



**Waverley Borough Council**  
Council Offices, The Burys,  
Godalming, Surrey  
GU7 1HR  
[www.waverley.gov.uk](http://www.waverley.gov.uk)

To: All Members of the Executive  
(Other Members for Information)

When calling please ask for:  
Ben Bix, Democratic Services Manager  
E-mail: [ben.bix@waverley.gov.uk](mailto:ben.bix@waverley.gov.uk)  
Direct line: 01483 523354  
Date: 6 June 2024

Dear Councillors

**Executive - 11 June 2024**

I refer to the agenda for the Executive, on Tuesday, 11 June 2024 and now enclose a revised report and appendices for agenda item 9:

**9. Scheme of Officer Delegations (pages 3 - 100)**

Yours sincerely

Ben Bix  
Democratic Services Manager



This page is intentionally left blank

# Waverley Borough Council

**Report to:** Executive

**Date:** 11 June 2024

**Ward(s) affected:** All

**Report of Strategic Director:** Legal & Democratic Services

**Author:** Deborah Upton, Senior Governance Officer

**Email:** [Deborah.upton@guildford.gov.uk](mailto:Deborah.upton@guildford.gov.uk)

**Report Status:** Open

**Key Decision:** No

## Proposed Changes to the Officer Scheme of Delegation

### 1. Executive Summary

1.1 A Joint Officer Scheme of Delegation and Proper Officer Scheme with Guildford Borough Council has been developed in accordance with good practice to keep the Officer Scheme of Delegation and Proper Officer Scheme under review, as it forms part of the Constitution of both Councils. This was considered by the Joint Constitutions Review Group on 29 May 2024.

### 2. Recommendation to Executive

2.1 That the delegation of Executive functions set out in the revised Joint Officer Scheme of Delegation and Proper Officer Scheme (Appendices 1 and 3) be approved.

2.1 That the Monitoring Officer, in consultation with the Leader, Deputy Leader & Portfolio Holder, be authorised to include any changes to the Scheme of Delegation in respect of Executive functions recommended by the Standards and General Purposes Committee.

### **3. Reasons for Recommendation:**

- 3.1 An officer scheme of delegation and proper officer scheme which is materially the same for both Councils, whilst being owned by each Council in respect of their services, will help to promote more efficient joint working and will support the transformation programme by aligning officer decision making across both Councils.
- 3.2 The recommended changes will improve the governance procedures for each Council and will ensure that there is greater transparency over decision making.
- 3.3 The reductions in financial limits will ensure that key decisions are made by the Executive, thereby promoting accountability and transparency.
- 3.4 Aligning officer delegations into a joint scheme, supports the Councils Collaborative and Transformation programme and provides clarity for those officers employed to provide a joint service across both Councils.

### **4. Strategic Priorities**

- 4.1 This report will assist in the delivery of the Council's Corporate Plan priorities and collaborative working agenda.

### **5. Background**

- 5.1 Council decision making can be delegated to officers, through a written Officer Scheme of Delegation which is publicly available. For an Officer Scheme of Delegation to be effective, it must clearly set out the responsibilities of officers and any limitations on their powers. It should contain those areas where the Council is delegating its decisions (whether in respect of Executive, or non-Executive functions) and should not contain 'Business as Usual' matters, which form part of an officer's job description.

- 5.2 Both Councils currently each have a different Officer Scheme of Delegation. This means that officers must refer in detail to each Scheme to check their delegated authority before making a decision and, in some areas, the Scheme does not provide authority or has different limits/consultation areas for each Council. This leads to a lack of clarity for members of the Joint Strategic Management Team, as they work across both Councils but with differing decision levels across their services.
- 5.3 Members of the Joint Constitutions Review Group saw the first draft of the revised Scheme set out in **Appendix 1** at their meeting on 25 April 2024, and a revised version on 29 May 2024 which contained the changes made by members in green, and further changes requested by officers in blue. Column 4 (red) contains details of the proposals.
- 5.4 **Appendix 2** sets out those areas which it is proposed to delete from the existing schemes of delegation, as they represent 'Business as Usual' and are matters which are contained in officers' job roles, rather than being decision making which is delegated. This appendix is included for information.
- 5.5 **Appendix 3** sets out a revised Proper Officer Scheme. Some statutes require a 'proper officer' to be appointed by the Council, to carry out certain functions as required under that Act. Therefore, each Council must have a Proper Officer Scheme, as well as an Officer Scheme of Delegation, for completeness of decision making.

## 6. Consultations

- 6.1 All members of the Joint Management Team (JMT) have been consulted over the proposed changes. All members of the JMT are supportive of changes to the Scheme(s), as JMT members would welcome further clarity over decision making. As stated above, the Joint Constitutions Review Group considered the proposal at its meetings held on 25 April and 29 May 2024.

## **7. Key Risks**

- 7.1 There is a risk of poor decision making and a lack of accountability where delegations are unclear or are poorly understood. This can be mitigated by having a clearly expressed Officer Scheme of Delegation and Proper Officer scheme, and training officers as necessary.
- 7.2 There is a risk that by reducing the financial limits, the Executive, whilst having greater oversight, has a busier agenda at its meetings. This can be mitigated by ensuring that Executive decision making provides suitable delegations to officers, thereby ensuring that the Executive have retained overall control and made decisions for officers to implement. It could be further mitigated by the Executive considering greater use of delegated authority to Individual Portfolio Holders where appropriate.

## **8. Financial Implications**

- 8.1 There are no direct financial implications resulting from this report.
- 8.2 The indirect financial implication is that officer spending limits will be reduced to key decision levels. There will be a need to refresh the Financial Procedure Rules to reflect these changes, and that will provide an opportunity to ensure that they also contain adequate controls.

## **9. Legal Implications**

- 9.1 Councils can delegate their functions to officers under S101 Local Government Act 1972. Delegation provides for officer decision making within a framework set by members and contributes to the effective operation of the Council, with members able to focus on setting policy and political objectives.
- 9.2 After the Executive has approved the delegation of Executive functions within the Joint Officer Scheme of Delegation, the Joint Scheme will need to be adopted by each Council, on the recommendation of the Corporate Governance & Standards Committee or Waverley's Standards and General Purposes Committee as appropriate.

## **10. Human Resource Implications**

10.1 There are no direct HR implications.

## **11. Equality and Diversity Implications**

11.1 There are no equality and diversity implications arising from this report. This report has given due regard to the requirements of the Public Sector Equality Duty (Equality Act 2010) when making any recommendations concerning constitutional arrangements.

## **12. Climate Change/Sustainability Implications**

12.1 There are no climate change or sustainability implications.

## **13. Summary of Options**

13.1 The Executive is asked to consider the further revisions to the new Officer Scheme of Delegation attached as **Appendix 1**, and the revisions to the Proper Officer Scheme set out at **Appendix 3**. The Executive may:

- (a) accept the further revisions to the draft Officer Scheme of Delegation and Proper Officer Scheme
- (b) suggest amendments to the delegation of Executive functions set out in the draft Officer Scheme of Delegation and Proper Officer Scheme, or
- (c) choose not to recommend that a revised Officer Scheme of Delegation and Proper Officer Scheme be adopted.

## **14. Background Papers**

14.1 WBC Officer Scheme of Delegation & Proper Officer Scheme

14.2 GBC Officer Scheme of Delegation & Proper Officer Scheme

## **15. Appendices**

Appendix 1: Proposed draft Officer Scheme of Delegation

Appendix 2: Proposed list of areas to be deleted

Appendix 3: Proposed Proper Officer Scheme



# GUILDFORD & WAVERLEY BOROUGH COUNCILS

---

## SCHEME OF DELEGATIONS TO OFFICERS

---

## 1.0 GENERAL PRINCIPLES

**\*Text in red to be deleted from final version**

**\*Changes in blue– requested since 25 April meeting by officers**

**\*Changes in green – requested by members at meeting on 25 April**

**\*Changes in purple – requested by members at meeting on 29 May**

**\*Changes in yellow – requested by officers since 29/5 meeting**

<b>Col.1 REFERENCES FROM EXISTING SCHEMES</b>	<b>Col.2 General Principles to be observed by all officers before taking any decision under the Scheme of Delegation</b>	<b>Col.3 PROPOSED CHANGES</b>
<b>1.1</b> WBC 1.1	<b>Introduction</b> These delegations are made under the powers contained in the Local Government Act 1972 (as amended), Section 101 and by reference to section 100G and the Local Government Act 2000, sections 14, 19 and 20, The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and all other enabling powers. An officer or other person is authorised to exercise such powers as are shown in the Scheme of Delegations including those reasonably applied or incidental to the matters specified in respect of the functions of the Council.	<b>ADD TO GUILDFORD</b>
<b>1.2</b> WBC 2.3 GBC 2	<b>Overarching Delegations</b> Save in respect of any statutory roles that are not capable of delegation and to any limitations included within this document, any power conferred on a Joint Assistant Director shall be exercisable by any JSD within their area of responsibility or by the Joint Chief Executive, provided that they have the requisite professional qualification, experience and knowledge, where such is required	<b>RETAIN</b>

1.3 WBC 1.4	<p><b>When a Post is Vacant, a Postholder is Absent, a Post ceases to Exist or there is Organisational Change</b></p> <p>For the purposes of this Scheme, if the post of an officer to whom a function is delegated (or which he/she has been appointed as a Proper Officer) is vacant or if the post-holder is absent on leave (of whatever type), unless the function is exercisable by an officer who has the appropriate sub-delegation or the Council otherwise decides, the following shall apply:</p>	<b>ADD TO GUILDFORD</b>
1.3.1 WBC 2.3	In the case of the Joint Chief Executive, the delegation shall be exercisable by an Acting Joint Chief Executive (to include an Interim Joint Chief Executive) or any one of the JSDs, provided that the Acting Joint Chief Executive or JSD has the requisite professional qualification, experience and knowledge, where such is required. This provision includes the Joint Chief Executive's role as Head of Paid Service.	<b>ADD TO GUILDFORD</b>
1.3.2	In the case of a JSD, the delegation shall be exercisable by the Joint Chief Executive or another JSD, provided that the Joint Chief Executive or JSD has the requisite professional qualification, experience and knowledge, where such is required.	<b>NEW ADD TO BOTH</b>
1.3.3	In the case of the Joint Monitoring Officer, the delegation shall be exercisable by a Deputy Monitoring Officer in relation to matters which are the responsibility of the Joint Monitoring Officer.	<b>NEW ADD TO BOTH</b>
1.3.4	In the case of the Joint s151 Officer, the delegation shall be exercisable by a Deputy s151 Officer in relation to matters which are the responsibility of the Joint s151 Officer.	<b>NEW ADD TO BOTH</b>
1.3.5	In the case of Joint Assistant Directors, the delegation shall be exercisable by the Joint Chief Executive or a JSD, provided that the Joint Chief Executive or JSD has the requisite professional qualification, experience and knowledge, where such is required.	<b>NEW ADD TO BOTH</b>
1.3.6 GBC14	Any post specifically referred to shall be deemed to include any successor post, or a post which includes within the job description, elements relevant to any particular delegation, which were also present in the earlier post and shall include anyone acting up or seconded.	<b>ADD TO WAVERLEY</b>
1.3.7	In the event that a post to which a delegation or function is given ceases to exist and its responsibilities are transferred to another post temporarily or permanently then the delegations given under this scheme shall be exercisable by the post to which the responsibilities have been transferred. There should be written confirmation of the change in responsibilities from the line manager, which shall be provided to the Monitoring Officer by email at <a href="mailto:monitoring.officer@guildford/waverley.gov.uk">monitoring.officer@guildford/waverley.gov.uk</a> to be retained with the central copy of the scheme of delegations.	<b>NEW ADD TO BOTH</b>

1.3.8 GBC15	Any reference in this Scheme to a Committee or Sub-Committee shall be deemed to include reference to a successor Committee or Sub-Committee provided that the subject matter of a particular delegation can be found within the terms of reference of both the earlier and the successor Committee or Sub-Committee.	<b>ADD TO WAVERLEY</b>
1.3.9 GBC20	If a matter is delegated to an officer but that delegation cannot be implemented, that should be reported to the Council, Leader/Executive or other delegating body, as appropriate.	<b>ADD TO WAVERLEY</b>
<b>1.4</b>	<b>All Decisions made by Officers.</b> Where decisions are taken by officers under delegated authority the following conditions and rules shall apply:	
1.4.1 GBC 9.11(b)	Any delegation to an officer is subject to any restrictions, conditions or directions of the delegating body.	<b>ADD TO WAVERLEY</b>
1.4.2 GBC12	All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.	<b>ADD TO WAVERLEY</b>
1.4.3 GBC 3(a)	The exercise of a delegated power shall be in accordance with the Council's policies and procedures.	<b>ADD TO WAVERLEY</b>
1.4.4 GBC3(b)	The exercise of a delegated power shall not amount to a new policy or extension or amendment to an existing policy unless the officer has specific delegated authority to do so.	<b>ADD TO WAVERLEY</b>
1.4.5 GBC3(c), 11(a) WBC 1.4	The exercise of a delegated power shall be in accordance with the requirements of the Constitution, including the Contract Procedure Rules and the Financial Procedure Rules, and all relevant legislative provisions.	<b>RETAIN</b>
1.4.6 WBC 2.1 GBC 12	Any officer exercising a delegation shall only do so where provisions has been made for any expenditure within the relevant budget or otherwise in accordance with the Financial Procedure Rules.	<b>RETAIN</b>

1.4.7	Any officer exercising a delegation shall not do so in a manner which is contrary to any resolution of the Council, Executive, Joint Executive, Individual Executive Member, Committee, Joint Committee or Sub-Committee	<b>NEW ADD TO BOTH</b>
1.4.8	Any officer exercising a delegation shall do so having regard to Health and Safety requirements.	<b>NEW ADD TO BOTH</b>
1.4.9	Any officer exercising a delegation shall do so having regard to Equalities requirements and impact.	<b>NEW ADD TO BOTH</b>
1.4.10	Any officer exercising a delegation shall do so having regard to Data Protection requirements.	<b>NEW ADD TO BOTH</b>
1.4.11	Any officer exercising a delegation shall do so having regard to climate and environmental impact.	<b>NEW ADD TO BOTH</b>
1.4.12 GBC11(b)	Any officer exercising a delegation shall do so as to promote the efficient, effective and economic running of the Council and in furtherance of the Council's Corporate Strategy and values.	<b>ADD TO WAVERLEY</b>
1.4.13 GBC 17	Any officer exercising a delegation is responsible for carrying out any consultation necessary under this Scheme. Such consultation shall be in writing, unless due to urgency that is not practicable, in which case there may be verbal consultation which may be confirmed, by the officer undertaking the consultation to the consultee in writing, as soon as reasonably practicable and, in any event, within 5 working days. The decision remains vested with the delegate who shall be responsible and accountable for the decision and is required to bring independent judgment to bear on the decision. Where consultation is to be with an Individual Executive Member and they are not available, consultation with the Leader will suffice.	<b>ADD TO WAVERLEY</b>
1.4.14 GBC7	Where the exercise of powers is subject to prior consultation with another officer, that officer may give their views in general terms in advance to apply to any circumstances, to remove the need for consultation for each proposal, which should be in writing.	<b>ADD TO WAVERLEY</b>

1.4.15 GBC 11(e)	An officer exercising a delegation will <b>routinely</b> notify, and consult where appropriate, with local Ward councillors.	<b>ADD TO WAVERLEY REMOVE WORD IN BLUE</b>
1.4.16 GBC 10	Any officer to whom a delegation is given may waive their right to exercise the delegation and refer the matter to the original delegate for a decision or to the full Council, Executive, Joint Executive, Individual Executive Member or relevant Committee, Joint Committee or Sub-Committee, as appropriate.	<b>ADD TO WAVERLEY</b>
1.4.17 GBC 9	Any delegation to an officer is subject to the right of the Council, the Leader, the Executive, the Joint Executive, an Individual Executive Member, the Committee, the Joint Committee, or the Sub-Committee to decide any matter in a particular case if lawful and so allowed under the Constitution.	<b>ADD TO WAVERLEY</b>
1.4.18 WBC 3.1 GBC1	Where an officer has the authority to take decisions, any action taken to implement such decisions may be taken in the name of, but not necessarily personally by that officer, or any other officer authorised by that officer in accordance with a sub delegation in accordance with paragraph 1.5 below in the decision makers name or the sub delegate's own name.	<b>RETAIN</b>
1.4.19	Any decision which could subject the Council to legal liability shall be taken in consultation with the JSD Legal & Democratic Services.	<b>NEW</b>
1.4.20 GBC 11, 12	Any decision which has financial implications other than those budgeted for shall be taken in consultation with the JSD Finance, <b>provided that no decision shall be made which is outside of the budgetary framework unless it is taken by the Chief Executive in accordance with their urgency powers in 2.1.2. below</b>	<b>ADD WORDS IN BOLD</b>
1.4.21	Unless specifically stated, no delegation authorises the taking of decisions as to whether or not legal action should be taken or defended by or on behalf of the Council.	<b>NEW</b>
1.4.22	Officers shall not have the power to exercise any delegation where an individual officer is required by law to hold a relevant qualification and he/she does not hold that qualification.	<b>NEW</b>

1.4.23	Officers shall not have the power to exercise any delegations which fall outside of the individual's actual authority as determined by their post.	<b>NEW</b>
1.4.24	Officers shall not have the power to exercise any delegations in a situation where an individual officer is prevented, for whatever proper reason, from exercising such power.	<b>NEW</b>
1.4.25 GBC8	Subject to any express instructions to the contrary from the delegated body, any power to approve also includes the power to refuse, and the power to impose appropriate conditions.	<b>ADD TO WAVERLEY</b>
1.4.26 GBC 21	Functions, matters, powers, authorisations, delegations, duties and responsibilities, shall be construed in a broad and inclusive fashion, and shall include the doing of anything which is calculated to facilitate, or is conducive, or incidental, to the discharge of anything specified.	<b>ADD TO WAVERLEY</b>
1.4.27 GBC 16	Where a power or duty is delegated to an officer and the exercise of that power or duty is contingent upon the opinion of Council that particular conditions or factual circumstances exist, then the officer in question has the power to determine whether or not those circumstances or conditions have been fulfilled in the name of and with the authority of the Council.	<b>ADD TO WAVERLEY</b>
<b>1.5</b>	<b>Scheme of Authorisations</b>	
1.5.1	Where an officer is authorised to take decisions by a specific resolution of the Council, the Executive, the Joint Executive, an Individual Executive Member, a Committee, a Joint Committee or a Sub-Committee, those decisions will be implemented in their name and not further delegated. All other provisions of paragraph 1.5 of this Scheme must be complied with when exercising this provision.	<b>NEW</b>
1.5.2 GBC 4 WBC 3.1	An officer who reports, or is responsible to, an officer to whom a power, duty or function is delegated may be nominated or authorised by that officer to exercise that delegation (save in respect of statutory roles and proper officer functions that are not capable of nomination or authorisation).	<b>RETAIN</b>
1.5.3	Before making a nomination or authorisation, the officer to whom the power, duty or function is delegated must give consideration and be satisfied that the officer whom	<b>NEW</b>

	they nominating is of an appropriate level bearing in mind the nature of the authorisation that they will be exercising.	
1.5.4	Any such authorisation is subject to the existing consultation and limitation requirements, and further consultation requirements or limitations can be applied when authorising another officer.	<b>NEW</b>
1.5.5 WBC 3.2 GBC 4	All nominations and authorisations must be made in writing and a copy provided by email to the Monitoring Officer at monitoring.officer@guildford/waverley.gov.uk within 5 working days. The Monitoring Officer shall maintain a central register of authorisations which shall be available on the Council's website.	<b>RETAIN</b>
1.5.6	No nominated officer may authorise another, unless there is express permission from the original authorising officer that the specific power can be shared further. Such permission should be included in the written record of the authorisation provided under paragraph 1.5.4 above. When deciding whether to permit further nominations, the same consideration should be given as outlined in paragraph 1.5.2 above.	<b>NEW</b>
<b>1.6</b>	<b>Management of Exercise of Delegated Powers</b>	
1.6.1 GBC 23	Any decision that is taken in exercise of these delegated powers shall be recorded in writing with reasons why the decision was taken with details of any consultation undertaken, and signed by the officer who made it.	<b>ADD TO WAVERLEY</b>
1.6.2 GBC 24	All delegated decisions shall be a matter of public record unless containing exempt information under schedule 12A of the Local Government Act 1972 and, in respect of executive decisions taken by officers under delegated powers, shall be available for inspection on the Council's website in accordance with regulation 14 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.	<b>ADD TO WAVERLEY</b>
1.6.3 GBC 25	The Joint Chief Executive shall exercise the Council's responsibilities to maintain an adequate and effective system of internal audit of the accounting records and control systems.	<b>ADD TO WAVERLEY</b>



<b>1.8</b>	<b>Proper Officers / Authorised Officers</b>	
1.8.1	Those officers designated as proper officers, authorised officers, appropriate person or any other statutory description of officer listed in this Scheme shall exercise the powers, and have the responsibilities, attributed to them by legislation.	<b>NEW</b>
1.8.2 GBC HOPS11	The Joint Chief Executive, appropriate JSD and any other officer expressly authorised by this Scheme may appoint any appropriate officer to be a proper officer, authorised officer, appropriate person or any other statutory description of officer in respect of any legislation and written confirmation of such appointment shall be provided to the Monitoring Officer by email to <a href="mailto:monitoring.officer@guildford/waverley.gov.uk">monitoring.officer@guildford/waverley.gov.uk</a> within 5 working days and made available on the intranet.	<b>ADD TO WAVERLEY</b>
<b>1.9</b>	<b>Amendment</b>	
1.9.1 GBC 22	The Joint Chief Executive has the power to remove from an Officer at any time a power to take delegated decisions and upon doing so shall notify the Monitoring Officer in writing by email to <a href="mailto:monitoring.officer@guildford/waverley.gov.uk">monitoring.officer@guildford/waverley.gov.uk</a> within 24 hours. If appropriate, the Joint Chief Executive will also notify the Council or other delegating body of the removal of powers.	<b>ADD TO WAVERLEY</b>
1.9.2 WBC D4 WBC 6.1 GBC 13	The Monitoring Officer shall have the power, in consultation with the Head of Paid Service, to amend the delegated authorities to reflect reorganisations, changes in job titles and vacancies, where said changes result in redistributing existing delegations and not the creation of new ones.	<b>RETAIN</b>
1.9.3 WBC 6.1.2	The Monitoring Officer shall have the power to amend the Scheme to reflect new legislation where there is no extension to the limit of the existing delegation.	<b>ADD TO GUILDFORD</b>
<b>1.10</b>	<b>Interpretation</b>	
1.10.1 WBC 7.1	Any reference to an Act, Order or other legal provision shall include a reference to any modification or re-enactment thereof and any reference to any Directive, Act, Order or other legal provision shall include any Regulations, Orders, Rules, Instruments, Byelaws, Directions, Statutory Guidance or other legal provision made thereunder.	<b>ADD TO GUILDFORD</b>

1.10.2 WBC 7.2,	'Appropriate JSD' shall mean the JSD responsible for the function to which the particular exercise of the delegation applies.			<b>ADD TO GUILDFORD</b>
1.10.3 WBC 7.2	'Appropriate Joint Assistant Director' shall mean the Joint Assistant Director responsible for the function/service to which the particular exercise of the delegation applies.			<b>ADD TO GUILDFORD</b>
1.10.4	'Consultation' shall mean seeking the comments of the person(s) to be consulted. Consultation shall not mean obtaining the consent of the person(s) to be consulted. A written record of the consultation shall be retained by the officer.			<b>NEW</b>
1.10.5	'The Council' shall mean Guildford Borough Council/Waverley Borough Council, as appropriate.			<b>NEW</b>
1.10.6 GBC 19	All matters of interpretation in respect of delegations to officers will be determined by the Monitoring Officer.			<b>ADD TO WAVERLEY</b>
1.10.7 GBC 18	All enquiries about this document should be made to the Democratic Services Manager / Democratic Services and Elections Manager.			<b>ADD TO WAVERLEY</b>
<b>2.1</b>	<b>Joint Chief Executive</b>			
<b>Column 1 References from Existing Scheme</b>	<b>Decision which can be made/action which can be taken</b>	<b>Column 3 Involvement Members/Officers</b>	<b>of Limits on how the delegation can be exercised</b>	<b>Column 5 Proposed Changes</b>
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	<b>Proposal</b>

2.1.1 WBC C1 – C3 GBC CEX 29, 30	The taking of any action required in connection with the organisation or holding of neighbourhood, parish, district, county, Parliamentary, police commissioner elections or referenda.			<b>RETAIN</b>
2.1.2 GBC CEX 2, 3 WBC 4.1	To take any Critical action on behalf of the Councils ( <b>including Executive decisions</b> ).  'Critical' means a matter of pressing importance requiring swift action given the gravity of the situation, to prevent damage (or further damage) to life, limb, <b>property</b> , infrastructure, <b>reputation</b> or the financial integrity of the Councils.	Where practicable, the Leader, or in their absence, the Deputy Leader. <b>Monitoring Officer</b> <b>S151 Officer</b>	A report on the use of urgency or emergency powers to be taken to the first available Executive and/or Council meeting. So far as possible, any decisions/actions taken shall only take effect on a temporary basis until a relevant Council, Executive, Committee or Member decision has been made.	<b>RETAIN. Add words in bold</b>
2.1.3 Contained in Pay Policy Statement WBC/GBC GBC HOPS 10	The approval of premature terminations, settlement agreements and Special Severance Payments up to £100,000 in accordance with the Pay Policy Statement		All posts below Joint Strategic Director  With the approval of the Leader	<b>ADD TO WAVERLEY</b>
2.1.4 WBC F1 GBC DF 48	To hear and determine appeals relating to applications to include			<b>RETAIN</b> <b>ADD TO JSD PLACE</b>

	properties in the List of Assets of Community Value			
2.1.5 GBC HOPS 36	To approve any interim senior officer appointments of up to <b>12</b> months, usually in the remit of the Joint Senior Staff Committee	Leader – Waverley Leader - Guildford	Subject to details of any such interim appointments being reported to all members of the Joint Senior Staff Committee	<b>ADD TO WAVERLEY. INCREASE TO 12 MONTHS FROM CURRENT 6 MONTHS.</b>
2.1.6 GBC HOPS4	To exercise all functions relating to Health & Safety <b>relating to the Council’s employees</b>			<b>REMOVE ‘WORKPLACE’ AND ADD WORDS IN BOLD. ADD TO WAVERLEY</b>
2.1.7 GBC HOPS3	In consultation with the Leader and Monitoring Officer, to interpret and (if in an urgent or emergency situation) vary the provisions of the Constitution in the best interests of the Council, subject to the use of this power being reported to the next meeting of the Council, Executive or committee concerned as appropriate.			<b>REMOVE AS CONFLICTS WITH MO RESPONSIBILITIES</b>
2.1.8 GBC HOPS 6	To agree the annual salary increase to locally determined salary scales for grades below Joint Strategic Director level, provided that the cost of such is within the relevant overall budgetary provision.	Leader		<b>GUILDFORD ONLY</b>
2.1.9 GBC HOPS 35	To approve any HR policies	Portfolio Holder		<b>ADD TO WAVERLEY</b>

<b>2.2</b>	<b>Chief Executive and all JSDs</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
2.2.1 GBC Gen12 GBC HoF1 GBC HOLS1 GBC DPO1, HORS34 WBC T8, T9	Grant, review, renew and cancel authorisations under the Regulation of Investigatory Powers Act 2000 in accordance with each Councils' surveillance policy.		Authorising officers must have appropriate training Cannot be exercised by the JSD – Legal & Democratic Services	<b>RETAIN</b>
2.2.2 NEW	Incur expenditure on the reception and entertainment by way of official courtesy of persons representative of or connected with local government or other public services whether inside or outside the United Kingdom.		In accordance with the Financial Procedure Rules.	<b>NEW PROVISION ADD TO BOTH</b>
<b>2.3</b>	<b>JSD – Community Wellbeing</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
2.3.1 NEW	The taking of a decision as to whether the Council will tolerate unlawful encampments for a specified period and purpose, and to keep that decision under constant review.			<b>NEW PROVISION – ADD TO BOTH</b>
2.3.2 NEW	To be the Councils' lead officer responsible for Safeguarding matters			<b>NEW PROVISION ADD TO BOTH</b>

2.3.3 GBC JSD CW1	To determine and take all action in relation to the management and maintenance of the Council's housing accommodation including the letting, transfer, exchange and repossession of dwellings, garages, open spaces and parking spaces.		In line with existing policies and approved capital programme	<b>ADD TO WAVERLEY</b>
2.3.4 GBC JSD CW3	To sell land and buildings, <b>whether leasehold, freehold or shared ownership</b> , held in the Housing Revenue Account <b>or for homelessness related purposes</b> up to 0.2 hectares in area <b>which are less than £200k in value.</b>	Portfolio Holder Ward Councillor	(a) the Council to receive best consideration (b) the purchaser must pay all the Council's costs in relation to the sale (c) all consents being received	<b>ADD WORDS IN BOLD. ADD WORDS IN BLUE ADD TO WAVERLEY ADD WORDS IN GOLD</b>
2.3.5 GBC JSD CW4	To set service charges for the provision of goods, services and works in respect of Council owned land and property held within the Housing Revenue Account and to make in-year adjustments to achieve appropriate cost recovery.			<b>ADD TO WAVERLEY</b>
2.3.6 GBC JSD CW5	To update the HRA Business Plan as required in response to minor changes issued by the government	JSD Finance Portfolio Holder		<b>ADD TO WAVERLEY</b>

2.3.7 GBC JSD CW6, 10	To authorise purchases of land and buildings for the Housing Revenue Account <b>up to £200,000</b>	<b>Leader</b> Portfolio Holder JSD Finance		Change the limit from £1M to £200,000 ADD TO WAVERLEY DELETE 'LEADER'
2.3.8 GBC JSD CW13	To give consent to future community sponsorship applications as part of the vulnerable persons resettlement scheme	Portfolio Holder	Subject to applicants meeting Home Office criteria.	<b>ADD TO WAVERLEY</b>
<b>2.4</b>	<b>JSD – Legal &amp; Democratic Services &amp; Monitoring Officer</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
2.4.1 WBC – T8 & T9 GBC MO11 GBC DF49	To be the Councils' Senior Responsible Officer for all matters related to the Regulation of Investigatory Powers Act 2000, including making changes to policies & procedures where necessary.	Portfolio Holder for changes to policy		<b>RETAIN</b>
2.4.2 WBC T1 GBC HoL&DS	To convene or cancel meetings of Full Council, Cabinet, Cabinet Members, Committees, and other bodies.	Mayor, Leader, Portfolio Holder or Chair as appropriate		<b>Change to JSD Legal for Waverley full Council – Currently CEX</b>
2.4.3 WBC T2	To appoint members to the Independent Remuneration Panel provided that all members shall be notified by email of such appointments.			<b>ADD TO GUILDFORD</b>

2.4.4 GBC DEMSERV2 WBC T3	In respect of ad hoc appointments during the year, to appoint or nominate members and representatives on outside bodies; to appoint trustees; and to identify the meetings of outside bodies which are an approved duty for paying allowances, provided that all members shall be notified by email of such appointments.	Group Leaders		<b>RETAIN</b>
2.4.5 WBC T4	To make changes to the membership of any of the Council's Committees as necessary during the Council year, in accordance with the wishes of the respective Group Leaders		Any changes to be reported to the next meeting of the Council.	<b>THIS IS IN THE GBC CONSTITUTION BUT NOT SCHEME OF DELEGATION. ADD TO SCHEME FOR CONSISTENCY</b>
2.4.6 WBC T5	To convene, where necessary, an Independent Panel as provided for in the Officer Employment Procedure Rules.	Leader		<b>ADD TO GUILDFORD – CURRENTLY ANY OFFICER</b>
2.4.7 WBC T6	To grant a continuing leave of absence to a councillor in relation to the Local Government Act 1972 s 85, in consultation with the group leaders. All decisions to be reported to all Members.			<b>REMOVE AS THIS IS A POLITICAL DECISION</b>
2.4.8 WBC ANN 1 A.1.1 GBC LSL1, 2	Legal Proceedings: a. To determine what, if any legal action should be taken following any investigation into a criminal matter			<b>RETAIN</b>



	<p>(except in relation to Health &amp; Safety at Work).</p> <p>b. To institute, prosecute or terminate any proceedings which the Council is empowered to undertake in or before any Court, Tribunal, Inquiry or by way of Fixed Penalty Notice or Community Penalty Notice (except in relation to Health &amp; Safety at Work).</p> <p>c. To accept service and defend or settle any proceedings brought against the Council (except in relation to Health &amp; Safety at Work).</p> <p>d. To take any action incidental or inclusive to or which would facilitate any action under this paragraph.</p> <p>e. To administer simple cautions.</p> <p>f. To determine whether or not any legal proceedings should be taken in any particular case or set of circumstances.</p>			
2.4.9 GBC HOL5	To appoint and instruct legal service providers including external Solicitors and Barristers.			<b>ADD TO WAVERLEY</b>
2.4.10 WBC A7	To determine whether or not a simple caution or other alternative to prosecution should be administered following an investigation into an alleged criminal offence.			<b>ADD TO GUILDFORD</b>
2.4.11 WBC A.4.1 GBC HOL4	To seal any document on behalf of the Council.			<b>RETAIN</b>

2.4.12 GBC HOL54	To sign any contract or other legal documents on behalf of the Council.		In accordance with the Contract Procedure Rules.	<b>ADD TO WAVERLEY</b>
2.4.13 WBC ANN 1 A2.1 GBC HOL53	To authorise the attendance of officers at Court under any statutory provision.			<b>RETAIN</b>
2.4.14 GBC HOCCS1,2	To action requests for review under Data Protection and Freedom of Information legislation.		Review by an officer more senior than the decision maker.	<b>ADD TO WAVERLEY</b>
2.4.15 GBC HOPS 3	To make minor or consequential amendments to the Council's Constitution.			<b>ALREADY IN WAVERLEY CONSTITUTION BUT ADD TO SCHEME FOR CONSISTENCY</b>
2.4.16 WBC D.2 GBC MO7	To grant dispensations in respect of Disclosable Pecuniary Interests in accordance with the Localism Act 2011.			<b>RETAIN</b>
2.4.17 WBC D3 GBC MO6	To appoint members to the Hearing Panel from the membership of the Standards Committee.			<b>RETAIN</b>
2.4.18 GBC Gen17	To authorise the attendance of councillors and officers at conferences, courses and seminars.			<b>REMOVE REFERENCE TO OFFICERS. ADD TO WAVERLEY</b>
2.4.19 GBC HOL5 15 WBC T1	To approve the timetable of Council & Committee meetings	In consultation with Group Leaders		<b>RETAIN</b>
2.4.20 GBC DEMSERV1	In connection with the Licensing Act 2003 and Gambling Act 2005:			<b>ADD TO WAVERLEY</b>

	<p>(a) to agree to dispense with a Licensing Sub-Committee hearing where all parties agree that a hearing is unnecessary;</p> <p>(b) following consultation with any designated Licensing Sub-Committee chairman, to adjourn a Licensing Sub-Committee hearing; and</p> <p>(c) following consultation with any designated Licensing Sub-Committee chairman, to extend a time limit in respect of a Licensing Sub-Committee hearing where necessary in the public interest.</p>			
2.4.21 GBC DemServ5	To determine future requests for permission to use the coat of arms comprising the shield and motto only, including a licence for such use including the Councils legal costs.	Leader & Mayor	On agreed criteria	<b>ADD TO WAVERLEY</b>
2.5.9 WBC Delegation E2 GBC HoPD38	To include properties in the List of Assets of Community Value and make decisions in relation to claims for compensation.			<b>AD PLANNING DEV HAS DELEGATION AT GUILDFORD. PROPOSE ADD TO JSD – LEGAL &amp; DEM SERVICES FOR BOTH</b>
2.5	<b>JSD – Finance &amp; S151 Officer</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	

2.5.1 GBC RevBen7	To determine any applications and make payments for Housing Benefit, Council Tax Support or similar benefits.			<b>ADD TO WAVERLEY</b>
Duplication of GBC RevBen7	To make payments of Housing Benefit and Council Tax Support or similar benefits			<b>REMOVE - DUPLICATION</b>
2.5.2 WBC – S7 GBC LSRB3	To take all necessary actions relating to the demand, collection and the recovery of Council Tax Rates, National Non-Domestic Rates and any other local levy or collected taxes, <b>including executing warrants of arrest.</b>			<b>ADD WORDS IN BOLD</b>
2.5.3 WBC S5 GBC LSRB4, 8, 10, 11	To determine entitlement to mandatory, discretionary and other rate relief applications, including National Non-Domestic Rate relief.			<b>RETAIN</b>
2.5.4 NEW	To serve on the Valuation Officer notice of objection to any proposals for alteration of the Valuation List.			<b>NEW – ADD TO BOTH</b>
2.5.5 NEW	To make proposals for the alteration of the Valuation List or for inclusion of particular properties in the Valuation List.			<b>NEW – ADD TO BOTH</b>
2.5.6 NEW	To sign off Valuation Agreements.			<b>NEW – ADD TO BOTH</b>

2.5.8 WBC Delegation S4	To determine rates of interest payable under: (a) Public Health Acts and Housing Acts (rechargeable works executed by the Council) (b) Local Government (Miscellaneous Provisions) Act 1976 (dangerous trees and restoration of supplies).			<b>ADD TO GUILDFORD</b>
2.5.9 WBC Delegation E3	To determine applications from developers to meet some or all of their obligations to pay Community Infrastructure Levy (CIL) charges through 'payment in kind' (as defined in Waverley's Phasing and CIL-in-kind policies).	Portfolio Holder		<b>PROPOSE ADD TO JSD PLACE</b>
2.5.10 GBC FD16	To set the Council Tax base			<b>ADD TO WAVERLEY</b>
2.5.12 GBC DF 19	To determine the rents for caretakers' accommodation each year in line with the annual salary award.			<b>DELETE/ADD TO WAVERLEY as appropriate</b>
2.5.11 GBC DF20	To raise in line with inflation <b>and/or any statutory increases</b> , any financial limits specified in delegations to officers, Procurement Procedure Rules or Financial Procedure Rules.			<b>ADD TO WAVERLEY</b>
2.5.12 GBC DF21, GBC LS7, GBC LSRB13	To grant discretionary relief from debts up to £1,000 in cases of extreme hardship or for goodwill or over-riding business reasons, and to enter into any arrangements with a creditor or debtor			<b>ADD TO WAVERLEY</b>

	for payment to be made by instalments or other arrangements.			
2.5.13 GBC DF10	To agree the treatment of any year-end balance.	Leader Portfolio Holder		<b>ADD TO WAVERLEY</b>
2.5.14 GBC DF11	To adjust the Council's approved General Fund capital programme and the Housing Investment Programme to carry forward any unspent balances where a project has been delayed.	Leader Portfolio Holder		<b>ADD TO WAVERLEY</b>
2.5.15 GBC DF26	To approve revised criteria and operational arrangements for the Concurrent Functions Grant Aid Scheme.	Portfolio Holder		<b>REMOVE AS BEING PHASED OUT IN GUILDFORD</b>
2.5.16 GBC LSF9	To determine the local average interest rates for local authority mortgages <b>and car loans.</b>			<b>ADD TO WAVERLEY</b>
2.5.17 GBC LSF14, 15 HoCommServ9	To administer any government grants in line with any set scheme criteria and to determine the criteria if none exists.	Portfolio Holder	To be within the budgetary provision	<b>ADD TO WAVERLEY</b>
2.5.18 GBC DOF13	To take any action relating to borrowing in accordance with the Council's borrowing strategy.	Portfolio Holder		<b>ADD TO WAVERLEY</b>
2.5. 19	To borrow by way of bank overdraft from the Council's current bankers subject to annual review by the bank	Portfolio Holder		<b>NEW</b>

2.5.20 GBC DOF13	To invest available funds on appropriate terms and in accordance with the Council's investment strategy.			<b>ADD TO WAVERLEY</b>
2.5.21	To make repayments to the Surrey County Council Pension Fund from those reserves earmarked for pensions contributions.			<b>NEW</b>
2.5.22 GBC LSRB1 & 5	To investigate allegations of housing benefit or council tax benefit fraud and authorise officers to represent the Council in the Magistrates Court in the course of their duties.			<b>ADD TO WAVERLEY</b>
2.5.23 WBC A7.1	In respect of housing benefit and council tax fraud, to determine whether a simple caution or administrative penalty should be administered following an investigation into an alleged criminal offence.	JSD Legal & Democratic Services	There must be a full admission. It must be a 1st offence. It must be for sums less than £500. It must be in the public interest. It must not be a complex fraud or attempted fraud.	<b>ADD TO GUILDFORD</b>
2.5.24 GBC LSRB6	To consult non-domestic rate payers in accordance with the National Non-Domestic Rates Rate Payers (Consultation) Regulations			<b>ADD TO WAVERLEY</b>

2.5.25 GBC LSRB14, 15	To conduct Local Council Tax Support Scheme consultations and set the criteria to be used in the hardship fund and approve payments	Portfolio Holder		<b>ADD TO WAVERLEY</b>
<b>2.6</b>	<b>JSD- Place</b>			
2.6.1 GBC HoHousing 3(b)	To make payments of any compensation due and to determine all applications made under Section 17 of the Land Compensation Act 1961 for certificates of appropriate alternative development.	JSD - Legal & Democratic Services JSD - Finance	Within approved budgets	<b>ADD TO WAVERLEY</b>
2.6.2 GBC LegServ11	To enter into such contracts, agreements, memorandums of understanding or other legal or quasi legal documents on behalf of the Council as may be required for the furtherance of the aims of the Thames Basin Heaths Special Protection Area Avoidance Strategy	JSD Legal & Democratic Services  Currently in Legal delegation		<b>IN LEGAL DELEGATION FOR GUILDFORD. PROPOSE MOVE TO JSD PLACE ADD TO WAVERLEY</b>
2.6.3 GBC Legal12	To appropriate the Council's land (non HRA) for open space or planning purposes.	JSD - Legal & Democratic Services JSD – Finance <b>AD Assets &amp; Property</b>  Currently in Legal delegation	Relevant consents must be obtained	<b>IN LEGAL DELEGATION FOR GUILDFORD. PROPOSE MOVE TO JSD PLACE ADD TO WAVERLEY</b>



2.6.4 GBC JSDP1	To approve strategic and/or operational property acquisitions within the Councils agreed policies up to £200k in value.	AD Assets & Property JSD - Finance Portfolio Holder		LIMIT TO £200K ADD TO WAVERLEY PROPOSED DELETION AS COVERED IN 2.6.6
2.6.5 GBC JSDP3	To dispose of non-housing land and buildings up to 0.2 hectares in area and £200k in value, within the Councils agreed policies.	JSD Finance Ward Councillor Portfolio Holder	Provided that best consideration is obtained (Waverley only)	LIMIT TO £200K ADD TO WAVERLEY
2.6.6 GBC JSDP4, 5	To authorise purchases of non-housing land and buildings up to £200k in value where budget provision exists in the approved general fund capital programme.	Portfolio Holder JSD Finance	Within agreed policies	LIMIT TO £200K ADD TO WAVERLEY
<b>Joint Strategic Director – Transformation &amp; Governance</b>				
2.7.1 GBC DPO2 DPO3	To act as the Senior Information Risk Owner for both Councils in respect of the function of Information Security including making any changes to relevant policies			ADD TO WAVERLEY
2.7.2 GBC HR15	To put in place appropriate insurance cover for all necessary risks with a suitable amount of cover, and make payments into the insurance fund.	JSD Finance		ADD TO WAVERLEY
2.7.3 GBC HR15	To settle any claims where the Council's Insurers may be involved.	JSD Finance		ADD TO WAVERLEY

	<b>Joint Chief Executive, all JSDs &amp; Assistant Directors</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
	<b>General</b>			
2.8.1	To manage the functions for which they are responsible.			<b>ADD TO BOTH FOR CLARITY</b>
2.8.2 GBC HoComms13, HORS 13	To make minor amendments to any Policy, Strategy, Consultation or similar document and sign notices, other than legal notices, arising from any decision of the Council, Committee or Executive.	Portfolio Holder		<b>ADD TO BOTH AS THEY EXIST IN POCKETS</b>
2.8.3 GBC Gen7 & Gen23	To respond to consultations.	The Leader and relevant Executive Member (in respect of Executive matters) or the relevant committee (in respect of non-Executive matters)		<b>ADD TO WAVERLEY</b>
2.8.4	To dispose of lost or uncollected property in accordance with S41 Local Government (Miscellaneous Provisions) Act 1982	JS Director Legal & Democratic Services		<b>NEW ADD TO BOTH</b>

2.8.5	To exercise powers and determine all matters relating to the supply of goods and services to other local authorities and public bodies in respect of the functions for which the officer is responsible.	JSD Legal & Democratic Services JSD Finance	Provided that any sharing of services is included within the S113 Agreement made between WBC (1) and GBC (2).	<b>NEW ADD TO BOTH (ALLOWS FUNCTIONS TO BE TRADED).</b>
2.8.6 GBC Gen11	To carry out minor development for which planning permission is not required.	AD Planning Dev		<b>ADD TO WAVERLEY</b>
	<b>Contracts</b>			
2.8.7	To <del>do all matters</del> take any action in relation to procurement and the letting of contracts for goods and services, within approved budgets.	Where specified in Contract Procedure Rules, JSD Finance and JSD - Legal & Democratic Services	In accordance with Contract Procedure Rules	<b>NEW ADD TO BOTH</b>
	<b>Financial</b>			
2.8.8	To manage budgets allocated to the functions for which they are responsible, including authority to incur expenditure on items included in the approved Revenue Estimates or Capital Programme, except where the Council has placed a reservation on any such item.		In accordance with the Financial Procedure Rules	<b>NEW ADD TO BOTH</b>

2.8.9	To write off amounts as irrecoverable	JSD Finance and Portfolio Holder	In accordance with the Financial Procedure Rules	NEW ADD TO BOTH
2.8.10 GBC Plan Pol14 HORS18	To determine and award grant applications in relation to the functions for which they are responsible, other than award of grants to voluntary sector organisations.		In accordance with the Financial Procedure Rules	ADD TO WAVERLEY
2.8.11 GBC LSF1,3, HORS29	To vary, in exceptional circumstances, fixed fees and charges.	Portfolio Holder		ADD TO WAVERLEY
2.8.12 WBC O1 W&X, T6 GBC Gen5 & 26 GBC HCS36, 32 GBC HES 2 3,4, 5, 6 GBC HOPD35 GBC HORS1	To determine charges for the use of relevant services and events not covered by the annual review of fees and charges	Portfolio Holder	Charges for new areas to be determined by the Executive,	RETAIN. Add words in green.
2.8.13	To submit bids to outside bodies for grant funding provided that match funding is available within budget.	JSD Finance		NEW ADD TO BOTH
	<b>Assets</b>			

2.8.14	To dispose of surplus assets (other than land and buildings) which are not of historical significance, interest or value.	<b>Portfolio Holder</b> AD Assets & Property	In accordance with the Financial Procedure Rules	<b>REMOVE PORTFOLIO HOLDER &amp; AD</b>
	<b>Land</b>			
2.8.15	To manage land, property and other assets allocated to the functions for which they are responsible.			<b>NEW</b>
3.9.16 GBC HCS33	<b>To decide whether to agree any requests for filming on the Council's property</b>			<b>ADD TO WAVERLEY ADD TO DELEGATION FOR ALL ADS</b>
	<b>Legal</b>			
2.8.16 GBC Gen 13	To make application for warrants of entry to land or property under the provisions of any legislation, other than warrants for possession of land or property, in relation to functions for which they are responsible.	JSD – Legal & Democratic Services		<b>ADD TO WAVERLEY</b>
2.8.17 GBC Gen15 GBC HCS13, 19 HOA8	To sign, issue and serve and respond to all notices required by statute or otherwise to be given by the Council and all necessary advertisements, in relation to functions for which they are responsible.	Portfolio Holder		<b>ADD TO WAVERLEY</b>

2.8.18 GBC HCS14	To issue fixed penalty notices and community penalty notices where permitted by statute in relation to the functions for which they are responsible.			ADD TO WAVERLEY
	<b>Licences, notices etc.</b>			
2.8.19	The determination of any application for permissions, consents, or licences or for registration within the functions for which they are responsible.		Except where they are reserved to Council, Executive or Committee	NEW ADD TO BOTH
2.8.20 WBC A6 GBC Gen9	The issue and service of any notice or requisition for information concerned with matters within the functions for which they are responsible.			RETAIN
2.8.21 GBC Gen16	The carrying out of works in default following non-compliance with any notice concerned with matters within the functions for which they are responsible.			ADD TO WAVERLEY
2.8.22 WBC A8	The management of any internal appeal, challenge or objection process against or in support of any of the Council's decisions, other than before a court or tribunal.			ADD TO GUILDFORD
	<b>Planning</b>			

2.8.23 GBC Gen3	To make application for all consents required in relation to planning permission and Building Regulation Approval in respect of Council land or property in relation to the functions for which they are responsible.			ADD TO WAVERLEY
	<b>Staffing matters</b>			
2.8.24 WBC B.1 (Reserved to HOPS in WBC Constitution) GBC HOPS 5, 7, 8, GBC Gen 8, GBC HR13	To determine and take action in relation to all staff matters within their service area, in accordance with the Officer Employment Procedure Rules and HR Policies.	Consultation as required in the Officer Employment Procedure Rules and HR Policies.	In accordance with Officer Employment Procedure Rules and all HR policies and procedures.	RETAIN CHANGE FROM HEAD OF PAID SERVICE TO ALL JOINT SENIOR MANAGERS
2.8.25	To approve the attendance of officers on courses, seminars and other training events		Subject to budget availability	NEW ADD TO BOTH

## DELEGATIONS: SPECIFIC FUNCTIONS – ASSISTANT DIRECTORS

Subject to the foregoing, there are delegated to the Officer(s) listed below those matters detailed in column 2 subject to the consultation requirements in column 3 and limitations in column 4 below.

**\*All words in red to be deleted**

<b>3.1 Assistant Director – Housing Services</b>				
<b>Col.1 References to existing schemes</b>		<b>Col.3</b>	<b>Col.4</b>	<b>Col.5 Proposed changes</b>
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
3.1.1 WBC M5 GBC HoH21	To exercise the Council's functions relating to all housing and homelessness functions <b>in accordance with all relevant legislation and policies of the Council.</b>			<b>ADD WORDS IN BLUE RETAIN</b>
3.1.2 GBC HoH29	To devise, manage and maintain the Housing Register maintained by the Council under the relevant statutory provisions in accordance with the Council's Housing Allocations Policy.			<b>ADD TO WAVERLEY</b>



3.1.3 WBC M2 GBC HoH30	To nominate people on the Council's Housing Register to properties in accordance with the Council's Housing Allocations Policy.			RETAIN
3.1.4 NEW	To determine and where appropriate give consent for alterations or extensions to former Council houses and flats.			NEW ADD TO BOTH
3.1.5 GBC HoH25	To lease property or land in connection with the Council's housing function, for the purpose of providing accommodation for those in housing need.	Leader Portfolio Holder JSD – Finance AD Assets & Property		ADD TO WAVERLEY REMOVE WORDS IN GOLD
3.1.6 WBC M3 GBC HoH30, 21	To undertake reviews of housing decisions made under relevant Housing legislation		Any officer undertaking the review shall be senior to the officer who made the decision	REMOVE REFERENCE TO CONSULTATION WITH PORTFOLIO HOLDER AS DECISION MADE IN ACCORDANCE WITH THE LAW
3.1.7 GBC HOH1	To enter into any instalment or other arrangements with a creditor or debtor of the Council in respect of the HRA	JSD - Finance		ADD TO WAVERLEY
3.1.8 GBC HOH6, 7, 8	To take any necessary action to recover possession of a property where a tenant or leaseholder is in breach or where other need for possession has arisen			ADD TO WAVERLEY ADD WORDS IN BLUE
3.1.9	To take any action in respect of right to buy under the Housing Act 1985	JSD Legal & Democratic Services		ADD TO WAVERLEY

GBC HOH10, 7, 12				
3.1.10 GBC HoH 13, 14, 34	To determine any leasehold applications including for lease extensions, grants, renewals, variations, sub-letting and change of use in respect of property within the Housing Revenue Account	Portfolio Holder JSD Finance	Provided the Council obtains best consideration	ADD TO WAVERLEY
3.1.11 GBC HoH32	To enter into nomination agreements with housing providers within the Councils agreed policies			ADD TO WAVERLEY
3.1.12 GBC36	To take any action under the Party Wall Act 1996 in respect of properties within the HRA			ADD TO WAVERLEY
<b>3.2</b>	<b>Assistant Director – Community Services</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
3.2.1 WBC K1	To implement the Councils' policies regarding Community Safety and the reduction of crime and disorder	AD Housing AD Regulatory Services		ADD TO GUILDFORD
3.2.2 NEW	To take any action to combat anti-social behaviour			ADD TO BOTH
3.2.3 WBC A7	To determine whether or not a simple caution should be administered following an investigation into an alleged criminal offence.	JS Director Legal & Democratic Services AD – Regulatory Services	There must be a full admission. It must be a minor matter.	ADD TO GUILDFORD

			It must be in the public interest. It must be a first offence. To exclude the administration of the caution.	
3.2.4 WBC K2	To agree service level agreements with voluntary organisations <b>and take any action under the agreements</b>	Portfolio Holder (GBC) Grants Panel (WBC)		<b>ADD WORDS IN BLUE ADD TO GUILDFORD</b>
3.2.5 WBC K3 GBC HCommS11	To determine applications for Housing Grants (not Social Housing Grants) and the taking of all steps concerned with certification of payment of the same, including Disabled Facilities Grants and to waive or reduce repayment having regard to individual circumstances and the Council's criteria	JSD - Finance		<b>RETAIN</b>
3.2.6 WBC K5, L5	To take any action under the Public Health (Control of Diseases) Act 1984 and the related public health protection regulations, including the Health Protection (Coronavirus, Business Closure) (England) Regulations 2020 (the Business Closure Regulations) and the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (the Restriction Regulations) and any updating and/or amending legislation.			<b>ADD TO GUILDFORD</b>  <b>(Currently given to a number of officers so will need sub-delegation if appropriate)</b>

3.2.7 NEW	All matters relating to consultations with Surrey Police and other bodies in relation to Anti-Social Behaviour.	Portfolio Holder AD Housing AD Regulatory Services		NEW ADD TO BOTH
3.2.8 GBC HComS1, 4	To approve expenditure from the Project Aspire Reserve & Community Centres Reserve (GBC only)			GUILDFORD ONLY
3.2.9 GBC HComS10	To administer a crowdfunding platform, including determining the detailed eligibility criteria for voluntary and community organisations (GBC only)			GUILDFORD ONLY
3.2.10 GBC HORS	To make Public Spaces Protection Orders in accordance with the Anti-social Behaviour, Crime and Policing Act 2014.			ADD TO WAVERLEY
3.2.11 GBC HoCommS3	To make decisions to allocate plots and carry out general management of Council owned gypsy and traveller sites			GBC ONLY
3.2.12 GBC JSD CW13	To give consent to future community sponsorship applications as part of the vulnerable persons resettlement scheme	Portfolio Holder	Subject to applicants meeting Home Office criteria.	ADD TO WAVERLEY
<b>3.3</b>	<b>Assistant Director – Environmental Services</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	

3.3.1 GBC HES7	To exercise the Councils' regulatory functions relating to burials, issuing exclusive rights of burial, rights to erect memorials, cremations and the maintenance of churchyards and consecration of land			ADD TO WAVERLEY
3.3.2 GBC HES8	To nominate suitable persons as medical referees			ADD TO WAVERLEY
3.3.3 WBC L4, Q1	To collect, remove, recycle and dispose of waste, litter & abandoned or unauthorised vehicles			ADD TO GUILDFORD
3.3.4 NEW	To authorise the waiving or reduction of charges for special refuse collections, commercial waste collections, green waste collections and clinical waste collections	JSD – Finance Portfolio Holder		NEW ADD TO BOTH
3.3.6 WBC L4 GBC 4	To exercise the Council's regulatory functions relating to: Waste collection Recycling Street Cleansing Cemetaries Controlled waste Abandoned vehicles & other refuse Flood & Water management Fleet servicing Parks Management		Award of Waste collection and recycling contract is reserved to the Executive	RETAIN

	<p>And take any action under the following legislation (or any subsequent amendments):-</p> <ul style="list-style-type: none"> <li>i. the Control of Pollution Act 1974 (as amended)</li> <li>ii. the Environmental Protection Act 1990</li> <li>iii. the Environment Act 1995</li> <li>iv. the Dog (Fouling of Land) Act 1996</li> <li>v. The Anti-Social Behaviour Crime and Policing Act 2014 and Anti-Social Behaviour Act 2003</li> <li>vi. Clean Neighbourhoods and Environment Act 2005</li> <li>vii. the Refuse Disposal (Amenity) Act 1978</li> <li>viii. Environment Act 1995</li> </ul>			
3.3.9 NEW	To undertake all matters related to the inspection and maintenance of Council owned trees	AD Planning Development if subject to TPO		NEW ADD TO BOTH
3.3.10 NEW	To undertake all matters relating to the design, installation, inspection and maintenance of all Council owned play areas			NEW ADD TO BOTH

3.3.11 GBC HES13	To sign all allotment agreements and resolve appeals on any allotment matters			ADD TO WAVERLEY
3.3.12 GBC HES15	To release Special Protection Area (SPA) endowment funds of up to £40,000 per year per site for ongoing maintenance of the relevant individual Suitable Alternative Natural Greenspace (SANG) sites	Portfolio Holder Ward Councillor JSD Finance		ADD TO WAVERLEY
3.3.13 GBC HES16	To settle disputes under the Commons Acts.	JSD Legal & Democratic Services		ADD TO WAVERLEY
3.3.14 GBC HES17	To set up and administer sponsorship schemes for ornamental planting on highway land	Ward Councillor		ADD TO WAVERLEY
3.3.15 GBC HES12	To approve and grant seasonal concession licence agreements on behalf of the Councils	Portfolio Holder JSD Legal & Democratic Services AD Planning Development	WITHIN ENV. SERVICES DELEGATION AT GBC	ADD TO REGULATORY SERVICES FROM ENV. SERVICES (GBC) ADD TO WAVERLEY
3.3.16 GBC HCS21, 22	To determine applications to hold events in parks, open spaces and recreational facilities including on behalf of a parish council		Subject to all necessary consents being in place	ADD TO WAVERLEY
3.3.17 NEW	To approve non animal related circuses	Ward Councillor		

	All matters related to the Council's powers and duties in relation to rivers			
3.3.18 GBC Gen11	To take any action in respect of environmental protection under all relevant statutes, including the issue of fixed penalty notices or community penalty notices for littering, fly tipping and dog fouling			
<b>3.4</b>	<b>Assistant Director - Planning Development</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	



<p>3.4.1 WBC O1 (A) (B) (D)(E)(f) GBC HOPD29, 28, 10, 9, 2, 1</p>	<p>To determine applications for Planning permission, <b>including reserve matters applications</b>, listed building consent, conservation area consent, express consent to display advertisements, hazardous substances consent pursuant to the Planning Acts, including:</p> <p>a. development specified in the GPDO where expressed planning permission is required by reason of limitations or conditions by that order; and</p> <p>b. determinations in connection with prior notification procedure under T&amp;CP (General Permitted Development) Order.</p> <p>c. Non material amendments and minor material amendments applications</p> <p>d. Details to comply with conditions and variation/removal of condition applications.</p> <p>e. Prior notifications and prior approval notices and permissions in principle</p> <p>f. To determine the need for an Environmental Impact Assessment</p>		<p>The following matters are reserved to the Planning Committee:</p> <p>1. Planning applications defined as ‘major’ by the Government (i.e. 10 or more units of residential accommodation, more than 1,000 sqm commercial floorspace and site area of more than 1 hectare) and which in the judgement of the AD Planning Development have major strategic implications for the authority.</p> <p>2. Planning applications where a Councillor asks that the application be determined by the Planning Committee and puts forward relevant planning grounds to the Joint Executive</p>	<p><b>ADD WORDS IN BOLD RETAIN</b></p>
---	--	--	--	--

	<p>and/or a Strategic Environmental Assessment.</p> <p>g. To make Screening and Scoping Opinions.</p> <p>h. To undertake Screening Opinions and Appropriate Assessments pursuant to Part IV of the Conservation (Natural Habitats and Conservation) Regulations 1994.</p>		<p>AD Planning Development in consultation with the Chair of the Planning Committee.</p> <p>3. A householder application with 10 or more valid letters of representation with a view contrary to the officer recommendation.</p> <p>4. A major or minor application (non-householder) with 20 or more valid letters of representation with a view con contrary to the officer recommendation.</p> <p>5. Any planning application where the Council is the applicant.</p> <p>6. Any planning application where the applicant is a Borough Councillor or employee of the Council</p>	
--	---	--	--	--

			<p>7. Any planning application which is required to be referred to the Secretary of State.</p>	
--	--	--	--	--

3.4.2 WBC 01 (V) GBC HOPD25, 8	To determine the Council's stance in respect of and respond to consultation opinions concerning matters including, but not limited to, Neighbourhood Plans, Canal Conservation Area and neighbouring Council & County Council planning applications, unless they are for 'major' development within the meaning of the T&CP (General Development Procedure) Order (other than those where the proposed amendment is minor or non-material).	In respect of Neighbourhood Plans, in consultation with Portfolio Holder and Ward Member	<b>Replace 'Not to determine if the Ward Member disagrees' with 'To report the matter to the Planning Committee if the Ward Member disagrees with the proposed response to the Consultation'</b>	<b>RETAIN MAKE CHANGES SET OUT IN BOLD</b>
3.4.3 WBC 01 GBC HPD14	To determine applications for lawful development certificates (Town and Country Planning Acts Sections 191 and 192) & <del>established use certificates.</del> <b>Certificates of Lawfulness of proposed use or development.</b>	JSD Legal & Democratic Services where necessary.		<b>RETAIN ADD WORDS IN BOLD</b>
3.4.4 WBC 01 GBC HOPD4	To give, make and confirm any Order or Direction under the Planning Acts			<b>RETAIN</b>
3.4.5 WBC O1(O) GBC HES10 GBC HPD18	To issue, serve, modify and withdraw any Notice under the Planning Acts and to carry out			<b>RETAIN</b>

	works in default including ruins and dilapidated buildings and neglected sites (Building Act 1984, Section 79) and to authorise the service of tree replacement notices under Section 207 and 213 of the Town and Country Planning Act 1990 (as amended).			
3.4.6 WBCO1(K) GBC HES11 HPD24	& To determine applications and to take any action under Anti-Social Behaviour Act (2003) Part 8 (High Hedges).			RETAIN
3.4.7 WBC 01	Subject to the limitations imposed above to determine the Council's stance in respect of and respond to consultations and opinions concerning matters referred to above.			ADD TO GUILDFORD
3.4.8 WBC 01	All matters relating to the Planning (Hazardous Substances) Act, 1990.			ADD TO GUILDFORD
3.4.9 WBC01	To issue serve modify or withdraw notices in relation to breaches of conditions or any other matter under the Planning Acts			ADD TO GUILDFORD
3.4.10 WBC 03 GBC HOLLS6	To negotiate and enter into or vary planning or other agreements regulating or controlling the use of development of land		<b>Not where the determining body for any associated planning</b>	RETAIN ADD TO AD PLANNING FROM LEGAL DELETE WORDS IN BOLD

			<b>application is a committee.</b>	
3.4.11 WBC02 GBC HOL57	To make variations and minor amendments in planning or other agreements regulating or controlling the use or development of land where the determining body for any associated planning application is a committee.	JSD Legal & Dem Services Chair of Planning Committee Ward Councillors (with the exception of deeds of variation that secure all original clauses, secured for applications under s73 or s73A)	Not where the variation relates to the proposed tenure mix and amount of affordable housing.	<b>RETAIN MOVE FROM LEGAL TO PLANNING DEVELOPMENT</b>
3.4.12 WBC O1(G)(H)(I)(J) GBC DPD13, 12	To decide whether to take any action in respect of planning enforcement, including to issue, serve modify, revoke or withdraw any enforcement action or notices under the Planning Acts, etc and to remove unauthorised signage and remedy the condition of land.			<b>RETAIN</b>
3.4.13	To determine applications under the Local Government (Miscellaneous Provisions) Acts 1982 Section 37 in respect of Temporary Markets.	<b>Ward Members</b>		<b>NEW ADD TO BOTH</b>

<p>3.4.14 WBC L3 &amp; O1(L)(M)(P)(Q)(R). THIS WAS ALSO WITHIN THE DELEGATION OF THE AD - COMMUNITY SERVICES GBC - within delegation of Env. Services GBC HES18, 19 GBC HPD23, 19, 20,21,22 GBC HPD 3.5.18, 19, 20, 3, 4</p>	<p>To take any action and give, make, revoke or confirm any Order or Direction under the Planning Acts including Tree Preservation Orders (and associated applications for consent for works) and notification of works to trees in conservation areas, the Hedgerow Regulations 1997, and S23 Local Government (Miscellaneous Provisions) Act 1976 and any subsequent amendments or Regulations in respect of this legislation.</p>	<p>Ward Member Chair of Planning Committee</p>	<p>Not to confirm or revoke if there are any objections.</p>	<p>RETAIN ADD TO PLANNING DEVELOPMENT</p>
<p>3.4.14 WBC DELEGATION O1(S) GBC HoPD32</p>	<p>To respond to the Licensing Authority in connection with consultations on applications under the Licencing Act 2003 and Gambling Act 2005 on behalf of the Local Planning Authority</p>			<p>RETAIN</p>
<p>3.4.15 WBC DELEGATION O1(T) GBC HoPD33</p>	<p>To apply to the Licensing Authority for a review of a premises licence or club premises certificate or licence under Section 197 of the Gambling Act 2005.</p>			<p>RETAIN</p>
<p>3.4.16 WBC DELEGATION O1(X) GBC HOPD34</p>	<p>To maintain the Local Land Charges Register and issue certificates of search.</p>			<p>RETAIN</p>

3.4.17 WBC DELEGATION O2(Z) GBC HOPD12	To make and confirm Article 4 Directions where there are no objections.			RETAIN
3.4.18 GBC HOPD30,31	To carry out Building for Life Assessments and to issue and publish the appropriate certificate (including carrying out the work for neighbouring Councils and determining the charge)			REMOVE DELEGATION
3.4.19 GBC HOPD 27	To undertake an annual review of the pre-application charging regime and revising the fees if appropriate <b>including agreeing pre-planning application fees</b>	Portfolio Holder JSD Finance		ADD TO WAVERLEY ADD WORDS IN BLUE
3.4.20 GBC HOPD28	To determine fees for planning and other related applications, approval of reserved matters and applications for consent to display advertisements.			REMOVE
3.4.21. GBC HOPD6	To agree the award of costs against the Council in relation to planning appeals, and the costs to be awarded to the Council.	JSD – Legal & Democratic Service Portfolio Holder	Up to £50,000 costs against the Council	ADD TO WAVERLEY
3.4.22 GBC HOPD5	To decline to determine repetitive applications.			ADD TO WAVERLEY
3.	<b>JOINT ASSISTANT DIRECTOR – REGENERATION AND PLANNING POLICY</b>			



3.5.1 WBC P1	To make all decisions and take all actions and exercise all powers in respect of the Councils Planning Policy functions in accordance with adopted policies and relevant legislation.			ADD TO GUILDFORD
3.5.2 WBC P2 & P3	All matters relating to the naming and numbering of streets.	Portfolio Holder and Ward Councillors		ADD TO GUILDFORD ADD TO AD PLANNING DEVELOPMENT
3.5.3 GBC HOOD1	In consultation with the appropriate lead councillor, to make such minor amendments to the Economic Development Strategy and delivery plan as deemed appropriate.			ADD TO WAVERLEY
3.5.4 GBC Pol Lead Plan Pol 1	To prepare and maintain an up to date Local Plan (development plan documents) for adoption by the Council under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, and the relevant regulations, including the Town and Country Planning (Local Planning) (England) Regulations 2012; and to assemble the necessary evidence base and all other documents and commission all reports required to facilitate and inform the policy making process, including the Sustainability Appraisal and Strategic Environmental Assessment, and Habitats Regulation Assessment			ADD TO WAVERLEY

3.5.5 GBC Plan Pol4	To make factual changes necessary to ensure that all Supplementary Planning Documents remain up to date			ADD TO WAVERLEY
3.5.6 GBC Plan Pol5	To prepare and publish all information required by legislation, including Annual Authorities Monitoring Reports, Brownfield Land Register, Housing Delivery Action Plan and any other required documents			ADD TO WAVERLEY
3.5.7 GBC Plan Pol6	To prepare, and maintain an up to date Community Infrastructure Levy (CIL) under the Planning Act 2008, and the relevant regulations; and to assemble the necessary evidence base and all other documents and commission all reports required to facilitate and inform the CIL making process.			ADD TO WAVERLEY
3.5.8 GBC Plan Pol7, 8	To agree any minor changes to the Surrey Hills AONB Management Plan and to approve any additional funding in respect of the Surrey Hills Partnership Agreement	Leader Portfolio Holder Chairman – Surrey Hills Board	Additional funding requests to be approved annually in consultation with Portfolio Holder	ADD TO WAVERLEY
3.5.9 GBC Plan Pol9	To receive, consider, publicise/consult upon, assess <b>and decide</b> proposed neighbourhood development plans, and neighbourhood development orders (including community right to build orders), area designation requests from qualifying bodies (including to adjudicate or decline to consider an			ADD TO WAVERLEY INCLUDE 'DECIDE' TO ENSURE CLARITY ON DECISION MAKER

	application where multiple requests may overlap), and Neighbourhood Forum designation requests (including to adjudicate or decline to consider an application), and to publicise decisions made.			
3.5.10 GBC Plan Pol10	To organise independent examinations for neighbourhood plans and neighbourhood development orders and to take any actions considered necessary in response to recommendations within an examination report.			ADD TO WAVERLEY
3.5.11 GBC Plan Pol11, 18	To carry out Habitats Regulations Assessments, Strategic Environmental Assessments and Equalities Impact Assessments, screening opinions and other assessments as required <b>for the purpose of Development Plans.</b>			ADD TO WAVERLEY ADD WORDS IN BLUE
3.5.11 GBC Plan Pol 15, 16	To make inclusions and other amendments to the Council's List of Buildings of Local, Architectural or Historic Interest and to make additions and minor amendments to boundaries in the Gazetteer of Local Historic Parks and Gardens.			ADD TO WAVERLEY
3.5.12 GBC Plan Pol 17	To make such minor alterations to improve the clarity of the adopted Local Plan and Policies Map as may be deemed necessary.	Portfolio Holder		ADD TO WAVERLEY

3.5.13 GBC Plan Pol2	To initiate and pursue any suitable opportunities for co-operation with neighbouring planning authorities, and certain other public bodies as set out in legislation, and as specifically required by section 33A of the Planning and Compulsory Purchase Act 2004.			ADD TO WAVERLEY
<b>3.6</b>	<b>Assistant Director – Organisational Development</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
3.6.1 NEW	To confirm the appointment of staff on the satisfactory completion of probationary period.	Appropriate Line Manager		NEW ADD TO BOTH
3.6.2 NEW	To implement decisions arising from the Council's pay and grading procedure.	JSD - Finance		NEW ADD TO BOTH
3.6.3 NEW	To implement any locally agreed pay settlements.	JSD - Finance		NEW ADD TO BOTH
3.6.4 GBC HR8	To maintain a register of politically restricted posts and ancillary matters.			ADD TO WAVERLEY

3.6.5 GBC HR2 & HR9, HR12	To make minor, <del>inconsequential and</del> administrative amendments to the Councils' Human Resources Policies & Car Leasing Scheme	Head of Paid Service JSDs & Assistant Directors	Within approved budgets	ADD TO WAVERLEY
3.6.6 GBC HR3	To determine changes in the levels of payment for relocation expenses and allowances for newly appointed staff, in line with inflation	Head of Paid Service Leader JSD Finance		ADD TO WAVERLEY
3.6.7	To agree severance payments up to £20,000 in accordance with the Council's agreed policy and process	JSD Finance Relevant JSD Leader		ADD TO BOTH ADD WORD IN PURPLE
<b>3.7</b>	<b>Assistant Director - Regulatory Services</b>			
<b>No</b>	<b>Delegation</b>	<b>Consultation</b>	<b>Limitations</b>	
3.7.1 WBC DELEGATION Q1 & Q3 & Q6 & Q8 GBC HORS6, 31, 30, 32	To make all decisions, take all actions and exercise all powers in respect of the Council's environmental protection functions in accordance with any legislation and/or any adopted policy(ies) of the Council in respect relating to the following:  A. Pollution control, <b>Drainage &amp; Sanitation, Filthy &amp; Verminous Premises, Wholesome Water Supplies</b> B. Controlled waste <b>&amp; other waste offences</b>			RETAIN ADD WORDS IN BLUE ADD WORDS IN PURPLE

	<p>C. Air pollution control and clean air</p> <p>D. Smoke free premises</p> <p>E. <b>Stray</b>, Dangerous and/or Out of Control dogs</p> <p>F. Authorisations in relation to controlled processes</p> <p>G. Noise nuisance</p> <p>H. Contaminated land</p> <p>I. Statutory nuisance</p> <p>J. Litter</p> <p>K. Dog fouling <b>and other dog controls</b></p> <p>L. Graffiti removal</p> <p>M. Abandoned vehicles and other refuse</p> <p>N. Prevention of crime and disorder, <b>including anti-social behaviour</b></p> <p>O. Drug and alcohol abuse/misuse of substances</p> <p>P. Food safety</p> <p>Q. Health &amp; Safety</p> <p>R. Pest Control</p> <p>S. <b>Sunday Trading</b></p> <p>T. <b>Unauthorised encampments</b></p> <p>U. <b>Public Health funerals</b></p> <p>V. <b>Control of infectious diseases</b></p> <p>W. <b>Public Space Protection Orders</b></p>			
--	---	--	--	--

<p>3.7.2 WBC DELEGATION Q2, Q8 GBC HORS8, 9, 11</p>	<p>To make all decisions, take all actions and exercise all powers in respect of the Council's licensing functions in accordance with any legislation and/or any adopted policy(ies) of the Council relating to the following:</p> <p>A. Personal, premises, club premises licences and Temporary Event Notices</p> <p>B. Hackney carriage drivers and vehicles, and private hire drivers, vehicles and operators (except any applications that reveal convictions for offences that might affect the suitability of a person to hold a licence)</p> <p>C. House to house and street collections</p> <p>D. Club gaming/club machine permits and small society lotteries</p> <p>E. Sexual Entertainment Venues</p> <p>F. Street trading</p> <p>G. Scrap metal dealers</p> <p>H. Animal boarding establishments, riding establishments, dog breeders, pet shops and dangerous wild animals</p> <p>I. Game dealers</p> <p>J. Tattooing, acupuncture, ear piercing, cosmetic piercing and electrolysis</p> <p>K. Sunday trading</p> <p>L. Pavement Licensing</p>		<p>Not to make decisions in respect of the following:</p> <p>a) approval of and amendments to the Statement of Licensing Policy and the Gambling Policy which are reserved to Council;</p> <p>b) approval and amendments to policies relating to functions under the Acts set out above which is reserved to the Licensing and Regulatory Committee;</p> <p>c) approval of increases in the hackney carriage fare scale and amendments to the scale of charges for hackney carriage and private hire licence fees, which is reserved to the Executive;*</p> <p>d) the designation of and amendments to hackney carriage vehicle ranks which</p>	<p>RETAIN ADD HACKNEY CARRIAGE FEES FOR WAVERLEY (CURRENTLY EXECUTIVE FUNCTION)</p>
---	--	--	---	---

			<p>is reserved to the Licensing and Regulatory Committee;</p> <p>e) the power to make an Order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption which is reserved to the Licensing and Regulatory Committee;</p> <p>(f) all applications and appeals reserved to the Licensing Sub Committee</p> <p>(g) Street Collections to provide funding for a major local national or international disaster, to be determined after consultation with the Chair of the Licencing &amp; Regulatory Committee</p>	
--	--	--	---	--



3.7.3 WBC Q5 GBC LS8	To exercise the Council's powers relating to temporary road closures.			RETAIN BUT CHANGE DELEGATION TO REGULATORY SERVICES FROM LEGAL (GBC).
3.7.4 WBC Q4	To take any action necessary with regard to the Council's Emergency Planning functions <b>as a Category 1 responder</b> in accordance with legislation and the Councils adopted policy(ies).			ADD TO GUILDFORD ADD WORDS IN BOLD
3.7.5 WBC DELEGATION – Q9	To authorise officers of other Surrey Licensing Authorities participating in a Joint Warranting Scheme to enforce all relevant Hackney Carriage and Private Hire licensing legislation.			ADD TO GUILDFORD
3.7.8 NEW	All matters related to the Council's powers and duties in relation to rivers			ADD TO BOTH
3.9.9 GBC Gen11	To take any action in respect of environmental protection under all relevant statutes, including the issue of fixed penalty notices or community penalty notices for littering, fly tipping and dog fouling, and community protection notices.	AD Community Services		ADD TO WAVERLEY
3.7.10 WBC Q2 & Q12	To exercise the Council's powers in respect of environmental health including water supply, sewerage and drainage, vermin and nuisance including determining any charges for works undertaken.			ADD TO GUILDFORD

3.7.11 GBC DF 17, 18	To exercise the Council's powers in respect of land drainage including any compensation payments or reduced charges	JSD - Finance		ADD TO ASSETS FROM FINANCE (GBC) ADD TO WAVERLEY
3.7.12 WBC DELEGATION Q7	On behalf of the Council, to submit objections, and pursue such objections at a public inquiry if needed, to: (a) applications for operators' licences (including variations) made under the Goods Vehicles (Licensing of Operators) Act 1995; and (b) reviews undertaken of existing licences.	Ward Councillors		DELETE
3.7.13 WBC DELEGATION Q10	On behalf of the Council as the Responsible Authority for Licensing under the Licensing Act 2003, subsequent amendments and all relevant legislation and regulations: a) to make a relevant representation b) to apply for a review of a premises licence c) to apply for a review of a club premises certificate			ADD TO GUILDFORD
3.7.14 WBC Q14 GBC HORS16, 17, 20, 21, 22, 23, 25, 26, 28	To exercise all the Council's regulatory functions and take all necessary action in relation to unlawful evictions, Caravan sites, Fitness and Standards of Housing and Houses in Multiple Occupation and all other matters relating to properties in the private rented sector, in accordance with legislation.			RETAIN

3.7.15	All matters relating to the investigation of cases under the Health & Safety at Work legislation.	JS Director Legal & Democratic Services	Duly appointed inspectors	NEW ADD TO BOTH
3.7.16 WBC K4	To undertake all actions relating to the Council's functions under the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 for the securing of loans given for the improvement or repair of dwellings as a formal Land Charge.			ADD TO GUILDFORD
3.7.17 GBC HORS5 WBC Q8	To exercise the Councils' regulatory functions relating to Animal Welfare.			RETAIN
3.7.18 WBC DELEGATION L1	To arrange the burial or cremation of persons for whom no other suitable arrangements for the disposal of their remains have been made (under Section 46 of the Public Health (Control of Disease) Act 1984) and any necessary administration of the deceased's estate in liaison with the Treasury Solicitor.			ADD TO GUILDFORD
3.3.15 GBC HES12	To approve and grant seasonal concession licence agreements on behalf of the Councils	Portfolio Holder JSD Legal & Democratic Services Head of Planning Development	WITHIN ENV. SERVICES DELEGATION AT GBC	ADD TO REGULATORY SERVICES FROM ENV. SERVICES (GBC) ADD TO WAVERLEY
<b>3.8</b>	<b>Assistant Director – Assets &amp; Property</b>			
3.8.1 MODIFIED TO FIT WBC GBC HoA2	To <b>take all actions in relation to</b> the improvement, refurbishment and maintenance of the Council's non-housing property portfolio not	<del>Leader or Portfolio Holder</del>	<del>Not to agree expenditure from the Repairs &amp;</del>	RETAIN Add/Delete words in BLUE

	specifically the responsibility of other officers.		<del>Maintenance Fund in excess of £20k</del> <b>Within agreed budgets</b>	
3.8.2 GBC HoA1	To undertake all actions in relation to the administration of the Councils <b>non-housing</b> estate and property portfolio including appropriation <b>where the value of land is less than £200K</b>			<b>ADD WORDS IN BOLD</b> <b>LIMIT VALUE OF APPROPRIATION TO £200K</b> <b>ADD TO WAVERLEY</b> <b>ADD WORDS IN GOLD</b>
3.8.3 WBC N14 GBC HoA3, 15, 18	To <b>acquire and dispose of land in connection with the Council's functions and to grant leases, variations, tenancies, rights, easements, licences, consents and wayleaves of, in, or over buildings or land in connection with the Council's functions, in accordance with Council policies.</b>	Portfolio Holder JSD Finance <b>Portfolio Holder – Housing (in respect of HRA commercial assets leases)</b>	Acquisition and disposal of land is only authorised where the value is £200,000 or less <b>Not in respect of HRA residential leases</b> <del>Not to grant or renew leases in excess of 25 years, other than qualifying applications made under the Leasehold Reform Act 1967 where the price reflects the independent valuation and all costs are met by the applicant</del>	<b>RETAIN</b> <b>LIMIT TO £200k</b> <b>MAKE CHANGES SET OUT IN BLUE</b> <b>ADD WORD IN GOLD</b>

3.8.4 GBC25 – sits with Head of Housing	To acquire property or land in connection with the Council’s housing function, for the purpose of providing emergency and temporary accommodation.	Portfolio Holder JSD Community Wellbeing JSD Finance	Within agreed budget provided that a business case is agreed	<b>MOVE TO HOUSING</b> <b>ADD ‘BUSINESS CASE NEEDED</b> <b>JSD FINANCE TO BE CONSULTED’</b> <b>ADD TO WAVERLEY</b>
3.8.5 GBC HOA19	To exercise the Council’s powers affecting the design, <b>improvement</b> or maintenance of <b>private roads in their ownership</b>			<b>ADD TO WAVERLEY</b> <b>ADD WORDS IN PURPLE</b>
3.8.6 GBC HOA4	In relation to premises leased or licensed to others:  (a) to approve revisions in rent;  (b) to agree variations in the terms of covenants;  (c) to approve, as landlord, proposals for new building works and alterations ( <del>except in relation to land and premises held in the Housing Revenue Account</del> ).  (d) to approve uses of buildings and land by tenants and licensees.  (e) to approve proposals for	Portfolio Holder JSD Finance <b>where there are financial implications</b> <b>Portfolio Holder (Housing) for HRA non-commercial leases</b> <b>Relevant Assistant Director/JSD</b>	<b>Not in respect of HRA non-commercial property or Housing Association leases.</b>	<b>ADD TO WAVERLEY</b> <b>ADD WORDS IN BOLD</b> <b>ADD/DELETE WORDS IN BLUE</b>

	<p>assignment, sub-letting or surrender of leases and for change of use;</p> <p>(f) to institute all necessary action for forfeiture in the event of non-payment of rent or breach of covenant;</p> <p>(g) to arrange for the termination of leases or licences, including the issue of relevant notices to quit and notices under the Landlord and Tenant Act where possession is required by the Council for any purpose or where such action is justified in the interests of good estate management;</p> <p>(h) to approve the payment of all forms of statutory compensation where appropriate; and</p> <p>(i) to make arrangements for the re-letting of premises</p>			
<p>3.8.7 GBC HOA5</p>	<p>In relation to land and premises occupied or to be occupied by the Council</p> <p>(a) to take leases, licences and other appropriate interests when required by the Council for the proper performance of its functions;</p> <p>(b) to approve all relevant terms, including the level of rental;</p>	<p>Portfolio Holder JSD Place JSD Finance <b>Portfolio Holder – Housing (in respect of HRA commercial leases)</b></p>		<p><b>ADD TO WAVERLEY</b></p>

	<p>(c) to approve revisions in rent and other terms; and</p> <p>(d) to approve in the Council's capacity as tenant, proposals for new building works and alterations.</p>			
3.8.8 GBCHOA6	To grant leases to organisations receiving grant support from the Council on such terms and conditions as shall be considered appropriate.	Portfolio Holder JSD Finance <b>Assistant Director/JSD Place</b>		<b>ADD TO WAVERLEY ADD WORDS IN BLUE</b>
3.8.9 GBC HOA7	To agree the terms for the variation of restrictive covenants <b>on land formerly owned by the Council.</b>	Portfolio Holder		<b>ADD TO WAVERLEY ADD WORDS IN BLUE</b>
3.8.10 GBC HOA9	To determine applications for agreements in respect of access of light and air.			<b>ADD TO WAVERLEY</b>
3.8.11 GBC HOA10	To determine the siting of advertisement boards for Council-owned commercial or industrial premises.			<b>ADD TO WAVERLEY</b>
3.8.12 GBC HOA11	To deal with all elements of the making and implementation of compulsory purchase orders where authorised by the Council, including acquiring land and buildings within confirmed compulsory purchase orders and purchasing in advance of such compulsory acquisition where the Council has resolved to make such an order		Payments not to exceed the assessed entitlement to compensation.	<b>ADD TO WAVERLEY</b>

3.8.13 GBC HOA13	To <del>perform all functions</del> of the Council as landowner in respect of its responsibilities and powers under the Party Wall Act 1996 <b>including issuing and responding to statutory notices.</b>		Not in respect of HRA land	<b>ADD TO WAVERLEY ADD WORDS IN BLUE</b>
3.8.14 GBC HOA14	To make applications for the provision of architectural and building surveying services to those bodies covered by the Local Authorities (Goods and Services) Act 1970.			<b>DELETE AS NO LONGER REQUIRED</b>
3.8.15 GBC HOA19	To determine all matters relating to the siting of bus shelters, bus stops, seats and other street furniture.	AD Planning Development		<b>DELETE AS NO LONGER REQUIRED</b>
3.8.16 WBC N11	To agree changes to the cost of supplying gas and electricity services in accordance with the terms of the service supply contract.	Leader Portfolio holder	In accordance with the Contract Procedure Rules	<b>ADD TO GUILDFORD CHANGE RESPONSIBILITY TO JSD -FINANCE</b>
3.8.17 WBC N15	To take all actions to alleviate flooding under the Water Management Acts, Water Act 1989 and Land Drainage Act 1991 relating to the Council's land drainage functions <b>provided that there is sufficient budget</b>		<b>The following matters</b> are reserved to the Executive: i. approval of the annual Drainage Works Programme. i. authority to submit funding bids for projects requiring external funding for drainage works on third party land where this would	<b>ADD TO GUILDFORD</b>



			require the Council to part-fund from the Drainage Reserve	
<b>3.8.18 GBC HOA17</b>	<b>To accept terms for the disposal of assets for less than the best consideration that can reasonably be obtained.</b>	<b>Portfolio Holder JSD Finance Relevant JSD</b>	<b>Must be in accordance with the Council's policies.</b>	<b>CURRENTLY GUILDFORD ONLY.</b>
3.8.19 GBC HOA3(c)	To sell, licence or lease land for the use of statutory undertakers			<b>ADD TO WAVERLEY</b>
<b>3.9</b>	<b>JOINT ASSISTANT DIRECTOR – COMMERCIAL SERVICES</b>			
3.9.1 WBC R3, R.4 GBC HCS26	To issue and serve notices pursuant to the Building Act 1984 and Building Regulations and to carry out works in default and recover costs.			<b>RETAIN</b>
3.9.2 WBC R2 GBC HCS25	To decide all Building Regulations applications in accordance with Building Regulations current at the time of deposit.			<b>RETAIN</b>
3.9.3 WBC R.6, R.7 GBC HCS9, 11,12, 15	To make all decisions, take all actions and exercise all powers in respect of the Council's car parks and on street parking functions in accordance with any one or number of the following legislation and/or any adopted policy(ies) of the Council and/or any other subsequent new or replacing legislation relating to the Council's parking functions: i. Highways Act 1980	Portfolio Holder in respect of charges	i. The adoption of and amendments to the Council's Car Parking Strategy; ii. The setting of off-street car parking	<b>RETAIN</b>

	<ul style="list-style-type: none"> <li>ii. Road Traffic Regulation Act 1984</li> <li>iii. Road Traffic Regulation Act 1991</li> <li>iv. Traffic Management Act 2004</li> </ul>		charges other than for a limited period for the promotion of the town & support to business	
3.9.4 WBC R1	To adjust Building Control charges appropriately to ensure income will cover the cost of the chargeable service	Relevant Portfolio Holders		<b>RETAIN</b>
3.9.5 GBC HCS1	To manage the operation of Guildford Spectrum, Guildford Lido and Ash Manor Sports Centre by the Council's appointed contractor and to the variation of all charges (except those defined as "social charges") and the opening hours.	Relevant Portfolio Holder Strategic Director - Finance		<b>RETAIN – GUILDFORD ONLY</b>
3.9.6 GBC HCS3	To agree any project to be funded from any surplus generated from the Leisure Partnership Agreement, up to a maximum of £50,000	Relevant Portfolio Holder Strategic Director - Finance		<b>RETAIN – GUILDFORD ONLY</b>
3.9.7 GBC HCS4	To authorise lessees to display temporary advertising material	AD Commercial Services		<b>ADD TO AD - ASSETS IN CONSULTATION WITH AD COMMERCIAL ADD TO WAVERLEY</b>
<b>3.9.8 GBC HCS6,</b>	<b>To manage, operate and hire all relevant Council facilities including setting fees</b>			<b>ADD TO WAVERLEY ADD TO THE DELEGATION TO ALL ADS</b>

3.9.9 GBC HCS7	To accept items into any of the Council's Museum or gallery collections			<b>ADD TO WAVERLEY</b>
3.9.10 GBC HCS8	To make any amendments to the Heritage Services Forward Plan, policies and policy statements as may be necessary to fulfil any changing requirements of Museum Accreditation, or relevant legislation, during the life of the phase 2 standard, for any of the Council's museums or galleries.			<b>ADD TO WAVERLEY</b>
3.9.11 GBC HCS16, 18	To manage and operate park and ride sites and deliver park and ride for Surrey County Council and to offer a free Saturday Park and Ride service at suitable times of the year when most likely to offer the maximum support to the local economy.	Portfolio Holder JSD – Finance	In accordance with agreed policies and with the agreement of Surrey County Council	<b>ADD TO WAVERLEY</b>
3.9.12 GBC HCS17	To manage and operate markets		Within agreed policies	<b>ADD TO WAVERLEY</b>
3.9.13 GBC HCS20	To consider <b>and determine</b> objections to proposed amendments to the off-street parking order.	Portfolio Holder	<b>Not in relation to fees and charges</b>	<b>ADD WORDS IN BLUE ADD TO WAVERLEY</b>
3.9.15 GBC HCS30, 31	To act as responsible officer in relation to the Guildford Community Lottery licence with the Gambling Commission and to make all necessary arrangements for administering the Guildford Community Lottery.			<b>GUILDFORD ONLY</b>

3.10	<b>JOINT ASSISTANT DIRECTOR – COMMUNICATIONS &amp; CUSTOMER SERVICES</b>			
3.10.1 GBC LS ICT1	To replace and upgrade hardware, software and infrastructure <b>within the balance of the IT Renewals Fund</b>	JSD - Finance	<b>Within agreed ICT plans</b>	<b>ADD WORDS IN RED REMOVE WORDS IN BLUE ADD TO WAVERLEY</b>
3.10.2	To be the link officer with the Commissioner for Local Administration in England ('Local Government Ombudsman')	JSD Legal & Dem Services (in respect of maladministration)		<b>NEW ADD TO BOTH</b>
3.10.3 GBC CEX 13	To authorise payments <b>or the provision of other benefits under s.92 Local Government Act, 2000 (payments in cases of maladministration)</b> <del>or</del> by way of local settlement in relation to Local Government Ombudsman complaints.	<ol style="list-style-type: none"> <li>1. Appropriate Assistant</li> <li>2. Director, JSD Legal &amp; Dem Services and, if over £1000, JSD Finance</li> </ol>	Maximum £5000 local settlement	<b>REMOVE WORDS IN BLUE - MALADMINISTRATION MUST GO TO MEMBERS. ADD TO WAVERLEY</b>



This page is intentionally left blank

List of areas which it is proposed to delete from the Scheme of Delegation, as they are either: (1) within a job description, (2) there is already a policy in place, or (3) they are matters for the Financial Procedure Rules.

HEAD OF PAID SERVICE		
Ref	Description	
GBC1	To report to the Council or the Leader/Executive on the manner in which the discharge of the Council's non-executive and executive functions are co-ordinated, the number and grade of officers required for the discharge of those functions and the organisation of officers.	Within role
GBC3	In consultation with the Leader and Monitoring Officer, to interpret and (if in an urgent or emergency situation) vary the provisions of the Constitution in the best interests of the Council, subject to the use of this power being reported to the next meeting of the Council, Executive or committee concerned as appropriate	Urgency powers exist for CEx
GBC4	To exercise all functions relating to health and safety in the Council workplace	Within HR policies
GBC11 & 17	To exercise the power of the Council to appoint appropriate members of staff as proper officer for any purpose in relation to any statutory function or to revoke such appointment. To act as the Council's proper officer in respect of relevant functions specified in Annex I attached.	In Proper Officer Scheme
GBC 19-22	19. To approve revenue budget virements between cost centres relating to different services and within specific account categories but within the same service unit up to £100,000.  20. To approve revenue budget virements from any budget head within the employees category up to £100,000.  21. To approve revenue budget virements from between any service and any account categories between £100,001 and £200,000 in consultation with the appropriate lead councillor(s) and the lead councillor with responsibility for finance.  22. To approve capital budget virements for schemes on the approved capital programme between £100,001 and £200,000 in consultation with the appropriate lead councillor(s) and the lead councillor with responsibility for finance.	These financial delegations should all be contained in the Financial Procedure Rules

GBC 23	To extend a closure notice under the Anti-Social Behaviour, Crime and Policing Act 2014 to 48 hours	Head of Community Safety & Regulatory Services have the powers to make these orders.
GBC25	To keep the Community Engagement Strategy document updated as circumstances require	Within AD Comms & Communication
GBC26	To agree to webcast committee meetings in consultation with the Chairman	Business as usual and within JSD Legal & Dem Services
GBC32	To amend service provision in accordance with the Council's statutory duties as these may be varied by the Coronavirus Act 2020, regulations and guidance made thereunder	Not necessary as varied by the Act
GBC33	Appointments to Inquire Parish Councils under S91 Local Government Act 1972	Proper Officer Scheme
WBC C1	Within the approved budget, to approve scales of remuneration of persons employed on Borough and Parish Council elections.	This is part of the RO role – not a council function
WBC C2	To amend the designation of a Polling Place, where within six months of an election (a) a designated polling place unexpectedly becomes unavailable; and (b) it is impractical to report to Council.	This is part of the RO role – not a council function
WBC C3	To appoint Deputy Electoral Registration Officers subject to appointees holding satisfactory qualifications and experience as required.	This is part of the RO role – not a Council function
Joint Strategic Director – Legal & Dem Services (Monitoring Officer)		
GBC2	To contribute to the corporate management of the Council, in particular through the provision of professional legal and ethical advice	Job role
GBC3	To report to the full Council or to the Executive in relation to a non-executive or an executive function (as appropriate) if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration.	Job role & statutory provision for MO
GBC4	To contribute to the promotion and maintenance of high standards of conduct through provision of support to the Corporate Governance and Standards Committee	Job Role
GBC5	To establish and maintain a register of interests of the members and co-opted members of the authority	Job role & statutory provision for MO



GBC8	To advise whether decisions of the Leader/Executive are in accordance with the budget and policy framework	Job role & statutory provision for MO
GBC9	To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors	Job role & statutory provision for MO
GBC13	To convene, where necessary, an Independent Panel, as provided for in the Officer Employment Procedure Rules	Job Role & rules
<b>JOINT STRATEGIC DIRECTOR – FINANCE (S151 OFFICER)</b>		
GBC1	After consultation with the Monitoring Officer, to report to the full Council or to the Executive in relation to a non-executive or an executive function (as appropriate) and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully	Job role
GBC2	To be responsible for the administration of the financial affairs of the Council	Job Role
GBC3	To contribute to the corporate management of the Council, in particular through the provision of professional financial advice	Job Role
GBC4	To provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and support and advise councillors and officers in their respective roles	Job Role
GBC5	To provide financial information to the media, members of the public and the community.	Job Role
GBC6	To determine the Council's accounting records (including the form of accounts and supporting accounting records) and the accounting control systems	Job Role & FPR
GBC7	In connection with the calculations to set the council tax, to report on:  (a) the robustness of the estimates made for the purpose of the calculations; and (b) the adequacy of financial reserves	Job role
GBC8	In consultation with the appropriate lead councillor, to approve expenditure to be funded from the Invest to Save Fund	Financial Procedure Rules
GBC10	In consultation with the Leader of the Council and the lead councillor with responsibility for finance, to agree the treatment of any year-end balance	Job Role/Financial Procedure Rules
GBC12	To vire repairs and maintenance budgets within the overall budget provision	Financial Procedure Rules
GBC13	To implement the Council's borrowing and investment strategies including setting and maintaining the Council's counterparty list	Job role

GBC14	To approve the carrying forward of underspent budgets and the virement of expenditure in accordance with the Council's Financial Procedure Rules	Job Role
GBC15	To approve the expenditure of earmarked reserves and provisions for defined uses in accordance with the Council's agreed policy	Job Role
GBC22	To write-off debts in accordance with the limits set out in Financial Procedure Rules	Financial Procedure Rules
GBC23	To refund overpayments in accordance with Financial Procedure Rules	Financial Procedure Rules
GBC29	To estimate and declare the surplus or deficit (as appropriate) on the Collection Fund on or before 15 January each year.	Job Role
GBC30	To maximise the use of approved General Fund Capital Programme and approved Housing Investment Programme budgets, including bringing forward of schemes or phases on the approved programme for future years	Job role
GBC31	To undertake the day-to-day management of the Council Tax Collection Fund's transactions and their related calculations as required by the Local Government Finance Act 1988 (as amended by the Local Government Finance Act 1992).	Job role
GBC34	To authorise moving up to £200,000 from capital projects on the provisional capital programme to the approved capital programme where a business case has been submitted by the responsible officers.	Financial procedure rules
GBC35	To approve revenue budget virements between cost centres relating to the same service and within specific account categories up to £100,000 in consultation with the relevant Director or service leader	Financial Procedure rules
GB36	To approve capital budget virements for schemes on the approved capital programme up to £100,000 in consultation with the appropriate lead councillor(s) and the lead councillor with responsibility for finance.	Financial Procedure Rules
GBC37	To approve any changes to existing financial systems and to approve any new systems before they are introduced	Job role
GBC38	In consultation with the lead councillor with responsibility for finance, to approve expenditure to be financed from the Investments' Capital Movements reserve.	Financial Procedure Rules
GBC39	To approve the amount of any transfer to the Investment Property Rent reserve as a result of rent review income above that included in the relevant years' estimates.	Financial Procedure rules
GBC40	To determine the financing arrangements, including the interest rate applicable to any loans with reference to the Bank of England base rate, granted to North Downs Housing Ltd by the Council	Should be within the loan agreement

GBC41	To authorise expenditure from the Council's capital contingency fund for new capital projects up to a maximum gross project cost of £100,000 and for existing approved capital projects up to a maximum of 20% of the gross project cost or £200,000 whichever is the lower amount in accordance with the Council's financial procedure rules for capital virements	Financial Procedure Rules
GBC42	To approve expenditure from the Council's Budget Pressures, Business Rates Equalisation and LABGI reserves.	Financial Procedure Rules
GBC43	To make changes to Treasury Management practices	Job Role, Financial Procedure Rules
GBC46	To make monthly payments to the Guildford Borough Tenants' Action Group to cover sundry running expenses.	Job Role
GBC47 (also in JSD Transformation & Governance)	To authorise investigation staff to gather information from employers, banks, and other financial institutions, relating to open and properly authorised and valid investigations	Job role of investigatory staff
GBC HOF3 (also in JSD Transformation & Governance)	To do all things necessary to seek repayment of monies debts or loans to the Council	Job Role
GBC HOF4	To add expenditure to the approved capital programme where it is fully financed by grant, s106, SPA and CIL receipts and the project has been approved by the appropriate lead councillor and the relevant Joint Director or relevant Joint Executive Head of Service or service leader	Financial Procedure Rules
GBC LSF5	To approve the form of official orders	Job Role
GBC LSF6	To determine the amount of petty cash	Financial Procedure Rules
GBC HOF7	To refund overpayments in accordance with Financial Procedure Rules	Job Role
GBC11	To pay all accounts properly authorised	
GBC HOF13 (also in JSD Transformation & Governance)	To make arrangements for the secure collection and banking of income paid to any of the Council's establishments	Job role/Financial Procedure rules
<b>GENERAL DELEGATION TO JOINT STRATEGIC DIRECTORS</b>		
WBC	To make strategic management decisions relating to the Councils functions as they relate to [insert service]	Job Role
General Delegation to Joint Strategic Directors, Exec Heads etc.		
GBC1	To act in accordance with the Council's Procurement and Financial Procedure Rules	Job Role

GBC2	To undertake the day-to-day management and operation of staff reporting to them and of the premises and services for which they are responsible in accordance with the policies and procedures laid down by the Council	Job Role
GBC20	To consider complaints from members of staff in accordance with the Council's Grievance Procedure and policies and take appropriate action	HR policies
GBC21	To authorise the carrying forward of annual leave of staff from one year to the next in accordance with Council policies	HR policies
GBC22	To grant leave of absence without pay for periods not exceeding three months and special leave with pay on compassionate grounds	HR policies
GBC27	To approve revenue budget virements between cost centres relating to the same service and within specific account categories up to £100,000 in consultation with the Chief Finance Officer	Financial Procedure Rules
GBC28	To act in accordance with the Council's ICT Policies	Job Role
<b>JOINT STRATEGIC DIRECTOR – TRANSFORMATION AND GOVERNANCE</b>		
GBC LSF4	To add expenditure to the approved capital programme where it is fully financed by grant, s106, SPA and CIL receipts and the project has been approved	Financial Procedure Rules
GBC LSF11	To pay all accounts properly authorised	Job Role
GBC LSRev&Ben 2	To take all necessary action to implement the provisions of the Local Government Finance Acts 1988 and 1992 and any subsequent legislation in respect of the administration, collection, enforcement and discretionary elements of non-domestic rates	Job Role
GBC LSRev&Ben7	To determine applications for, and pay, housing benefit, council tax benefit and local council tax support	Job Role
GBC LSRev&Ben9	To take all necessary action to recover overpayments of housing benefit, council tax benefit and local council tax support	Job Role
GBC LSRev&Ben12	In respect of the non-payment of monies or debts to take all such action as may be necessary to recover such monies	Job Role
GBC LSLegal14	To complete any documentation pursuant to the submission of charitable accounts to the Charity Commission	Job Role
GBC DemServ4	To make arrangements for the deferred publication of the list of decisions and extension of the call-in period in cases where it is not possible to publish the list on the day after the meeting of the Executive	Consitution
<b>Head of Organisational Development</b>		
GBC HOD1	To undertake activities necessary to meet the Council's responsibilities in respect of relevant Sustainable Energy and Climate Change legislation	Job Role

GBC HOD5	To determine detailed aspects of pension schemes	HR Policies/SCC decisions
GBC HOD6	To determine annual lump sum allowances for all officers on the basis agreed by the Council	Job Role
GBC HOD7	To agree holiday arrangements during the Christmas period in accordance with local conditions of service	Job Role
GBC HOD10	To make changes to human resources procedures that are operational in nature	Job Role
GBC HOD14	To provide the Council's payroll service, including the enforcement of HMRC compliance advice and any ancillary payroll related services, such as salary sacrifice schemes	Job Role
<b>Head of Commercial Development</b>		
GBC HoComm Serv 5	In consultation with the relevant ward councillor and the Chief Finance Officer, add a new scheme to the General Fund Capital Programme, or amend approved schemes, up to a total value of £40,000 per scheme where the scheme is to be fully funded from s106 contributions and the contribution is in hand	Financial Procedure Rules
GBC HoComm Serv23	To promote sporting, recreational, cultural, and community activities, including the negotiation of sponsorship arrangements	Job Role
GBC HoComm Serv 24	To take all necessary action to maintain and protect the Council's interests in relation to proposals for local events and activities in the Borough	Job Role
GBC HoComm Serv 34	To participate in the partner authority scheme for local authority building control services.	Job Role
GBC HoComm Serv 35	To prepare, in accordance with The Building (Local Authority Charges) Regulations 2010, an annual statement in respect of the building control service for submission and approval by the Council's Chief Finance Officer	Job Role
<b>JOINT STRATEGIC DIRECTOR – COMMUNITY WELLBEING</b>		
GBC JSDCW2	To adjust up to 20% of the value of the approved capital and revenue housing programmes to maximise use of approved budgets	Financial Procedure Rules
GBC JSDCW7	To review and adjust capital and revenue housing programmes to maximise use of approved budgets	Financial Procedure Rules
GBC JSDCW7	To submit opportunity applications for any borrowing approvals or funding which would benefit the Council	Financial Procedure Rules
GBC JSDCW9	To respond to requests for assistance from the UK Border Agency	Job Role
GBC JSDCW11	To agree any future changes to the housing strategy action plan.	Job Role/Plan

GBC JSDCW12	To exercise the Council's powers and functions in relation to the promotion of health, community care and related policies	Job Role
<b>Joint Head of Environmental Services</b>		
GBC HES25	To deliver, manage, and operate habitat banks on appropriate council owned land	Job Role
<b>Joint Head of Housing Services</b>		
GBC HoH2	To write-off debts in accordance with the limits set out in the Council's Financial Procedure Rules	Financial Procedure Rules
GBC HoH3	To pay statutory and other compensation arising out of the decisions and activities of the Council	Policies/Job Role
GBC HOH4	To refund overpayments in accordance with Financial Procedure Rules	Financial Procedure Rules
GBC HOH15	To administer and determine applications for assignments by way of mutual exchange	Job Role/Policy
GBC HOH16	To take all relevant action in relation to current and former occupiers of temporary and supported accommodation in accordance with the policies agreed by the Council	Job Role/Policy
GBC HOH17	To manage and administer all aspects of supported housing	Job Role
WBC M.2	To make decisions to depart from the Council's Allocations Policy in special needs circumstances	Job Role/Policy
GBC HOH19	To offer introductory tenancies followed by flexible tenancies of either two or five years in accordance with the Council's tenancy strategy	Policy/Job Role
GBC HOH20	To manage and administer including dealing with all financial matters in accordance with the Council's policies all aspects of sheltered housing	Job Role/Policy
GBC HOH23	To operate private leasing, rent deposit, bond or similar schemes to prevent homelessness enabling applicants to remain in their present home or obtain accommodation from other landlords on the basis agreed by the Council	Job Role/Policy
GBC HoH24	To administer any government grant funding received by the Council for homelessness prevention or similar purposes in line with the funding criteria	Job Role
GBC HoH26	To review and update the Homelessness and Housing Strategy action plans	Job Role/Strategy
GBC HoH27	To administer the Council's low-cost home ownership service in accordance with Council policy and to exercise discretion in its application where so permitted	Job Role/Policy
GBC HoH28	To make all necessary contractual and conveyancing arrangements in connection with the Council's equity sharing scheme	Job Role/Policy
GBC HoH33	To make payments to tenants in accordance with the cash incentive scheme	Job Role/Policy
GBC HoH37	To operate a care and repair service and, in respect of Council-owned dwellings, to arrange for the works to be carried out	Job Role

GBC HoH38	To secure the restoration or continuation of supplies of water, gas and electricity to premises provided or to be provided for housing purposes and to recover any sums expended from the appropriate person	Job Role
GBC HoH39	To pay statutory and other compensation including disturbance and decorating allowances	Policy/Job Role
GBC HoH40	To bring forward proposals for affordable housing development on Council and privately owned sites within the borough	Job Role
<b>JOINT HEAD OF COMMUNITY SERVICES</b>		
GBC HCommServ2	To manage and administer including dealing with all financial matters in accordance with the Council's policies in respect of day centres, meals on wheels, community transport	Policy/Job Role
GBC HoCommServ7	To operate a care and repair service and in respect of Council-owned dwellings, to arrange for the works to be carried out	Job Role
GBC HoCommServ12	To determine applications for grants for adaptations to dwellings for the chronically sick and disabled within the criteria adopted by the Council	Policy/Job Role
<b>JOINT STRATEGIC DIRECTOR – PLACE</b>		
GBC JSD PLACE 2	To bring forward and develop proposals for housing development on Council and privately owned sites within the borough and to identify and select appropriate development partners in accordance with the procurement rules and regulations and to report to the Executive accordingly	Job Role
<b>JOINT HEAD OF REGENERATION AND PLANNING POLICY</b>		
GBC HoRPR3	To prepare, maintain and publish documents for adoption by the Executive, as required by the Planning and Compulsory Purchase Act 2004 and the relevant regulations	Job Role
GBC HORPR12	To add a new scheme to the General Fund Capital Programme, or amend approved schemes, up to a total value of £40,000 per scheme where the scheme is to be fully funded from s106 contributions and the contribution is in hand	Financial Procedure Rules
GBC HORPR13	To deal with all aspects of proposals to remove the last telephone box from a site,	Job Role
GBC HORPR19	To exercise all delegable functions in relation to the Self-build and Custom Housebuilding Act 2015	Proper Officer Scheme
GBC HORPR20	To bring forward proposals for affordable housing development on Council and privately owned sites within the borough	Job Role
<b>JOINT HEAD OF REGULATORY SERVICES</b>		

GBC HORS7	To appoint authorised officers for the purpose of discharging the Council's duties under the Sunbeds (Regulation) Act 2010	Proper Officer Scheme
GBC HORS10	To grant or refuse consent for the use of audio and/or video recording systems in hackney carriages and private hire vehicles in accordance with the guidelines agreed by the Licensing Committee and to suspend the use of such systems	Policy/Job Role
GBC HORS14	To undertake the Taxi & Private Hire enforcement powers of other licensing authorities	Set out in Agreement
GBC HORS15	To keep and maintain the various licensing registers in the prescribed form and manner	Job Role
<b>JOINT HEAD OF PLANNING DEVELOPMENT</b>		
GBC HOPD7	To agree planning performance agreements and extensions of time where they relate to the determination of planning applications	Job Role/Member decision



## Proper Officer and Authorised Officer Functions

The Council designates Proper Officers to carry out functions allocated by law. Power to appoint Proper Officers is delegated to the Chief Executive, following consultation with the JSD - Legal & Democratic Services, unless legislation requires the appointment to be made by Full Council.

The deputy Proper Officer is shown after the proper officer. The deputy proper officer is appointed to act where the proper officer is absent and/or unable to act. If the proper officer and the deputy are both absent or unable to act, then the Chief Executive is appointed to act or may allocate the function to another officer.

This list is not necessarily exhaustive and any omission shall not affect the validity of any action or decision taken by the Proper Officer.

The following Proper Officer and/or authorised officer functions listed in column 3 are assigned to the officers and deputies in columns 4 and 5.

### \*The words in green are additions to the Proper Officer Scheme

Public Health Act 1961			
Act	Function	Officer	Deputy
s.37 Public Health Act 1961	Verminous Articles	Joint Strategic Director – Community Wellbeing	Assistant Director Regulatory Services

Local Government Act 1972			
Section	Function	Officer	Deputy
s.13 Local Government Act 1972	To act as Parish Trustee	JSD – Legal & Democratic Services	Deputy Monitoring Officer(s)
s.83 Local Government Act 1972	Declarations of acceptance of office	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.84 Local Government Act 1972	Receipt of resignations	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.86 Local Government Act 1972	To declare any vacancy in office	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.88(2) Local Government Act 1972	Convene a meeting to fill a vacancy of Mayor	JSD - Legal & Democratic Services	Democratic Services & Elections

			Manager/Dem Services Manager
s.89(1) Local Government Act 1972	Receive notices to fill casual vacancies of Councillors	Chief Executive	JSD – Legal & Democratic Services
s.100B(1)(2), (7)(c) and 100H Local Government Act 1972	Supplying reports and other documents to the press & public and excluding those which are not likely to be considered in open session;	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.100C(2) Local Government Act 1972	Making a written summary of proceedings to provide a record without disclosing exempt information.	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.100D(1)(a) and (5)(a) Local Government Act 1972	To compile a list of background papers to a report	Chief Executive, any JSD or Assistant Director	
s.100F(2) Local Government Act 1972	Identify documents not open to inspection by Councillors	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.100G Local Government Act 1972	Maintain a list of members	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.100G Local Government Act 1972	Maintain a list of delegations to officers	MO	Deputy Monitoring Officer(s)
s.115(2) Local Government Act 1972	To receive monies due to the Council from Officers	JSD - Finance	Deputy S151 Officer
s.146(1) Local Government Act 1972	Sign the statutory declaration to enable the transfer of securities in the event of a change in the name or status of the council	JSD - Finance	Deputy S151 Officer
s.151 Local Government Act 1972; ss.114-116 Local Government Finance Act 1988	Proper Officer in relation to references to Treasurer or District Treasurer; the officer responsible for the proper management of the Council's financial affairs and for making reports to Cabinet/Council	JSD - Finance	Deputy S151 Officer

s.191(2) Local Government Act 1972	Receive applications from Ordnance Survey for assistance in surveying disputed boundaries	JSD - Place	Assistant Director - Planning Development
s.210 Local Government Act 1972	In respect of powers about charities	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.222 Local Government Act 1972	Prosecute or defend legal proceedings	JSD - Legal & Democratic Services	<b>Any officer or other suitably qualified person appointed in writing by the JSD – Legal &amp; Democratic Services</b>
s.225 Local Government Act 1972	Deposit of documents in accordance with Standing Orders of either House of Parliament, Enactment or Statutory Instrument	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.228 Local Government Act 1972	To make arrangements for the inspection of Council minutes	JSD – Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
s.229 Local Government Act 1972	To certify photographic copies of documents to be a true copy (other than those under Public Records Act 1958)	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.234 Local Government Act 1972	To sign Notices Orders or other documents authorised or required by or under any Enactment other than those delegated to another officer	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.236 Local Government Act 1972	To send copies of Byelaws to Parish and Community Councils to which they apply.	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.238 Local Government Act 1972	Certification of printed copies of byelaws	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.248 Local Government Act 1972	To keep the roll of Freeman of City or Town in District	Chief Executive	JSD – Legal & Democratic Services
Sch.12 Para.4(2)(b) Local Government Act 1972	Signing and serving summonses to attend meetings	JSD – Legal & Democratic Services	
Sch.12 Para.4(3) Local Government Act 1972	Receive written notice from a Member of the address to which a summons to the meeting is to be sent	JSD – Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager

Sch.12 Para.25 Local Government Act 1972	Certifying copy resolutions of the council passed before 1975 disapplying public health statutes	JSD – Community Wellbeing	Assistant Director Regulatory Services
Schedule 14(25) Local Government Act 1972	To certify resolutions for the purposes of legal proceedings	JSD – Legal & Democratic Services	Deputy Monitoring Officer(s)
Sch.14 Paragraph 25(7) Local Government Act 1972	To certify copies of Resolutions applying or disapplying provisions of the Public Health Act 1875 to 1925	Joint Strategic Director – Community Wellbeing	Assistant Director Regulatory Services
Sch.29 Para.4(1)(b) Local Government Act 1972	Adaptation, modification and amendment of enactments	JSD - Legal & Democratic Services	Deputy Monitoring Officer(s)
s.79 Public Health Act 1936 & Schedule 29 Part 1 Local Government Act 1972	Removal of Noxious Matter	AD Regulatory Services	
s.84 Public Health Act 1936 & Schedule 29 Part 1 Local Government Act 1972	Verminous Articles	AD Regulatory Services	
s.85 Public Health Act 1936 & Schedule 29 Part 1 Local Government Act 1972	Verminous People	AD Regulatory Services	
	Any reference to the Clerk of a council which, by virtue of the Local Government Act 1972, is to be construed as a reference to the Proper Officer of the Council	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager
	Any reference to the Treasurer of a council which, by virtue of the Local Government Act 1972, is to be construed as reference to the Proper Officer of the Council	JSD - Finance	

<b>Local Government Act 1974</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Part 3 Local Government Act 1974	Local Government Ombudsman functions, including giving public notice of reports	Monitoring Officer	Deputy Monitoring Officer(s)

<b>Health &amp; Safety at Work etc. Act 1974</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
S19-22 Health & Safety at Work Act 1974	To appoint inspectors and authorise enforcement powers	Assistant Director Regulatory Services	

<b>Local Land Charges Act 1975</b>			
<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s.9 Local Land Charges Act 1975	Act as local registrar for the registration of local land charges and the issue of official certificates of search.	AD Planning Services	

<b>Local Government Miscellaneous Provisions Act 1976</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s.41	To certify copies of Resolutions Orders reports or Minutes of the Council or any Predecessor Authority	JSD – Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager

<b>Representation of the People Act 1983</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s.8 Representation of the People Act 1983	Electoral Registration Officer	JSD - Legal & Democratic Services	Electoral Services Manager
s.28 Representation of the People Act 1983	Acting Returning Officer at Parliamentary Elections	JSD - Legal & Democratic Services	Officer(s) appointed in writing by the Returning Officer
s.35 Representation of the People Act 1983	Returning Officer for local elections	JSD - Legal & Democratic Services	Officer(s) appointed in writing by the Returning Officer

s.67(7)(b) Representation of the People Act 1983	Receive declarations and give public notice of election agents' appointments	JSD - Legal & Democratic Services	Electoral Services Manager
ss.81, 82 and 89 Representation of the People Act 1983	To receive, inspect and publish returns and declarations of election expenses	JSD - Legal & Democratic Services	Electoral Services Manager
Representation of the People Act 1983	Undertake duties at council elections which are required to be undertaken not by the Returning Officer but by the Proper Officer	Returning Officer	Deputy Returning Officer(s)
s.131 Representation of the People Act 1983	Providing accommodation for holding election court	JSD - Legal & Democratic Services	Democratic Services & Elections Manager/Dem Services Manager

#### **Building Act 1984**

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
S.61 Building Act 1984	Permitted to have free access to drainage repairs	Assistant Director Commercial Services	
s.78 Building Act 1984	Authorise action in relation to dangerous structures	Assistant Director Commercial Services	
<b>s.93 Building Act 1984</b>	<b>Authentication of documents</b>	<b>Assistant Director Commercial Services</b>	
s.95 Building Act 1984	General power of entry in relation to building regulations	Assistant Director Commercial Services	

#### **Public Health (Control of Disease) Act 1984**

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
ss.48 and 59 Public Health (Control of Disease) Act 1984 (as amended)	Infectious diseases and dead bodies; preparation of certificate to Justice of Peace for removal of body to mortuary and for burial; authentication of documents	Assistant Director Regulatory Services	

<b>s.60 Public Health Control of Disease Act 1984</b>	<b>Accepting service of notices, orders and other documents</b>	<b>Assistant Director Regulatory Services</b>	
---	---	---	--

<b>Local Government &amp; Housing Act 1989</b>			
--	--	--	--

<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s.2(4) Local Government and Housing Act 1989	To maintain a list of politically restricted posts	Assistant Director – Organisational Development	Lead Specialist - HR
s.3A Local Government and Housing Act 1989	To determine applications for exemption from the list of politically restricted posts	Chief Executive	JSD – Legal & Democratic Services
s.4 Local Government and Housing Act 1989	Head of Paid Service	Chief Executive	Any Joint Strategic Director
s.5 Local Government and Housing Act 1989	Monitoring Officer	JSD – Legal & Democratic Services	Officer(s) appointed in writing by the Monitoring Officer
ss.15-17 Local Government and Housing Act 1989	Undertake all matters relating to the formal establishment of Political Groups, and give effect to the wishes of Political Groups in making appointments of members to committees	Monitoring Officer	Deputy Monitoring Officer(s)

<b>Local Government (Committees and Political Groups) Regulations 1990</b>			
--	--	--	--

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Regs.8-10, 1315 and 17 Local Government (Committees and Political Groups) Regulations 1990	Receipt of notice re Political Groups; give effect to the wishes of Political Groups in making appointments of members to committees	Monitoring Officer	Deputy Monitoring Officer(s)

<b>Food Safety Act 1990</b>			
-----------------------------	--	--	--

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
<b>s.27(1) Food Safety Act 1990 (as amended)</b>	<b>Appointment as public analyst</b>	<b>Assistant Director Regulatory Services</b>	

		<i>(need to hold the relevant qualification)</i>	
s.49 Food Safety Act 1990 (as amended)	Sign any document authorised or required to be made, given or issued by the Food Authority	Assistant Director (Regulatory Services)	

<b>Local Government Contracts Act 1997</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
<b>s.2 Local Government Contracts Act 1997</b>	<b>To certify that the Council has the power to enter into a contract</b>	<b>JSD – Legal &amp; Democratic Services</b>	Deputy Monitoring Officer(s)

<b>Local Government Finance Act 1998</b>			
<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
ss.114, 115 & 115B	Responsibility for JSD - Finance reports	JSD – Finance	Deputy S151 officer
<b>s.116</b>	<b>Notify external auditor of meeting under the Act to consider a report of the JSD - Finance</b>	<b>JSD - Finance</b>	<b>Deputy S151 Officer</b>

<b>Crime &amp; Disorder Act 1998</b>			
<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
All	To ensure compliance with the Council's duties	JSD Community Wellbeing	AD Community Safety

<b>Freedom of Information Act 2000</b>			
<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
<b>s.36 Freedom of Information Act 2000</b>	<b>Qualified person to confirm or deny whether disclosure of information is likely to prejudice the effective conduct of public affairs</b>	<b>Monitoring Officer</b>	<b>Deputy Monitoring Officer(s)</b>

<b>Local Government Act 2000</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s. 21A Local Government Act 2000 (as amended)	Decision making in respect of Councillor Call for Action	JSD – Legal & Democratic Services	Dem Services & Elections Manager/Dem Services Manager



<b>Local Authorities (Standing Orders) (England) Regulations 2001</b>			
<b>Section</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Sch.1, Part II, Paras.5-6 Local Authorities (Standing Orders) (England) Regulations 2001	Notification to Executive and objections to be considered concerning appointment or dismissal of Head of Paid Service, Chief Officers or Deputy Chief Officers	Monitoring Officer	Deputy Monitoring Officer(s)
Part II	Notify the Executive of the person whom it is proposed that the Council appoint as a Chief Officer, Deputy Chief Officer, Statutory Chief Officer or Non-Statutory Chief Officer or Head of Paid Service.	Monitoring Officer	Deputy Monitoring Officer(s)

<b>Criminal Justice &amp; Police Act 2001</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
	<b>Power to enter premises and seize items where the Council has a power of seizure</b>	<b>All Assistant Directors</b>	

<b>Proceeds of Crime Act 2002</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
	Actions and obligations under the Act	S151 Officer	Deputy S151 Officer

<b>Local Elections (Principal Areas) (England and Wales) Rules 2006</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
S.50(b)	To receive the names of elected Councillors from the Returning Officer	JSD - Legal & Democratic Services	Dem Services & Elections Manager/Dem Services Manager
Sch.2 Para.54 Local Elections (Principal Areas)(England and Wales) Rules 2006	Registration officer for the retention and destruction of documents following an election	Electoral Registration Officer	Deputy ERO

<b>Local Elections (Parishes &amp; Communities) (England and Wales) Rules 2006</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Rule 5	To receive requests for an election to fill a casual vacancy	Chief Executive	JSD – Legal & Democratic Services
S.50	To receive the names of elected Parish Councillors from the Returning Officer	JSD - Legal & Democratic Services	Dem Services & Elections Manager/Dem Services Manager
Sch.2 Para.54 Local Elections (Principal Areas)(England and Wales) Rules 2006	Registration officer for the retention and destruction of documents following an election	Electoral Registration Officer	Deputy Electoral Registration Officer

#### **Cremation (England and Wales) Regulations 2008**

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Regulation 31	Person appointed as the Registrar	Assistant Director Environmental Services	

#### **Localism Act 2011**

<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
s.29 Localism Act 2011	Establish and maintain a register of members' and coopted members' interests	Monitoring Officer	Deputy Monitoring Officer(s)
s.30-31 Localism Act 2011	Receipt of members' and coopted members' declarations of interests and changes to those interest within 28 days	Monitoring Officer	Deputy Monitoring Officer(s)
s.32 Localism Act 2011	Sensitive interests	Monitoring Officer	Deputy Monitoring Officer(s)
s.33 Localism Act 2011	Dispensations from restrictions under s.31(4)	Monitoring Officer	Deputy Monitoring Officer(s)

<b>Local Authorities (Referendums)(Petitions)(England)Regulations 2011 Local Authorities (Conduct of Referendums) England) Regulations 2012</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
Local Authorities (Referendums) (Petitions) (England) Regulations 2011	Proper Officer function for all sections of the Regulations	JSD - Legal & Democratic Services	Democratic Services & Elections Manager
Local Authorities (Conduct of Referendums) (England) Regulations 2012	Proper Officer function for all sections of the Regulations	JSD - Legal & Democratic Services	Democratic Services & Elections Manager

<b>Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
All Regs. under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	Make records available for inspection	JSD - Legal & Democratic Services	Democratic Services & Elections Manager
Reg.15	List of background papers	All JSDs and Assistant Directors	

<b>Anti-Social Behaviour, Crime and Policing Act 2014</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
<b>s.1</b>	<b>Power to seek an injunction</b>	<b>Assistant Director – Regulatory Services</b>	<b>Assistant Director – Community Services</b>
<b>s.43</b>	<b>Power to issue Community Protection Notices</b>	<b>Assistant Director – Regulatory Services</b>	<b>Assistant Director – Community Services</b>
<b>s.52</b>	<b>Power to issue fixed penalty notices</b>	<b>Assistant Director – Regulatory Services</b>	<b>Assistant Director – Community Services</b>

s.59	Power to make Public Spaces Protection Orders	Assistant Director – Regulatory Services	Assistant Director – Community Services
s.76	Power to seek Closure Orders and/or issue Closure Notices	Assistant Director – Regulatory Services	Assistant Director – Community Services

<b>Data Protection Act 2018</b>			
<b>Act</b>	<b>Function</b>	<b>Officer</b>	<b>Deputy</b>
ss.69, 70-71 Data Protection Act 2018	Designated Data Protection Officer	Information Governance & Data Protection Officer	