

## DELEGATION OF POWERS TO OFFICERS

### 1.0 INTRODUCTION

- 1.1 The Council operates an extensive scheme of delegation of powers to officers, which allows decisions to be taken quickly and efficiently within defined polices.
- 1.2 For operational reasons it is necessary to update the scheme of delegation of powers to officers to allow a little more flexibility in the pool of persons authorised to exercise discretion in approving discretionary rate relief (delegation F & E 10) and also by the addition of the newly created post of Environmental Enforcement Officer to a wide range of powers to act.

### 2.0 ENVIRONMENTAL, CRIME AND DISORDER, EQUALITY AND FINANCIAL IMPLICATIONS

- 2.1 None arising directly from this report.

### 3.0 RECOMMENDED:

- 3.1 That the scheme of delegation of powers to officers to updated to include the officers shown in bold italics in each of the delegations attached in Appendix 1 to this report.

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**Background Papers:**

None

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## APPENDIX 1

No	Source	Power Delegated	Delegated to	Minute Reference
Cab Auth 5 (old ref 559)	Animal Boarding Establishments Act 1963 Breeding of Dogs Act 1973 Caravan Sites & Control of Development Act 1960 Clean Air Acts 1956, 1968 and 1993 Control of Pollution Act 1974 Control of Pollution Amendment Act 1989 Dangerous Wild Animals Act 1976 Dangerous Dogs Act 1991 Environmental Protection Act 1990 Environment Act 1995 Food Act 1984 Food and Environmental Protection Act 1985 Food Safety Act 1990 (except s.19) Guard Dogs Act 1975 Housing Act 1985 Local Government (Miscellaneous Provisions) Acts 1976 and 1982	Authority to enter for the purposes of the Acts and any amending Statutes and Regulations in respect of functions which are the responsibility of the Cabinet	Head of Public Health and Community Safety, Environmental Health Manager, Housing Technical Manager, Corporate Health and Safety Manager, Senior Environmental Health Officers, Environmental Health Officers, <b>Environmental Enforcement Officer</b> , Environmental Health Technicians, Health Policy Development Manager	Cabinet 201. of 8/04/02

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No	Source	Power Delegated	Delegated to	Minute Reference
	Noise and Statutory Nuisance Act 1993 Noise Act 1996 Offices Shops & Railway Premises Act 1963 Pet Animals Act 1951 Prevention of Damage By Pests Act 1949 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Scrap Metal Dealers Act 1964 Shops Acts 1950- 1965 Building Act 1984 Deer Act 1980 (Section 3(4)) Slaughterhouses Act 1974 Slaughter of Poultry Act 1967			
Cab Auth 6 (old ref 560)	Environmental Protection Act 1990 s.149-151 Control of Dogs	To enter premises for the purposes of the Act	Dog Warden, Senior Environmental Health Officers, Environmental Health Manager, <b><i>Environmental Enforcement                      Officer,</i></b>	Cabinet 201. of 8/04/02

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 2 (Old ref 394)	Environmental Protection Act 1990 Part IV s. 88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	Head of Customer and Financial Services, or Street Care Manager, or Recruitment Administrator, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>or Environmental Enforcement Officer</b> , or Community Safety Officer, or Parking Operations Manager, or Parking Attendant Shift Leader, or Parking Attendants, or Pest Control Officers, or Dog Warden, or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers, or Contract Inspector, or Parking Manager, or Parking Administrator, or Senior Administrative Assistant (Parking), or Head of Environment Services	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 11 (Old ref 435)	Refuse Disposal (Amenity) Act 1978 s.3(1)	To remove abandoned vehicles	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>Environmental Enforcement Officer</b> , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
Env 12 (Old ref 436)	Refuse Disposal (Amenity) Act 1978 s.3(2) and 4(1)	To give or serve notices in relation to the removal of abandoned vehicles	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>Environmental Enforcement Officer</b> , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 13 (Old ref 437)	Refuse Disposal (Amenity) Act 1978 s.4(1)	To decide whether a vehicle is in such a condition that it ought to be destroyed  To dispose of vehicles removed under section 3	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 14 (Old ref 438)	Refuse Disposal (Amenity) Act 1978 s.4(7)	To determine who to treat as the owner of a vehicle	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 15 (Old ref 439)	Refuse Disposal (Amenity) Act 1978 s.5	To recover charges connected with removed vehicles from any person responsible	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Commercial Waste Officer, or Head of Public Health and Community Safety, or	Cabinet 56. of 1/11/06

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 16 (Old ref 440)	Refuse Disposal (Amenity) Act 1978 s.8	To enter land for the purposes of the Act	Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 26 (Old ref 422)	Breeding of Dogs Act 1973 Dangerous Wild Animals Act 1976 Animal Boarding Establishments Act 1963 Zoo Licensing Act 1981	To administer and enforce the provisions of the Act in the name of the Council	Head of Public Health and Community Safety, or Environmental Health Manager, <b>Environmental Enforcement Officer</b> , or Environmental Health Technicians	Cabinet 201. of 8/04/02
Env 27 Old ref 424)	Dogs (Fouling of Land) Act 1996	To serve fixed penalty notices	Head of Public Health and Community Safety, or Senior Environmental Health Officers, or Environmental Health Manager,	Cabinet 201. of 8/04/02 Cabinet 12. of 6/06/07



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			or Dog Warden, or Client Inspectors, or Head of Environment Services, or Waste and Recycling Manager, or Contract Inspector, or Parking Manager, or Parking Administrator, or Senior Administrative Assistant (Parking), or Head of Customer and Financial Services, or Street Scene Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers, or Contract Inspector, or <b>Environmental Enforcement Officer</b>	Cabinet 24. of 7/07/08
Env 32 (Old ref 417)	Building Act 1984 Clean Air Act 1993 Control of Pollution Act 1974 – Other than s.60 and s.61 Control of Pollution Amendment Act 1989 Dangerous Dogs Act 1991	To serve any relevant notice, issue any necessary Authorisation, licence or permit and inspect where applicable at any reasonable time any premises and enforce the relevant legislation for the purposes specified in	Head of Public Health and Community Safety, or Environmental Health Manager, or Health Policy Development Manager, or Corporate Health and Safety Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement</b>	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 15. of 6/07/09

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 45 (Old ref 434)	Refuse Disposal (Amenity) Act 1978 s.2A	To be an authorised officer and to give fixed penalty notices	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or	Cabinet 56. of 1/11/06
	Deer Act 1980 Environmental Protection Act 1990 Food and Environmental Protection Act 1985 Food Safety Act 1990 and Regulations thereunder Guard Dogs Act 1975 Local Government (Miscellaneous Provisions) Acts 1976 and 1982 Noise Act 1996 Offices Shops & Railway Premises Act 1963 Prevention of Damage By Pests Act 1949 Police and Criminal Justice Act 1974 Public Health Acts 1936 and 1961 Rag, Flock and Other Filling Materials Act 1951 Slaughter of Poultry Act 1967 Sunday Trading Act 1994 Water Industry Act 1991	the Acts for environmental health functions which are a Cabinet responsibility	<b>Officer</b> , or Housing Strategic Services Manager, or Housing Grants Improvement Manager	

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 46 (Old ref 441)	Environmental Protection Act 1990 s.88	To be an authorised officer and to give fixed penalty notices (Leaving litter)	Commercial Waste Officer, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Assistant Housing Needs Manager, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
			Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Community Safety Officer, or Parking Operations Manager, or Parking Attendant Shift Leader, or Parking Attendants, or Pest Control Officers, or Dog Warden,	

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 50 (Old ref 446)	Environmental Protection Act 1990 s.46	To serve notices under section 46(1), (3)(c) or (d) or (4) (Receptacles for household waste)	or Assistant Dog Warden, or Planning Enforcement Officer, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers  Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 51 (Old ref 447)	Environmental Protection Act 1990 s.47	To serve notices under section 47(2) or (4) (Receptacles for Commercial or industrial waste)	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 52 (Old ref 448)	Environmental Protection Act 1990 s.47ZA	To be an authorised officer and to give fixed penalty notices in respect of Section 46 and Section 47 (Receptacles for waste)	Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or	Cabinet 56. of 1/11/06

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No	Source	Power Delegated	Delegated to	Minute Reference
Env 53 (Old ref 449)	Environmental Protection Act 1990 s.59(1) and 59ZA(1)	To serve notices requiring the owner or occupier of land to remove unlawfully deposited waste and/or take steps to eliminate or reduce the consequences of the deposit of the waste	Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b>	Cabinet 56. of 1/11/06
Env 54 (Old ref 450)	Environmental Protection Act 1990 s.59(6) and 7	To remove waste from land and to take other steps to eliminate or reduce the consequences of the deposit of the waste	Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Environment Services, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06

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Env 55 (Old ref 451)	Environmental Protection Act 1990 s59(6)	To recover expenses reasonably incurred by the Council in removing waste and taking other steps under section 59(6)	<p>Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or, <b>Environmental Enforcement Officer</b>, or Community Safety Officer, or Dog Warden, or Assistant Dog Warden, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers</p> <p>Head of Environment Services, or Street Scene Manager, or Waste and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b>, or Assistant Housing Manager (Estates), or Neighbourhood and Tenancy Management Officers</p>	Cabinet 56. of 1/11/06
F & E 10 (Old ref 463)	Local Government Act 2000, s.15 Local Government and Finance Act 1988 s.49	To grant applications for: national non-domestic rate relief on hardship grounds; discretionary rate relief for a charity; and discretionary rate relief for non-profit making organisations,	Head of Housing and Customer Services, <b>or Revenues Manager</b>	Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 24. of 7/07/08

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		<p>where the application accords with the approved policy framework</p>		
		<p>To refuse such applications where he or she considers that, in view of the financial position of the applicant, relief is not warranted</p>	<p>Head of Housing and Customer Services, <b>or Revenues Manager</b></p>	<p>Cabinet 201. of 8/04/02 Cabinet 24. of 7/07/08</p>
		<p>To determine such applications where the circumstances are not covered by the approved policy framework Remarks: Subject to review of individual applications by the Appeals Committee if an applicant is aggrieved by a decision</p>	<p>Head of Housing and Customer Services, <b>or Revenues Manager</b> in consultation with the Finance and Efficiency Portfolio Holder</p>	<p>Cabinet 201. of 8/04/02 Cabinet 8. of 4/06/03 Cabinet 24. of 7/07/08</p>
<p>Hsg &amp; Com 7 (Old ref 327)</p>	<p>Anti-Social Behaviour Act 2003 s.43</p>	<p>To be an authorised officer and to give fixed penalty notices (Graffiti and fly-posting)</p>	<p>Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Commercial Waste Officer, or Ground Maintenance Supervisor, or Ground Maintenance Foreman, or Head of Public Health and</p>	<p>Cabinet 56. of 1/11/06</p>

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No	Source	Power Delegated	Delegated to	Minute Reference
Hsg & Com 8 (Old ref 328)	Anti-Social Behaviour Act 2003 s.48	To serve defacement removal notices, including the power to enter land to the extent reasonably necessary to affix a notice to a relevant surface (Graffiti and fly- posting)	Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Community Safety Officer, or Parking Operations Manager, or Parking Attendant Shift Leader, or Parking Attendants, or Dog Warden, or Pest Control Officers, or Planning Enforcement Officer, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers  Head of Legal and Democratic Services, or Solicitors, or Employed Barrister, in consultation with the Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06



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No	Source	Power Delegated	Delegated to	Minute Reference
Hsg & Com 9 (Old ref 329)	Anti-Social Behaviour Act 2003 s.48(4) and (5)	To remove, clear or otherwise remedy a defacement where a defacement removal notice is not complied with and to enter land to the extent reasonably necessary for that purpose	Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Street Scene and Waste Supervisors, or Refuse and Recycling Foreman, or Head of Public Health and Community Safety, or Environmental Health Manager, or Senior Environmental Health Officers, or Environmental Health Officers, or <b>Environmental Enforcement Officer</b> , or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers	Cabinet 56. of 1/11/06
Hsg & Com 10 (Old ref 330)	Anti-Social Behaviour Act 2003 s.49	To recover expenditure reasonably incurred in exercise of the power under section 48(4) (Graffiti and fly- posting)	Head of Environment Services, or Street Scene Manager, or Refuse and Recycling Manager, or Housing Estates Manager, or Neighbourhood and Tenancy Management Officers, or <b>Environmental Enforcement Officer</b> ,	Cabinet 56. of 1/11/06