

**PART 4**

**RESPONSIBILITY FOR FUNCTIONS  
OFFICERS**

**Scheme of Delegation to Officers**



## **SCHEME OF DELEGATION TO OFFICERS AND APPOINTMENT OF PROPER OFFICERS**

### **1. GENERAL PRINCIPLES**

- 1.1 This scheme of delegation covers both executive and non-executive functions and is subject to the 'cascade' principle and, unless excluded by statute, bestows the power for the Chief Officers [the Chief Executive/Head of Paid Service, Director of Corporate Resources (Monitoring Officer) and Director of Regeneration and Neighbourhood Services [and any other Directors] and the Deputy Chief Officers (the "Heads of Service") to further delegate in writing all or any of these delegated powers to other officers (described by post title) either fully or in part and subject to such limitations as considered reasonable by the delegating officer. Any such delegation must be evidenced in writing, dated and signed by the officer delegating the authority, with a copy supplied to the Monitoring Officer. The officer delegating the function remains responsible for ensuring that delegated decisions are properly taken by sufficiently senior and experienced officers and for the decisions taken.
- 1.2 Where a function has been delegated to an Officer (including where sub-delegated through the cascade principle), the person or body making the delegation may at any time assume responsibility for the function and may therefore exercise the function despite the delegation.
- 1.3 Where officers are authorised to exercise any of the functions of the Head of Paid Service or Chief Officers, through the 'cascade' principle referred to in paragraph 1.1, to ensure that the Monitoring Officer is notified of the function which is subject to onward delegation.
- 1.4 Delegations relate to all provisions for the time being in force under any applicable legislation and cover executive, non-executive and local choice functions of the Council and all powers and duties incidental to that legislation, as well as authorising entering into contracts or deeds and affixing the common seal in pursuance of those decisions and entering on land or premises.
- 1.5 To act on behalf of the Council in cases of urgency in the discharge of any function of the Council for which his/her Directorate or Service has responsibility, other than those functions which by law can be discharged only by the Council or a specific Committee. Any action taken under this power shall be reported to the Cabinet, the appropriate Cabinet Member or the appropriate Committee. Any urgent action which is to be taken shall take account of advice of the Monitoring Officer, the Section 151 Officer and legal advice and be exercised in consultation with the appropriate Cabinet Member or the Chairman of the appropriate Committee.
- 1.6 It does not delegate to officers:
  - 1.6.1 Any matter which by law may not be delegated to an officer;
  - 1.6.2 Any matter which is specifically excluded from delegation by this scheme, by a decision of the Council, the Cabinet/Executive or a Committee or Sub-Committee.
- 1.7 Any delegation must be exercised:
  - 1.7.1 In compliance with the Council's Procedure Rules, Contract Procedure Rules and Financial Regulations, Employment Procedure Rules and the Pay Policy Statement approved annually;
  - 1.7.2 In accordance with the decision-making requirements set out in Article 13, including requirements for decision-records and access to information;

- 1.7.3 Having identified and managed appropriate strategic and operational risks within the Director/Head of Service area of responsibility as set out in the Council's risk management strategy;
  - 1.7.4 Within the approved budget and policy framework approved by the Council from time to time (or separate approval must be sought);
  - 1.7.5 Following any appropriate legislative, regulatory, consultation, equalities or procedural requirements that may be required.
- 1.8 An officer, in exercising delegated powers, shall consult other appropriate officers including legal, financial and technical officers and shall have regard to any advice received.

**2. DELEGATIONS TO THE HEAD OF PAID SERVICE, ALL CHIEF OFFICERS AND DEPUTY CHIEF OFFICERS**

- 2.1 To incur revenue expenditure within estimates subject to prior consultation with the Cabinet Member as appropriate where the proposed expenditure is in respect of any new purpose or project or in pursuance of a new policy or extension of an existing policy involving a continuing financial commitment.
- 2.2 To incur capital expenditure provided that the project is included in the approved Capital Programme.
- 2.3 Subject to the approval of the Section 151 Officer to vire between heads of expenditure amounts not exceeding £50,000.
- 2.4 To invite and accept tenders and quotations in accordance with Contract Procedure Rules, approve exceptions to the use of the Council's standard terms and conditions of contract and to determine matters relating to the community right to challenge.
- 2.5 To dispose of obsolete goods, stock, equipment, plant or vehicles where the estimated value does not exceed £10,000, in consultation with the Director of Corporate Resources and the Head of Finance and Property.
- 2.6 To sign contracts provided:
  - 2.6.1 the contract does not exceed £250,000; and
  - 2.6.2 the Council's Scheme of Delegations has not been exceeded; and
  - 2.6.3 the Council Solicitor has approved the form of contract as appropriate for the type of contract concerned; and
  - 2.6.4 notification of the exercise of the delegation is given to the Monitoring Officer and in such form and with such information as s/he may require.
- 2.7 To approve Local Government (Contracts) Act 1997 certificates, contract variations and exercise other contractual rights under contracts, signing agreements or documents giving a legal interest in land, re-financing arrangements, in consultation with the Section 151 Officer or in his/her absence the Deputy Section 151 Officer.

- 2.8 In consultation with the Head of People and Culture, to deal with all staffing and human resources matters (within agreed terms and conditions of employment, Human Resource policies and procedures) affecting Directorate staff including:
- 2.8.1 Appointing employees to posts within the approved establishment below JNC level;
  - 2.8.2 Suspending employees, taking disciplinary action (including dismissal) against them in accordance with approved procedures;
  - 2.8.3 Approving early retirements, voluntary redundancy and decisions about resignation of staff, appointment of consultants, subject to agreement with the Councils Section 151 Officer and to a quarterly report being submitted to the relevant cabinet member on such matters;
  - 2.8.4 Appointment of students, trainees and apprentices in accordance with arrangements approved by the HR Services Manager and where appropriate subject to the provision of an indemnity from the sponsor;
  - 2.8.5 Changing the establishment and approving the establishment of additional posts if there are no net additional costs; the deletion of posts; and the granting of honoraria and onerous duty payments;
  - 2.8.6 Approving changes to job descriptions and job titles
  - 2.8.7 Training and development, granting special leave, secondment of staff, unpaid leave, approval of expenses and pay progression, in accordance with the laid down policies of the Council
- 2.9 In respect of functions exercisable through their service, the appointment or authorisation of officers as appropriate to enforce and investigate contraventions of legislation and to exercise the relevant powers of entry, powers of inspection, examination, seizure or removal.
- 2.10 To authorise the issue of and serve any statutory and non-statutory notices including dealing with appeals and issuing proceedings relevant to the matters set out in this scheme of delegation as applicable.
- 2.11 To issue cautions under statutory powers, to act under public protection legislation, to examine and seize food or any other articles, things or matter, and to remove persons from all Council premises.
- 2.12 To serve any notice or requisition for information under any act requiring the owner or occupier of or any person having an interest in or managing any land or premises to give information to the local authority.
- 2.13 To represent the Council on partnerships and other bodies and undertake functions delegated to them by Joint Committees or other local authorities or public bodies.
- 2.14 To issue statements to the press and other media concerning the functions delegated to them (including any associated financial implications).
- 2.15 To respond to any Government consultations concerning the functions delegated to them.
- 2.16 In consultation with the Head of Paid Service to develop and implement transformational programmes of activity in the functions delegated so as to realise outcomes in the priority areas for the Council.

- 2.17 To discharge any other functions assigned to them at the discretion of the Head of Paid Service and exercise discretion in connection with any approved policy of the Council.
- 2.18 To ensure that there is a constructive relationship between the Council and local and national media.

**3. DELEGATIONS TO THE CHIEF EXECUTIVE (THE HEAD OF PAID SERVICE)**

- 3.1 To be Head of Paid Service.
- 3.2 To be Returning Officer for any constituency or part of a constituency coterminous with or contained in the District; for elections of Councillors for the District; for parishes within the District and any other elections or referenda. To exercise all elections and electoral registration functions not otherwise allocated. This includes the following:
  - 3.2.1 to pay expenses properly incurred by the electoral registration officer;
  - 3.2.2 to deal with nominations and vacancies in relation to a parish council;
  - 3.2.3 to make decisions about polling stations;
  - 3.2.4 to be the lead officer for contact with the Electoral Commission.
- 3.3 To take any action necessary in connection with an emergency, disaster or business interruption in the District including authorising expenditure.
- 3.4 To exercise overall responsibility for corporate Health and Safety.
- 3.5 To exercise any executive functions where the Council does not have a Leader and Deputy Leader in office.
- 3.6 To deal with such other decisions, at the discretion of the Head of Paid Service, that s/he considers need to be taken immediately.
- 3.7 To exercise a power delegated to any officer when that officer is unable or unwilling to act unless prohibited by law.
- 3.8 To determine authorisations for surveillance undertaken under the Regulation of Investigatory Powers Act 2000 including the acquisition of confidential information and the deployment of a juvenile or vulnerable covert human intelligence source.
- 3.9 In consultation with the Leader of the Council to commission and accept fact finding documents.
- 3.10 In consultation with the Leader of the Council to approve on behalf of Council, on an annual basis, the Council's schedule of appointments to outside bodies.
- 3.11 To lead on planning and strategic management to ensure a coordinated approach to commissioning and service delivery across the Council.
- 3.12 To keep under constant review opportunities to partner with external bodies.

- 3.13 To keep under constant review the needs of Bassetlaw in relation to all the services provided by the Council and to take such action which in his/her judgement is necessary to ensure that those needs are met within the framework of any policies made by the Council.
- 3.14 Where agreed with either the Council Leader, the Deputy Leader or relevant cabinet member, and having received appropriate legal advice, to settle, defend withdraw compromise or otherwise deal with planning appeals on behalf of the Council in cases where such action is necessary to protect the Council's interests (including financial interests).

**4. DELEGATIONS TO DIRECTOR OF CORPORATE RESOURCES AND SECTION 151 OFFICER**

- 4.1 To ensure that the statutory role of Chief Financial Officer (Section 151 officer) is discharged appropriately.
- 4.2 Responsibility for the proper administration of the Council's financial affairs and the accounting arrangements of the Council, including (but not limited to) the following:
  - 4.2.1 All officer decisions on borrowing, investment or financing in accordance with the approved Treasury Policy Statement;
  - 4.2.2 The investment of the Council's funds in accordance with such policy as the Council may from time to time approve and with a view to achieving such enhanced returns as is consistent with security and liquidity;
  - 4.2.3 To adjust where necessary the authorised and operational limits agreed each year for external debt, and to effect movement between the separately agreed figures for borrowing and long-term liabilities. Any such changes to be reported to the Council at its next meeting following the change;
  - 4.2.4 Management of the Collection Fund, General and other Funds and accounts and the disbursement of monies therefrom;
  - 4.2.5 Raising of finance including leasing of vehicles, plant and equipment where the acquisition of the item concerned has all necessary approvals;
  - 4.2.6 Administration of Housing Benefits, and Council Tax Benefits and recovery including Business Rates (NNDR) and to write off sums outstanding in respect thereof as irrecoverable;
  - 4.2.7 The grant of rate relief to charities within principles laid down by the Council;
  - 4.2.8 To write off all types of debtor accounts up to £5,000 for any one debtor;
  - 4.2.9 To make mortgage advances to applicants fulfilling conditions set by the Council;
  - 4.2.10 Approve any individual loan or loan scheme;
  - 4.2.11 Make applications for funding, receive grants and act as accountable officer;
  - 4.2.12 Facilities Management and Asset Management including asset realisation.
- 4.3 To advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

Contributing to the promotion and maintenance of high standards of conduct through provision of support, advice and training to the Audit and Governance Committee-

- 4.4 To determine authorisations for surveillance undertaken under the Regulation of Investigatory Powers Act 2000 including the acquisition of confidential information and the deployment of a juvenile or vulnerable covert human intelligence source.
- 4.5 To exercise functions relating to community governance reviews; boundary changes and governance reviews.
- 4.6 To advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.
- 4.7 To sign or execute on behalf of the Council any pleading, information, complaint, contract, transfer, lease, licence, agreement, grant application, agreement, notice, order or such other document which requires to be signed or executed pursuant to any Officer delegations, or other authority from the Council, unless some other person has been given authority to sign or execute such document.
- 4.8 To make a recommendation to the Council Solicitor to serve, publicise or advertise any notice, application or order, statutory or otherwise
- 4.9 To authorise officers of the Council to prosecute or defend proceedings in the civil and criminal courts.
- 4.10 To attest the affixing of the Common Seal of the Council to any legal document required to be executed under seal and to authorise other Senior Officers to attest the Common Seal as required from time to time.
- 4.11 To take action to recover any debts owed to the Council including the initiation of bankruptcy or liquidation proceedings or insolvency claims.
- 4.12 To sign certificates under the Local Government (Contracts) Act 1997.
- 4.13 To exercise the Councils functions in respect of the allocation of car parking spaces.
- 4.14 To exercise the Councils functions in respect of ICT functions.
- 4.15 To formally represent the Council's interests as the shareholder in any companies in which the Council has a shareholder interest.
- 4.16 To deputise for the Head of Paid Service, as required.

**5. DELEGATIONS TO HEAD OF CORPORATE SERVICES**

- 5.1 The maintenance of the Land Charges Register and the response to Local Searches.
- 5.2 The functions of the Council relating to anti-social behaviour, harassment and community protection including public spaces protection orders.
- 5.3 To discharge the Council's functions in respect of street naming and numbering.



- 5.4 To discharge all functions relating to Parliamentary, Local and European elections, Police and Crime Commissioner elections, national and local Referendums.
  - 5.5 To discharge all the functions and statutory responsibilities in respect of the democratic services and member support functions of the Council including the proper and lawful arrangements for meetings and the distribution of agendas and fulfilment of the Council's Scrutiny arrangements.
  - 5.6 Deciding priorities and directing resources in respect of the Council's duties and responsibilities in respect of communications, press, public engagement and public consultation.
  - 5.7 The Council's responsibilities in respect of Customer Services functions.
  - 5.8 To discharge functions in respect of the Council's IT systems including the IT Continuity Plan in a major incident or civil emergency and take action including shutdown IT services to minimize impact or allow recovery actions to proceed.
  - 5.9 To discharge functions relation to Freedom of Information, requests for information under the Environmental Information Regulations 2004 and Data Protection.
  - 5.10 In conjunction with the Head of Finance and Property to deal with matters relating to civic and ceremonial functions, twinning arrangements and Chairman's hospitality.
- 6. DELEGATIONS TO COUNCIL SOLICITOR AND MONITORING OFFICER**
- 6.1 To be the Council's designated Monitoring Officer and discharge Monitoring Officer functions set out in the Localism Act 2011, the Local Government Act 2000, the Local Government and Housing Act 1989 and elsewhere, including:
    - 6.1.1 Maintaining an up-to-date version of the Constitution, keeping it under review and ensuring that it is widely available for consultation by Members, officers and the public, including authority to amend the Constitution to reflect re-organisations, changes in job titles/vacancies minor legislative changes or requirements and to correct any typographical errors or inconsistencies subsequently identified;
    - 6.1.2 After consulting with the Head of Paid Service and S151 Officer, the Monitoring Officer reporting to the Full Council, or to the Executive in relation to an Executive function, if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
  - 6.2 In consultation with the Head of People and Culture, appoint a deputy for and support the Monitoring Officer to ensure that the statutory role of Monitoring Officer is discharged appropriately.
  - 6.3 To lead on strong corporate governance and information management, ensuring that the transparency agenda is maintained and that the Council is open and accountable in accordance with legislative requirements; and responsibility for cross Council business transformation, performance, outcome based accountability, strategic planning and commissioning.
  - 6.4 To receive complaints about member conduct (including Town and Parish Council members) determining whether local resolution is appropriate and/or authorising or carrying out

investigations; making appropriate reports relating to member conduct and alleged breaches of the Members' Code of Conduct under the Standards arrangements adopted by the Council from time to time, including determining sanctions where an investigation does not proceed to a standards hearing.

- 6.5 Granting dispensations to members on the grounds set out in sub-sections (a) and (d) of Section 33(2) of the Localism Act, 2011.
- 6.6 Establishing and maintaining the register of members' and co-opted members' interests pursuant to section 29 of the Localism Act 2011 and to consider and decide upon sensitive interests pursuant to section 32 of the Localism Act 2011.
- 6.7 To maintain a record of delegations exercised by officers in respect of specific Council functions in cases where Chief Officers have given an onward delegation through the cascade principle referred to in section 1.1 of Part 4.
- 6.8 To institute, settle, defend withdraw compromise or otherwise deal with claims, injunctions, seeking orders or legal proceedings on behalf of the Council in cases where such action is necessary to give effect to decisions of the Council or in any case where the officer considers that that action is necessary to protect the Council's interests, following consultation with a Director.
- 6.9 To authorise Officers of the Council to prosecute or defend proceedings in the civil and criminal courts.
- 6.10 To serve, publicise or advertise any notice, application or order, statutory or otherwise, following a recommendation from a Director and take any steps incidental to completing or obtaining the confirmation of any notice, application, order or other proceedings made by or against the Council.
- 6.11 To sign or execute on behalf of the Council any pleading, information, complaint, contract, transfer, lease, licence, agreement, grant application, agreement, notice, order or such other document which requires to be signed or executed pursuant to any Officer delegations, or other authority from the Council, unless some other person has been given authority to sign or execute such document.
- 6.12 To sign certificates under the Local Government (Contracts) Act 1997.
- 6.13 To set charges in relation to the provision of information or copy documents.
- 6.14 On the recommendation of the Director of Regeneration and Neighbourhoods or the Head of Planning and Place to accept or reject blight notices in respect of planning or highway proposals and recover unclaimed compensation (from CPO's or otherwise).
- 6.15 To authorise enforcement action on behalf of the Council including action in respect of licensing and planning matters.
- 6.16 To certify the date when evidence came to the Council's notice for the purpose of health and safety at work and corporate manslaughter or other prosecutions and civil action.
- 6.17 To engage counsel or external legal services.
- 6.18 To attest the affixing of the Common Seal of the Council to any legal document required to be executed under seal and to authorise other senior officers to attest the Common Seal as required from time to time.

6.19 To exercise the Council's functions in respect of licencing, public entertainments and regulation of licenced premises.

**7. DELEGATIONS TO HEAD OF FINANCE AND PROPERTY AND DEPUTY SECTION 151 OFFICER**

7.1 To discharge any functions delegated by the Section 151 Officer in respect of the proper administration of the Council's financial affairs and the accounting arrangements of the Council. The declaration of land not exceeding £25,000 in value as surplus to the requirements of their services.

7.2 To dispose of land and property with a market value of up to £50,000.

7.3 To acquire land and property up to a maximum value of £1million.

7.4 The letting of rooms on licence or lease, or on a hire or use basis (for a day or less) in Council buildings.

7.5 To discharge the functions of the Council relating to Financial Services and the proper management of the Council's financial affairs:

7.5.1 Audit and accountability;

7.5.2 Procurement and purchasing;

7.5.3 Performance & Assurance & Outcome Based Accountability;

7.5.4 Council wide Financial Strategies;

7.5.5 To take all necessary action regarding insurance, claims and uninsured losses, including accident claims;

7.5.6 Partnerships;

7.5.7 Payroll;

7.5.8 Property, facilities management and security including management of the Council's land and property in accordance with the Council's Asset Management Plan.

7.6 To determine matters associated with conditions imposed on land or property disposal, including determinations on the grant or assignment of Leases, changes of user, imposing covenants, granting easements, rent review and sub-letting of premises, granting licences.

7.7 To renew Leases of premises where there is an option to renew on the part of the lessee or a statutory right to renew.

7.8 To authorise entry and the carrying out of remedial works where a tenant is in breach of his obligation to repair.

7.9 To approve applications from tenants of Council owned general fund property, for alterations and improvements to be carried out at the expense of the tenant.

7.10 To negotiate and to accept the surrender of any Lease or tenancy.

- 7.11 To authorise service of notices to terminate business tenancies.
- 7.12 To grant approval for the siting of electricity sub-stations, gas kiosks and other installations of equipment of statutory undertakers on the property of the Council and to grant easements in connection with the same over Council property.
- 7.13 To grant applications of statutory undertakers and over concerns in the exercise of general licences granted by the Council for the attaching of wires, brackets and wall boxes to property owned and managed by the Council.
- 7.14 To grant wayleaves and easements for drainage, the passage of wires, pipes or apparatus of statutory undertakers over, in, on, or under land held by the Council.
- 7.15 To negotiate and conclude settlements in relation to compensation for any land or any interest in land within a confirmed Compulsory Purchase Order, or a valid Purchase Notice.
- 7.16 In respect of any property in a confirmed Compulsory Purchase Area where it is the Council's intention to proceed with the Order, to do all or any of the following things:
  - 7.16.1 To service Notices to Treat;
  - 7.16.2 To open negotiations for the settlement of compensation;
  - 7.16.3 To complete the purchase in accordance with the valuation;
  - 7.16.4 To serve the Notices of Entry;
  - 7.16.5 Any other matters associated with the Compulsory Purchase Order.
- 7.17 To authorise the recovery of possession of any land or property held by the Council.
- 7.18 To authorise recovery of possession of any land or property held by the Council in circumstances where there has been a breach of the lease or tenancy conditions.
- 7.19 In conjunction with the Head of Corporate Services to deal with matters relating to civic and ceremonial functions, twinning arrangements and Chairman's hospitality.

## **8. DELEGATIONS TO HEAD OF GROWTH AND ECONOMIC PROSPERITY**

- 8.1 To discharge the functions of the Council in relation to:
  - 8.1.1 Ensuring the benefits of the STEP project are fully realised including promotion and support for supply chain growth, business development, skills/apprenticeships and employment opportunities
  - 8.1.2 Strategic lead for economic development
  - 8.1.3 Strategic lead for Town Centre transformation, including investment, external funding bids and delivery of major projects
  - 8.1.4 The creation of an inward investment strategy including grant funding opportunities to deliver economic prosperity and carbon reduction objectives

- 8.1.5 The development of Council owned business centres, educational facilities and museum
- 8.1.6 Supporting the commercial success of Council owned companies
- 8.1.7 Developing the physical infrastructure for business growth including the provision of new trade hubs and more affordable workspaces to attract and provide support services to micro business, creative industries, entrepreneurs and tech companies
- 8.1.8 Working with local education providers and employers, developing a comprehensive programme of skills and apprenticeship opportunities
- 8.1.9 Developing a strong brand and identity to market the district to promote the best that Bassetlaw has to offer to its residents and visitors
- 8.1.10 Developing and Implementing an emissions strategy to reduce the Council's operational carbon emissions to net zero
- 8.1.11 Developing the districts tourism offer through collaboration and partnership working;
- 8.1.12 Development, regeneration, management of events and safety of the town centre and Council owned land, including responsibility for the Councils closed circuit television system

**9. DELEGATIONS TO HEAD OF PEOPLE AND CULTURE**

- 9.1 To discharge the functions of the Council in relation to Human Resources and Organisational Development including:-
  - 9.1.1 Strategic and operational advice on Human Resource and Organisational Development;
  - 9.1.2 Responsibility for ensuring pay, conditions of service and rewards are fair and equitable;
  - 9.1.3 Responsibility for ensuring effective recruitment and redeployment practices;
  - 9.1.4 Responsibility for organisational change, learning and development of staff;
  - 9.1.5 Responsibility for evaluation of roles and jobs;
  - 9.1.6 Development and implementation of employment policy and procedure;
  - 9.1.7 Managing effective employee relationships;
  - 9.1.8 Ensuring that employee grievances, capability and disciplinary issues are appropriately managed and dealt with;
  - 9.1.9 Managing appropriate and effective relationships, consultation and communication with the trades unions;

- 9.1.10 To lead on Council wide industrial relations negotiations and related matters and negotiate and recommend changes to policy and terms and conditions of service (national and local);
- 9.1.11 Approval of honoraria payments.
- 9.2 To deal with all staffing and human resource matters (within agreed terms and conditions of employment, Human Resource policies and procedures) affecting staff, including those set out in 2.8 following consultation with the Head of Paid Service.

## **10. DELEGATIONS TO DIRECTOR OF REGENERATION AND NEIGHBOURHOOD SERVICES**

- 10.1 To lead on the discharge of functions of the Council relating to:
  - 10.1.1 Economic development and regeneration including skills and apprenticeships, tourism, museum, markets and town centres, leading on growing and developing new business and marketing in Bassetlaw;
  - 10.1.2 Devolution and growth, and putting in place and monitoring external arrangements and partnerships for the delivery of the Council's housing and regeneration functions and responsibilities;
  - 10.1.3 All Planning matters (including strategic planning and policy, development control and enforcement, approvals, consents and notices, conservation, listed buildings and environmental issues);
  - 10.1.4 All Building Control functions including dangerous structures and defective premises;
  - 10.1.5 All matters relating to agricultural notifications, telecommunication notifications, tree preservation, hedgerows and high hedges;
  - 10.1.6 All matters relating to advertising consents;
  - 10.1.7 Strategic housing including private sector housing functions and regulation, undertaking the Council's homelessness functions and Housing matters including issuing and responding to any orders, notices, licenses or enforcement action, determining rents, making payments or grants, securing repayment of rents or grants, providing tenants and others with information;
  - 10.1.8 All functions relating to Environmental Health.
  - 10.1.9 Waste Management including refuse collection, disposal, recycling, fly tipping, abandoned vehicles, litter and street cleaning;
  - 10.1.10 Parks and open spaces;
  - 10.1.11 Leisure facilities;
  - 10.1.12 Cemeteries, burials and Public Health funerals;
  - 10.1.13 Application for and allocation, repayment or recovery of grants from government, external bodies or third parties.

- 10.2 To lead on the Council's strategic approach to the development and delivery of commercial and traded services.
- 10.3 To exercise powers to acquire, sell, develop and dispose of land, and appropriate land and property, for the purposes of regeneration and/or environmental protection.
- 10.4 To lead on the Council's duties in relation to health and safety matters.
- 10.5 To exercise the Council's functions in planning for, and responding to, emergencies that present a risk to public health.
- 10.6 To deliver any public health or health improvement functions delegated by the Secretary of State to local authorities.
- 10.7 To provide the Council's public health response as a Responsible Authority under the Licensing Act 2003.
- 10.8 To lead on health improvement, health protection and public health advice for core services including the NHS to address local health inequalities and ensure Health & Wellbeing remains a key priority for the Council.
- 10.9 To keep under constant review the Council's Emergency Preparedness, Resilience and Response responsibilities to ensure the Council can deliver such responsibilities effectively.
- 10.10 In consultation with the Leader of the Council to commission and accept fact finding documents that contribute and inform the evidence base for the Local Development Framework.
- 10.11 Where officers are authorised to exercise any of the functions of the Director of Regeneration and Neighbourhood Services, through the cascade principle referred to in paragraph 1.1, to ensure that the Director of Corporate Resources is notified of the function which is subject to onward delegation. The Director of Regeneration and Neighbourhood Services shall ensure that an up to date record is maintained of delegated functions which are exercised by officers and provide a copy of that record to the Monitoring Officer. All delegated decisions made will be recorded and kept in a method approved by the Monitoring Officer.
- 10.12 To formally represent the Council's interests as the shareholder in any companies in which the Council has a shareholder interest.
- 10.13 To deputise for the Head of Paid Service, as required.
- 10.14 The general management and control of all property falling within the Housing Revenue Account subject to such being within approved budget and not contrary to policy.
- 10.15 To make a recommendation to the Council Solicitor to serve, publicise or advertise any notice, application or order, statutory or otherwise
- 10.16 To authorise officers of the Council to prosecute or defend proceedings in the civil and criminal courts.
- 10.17 To attest the affixing of the Common Seal of the Council to any legal document required to be executed under seal and to authorise other Senior Officers to attest the Common Seal as required from time to time.
- 10.18 To sign certificates under the Local Government (Contracts) Act 1997.

**11. DELEGATIONS TO HEAD OF PLANNING AND PLACE**

- 11.1 To discharge the functions of the Council in relation to:
- 11.1.1 Planning including development control and enforcement, prosecutions, planning approvals, approval and publication of plans, responding to or initiating consultation on planning matters;
  - 11.1.2 The issuing of any permissions, approvals, consents or notices in respect of any of the functions of the Council in respect of planning matters, conservation matters, listed buildings, environmental issues, agricultural notification, telecommunication notification, matters relating to hedgerows, high hedges and tree preservation permitted development, development control, enforcement, prosecutions;
  - 11.1.3 Strategic Planning and policy including the Local Development Framework and conservation matters;
  - 11.1.4 Determination of all consents including advertising consents, listed building matters and consents and conservation area matters and consents;
  - 11.1.5 Determination of all matters and orders relating to the preservation of trees;
  - 11.1.6 Determination of planning and other applications relating to lawful use or development;
  - 11.1.7 Determination of all matters relating to Building Regulations including dangerous and unsafe buildings;
  - 11.1.8 The issue of statutory notices or legal proceedings in relation to any of the functions of the Council in relation to planning matters, building regulation, dangerous and unsafe buildings, demolitions orders, consents or other matters relating to economic regeneration and development, environmental matters and the responsibilities in respect of the town centres or land owned or occupied by the Council;
  - 11.1.9 To determine planning applications in accordance with delegations given by the Planning Committee;
  - 11.1.10 In the exercise of his/ her delegated powers, the Head of Planning and Place may seek advice or assistance or seek views from the Planning Consultation Group, and shall assist the Planning Consultation Group and/or its members with the delivery of the role and functions of the Planning Consultation Group in accordance with the "Terms of Reference of the Planning Consultation Group" set out in Parts 3 and 4 of the Constitution.
- 11.2 To discharge the functions of the Council in relation to Place Projects, which include;
- 11.2.1 Activities associated with the delivery of the STEP project including advocacy and promotion, stakeholder relations (internal/external), spatial and infrastructure planning, technical planning support and employment growth opportunities advising on and promoting future site opportunities to bring more high-tech and green energy jobs into the district



- 11.2.2 Establishing and facilitating a network of key site developers and existing businesses to help build and promote relationships

**12. DELEGATIONS TO HEAD OF NEIGHBOURHOOD SERVICES**

- 12.1 To discharge the functions of the Council in relation to environmental health services, public health, environmental protection, private sector housing and neighbourhood services have responsibility as the Council's senior lead on environmental health matters including:-
  - 12.1.1 All the functions of the Council relating to environmental health;
  - 12.1.2 All the statutory and related functions of the Council relating to private sector housing and its regulation, including issuing notices, licences, management orders, powers of entry, remedial action, closing orders and demolition orders, and illegal evictions;
  - 12.1.3 Food safety and hygiene;
  - 12.1.4 Control of disease and infection;
  - 12.1.5 Health & Safety at work;
  - 12.1.6 Environmental protection including clean air, air pollution, contaminated land and private water supplies;
  - 12.1.7 Hazardous substances;
  - 12.1.8 Statutory and other nuisance;
  - 12.1.9 Environmental crime;
  - 12.1.10 Drainage, water supply and sanitation;
  - 12.1.11 Public Health.
- 12.2 To discharge the functions of the Council in relation to waste management including refuse collection, disposal, recycling, fly tipping, abandoned vehicles, litter and street cleaning;
- 12.3 Management of the Council's public toilets;
- 12.4 To discharge the functions of the Council in relation to parks and open spaces including:
  - 12.4.1 The determination of the opening and closing of parks and any charges to be made in respect of the use of parks;
  - 12.4.2 The determination of any matters relating to byelaws in respect of the Council's parks and open spaces;
- 12.5 To discharge the functions of the Council in relation to cemeteries, burials and Public Health funerals.
- 12.6 To discharge the functions of the Council in relation to leisure facilities including:

- 12.6.1 Management of all aspects (including charges or waiver of charges for use) of the Council's Leisure Centres, Leisure Projects and Leisure contracts with third parties;
- 12.6.2 Management of the Council's Leisure and Amenity facilities and museums (including charges or waiver of charges for use).
- 12.7 To initiate or authorise or settle proceedings in relation to civil or criminal injunctions, orders, public space protection orders, notices, contravention notices, suspension notices, revocation notices, enforcement notices, abatement notices, stop notices, permits, or compensation in respect of the Councils environmental health, environmental protection, housing or leisure functions including:
  - 12.7.1 to prevent nuisance, harassment alarm or distress;
  - 12.7.2 to take action in respect of anti-social behaviour;
  - 12.7.3 community or individual protection;
  - 12.7.4 to deal with stray dogs and animal welfare;
  - 12.7.5 in connection with any of the Council's environmental functions, health and safety functions, food safety functions, public health functions or services or functions or services relating to parks and open spaces, waste management or for the benefit of the residents of Bassetlaw.
- 12.8 To take enforcement action including entering premises, undertaking inspections, testing and taking samples in furtherance of the Council's environmental health, housing or leisure functions.
- 12.9 To take appropriate emergency action to protect the public in respect of risks to environmental and/or public health or in respect of private sector housing.

### **13. DELEGATIONS TO HEAD OF HOUSING**

- 12.1 Within the overall resources allocated by the Council, to act on behalf of the Council on all matters relating to the discharge of the Council's functions relating to the management and maintenance of the Councils housing stock. More specifically:
  - (a) the most effective ongoing use of all land owned by it for housing purposes (unless declared surplus to requirements);
  - (b) repairs and maintenance including tenants claims for disrepair;
  - (c) health and safety; and
  - (d) all other functions of the Council relating to housing in the district other than those relating to planning or housing benefit and those functions reserved to the Head of Neighbourhoods.
- 12.2 To deal with all Council House Tenancies:
  - 12.2.1 To determine:

- (a) All matters relating to transfer applications (including cases where there are rent arrears and special circumstances);
- (b) Applications for mutual exchanges;
- (c) All matters regarding garage tenancies;
- (d) Applications from tenants wishing to use their dwellings for business purposes.

12.2.2 To make offers of accommodation and to commence tenancies of Council dwellings.

### 12.3 To deal with Breach of Tenancy Conditions

12.3.1 To take action in respect of:

- (a) the recovery of rent arrears and/or other breach of tenancy conditions;
- (b) to sign and serve of Notices to Extend Introductory Tenancies, Notice of proceedings for Possession, Notice of Seeking Possession, Notices Seeking Demotion of Tenancy and Notices to Quit;
- (c) in consultation with the Council Solicitor to:
  - preserve the individual and collective rights of tenants to quiet enjoyment of their properties;
  - seek injunctions in connection housing tenancy enforcement.

12.4 To determine proposals for the settlement, deferment or variation of arrangements in connection with outstanding rent arrears.

12.5 In consultation with the Council Solicitor to take action against trespassers in council housing or other housing related land.

12.6 To procure contracts or additional works as appropriate to services for which the Head of Housing is responsible subject to such being within approved budget and policy.

12.7 To develop and maintain an Allocations Policy (scheme), publish a summary of it and allocate housing accommodation in accordance with the scheme.

12.8 Ensure that advice and information is available free of charge to persons in their district about the right to make an application for an allocation of accommodation

12.9 To oversee the nominations for the allocation of housing to persons on the housing waiting list in accordance with the relevant housing allocations policy

12.10 Strategic Housing and Homelessness including decisions in respect of private sector housing functions, undertaking the Council's homelessness functions and Housing matters including issuing and responding to any orders, notices, licenses or enforcement action, determining rents, making payments or grants, securing repayment of rents or grants, providing tenants and others with information and dealing with appeals against Officer decisions.

12.11 To periodically review the housing needs of its area in relation to housing conditions and the needs of the district.