

# GUILDFORD & WAVERLEY BOROUGH COUNCILS

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## SCHEME OF DELEGATIONS TO OFFICERS

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## 1.0 GENERAL PRINCIPLES

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

Col.1 REFERENCES FROM EXISTING SCHEMES	Col.2 General Principles to be observed by all officers before taking any decision under the Scheme of Delegation	Col.3 PROPOSED CHANGES
1.1 WBC 1.1	<p><b>Introduction</b></p> <p>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.</p> <p>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.</p>	ADD TO GUILDFORD
1.2 WBC 2.3 GBC 2	<p><b>Overarching Delegations</b></p> <p>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</p>	RETAIN
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</p>	ADD TO GUILDFORD

	an officer who has the appropriate sub-delegation or the Council otherwise decides, the following shall apply:	
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.	ADD TO GUILDFORD
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.	NEW ADD TO BOTH
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.	NEW ADD TO BOTH
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.	NEW ADD TO BOTH
1.3.5	In the case of Joint Executive Heads of Service, 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.	NEW ADD TO BOTH
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.	ADD TO WAVERLEY
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.	NEW ADD TO BOTH
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.	ADD TO WAVERLEY

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.	ADD TO WAVERLEY
<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.	ADD TO WAVERLEY
1.4.2 GBC12	All delegated functions shall be deemed to be exercised on behalf of and in the name of the Council.	ADD TO WAVERLEY
1.4.3 GBC 3(a)	The exercise of a delegated power shall be in accordance with the Council's policies and procedures.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY
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.	RETAIN
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.	RETAIN
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	NEW ADD TO BOTH
1.4.8	Any officer exercising a delegation shall do so having regard to Health and Safety requirements.	NEW ADD TO BOTH

1.4.9	Any officer exercising a delegation shall do so having regard to Equalities requirements and impact.	NEW ADD TO BOTH
1.4.10	Any officer exercising a delegation shall do so having regard to Data Protection requirements.	NEW ADD TO BOTH
1.4.11	Any officer exercising a delegation shall do so having regard to climate and environmental impact.	NEW ADD TO BOTH
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.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY
1.4.14 GBC7	Where the exercise of powers is subject to prior consultation with another officer, that officer may give his or her 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.	ADD TO WAVERLEY
1.4.15 GBC 11(e)	An officer exercising a delegation will routinely notify, and consult where appropriate, with local Ward councillors.	ADD TO WAVERLEY
1.4.16 GBC 10	Any officer to whom a delegation is given may waive his/her right to exercise the delegation and refer the matter to the original delegate for a decision or to the full	ADD TO WAVERLEY

	Council, Executive, Joint Executive, Individual Executive Member or relevant Committee, Joint Committee or Sub-Committee, as appropriate.	
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.	ADD TO WAVERLEY
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.	RETAIN
1.4.19	Any decision which could subject the Council to legal liability shall be taken in consultation with the JSD Legal & Democratic Services.	NEW
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 his urgency powers in 2.1.2. below</b>	ADD WORDS IN BLUE
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.	NEW
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.	NEW
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 his/her post.	NEW
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.	NEW

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.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY

<b>1.5</b>	<b>Sub-Delegations</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.	NEW
1.5.2 GBC 4 WBC 3.1	Where an officer is authorised to act under this Scheme, s/he may further delegate the authority to exercise a specific power to another officer.	RETAIN
1.5.3	Before making a sub-delegation, the delegating officer must give consider and be satisfied that the officer to whom he/she is sub-delegating is of an appropriate level bearing in mind the nature of the delegation.	NEW
1.5.4	Any such sub-delegation is subject to the existing consultation and limitation requirements, and further consultation requirements or limitations can be applied when sub delegating.	NEW
1.5.5 WBC 3.2	All sub delegations 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	RETAIN

GBC 4	days. The Monitoring Officer shall maintain a central register of sub-delegations which shall be available on the <b>Council's website</b> .	
1.5.6	No sub-delegations may be further delegated, unless there is express permission from the original delegating officer that the specific power can be delegated further. Such permission should be included in the written record of the sub delegation provided under paragraph 1.5.4 above. When deciding whether to permit further sub-delegation, the same consideration should be given as outlined in paragraph 1.5.2 above.	NEW
<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.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY
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.	ADD TO WAVERLEY
<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.	NEW
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	ADD TO WAVERLEY



	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.	
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<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.	ADD TO WAVERLEY
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.	RETAIN
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	ADD TO GUILDFORD

<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.	ADD TO GUILDFORD
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.	ADD TO GUILDFORD
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.	ADD TO GUILDFORD

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.			NEW
1.10.5	'The Council' shall mean Guildford Borough Council or Waverley Borough Council, as appropriate.			NEW
1.10.6 GBC 19	All matters of interpretation in respect of delegations to officers will be determined by the Monitoring Officer.			ADD TO WAVERLEY
1.10.7 GBC 18	All enquiries about this document should be made to the Democratic Services Manager / Democratic Services and Elections Manager.			ADD TO WAVERLEY
<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.			RETAIN

<p>2.1.2 GBC CEX 2, 3 WBC 4.1</p>	<p>To take Critical action on behalf of the Councils <b>(including Executive decisions)</b>.</p> <p>'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.</p>	<p>Where practicable, the Leader, or in their absence, the Deputy Leader, and Monitoring Officer.</p>	<p>A report on the use of urgency or emergency powers to be taken to the first available Executive 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.</p>	<p>RETAIN. Add words in blue</p>
<p>2.1.3 Contained in Pay Policy Statement WBC/GBC GBC HOPS 10</p>	<p>The approval of premature terminations, settlement agreements and Special Severance Payments up to £100,000 in accordance with the Pay Policy Statement</p>	<p>Leader</p>	<p>All posts below Joint Strategic Director</p>	<p>ADD TO WAVERLEY</p>
<p>2.1.4 WBC F1 GBC DF 48</p>	<p>To hear and determine appeals relating to applications to include properties in the List of Assets of Community Value</p>			<p>RETAIN MOVE TO JSD PLACE</p>
<p>2.1.5 GBC HOPS 36</p>	<p>To approve any interim senior officer appointments of up to <b>12</b> months, usually in the remit of the Joint Senior Staff Committee</p>	<p>Leader – Waverley Leader - Guildford</p>	<p>Subject to details of any such interim appointments being reported to</p>	<p>ADD TO WAVERLEY. INCREASE TO 12 MONTHS FROM</p>

			all members of the Joint Senior Staff Committee	CURRENT 6 MONTHS.
2.1.6 GBC HOPS4	To exercise all functions relating to Health & Safety relating to the Council's employees			REMOVE 'WORK PLACE' AND ADD WORDS IN BLUE. ADD TO WAVERLEY
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.			REMOVE AS CONFLICTS WITH MO RESPONSIBILITIES
2.1.8 GBC HOPS 6	To determine 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		IS THIS POSSIBLE FOR WAVERLEY – HOD TO ADVISE
2.1.9 GBC HOPS 35	To approve any HR policies	Portfolio Holder		ADD TO WAVERLEY
<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	Grant, review, renew and cancel authorisations under the Regulation of Investigatory Powers Act 2000 in		Authorising officers must have appropriate training	RETAIN

GBC HOL51 GBC DPO1, HORS34 WBC T8, T9	accordance with each Councils' surveillance policy.			
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.	NEW PROVISION ADD TO BOTH
<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.			NEW PROVISION – ADD TO BOTH
2.3.2 NEW	To be the Councils' lead officer responsible for Safeguarding matters			NEW PROVISION ADD TO BOTH
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	ADD TO WAVERLEY

2.3.4 GBC JSD CW3	To sell land and buildings held in the Housing Revenue Account 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 BLUE ADD TO WAVERLEY</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>	Leader Portfolio Holder JSD Finance		<b>Change the limit from £1M to £200,000 ADD TO WAVERLEY</b>

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.	ADD TO WAVERLEY
<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		RETAIN
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		Change to JSD Legal for Waverley full Council – Currently CEX
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.			ADD TO GUILDFORD
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	Group Leaders		RETAIN

	allowances, provided that all members shall be notified by email of such appointments.			
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.	THIS IS IN THE GBC CONSTITUTION BUT NOT SCHEME OF DELEGATION. MOVE TO SCHEME FOR CONSISTENCY
2.4.6 WBC T5	To convene, where necessary, an Independent Panel as provided for in the Officer Employment Procedure Rules.	Leader		ADD TO GUILDFORD – CURRENTLY ANY OFFICER
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.			REMOVE AS THIS IS A POLITICAL DECISION
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 (except in relation to Health & Safety at Work). 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			RETAIN



	<p>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> <p>g.</p>			
2.4.9 GBC HOL5	To appoint and instruct legal service providers including external Solicitors and Barristers.		Would require a change to the Contract Procedure Rules as exemption - WBC	ADD TO WAVERLEY
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.			ADD TO GUILDFORD
2.4.11 WBC A.4.1 GBC HOL4	To seal any document on behalf of the Council.			RETAIN
2.4.12 GBC HOL4	To sign any contract or other legal documents on behalf of the Council.		In accordance with the Contract Procedure Rules.	ADD TO WAVERLEY

2.4.13 WBC ANN 1 A2.1 GBC HOL3	To authorise the attendance of officers at Court under any statutory provision.			RETAIN
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.	ADD TO WAVERLEY
2.4.15 GBC HOPS 3	To make minor or consequential amendments to the Council's Constitution.			ALREADY IN WAVERLEY CONSTITUTION BUT MOVE TO SCHEME FOR CONSISTENCY
2.4.16 WBC D.2 GBC MO7	To grant dispensations in respect of Disclosable Pecuniary Interests in accordance with the Localism Act 2011 .			RETAIN
2.4.17 WBC D3 GBC MO6	To appoint members to the Hearing Panel from the membership of the Standards Committee.			RETAIN
2.4.18 GBC Gen17	To authorise the attendance of councillors <del>and officers</del> at conferences, courses and seminars.			REMOVE REFERENCE TO OFFICERS. ADD TO WAVERLEY
2.4.19 GBC HOL3 15	To approve the timetable of Council & Committee meetings	In consultation with Group Leaders		ADD TO WAVERLEY
2.4.20 GBC DEMSEV1	In connection with the Licensing Act 2003 and Gambling Act 2005:  (a) to agree to dispense with a Licensing Sub-Committee hearing			ADD TO WAVERLEY

	<p>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	ADD TO WAVERLEY
<b>2.5</b>	<b>JSD - Finance</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.			ADD TO WAVERLEY
Duplication of GBC RevBen7	To make payments of Housing Benefit and Council Tax Support or similar benefits			REMOVE - DUPLICATION

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>			ADD WORDS IN BLUE
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.			RETAIN
2.5.4 NEW	To serve on the Valuation Officer notice of objection to any proposals for alteration of the Valuation List.			NEW – ADD TO BOTH
2.5.5 NEW	To make proposals for the alteration of the Valuation List or for inclusion of particular properties in the Valuation List.			NEW – ADD TO BOTH
2.5.6 NEW	To sign off Valuation Agreements.			NEW – ADD TO BOTH
2.5.7 WBC Delegation S3	To approve spending from the Insurance Fund on individual projects or a group of related projects or a group of related items up to a maximum of £20,000.			IS THERE AN INSURANCE FUND AT GUILDFORD?
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)			ADD TO GUILDFORD

	(b) Local Government (Miscellaneous Provisions) Act 1976 (dangerous trees and restoration of supplies).			
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.			HEAD OF PLANNING DEV HAS DELEGATION AT GUILDFORD. PROPOSE MOVE TO DIRECTOR OF FINANCE FOR BOTH
2.5.10 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		PROPOSE MOVE TO JSD PLACE
2.5.11 GBC FD16	To set the Council Tax base			ADD TO WAVERLEY
2.5.12 GBC DF 19	To determine the rents for caretakers' accommodation each year in line with the annual salary award.			IS THIS STILL APPLICABLE
2.5.13 GBC DF20	To raise in line with inflation any financial limits specified in delegations to officers, Procurement Procedure Rules or Financial Procedure Rules			ADD TO WAVERLEY
2.5.14 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			ADD TO WAVERLEY

	arrangements with a creditor or debtor for payment to be made by instalments or other arrangements			
2.5.15 GBC DF10	To agree the treatment of any year-end balance.	Leader Portfolio Holder		ADD TO WAVERLEY
2.5.16 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		ADD TO WAVERLEY
2.5.17 GBC DF26	To approve revised criteria and operational arrangements for the Concurrent Functions Grant Aid Scheme.	Portfolio Holder		REMOVE AS BEING PHASED OUT IN GUILDFORD
2.5.18 GBC LSF9	To determine the local average interest rates for local authority mortgages.			ADD TO WAVERLEY
2.5.19 GBC LSF14, 15	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	ADD TO WAVERLEY
2.5.20 GBC DOF13	To take any action relating to borrowing in accordance with the Council's borrowing strategy.	Portfolio Holder		ADD TO WAVERLEY
2.5. 21	To borrow by way of bank overdraft from the Council's current bankers subject to annual review by the bank	Portfolio Holder		NEW

2.5.22 GBC DOF13	To invest available funds on appropriate terms and in accordance with the Council's investment strategy.			ADD TO WAVERLEY
2.5.23	To make repayments to the Surrey County Council Pension Fund from those reserves earmarked for pensions contributions.			NEW
2.5.24 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.			ADD TO WAVERLEY
2.5.25 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	ADD TO GUILDFORD
2.5.26 GBC LSRB6	To consult non-domestic rate payers in accordance with the National Non-Domestic Rates Rate Payers (Consultation) Regulations			ADD TO WAVERLEY

2.5.27 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		ADD TO WAVERLEY
<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	ADD TO WAVERLEY
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		IN LEGAL DELEGATION FOR GUILDFORD. PROPOSE MOVE TO JSD PLACE ADD TO WAVERLEY
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  Currently in Legal delegation	Relevant consents must be obtained	IN LEGAL DELEGATION FOR GUILDFORD. PROPOSE MOVE TO JSD PLACE ADD TO WAVERLEY



2.6.4 GBC JSDP1	To approve strategic and/or operational property acquisitions within the Councils agreed policies up to £200k in value.	Head of Assets JSD - Finance Portfolio Holder		LIMIT TO £200K ADD TO WAVERLEY
2.6.5 GBC JSDP3	To dispose of 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	LIMIT TO £200K ADD TO WAVERLEY
2.6.6 GBC JSDP4, 5	To authorise purchases of non-HRA land and buildings up to £200k where budget provision exists in the approved general fund capital programme.	Portfolio Holder JSD Finance		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.			ADD TO BOTH FOR CLARITY
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		ADD TO BOTH AS THEY EXIST IN POCKETS
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)		ADD TO WAVERLEY
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		

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).	NEW ADD TO BOTH (ALLOWS FUNCTIONS TO BE TRADED).
2.8.6 GBC Gen11	To carry out minor development for which planning permission is not required.	Head of Planning Dev		ADD TO WAVERLEY
	<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 Standing Orders, JSD Finance and JSD - Legal & Democratic Services	In accordance with Contract Standing Orders	NEW ADD TO BOTH
	<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	NEW ADD TO BOTH

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		RETAIN
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.	Portfolio Holder Head of Assets	In accordance with the Financial Procedure Rules	
	<b>Land</b>			
2.8.15	To manage land, property and other assets allocated to the functions for which they are responsible.			NEW
	<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		ADD TO WAVERLEY
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		ADD TO WAVERLEY
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.	<b>RETAIN MOVE FROM HEAD OF PAID SERVICE TO ALL JOINT SENIOR MANAGERS</b>
2.8.25	To approve the attendance of officers on courses, seminars and other training events		Subject to budget availability	<b>NEW ADD TO BOTH</b>

## 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.			<b>RETAIN</b>
3.1.4 NEW	To determine and where appropriate give consent for alterations or			<b>NEW ADD TO BOTH</b>



	extensions to former Council houses and flats.			
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 Head of Assets		ADD TO WAVERLEY
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			ADD TO WAVERLEY
3.1.9 GBC HOH10, 7, 12	To take any action in respect of right to buy under the Housing Acts	JSD Legal & Democratic Services		ADD TO WAVERLEY
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 redirection 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.  It must be in the public interest. It must be a first offence. To exclude the administration of the caution.	ADD TO GUILDFORD
3.2.4 WBC K2	To agree service level agreements with voluntary organisations <b>and</b>	Portfolio Holder (GBH) Grants Panel (WBC)		ADD WORDS IN BLUE ADD TO GUILDFORD

	<b>take any action under the agreements</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		RETAIN
3.2.7 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.		Currently delegation given to E. Services, Reg Services, Housing Services, Planning Dev. Community Services.	ADD TO GUILDFORD
3.2.8 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
3.2.9 GBC HComS1, 4	To approve expenditure from the Project Aspire Reserve & Community Centres Reserve (GBC only)			GUILDFORD ONLY

3.2.10 GBC HComS10	To administer a crowdfunding platform, including determining the detailed eligibility criteria for voluntary and community organisations (GBC only)				GUILDFORD ONLY
3.2.11 GBC HORS	To make orders relating to Public Spaces Protection Order in accordance with the Anti-social Behaviour, Crime and Policing Act 2014.				ADD TO WAVERLEY
3.2.12	To make decisions to allocate plots and carry out general management of Council owned gypsy and traveller sites				
3.2.13 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
3.3.5 NEW	To issue fixed penalty notices upon commercial traders for unlawful management of commercial waste				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		

	<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	Head of 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 Head of Planning Development	WITHIN ENV. SERVICES DELEGATION AT GBC		MOVE TO REGULATORY SERVICES FROM ENV. SERVICES (GBC) ADD TO WAVERLEY
3.3.16 NEW	To approve non animal related Circuses			NEW ADD TO BOTH	
3.3.17 NEW	All matters related to the Council's powers and duties in relation to rivers			NEW ADD TO BOTH	

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			ADD TO WAVERLEY	
<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 Joint Executive Head of 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</p>		<p>ADD WORDS IN BLUE RETAIN</p>
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	<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>the Joint Executive Head of 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>		
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			7. Any planning application which is required to be referred to the Secretary of State.		
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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, <b>unless they are for 'major' development within the meaning of the T&amp;CP (General Development Procedure) Order (other than those where the proposed amendment is minor or non-material).</b>	In respect of Neighbourhood Plans, in consultation with Portfolio Holder and Ward Member	Replace 'Not to determine if the Ward Member disagrees' with <b>To report the matter to the Planning Committee if the Ward Member disagrees with the proposed response to the Consultation</b>	<b>RETAIN</b> <b>ADD WORDS IN BLUE</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</b> <b>ADD WORDS IN BLUE</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 HOL6	To negotiate and enter into or vary planning or other agreements		Not where the determining body for any associated		RETAIN MOVE TO HEAD OF PLANNING FROM LEGAL

	regulating or controlling the use of development of land		planning application is a committee.		DELETE WORDS IN BLUE
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.		RETAIN MOVE FROM LEGAL TO PLANNING DEVELOPMENT
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.				RETAIN
3.4.13	To determine applications under the Local Government (Miscellaneous Provisions) Acts 1982 Section 37 in respect of Temporary Markets.				NEW ADD TO BOTH
3.4.14 WBC L3 & O1(L)(M)(P)(Q)(R). THIS WAS ALSO	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	Ward Member Chair of Planning Committee	Not to confirm or revoke if there are any objections.		RETAIN MOVE TO PLANNING DEVELOPMENT

<p>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>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>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>				RETAIN
<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>				RETAIN
<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>				RETAIN
<p>3.4.17 WBC DELEGATION O2(Z)</p>	<p>To make and confirm Article 4 Directions where there are no objections.</p>				RETAIN

GBC HOPD12					
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				ADD TO GUILDFORD



	Policy functions in accordance with adopted policies and relevant legislation.				
3.5.2 WBC P2 & P3	All matters relating to the naming and numbering of streets.	Portfolio Holder and Ward Councillors			ADD TO GUILDFORD
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 2015 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, and assess 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		<b>Who makes the decision – this isn't clear?</b>		ADD TO WAVERLEY

	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.		For what purpose?		ADD TO WAVERLEY
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 nationally or 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, inconsequential and administrative amendments to the	Head of Paid Service JSDs & Assistant Directors	Within approved budgets		ADD TO WAVERLEY

	Councils' Human Resources Policies & Car Leasing Scheme				
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
<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	<p>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 of the following:</p> <ul style="list-style-type: none"> <li>A. Pollution control, <b>Drainage &amp; Sanitation, Filthy &amp; Verminous Premises, Wholesome Water Supplies</b></li> <li>B. Controlled waste</li> <li>C. Air pollution control and clean air</li> <li>D. Smoke free premises</li> <li>E. <b>Stray</b>, Dangerous and/or Out of Control dogs</li> <li>F. Authorisations in relation to controlled processes</li> <li>G. Noise nuisance</li> <li>H. Contaminated land</li> </ul>				RETAIN ADD WORDS IN BLUE

	<ul style="list-style-type: none"> <li>I. Statutory nuisance</li> <li>J. Litter</li> <li>K. Dog fouling <b>and other dog controls</b></li> <li>L. Graffiti removal</li> <li>M. Abandoned vehicles and other refuse</li> <li>N. Prevention of crime and disorder, <b>including anti-social behaviour</b></li> <li>O. Drug and alcohol abuse/misuse of substances</li> <li>P. Food safety</li> <li>Q. Health &amp; Safety</li> <li>R. Pest Control</li> <li>S. <b>Sunday Trading</b></li> <li>T. <b>Unauthorised encampments</b></li> <li>U. <b>Public Health funerals</b></li> <li>T. <b>Control of infectious diseases</b></li> </ul>				
<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 environmental protection functions in accordance with any legislation and/or any adopted policy(ies) of the Council in respect of the following:</p> <ul style="list-style-type: none"> <li>A. Personal, premises, club premises licences and Temporary Event Notices</li> <li>B. Hackney carriage drivers and vehicles, and private hire drivers, vehicles and operators (except any</li> </ul>		<p>Not to make decisions in respect of the following:</p> <ul style="list-style-type: none"> <li>a) approval of and amendments to the Statement of Licensing Policy and the Gambling Policy which are reserved to Council;</li> <li>b) approval and amendments to policies relating to functions under the</li> </ul>		<p><b>RETAIN ADD HACKNEY CARRIAGE FEES FOR WAVERLEY (CURRENTLY EXECUTIVE FUNCTION)</b></p>

	<p>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>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 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</p>		
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			Licensing and Regulatory Committee; (f) all applications and appeals reserved to the Licensing Sub Committee (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 & Regulatory Committee		
3.7.3 WBC Q5 GBC LS8	To exercise the Council's powers relating to temporary road closures.				RETAIN BUT MOVE 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 BLUE
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				ADD TO GUILDFORD



	Carriage and Private Hire licensing legislation.				
3.7.7 NEW	To approve non animal related Circuses				ADD TO BOTH
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			MOVE TO REG. SERVICES 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	Ward Councillors			DELETE

	under the Goods Vehicles (Licensing of Operators) Act 1995; and (b) reviews undertaken of existing licences.				
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				ADD TO GUILDFORD

	of dwellings as a formal Land Charge.				
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
<b>3.8</b>	<b>Assistant Director – Assets &amp; Property</b>				
3.8.1 MODIFIED TO FIT WBC GBC HoA2	To manage the improvement, refurbishment and maintenance of the Council's non-housing property portfolio not specifically the responsibility of other officers.	Leader or Portfolio Holder	Not to agree expenditure from the Repairs & Maintenance Fund in excess of £20k		RETAIN
3.8.2 GBC HoA1	To undertake all actions in relation to the administration of the Councils estate and property portfolio including appropriation <b>where the value of land is less than £200K</b>				ADD WORDS IN BLUE LIMIT VALUE OF APPROPRIATION TO £200K ADD TO WAVERLEY

<p>3.8.3 WBC N14 GBC HoA3, 15, 18</p>	<p>To acquire and dispose of land in connection with the Council's functions and to grant leases, easements, licences, consents and wayleaves of, in, or over buildings or land in connection with the Council's functions, in accordance with Council policies.</p>	<p>Portfolio Holder JSD Finance</p>	<p>Acquisition and disposal of land is only authorised where the value is £200,000 or less 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</p>		<p>RETAIN LIMIT TO £200k</p>
<p>3.8.4 GBC25 – sits with Head of Housing</p>	<p>To acquire property or land in connection with the Council's housing function, for the purpose of providing emergency and temporary accommodation.</p>	<p>Portfolio Holder JSD Community Wellbeing JSD Finance</p>	<p>Within agreed budget provided that a business case is agreed</p>		<p>MOVE FROM HOUSING TO ASSETS (GBC) BUSINESS CASE NEEDED JSD FINANCE TO BE CONSULTED ADD TO WAVERLEY</p>
<p>3.8.5 GBC HOA19</p>	<p>To exercise the Council's powers affecting the design or maintenance of highways</p>		<p>Is this a County function?</p>		<p>ADD TO WAVERLEY</p>

<p>3.8.6 GBC HOA4</p>	<p>In relation to premises leased or licensed to others:</p> <p>(a) to approve revisions in rent;</p> <p>(b) to agree variations in the terms of covenants;</p> <p>(c) to approve, as landlord, proposals for new building works and alterations (except in relation to land and premises held in the Housing Revenue Account).</p> <p>(d) to approve uses of buildings and land by tenants and licensees.</p> <p>(e) to approve proposals for 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>Portfolio Holder JSD Finance</p>			<p>ADD TO WAVERLEY</p>
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	<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>				
3.8.7 GBC HOA5	<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>(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>	Portfolio Holder JSD Place JSD Finance			MOVE TO WAVERLEY
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			MOVE TO WAVERLEY
3.8.9 GBC HOA7	To agree the terms for the variation of restrictive covenants	Portfolio Holder			MOVE TO WAVERLEY

3.8.10 GBC HOA9	To determine applications for agreements in respect of access of light and air.				MOVE TO WAVERLEY
3.8.11 GBC HOA10	To determine the siting of advertisement boards for Council-owned commercial or industrial premises.				MOVE TO WAVERLEY
3.8.12 GBC HOA12	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.		MOVE TO WAVERLEY
3.8.13 GBC HOA13	To perform all functions of the Council as landowner in respect of its responsibilities and powers under the Party Wall Act 1996..		Not in respect of HRA land		MOVE TO WAVERLEY
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.		Does this mean the provision of services to others?		MOVE TO WAVERLEY
3.8.15 GBC HOA19	To determine all matters relating to the siting of bus shelters, bus stops, seats and other street furniture.	Head of Planning Development	County function?		MOVE TO WAVERLEY
3.8.16 WBC N11	To agree changes to the cost of supplying gas and electricity services	Leader Portfolio holder	CPR?		MOVE TO GUILDFORD

	in accordance with the terms of the service supply contract.				
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>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 require the Council to part-fund from the Drainage Reserve		<b>MOVE 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 time of deposit.				<b>RETAIN</b>



<p>3.9.3 WBC R.6, R.7 GBC HCS9, 11,12, 15</p>	<p>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:</p> <ul style="list-style-type: none"> <li>i. Highways Act 1980</li> <li>ii. Road Traffic Regulation Act 1984</li> <li>iii. Road Traffic Regulation Act 1991</li> <li>iv. Traffic Management Act 2004</li> </ul>	<p>Portfolio Holder in respect of charges</p>	<ul style="list-style-type: none"> <li>i. The adoption of and amendments to the Council's Car Parking Strategy;</li> <li>ii. The setting of off-street car parking charges other than for a limited period for the promotion of the town &amp; support to business</li> </ul>		<p><b>RETAIN</b></p>
<p>3.9.4 WBC R1</p>	<p>To adjust Building Control charges appropriately to ensure income will cover the cost of the chargeable service</p>	<p>Relevant Portfolio Holders</p>			<p><b>RETAIN</b></p>
<p>3.9.5 GBC HCS1</p>	<p>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.</p>	<p>Relevant Portfolio Holder Strategic Director - Finance</p>			<p><b>RETAIN – GUILDFORD ONLY</b></p>

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				<b>MOVE TO HEAD OF ASSETS IN CONSULTATION WITH HEAD OF COMMERCIAL ADD TO WAVERLEY</b>
3.9.8 GBC HCS6,	To manage, operate and hire all relevant Council facilities including setting fees				<b>ADD TO WAVERLEY</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	<b>In accordance with agreed policies and with the agreement of Surrey County Council</b>		<b>ADD TO WAVERLEY</b>

3.9.12 GBC HCS17	To manage and operate markets		<b>Within agreed policies</b>		<b>ADD TO WAVERLEY</b>
3.9.13 GBC HCS20	To consider objections to proposed amendments to the off-street parking order.	Portfolio Holder	What are you going to do after you have considered them?		<b>ADD TO WAVERLEY</b>
3.9.14 GBC HCS21, 22	To determine applications to hold events in parks, open spaces and recreational facilities including on behalf of a parish council		<b>Subject to all necessary consents being in place</b>		<b>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>
3.9.16 GBC HCS33	To decide whether to agree any requests for filming on the Council's property				<b>ADD TO WAVERLEY</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>				<b>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)		NEW ADD TO BOTH
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> or 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	REMOVE BLUE WORDS - MALADMINISTRATION MUST GO TO MEMBERS. ADD TO WAVERLEY