75	Licensing Act 2003 s 179	Rights of entry to investigate licensable activities	X	x	x	x	x	x	x	x	x	x	x	x	x		
76	Licensing Act 2003 s 180	Right of entry to investigate offences	X	x	x	x	x	x	x	x	x	x	x	x	x		
77	Town Police Clauses Act 1837 s.37	Grant Hackney Carriage Licence	X		x							x	x	x	x		x
78	Local Government (Miscellaneous Provisions) Act 1976 s 48	Grant of Private Hire Vehicle Licence	X		x							x	x	x	x		x
79	Local Government (Miscellaneous Provisions) Act 1976 s 51	Grant of Private Hire Vehicle Drivers licence	X		x							x	x	x	x		x
80	Local Government (Miscellaneous Provisions) Act 1976 s 57	Grant of private hire operators licence	X		x							x	x	x	x		x
81	Local Government (Miscellaneous Provisions) Act 1976 s 56	Power to require applicants to submit information.	X		x							x	x	x	x		x
82	Local Government (Miscellaneous Provisions) Act 1976 s 58	Notice requiring return of identification plate or disc on revocation or expiry of licence etc.	X		x							x	x	x	x		x
83	Local Government (Miscellaneous Provisions) Act 1976 s 60	Suspension and revocation of vehicle licences.	X		x							x	x	x	x		x
84	Local Government (Miscellaneous Provisions) Act 1976 s 61	Suspension and revocation of drivers' licences.	X		x							x	x	x	x		x
85	Local Government (Miscellaneous Provisions) Act 1976 s 62	Suspension and revocation of operators' licences.	X		x							x	x	x	x		x
86	Local Government (Miscellaneous Provisions) Act 1976 s 65	Fixing of fares for hackney carriages.	X		x							x	x	x	x		x
87	Local Government (Miscellaneous Provisions) Act 1976 s 68	Immediate Suspension of vehicle licence	X		x							x	x	x	x		x
88	Local Government (Miscellaneous Provisions) Act 1976 s 75	Notice exempting holder from displaying vehicle plate and driver ID badge	X		x							x	x	x	x		x
89	Hackney Carriage and Private Hire Licensing Policy as adopted December 2022	Attach Penalty Points to Drivers, Operators and Vehicle Licences	X		x							x	x	x	x		
90	Gambling Act 2005 s 163	Determination of premises licence application	X		x							x	x	x	x		
91	Gambling Act 2005 s 187	Determination of variation premises licence	X		x							x	x	x	x		
92	Gambling Act 2005 s 188	Grant following transfer of premises licence	X		x							x	x	x	x		
93	Gambling Act 2005 s 220	Acknowledgment of temporary use notice	X		x							x	x	x	x		
94	Gambling Act 2005 Schedule 10	Issue of Family Entertainment Centre Gaming Machine Permits	X		x							x	x	x	x		
95	Gambling Act 2005 Schedule 11	Registration of small society lottery	X		x							x	x	x	x		

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96	Gambling Act 2005 Schedule 12	Issue of Club Gaming Permits and Club Machine Permits	X		x						x	x	x	x		
97	Gambling Act 2005 Schedule 13	issue of Licensed Premises Gaming Machine Permits	X		x						x	x	x	x		
98	Gambling Act 2005 Schedule 14	Licensed Prize Gaming Permits	X		x						x	x	x	x		
99	Gambling Act 2005 s 317	Powers to inspect premises etc.	X		x						x	x	x	x		
100	Gambling Act 2005 s 304	Authorised person	X		x						x	x	x	x		
101	Local Government (Miscellaneous Provisions) Act 1982 s 14	Registration for Acupuncture	X		x						x	x	x	x		
102	Local Government (Miscellaneous Provisions) Act 1982 s 15	Registration of Tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.	X		x						x	x	x	x		
103	Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 paras 8 to 11	Grant, renewal, variation and transfer of licences for sex establishments were no objection received	X		x						x	x	x	x		
104	Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 para 24	Powers of local authority officers	X		x						x	x	x	x		
105	Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 paras 3 and 7	determination of applications street trading consents and licences	X		x						x	x	x	x		
106	Animal Welfare Act 2006 s 51	Appointment of inspector and vet to exercise enforcement powers	X		x						x	x	x	x		
107	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulation 4(2)(a)	Appointment of inspector to carry out inspections of premises upon application or renewal of a licence	X		x						x	x	x	x		
108	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulation 4(4)	Appointment of vet in relation to breeding of dogs licence	X		x						x	x	x	x		
109	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulation 4(5)	Appointment of vet in relation to hiring out of horse licence	X		x						x	x	x	x		
110	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulation 15	Determination of grant or renewal of a licence	X		x						x	x	x	x		
111	Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 regulation 4(2)(a)	Powers with respect to suspension, variation without consent or revocation of a licence	X		x						x	x	x	x		
112	Zoo Licensing Act 1982 s 4	Determination of grant or refusal of licence	X		x						x	x	x	x		
113	Zoo Licensing Act 1982 s 17	Power of Entry	X		x						x	x	x	x		

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114	Zoo Licensing Act 1982 s 16G	Power to revoke licence	X		x							x	x	x	x	
115	Scrap Metal Dealers Act 2013 s 3	determination of application	X		x							x	x	x	x	
116	Scrap Metal Dealers Act 2013 s 4	Power to revoke licence or imposition of conditions	X		x							x	x	x	x	
117	Scrap Metal Dealers Act 2013 s 16	Right to enter and inspect	X		x							x	x	x	x	
118	Police Factories etc. (Miscellaneous Provisions) Act 1916 s 5	Grant of permit for charity street collection	X		x							x	x	x	x	
119	House to House Collections Act 1939 s.2	Determination of licence	X		x							x	x	x	x	x
120	Charities Act 2006 s59	Grant of permit for charity street collection	X		x							x	x	x	x	x
121	Charities Act 2006 s60	Refusal of permits for charity street collection	X		x							x	x	x	x	x
122	Business and Planning Act 2020 s 3	Determination of Pavement Licence	X		x							x	x	x	x	
123	Anti-social Behaviour, Crime and Policing Act 2014 s.43	Community Protection Notices - Power to issue notices	X	X		X	X	X	X							
124	Anti-social Behaviour, Crime and Policing Act 2014 s.47	Remedial action by local authority	X	X		X	X	X	X							
125	Anti-social Behaviour, Crime and Policing Act 2014 s.52	Determination and service of Fixed Penalty Notices	X	X		X	X	X	X							
126	Environmental Protection Act 1990 s.87	Litter Offences	X	X		X	X	X	X							
127	Environmental Protection Act 1990 s.88	Determination and service of Fixed Penalty Notices	X	X		X	X	X	X							
128	Public Health Act 1936 s 287	Power to enter premises (acupuncture etc.)	X	X		X	X	X	X							
129	Public Health Control of Diseases Act 1984 s.46	Decisions on behalf of the Council reagrding Burial and cremation	X	X		X	X	X	X							