

CONSTITUTION COMMITTEE

AGENDA



Friday 24 October 2025

at 11.30 am

**Committee Room “B”,
Civic Centre, Hartlepool**

CONSTITUTION COMMITTEE:

Councillors Bailey-Fleet, Boddy (VC), Buchan, Dodds, Dunbar, Hargreaves (C), Little, Napper and Thompson.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 29 September 2025.

4. ITEMS REQUIRING DECISION

4.1 Periodic Review of the Constitution – *Monitoring Officer/Director of Legal, Governance and Human Resources*

4.2 Periodic Review of the Constitution – Realignment of Committees and Review of Delegations – *Monitoring Officer/Director of Legal, Governance and Human Resources*

5. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Date of next meeting – Monday 27 November 2025 at 2.00pm in the Civic Centre, Hartlepool.

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

CONSTITUTION COMMITTEE

MINUTES AND DECISION RECORD

29 September 2025

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Moss Boddy (In the Chair)

Councillors: Matthew Dodds, Martin Dunbar, Sue Little, Amanda Napper and Carole Thompson

Officers: Denise McGuckin, Chief Executive
Hayley Martin, Director of Legal, Governance and Human Resources
Angela Armstrong, Principal Democratic Services and Legal Support Officer

7. Apologies for Absence

Apologies for absence were received from Councillors Quewone Bailey-Fleet, Bob Buchan and Brenda Harrison.

8. Declarations of interest by Members

None.

9. Confirmation of the minutes of the meeting held on 29 July 2025

Confirmed.

10. Periodic Review of the Constitution *(Monitoring Officer/Director of Legal, Governance and Human Resources)*

The Director of Legal, Governance and Human Resources presented a report that outlined the following changes to the Constitution that were required as a result of the recent Senior Management Restructure.

Proposed renaming of Committees:

- Economic Growth and Regeneration Committee to Housing, Growth and Communities Committee

- Neighbourhood Services Committee to Neighbourhoods and Regulatory Services Committee
- Adult and Community Based Services Committee to Adult Services and Public Health Committee

The above renaming of Committees was agreed.

Realignment of Service Areas

It was proposed to review and update service areas across the Committees and officer delegation scheme and that the Monitoring Officer be authorised to make the necessary updates to ensure services report to the relevant committee. The Monitoring Officer indicated that a tracked version of the necessary changes would be presented to a future meeting of this Committee.

The above review was agreed with delegated responsibility given to the Director of Legal, Governance and Human Resources to make the necessary updates with a tracked change version being presented to a future meeting of this Committee.

Shareholder Responsibilities

A discussion ensued during which it was confirmed that in instances where the Finance and Corporate Services Committee was a corporate shareholder, the relevant Director would be appointed to attend meetings as the shareholder's representative. Any decisions undertaken by the Director on behalf of the Finance and Corporate Services Committee would need to be signed off by the Chief Executive, Director of Legal, Governance and Human Resources and the Director of Finance, IT and Digital Services as the Council's statutory officers.

- That the Finance and Corporate Affairs Committee exercise the Council's shareholder functions in accordance with the terms of reference and any shareholder agreements.
- The terms of reference, company director/shareholder appointments and delegations as attached at Appendix 1 be approved.
- The identity of Shareholder Representatives and Directors appointed for any company in which the Council was involved may, from time to time, need to change that and, accordingly, delegates authority to appoint an appropriate senior officer to such roles, as and when necessary, to the Head of Paid Service (Chief Executive) in consultation with the Leader (or in their absence, the Deputy Leader).

The above in relation to shareholder responsibilities was agreed.

Motions on Notice – Section 11.1

Members discussed that extending the deadline may have a negative effect on the submission of Motions on Notice to Council but agreed that the timing of the deadline could be brought forward to 12 noon. Members did consider that up to three Motions could be considered at a Council meeting with the option for the Chair to approve the inclusion of an urgent motion should it be deemed necessary.

- i) Except for motions which can be moved without notice under Rule 12, written notice of every motion, signed by at least five Elected Members must be submitted to and received by the Chief Executive, or by electronic mail to the Chief Executive before 12 noon at least seven clear working days before the date of the meeting.
- ii) The notice of motion will be entered in a book open to public inspection.
- iii) Up to three motions can be discussed at each Council meeting, unless the Chair agrees to include more because they were urgent. Motions will be set out on the agenda in the order in which they were received. Any remaining Motions on Notice received shall be dealt with at the next ordinary meeting of Full Council.

That the process for the receipt of Motions on Notice be amended to that noted above.

Questions – Section 9.2

9.2 Notice of questions

Members discussed various options for aligning the deadlines in relation to the submission of motions and questions to Council. It was suggested that the deadline for the receipt of questions be aligned to the receipt of Motions on Notice to 12 noon on the seventh clear working day before the meeting of Council.

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than noon at least seven clear working days before the date of the meeting. Each question must give the name and address of the questioner and must name the Chair of Committee to whom it is to be put (if the questioner is under 16 years of age, the notice must include the name, address and signature of the parent or guardian of the questioner).

That the deadline for the receipt of questions to Council be aligned with the receipt of Motions on Notice and be amended to 12 noon on the seventh clear working day before the meeting of Council.

Renaming Ward Surgeries

Members were asked to consider the renaming of Ward Surgeries to encourage greater attendance.

During the discussions there was some differences in opinion with some Members were of the view that the name should remain as Ward Surgeries as that is what residents know them by. However, the following suggestions to rename Ward Surgeries were put forward: Community Catch Up; Ward Drop in, Ward Catch Up. The Director of Legal, Governance and Human Resources proposed that the suggestions and comments of Members put forward be referred back to Finance and Corporate Affairs Committee for decision.

That Members comments and suggestions noted above be referred back to Finance and Corporate Affairs Committee for decision.

Decision

That Members decisions noted above were agreed.

11. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following items of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

Minutes – 12 – Tees Valley Combined Authority

12. Tees Valley Combined Authority

It was highlighted that the Council agenda did not have a standing item on the agenda for feedback from business undertaken by the Tees Valley Combined Authority. It was suggested that this could be included in the Chief Executive's Business Report as and when items for consideration arise.

Decision

That feedback from the Tees Valley Combined Authority be provided to Members by way of inclusion within the Chief Executive's Business Report.

The meeting concluded at 2.25 pm

CHAIR

CONSTITUTION COMMITTEE

24 October 2025



Report of: Monitoring Officer/Director of Legal, Governance and Human Resources

Subject: PERIODIC REVIEW OF THE CONSTITUTION

1. PURPOSE OF REPORT

1.1 For Members to consider changes to the Constitution in respect of:

1. Chair of Health and Wellbeing
2. Vice Chairs of Committee's

2. ISSUES FOR CONSIDERATION

2.1 Chair of Health and Wellbeing Board

Article 6 of the Constitution currently states that the Leader of the Council will be the:

Chair of the Authority's Finance and Corporate Affairs Committee, Constitution Committee and the Health and Wellbeing Board

It has been proposed that this be changed to the Chair of Adult Services and Public Health Committee.

Members are asked to consider this proposal and make recommendations to Full Council.

2.2 Vice Chairs

Currently each Committee appoints one vice chair at Annual Council for the Municipal year. It has been proposed that Committee's should be given a choice as to whether they wish to appoint up to two vice chairs.

Members views and recommendation are sought.

3. RECOMMENDATIONS

- 3.1 Members are asked to consider the changes set out above and make recommendations to Full Council.

4. REASONS FOR RECOMMENDATIONS

- 4.1 To ensure the Constitution is up to date and fit for purpose.

5. BACKGROUND PAPERS

Hartlepool Borough Council's Constitution – Article 6

8. CONTACT OFFICERS

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CONSTITUTION COMMITTEE



Report of: Monitoring Officer/Director of Legal, Governance and Human Resources

Subject: PERIODIC REVIEW OF THE CONSTITUTION –
REALIGNMENT OF COMMITTEES AND REVIEW OF
DELEGATIONS

1. PURPOSE OF REPORT

- 1.1 To update Committee on the changes to Part 3 of the Constitution.

2. ISSUES FOR CONSIDERATION

- 2.1 On the 29 September Constitution Committee recommended that the Monitoring Officer be given delegated authority to review and realign the Committee's and officer delegation in Part 3 of the Constitution. This was recommended to ensure the Constitution reflected the changes that had been brought about by the Senior Management Restructure.

On the 3 October, Full Council agreed to delegate authority to the Monitoring Officer to make the changes and report them back to this Committee for information.

An updated copy of Part 3 with tracked changes is attached at Appendix 1. Please note that re-numbering and formatting has not yet been completed.

3. RECOMMENDATIONS

- 3.1 Members are asked to note the report and the changes made.

4. REASONS FOR RECOMMENDATIONS

- 4.1 To ensure the Constitution reflects the current organisational structure and is fit for purpose.

5. BACKGROUND PAPERS

Hartlepool Borough Council's Constitution
Council Minutes – 29 September 2025
Full Council – 3 October 2025

8. CONTACT OFFICERS

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RESPONSIBILITY FOR FUNCTIONS

1. **FOREWORD BY THE DIRECTOR OF LEGAL, GOVERNANCE AND HUMAN RESOURCES**
- 1.1 Hartlepool Borough Council (the Authority) has adopted a Code of Corporate Governance which describes how the Council will meet and demonstrate its commitment to good Corporate Governance. The Code of Corporate Governance is based on the core principles set out in the SOLACE/CIPFA Good Governance Framework one of which is 'Informed, Transparent Decision Making and Managing Risk.'
- 1.2 Full Council is the supreme decision making body and may, with some exceptions, exercise any of the functions vested in the Authority by law. It may also delegate many of those functions to a Committee, a Sub-Committee or an Officer.
- 1.3 Matters delegated to a Committee or Sub-Committee are set out in its terms of reference below. Those terms of reference, together with Arrangements for the Delegation of Functions to Officers, are set out in this Part 3 of the Constitution.

Hayley Martin
Director of Legal,
Governance and
Human Resources

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2. INTRODUCTION

- 2.1 This part of the Constitution sets out which bodies and Officers within the Authority are responsible for decision-making in relation to particular functions of the Authority.
- 2.2 The functions are described in more detail in the paragraphs below. Also included in this part of the Constitution are details of the membership of Committees and Forums, information about other bodies (including advisory bodies) and the list of Proper Officer functions. Advisory bodies have no decision-making power but will advise the Authority, Full Council or its Committees or Sub-Committees, about a particular function.

Full Council Functions

- 2.3 These are functions which the law states cannot be the responsibility of a Committee or Sub-Committee or an Officer. For example adopting the annual budget, is a decision which can only be taken at a meeting of the Full Council. In other cases, where this restriction does not apply the responsibility for undertaking a function may be delegated by Full Council to a Committee or Sub-Committee or an Officer or through joint arrangements with other Authorities.

Committee Functions

- 2.4 All other functions that are not required to be taken by Full Council or are specifically retained by Full Council are delegated by Full Council to Committees and Sub-Committees or to Officers. Where a function is discharged through a Committee or Sub-Committee, decisions about these functions will be taken either by a Policy Committee, or through Regulatory and other Committees. The Authority is also able to discharge functions through Joint Arrangements with other Authorities and through Officers.

Other Council and Committee Delegations

- 2.5 Full Council may delegate a function/decision to a Committee or an Officer and a Committee may authorise an Officer to take decisions in relation to matters for which it retains responsibility. In addition, although the Constitution and is renewed annually changes in legislation and new delegations do occasionally arise in-year and therefore for information on any recent in-year changes please refer to Democratic Services for further information.
- 2.6 The alleviation of child and family poverty within the Borough and consideration of any impact on the Environment, Sustainability and Climate Change are matters to be taken into account in all decision making particularly that of Full Council and Policy Committees, in accordance with Part 2, Article 11.
- 2.7 The delegation arrangements in this Constitution reflect the principles that all matters that have been previously delegated prior to the revision of this Constitution should remain so. Where, in any statement of the powers previously delegated, reference is made to the holder of a post or office which no longer exists, that reference shall be interpreted as being a reference to the holder of the current post or office of which the responsibilities or functions most closely relate to those of the former post-holder or office holder. In the event of any contradiction between the earlier delegations and those set out below, the latter shall prevail.

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3. THE AUTHORITY’S FUNCTIONS AND DELEGATION SCHEME

Full Council

The functions to be exercised only by the Full Council, whether as a matter of law or of local determination are those set out in Article 4 (Functions of the Full Council).

Full Council Membership			
Membership	36 Councillors	Quorum	9 Councillors

No	Full Council Function
4	<u>Policy Framework</u> Functions relating to the approval or adoption of a Plan or Strategy of a description specified the Local Authorities (Committee System) (England) Regulations 2012 including those plans, policies and strategies contained within the Council's Budget and Policy Framework namely: Community Safety Plan The plans and strategies which together comprise the Local Plan Local Council Tax Support Scheme Medium Term Financial Strategy Licensing Policy and Statement of Licensing Principles (Gambling Act) Annual Library Plan (if required) Youth Justice Plan Local Transport Plan.
2	<u>Budget</u> <u>The annual budget which includes the allocation of financial resources to different services and projects including:</u> <u>• revenue expenditure;</u> <u>• proposed contingency funds including reserves and balances;</u> <u>• setting the Council Tax (and any other local tax which may be within the control of the Council);</u> <u>• decisions relating to the control of the Council's borrowing requirement;</u> <u>• capital expenditure;</u> <u>• the Treasury Management Strategy; and</u>

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	• the Housing Revenue Account. The approval or adoption of a Plan or Strategy for the control of the Local Authority's borrowing, investments or capital expenditure, or for determining the Authority's minimum revenue provision. Approving the capital strategy and programme Subject to the urgency procedure in the Budget and Policy Framework Procedure Rules, making decisions about any matter which would otherwise be contrary to the Policy Framework, or contrary to or not wholly in accordance with the Budget
3	The approval for the purpose of submission to the Secretary of State or any Minister of the Crown for approval, of any Plan or Strategy referred to in 1 and 2 above (whether or not in the form of a draft) of which any part is required to be so submitted.
4	Approval of Licensing Act 2003 and Gambling Act 2005 policies.
5	
6	Byelaws Power to make, amend, revoke or re-enact byelaws.
7	Officer Appointments
8	To confirm the appointment of the approve the appointment of the Head of Paid Service, Monitoring Officer and s151 Officer. Power to appoint Officers for particular purposes (appointment of "Proper Officers"). To approve the dismissal of an Officer designated as the Head of the Authority's Paid Service, Section 151 Officer, or Monitoring Officer, before notice of dismissal is given to that person.

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APPENDIX 1

No	Full Council Function
9	Duty to designate Officer as the Head of the Authority's Paid Service, and to provide staff, including Statutory Officers.
10	The appointment of any individual:
11	(a) to any office other than an office in which he/she is employed by the Authority; (b) to any body other than (i) the Authority (ii) a joint Committee of two or more Authorities; or (c) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment.
12	<u>Member's Allowances</u> Approving the Member Allowances Scheme following the recommendation of the Independent Remuneration Panel
13	<u>Elections</u> To exercise powers under Part 2 of the Local Government and Public Involvement in Health Act 2007, as amended, regarding a change in the Council's scheme for elections and for providing by order for consequential changes to the years in which ordinary elections of parish Councillors take place.
14	Functions relating to the conduct of Community Governance Review under Part 4 of the Local Government and Public Involvement in Health Act 2007 including the receipt and validation of a community governance petition, the terms of reference for any review and to formulate, publish and make decisions relating from a community governance review.
15	The function of making a request to the Local Government Boundary Commission for England under Section 57 (requests for single Member electoral areas) of the Local Democracy, Economic Development and Construction Act 2009 for single Member electoral areas. Duty to appoint returning officer for local government elections (section 35 of the Representation of the People Act 1983); Duty to appoint an electoral registration officer (section 8(2) of the Representation of the People Act 1983
16	<u>Local Council Tax Support</u> Power to approve the Localised Council Tax Support Scheme.

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17	<u>Pay Policy</u> Functions relating to the preparation, approval and subsequent publication of a Pay Policy Statement under Section 38 of the Localism Act 2011.
18	
	<u>Honorary Titles</u> <u>To confer and/or remove the Freedom of the Borough or the title of Honorary Alderman or Alderwoman.</u>
	<u>Elected Member Appointments</u> <u>To establish committee's and agree allocation of seats on committees to political groups.</u>
	<u>To make appointments to outside bodies unless appointment has been delegated by Full Council</u> <u>The power to elect and remove the Leader and Deputy Leader of the Council.</u> <u>To elect the Ceremonial Mayor and Deputy Ceremonial Mayor</u> The making of appointments under Part 2 of Schedule 6 of the Police Reform and Social Responsibility Act 2011.
	<u>Constitution</u> <u>To adopt or amend the Constitution following the recommendation of the Constitution Committee.</u>
19	<u>Other</u> Functions relating to name and status of areas. All other functions reserved to Full Council by law.

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APPENDIX 1

POLICY COMMITTEES

The Council has established five Policy Committees aligned with the functions of the Council:

1. Finance and Corporate Affairs Committee
2. Adult ~~and Community Based~~ Services ~~and Public Health~~ Committee
3. Children's Services Committee
4. ~~Economic Housing~~, Growth and ~~Regeneration Communities~~ Committee
5. Neighbourhood ~~and Regulatory~~ Services Committee

The Full Council will decide the constitution, membership and terms of reference of each Committee (except for those matters relating to Area Committees which are set out in legislation).

Matters reserved to all Policy Committees

Responsible for the service areas set out in the functions of the Committee (except for the Development Control element of Planning and Development functions delegated to the Planning Committee) and the formulation, development and implementation of the Policy Framework, other Strategies and Plans and service areas as detailed in the functions of the Committee

Finance and Corporate Affairs Committee

This Committee has overall responsibility for the financial and other resources of the Council, for developing the Council's strategy and policy based on national government and local priorities, and for the development of partnership working. It also has responsibility for many of the services delivered to residents and customers. Its specific functions are set out in the following paragraphs. It furthermore has responsibility for considering all proposals with corporate budgetary or policy implications referred to it by a Policy Committee.

Finance and Corporate Affairs Committee Membership			
Membership	11 Councillors	Quorum	3
1	Responsibility for the financial and other resources of the Authority, for formulating, developing and implementing the Authority's plans and strategies under the budget and policy framework. Additional service area responsibility including: electoral services, revenues and benefits, social welfare and public health under the Health and Social Care Act 2012, including the development of partnership working.		

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No	Finance and Corporate Affairs Committee Function
2	The formulation, development and implementation of the policy framework (as detailed below) and budget and the implementation of these in respect of Council functions and services not otherwise the responsibility of Council or any other Committee, namely: Policy Frameworks: • Localised Council Tax Support Scheme (DFID) • Medium Term Financial Strategy (DFID) • Community Safety Plan (EDDNRS)
3	The exercise of public health functions of the Authority under Part 5 of the Health and Social Care Act 2012 including partnership arrangements made under Section 75 of the National Health Service Act 2006 and the overall development of partnership working.
4	Responsibility for the financial and other resources of the Authority, for formulating, developing and implementing the Authority's plans and strategies under the budget and policy framework. Additional service area responsibility including: - electoral services, - revenues and benefits, • Financial Management (Corporate) (DFID)) • Accountancy (DFID) • Financial Management (DFID) • Benefits (including fraud and control) and means tested services (DFID) • Revenues collection (DFID) • Payments / Payroll (DFID) • Insurances (DFID) • Social Fund (DFID) • Legal (DLGHR) • Land Charges (DLGHR) • Members' Services (DLGHR) • ICT (DFID) • Policy / Performance / Partnerships (CE) • Complaints / Consultation (CE) • Democratic Services (DLGHR) • Human Resources Business Team (DLGHR)

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	• Organisational Development (DLGHR)
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No	Finance and Corporate Affairs Committee Function
4	• Customer Services / Hartlepool Connect (DFID) • Registrars (DFID) • Equality / Diversity (DLGHR) • Health, Safety and Wellbeing <u>at work</u> (EDDNRS) • Business Continuity (EDDNRS lead but all) • Commissioning public health services (DPH) • Smoking / public health intervention in tobacco control, obesity / nutrition / healthy weight / physical activity, alcohol, drugs, cancer, cardiovascular disease, breastfeeding, oral health promotion, respiratory disease (DPH) • Public mental health / suicide prevention (DPH) • Community safety (domestic violence) (DPH and EDCJCS) • NHS Health Check programme (DPH and EDCJCS) • School nursing (DPH and EDCJCS) • Accidental injury prevention (All) • Public health intelligence and epidemiology (DPH) • Joint strategic needs assessments (DPH) • Health equity audits (DPH) • Health impact assessments (DPH) • GP primary prevention programme (DPH) • Health protection plan and related services including (DPH): • Outbreaks and communicable disease (DPH) • Sexual health (DPH) • Immunisation (DPH) • Screening (DPH), • Seasonal Flu and Mortality (DPH) • Infection control (DPH) • Homelessness and Housing Advice (EDCJCS) • Housing Revenue Account (EDDNRS) • <u>Communication and Marketing (CE)</u> • <u>Strategic Procurement and Reprographic</u> • <u>Strategic Regeneration/Capital Programme Delivery and Monitoring</u>

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No	Finance and Corporate Affairs Committee Function
5	Functions relating to Local Government pensions etc., except those reserved to the Audit and Governance Committee.
6	Functions relating to Health and Safety at work.
7	Writing-off of debts above £50,000.
8	Determination of usage and oversight of grant funding in relation to grants that fall within the Policy Committee's remit, where required under the conditions of grant.
9	<u>To receive and examine reports on any exemptions granted to the Contract Procedure Rules.</u>
10	<u>To receive and examine quarterly reports on the monitoring and outcome of contract letting procedures including outputs, values, value for money considerations and performance (incorporating if necessary provider comparative analysis) where lowest/highest price is not payable/receivable.</u>

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Adult ~~and Community-Based Services~~ and Public Health Committee

The Adult ~~and Community-Based Services~~ and Public Health Committee consists of 7 Elected Members. The Committee is responsible for services provided to adults with eligible social care needs and their carers, including adult safeguarding, social work and occupational therapy and care packages that support people in the community. ~~Delivery of preventative and community based services for all Harlepool residents that support people to live active healthy lives and to participate in their local communities.~~

Adult and Community-Based Services <u>and Public Health</u> Committee Membership			
Membership	7 Councillors	Quorum	3

No	Adult and Community-Based Services <u>and Public Health</u> Committee Function
1	Policy Frameworks Annual Library Plan (if required) (EDACBS) <u>Social welfare and public health under the Health and Social Care Act 2012, including the development of partnership working.</u> Responsibility for the formulation, development and implementation of the Policy Framework, other Strategies and Plans and service areas: <u>Service Areas</u> - Adult Safeguarding (EDACBS<u>EDAS</u>) Housing Related Support (EDACBS) - Adult Social Work Support for Older People, People with Mental Health, People with Misuse Issues, People with Learning Difficulties, Physical Disabilities or Sensory Impairment and Carers. (EDACBS<u>EDAS</u>) - Commissioning of Adult Services (EDACBS<u>EDAS</u>) - Occupational Therapy (EDACBS<u>EDAS</u>) - Intermediate Care and Re-ablement (EDACBS<u>EDAS</u>) - User Property and Finance Performance Management (EDACBS<u>EDAS</u>) <u>Community Hubs incorporating a library offer, information and advice; and access to a range of health and employment support (EDACBS</u><u>EDAS AND DHGCM)</u> - Leisure Centres (EDACBS)

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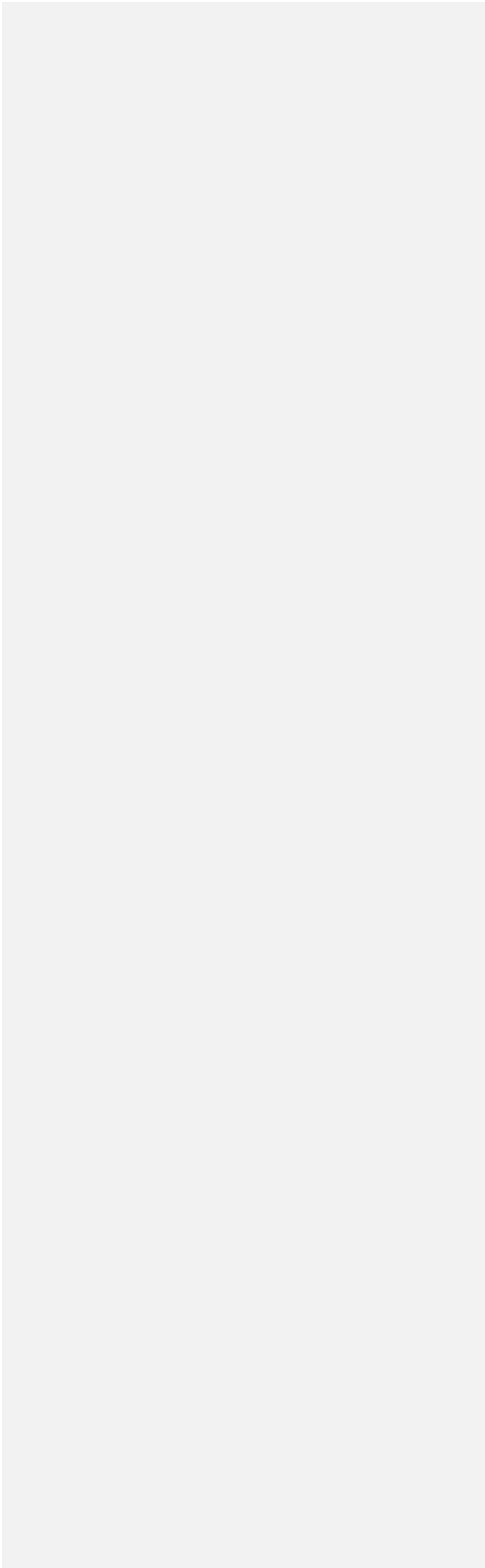
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2	• <u>Learn to Swim Programme (EDACBS)</u> • <u>Carlton Outdoor Education Centre (EDACBS)</u> • <u>Summerhill Outdoor Activity Centre (EDACBS)</u> • <u>Sport and Physical Activity Team (EDACBS)</u> • <u>Strategy Development and Implementation (Playing Pitch Strategy, Indoor Facilities Strategy) (EDACBS)</u> • <u>Conservation Parks and Countryside (including allotments) (EDACBS)</u> • <u>Commissioning public health services (DPH)</u> • <u>Smoking / public health intervention in tobacco control, obesity / nutrition / healthy weight/ physical activity, alcohol, drugs, cancer, cardiovascular disease, breastfeeding, oral health promotion, respiratory disease (DPH)</u> • <u>Public mental health / suicide prevention (DPH)</u> • <u>Community safety (domestic violence) Domestic Abuse (DPH and DNRS)</u> • <u>NHS Health Check programme (DPH and EDCJCS???)</u> • <u>School nursing (DPH and DCS)</u> • <u>Public health intelligence and epidemiology (DPH)</u> • <u>Joint strategic needs assessments (DPH)</u> • <u>Health equity audits (DPH)</u> • <u>Health impact assessments (DPH)</u> • <u>GP primary prevention programme (DPH)</u> • <u>Health protection plan and related services including (DPH):</u> • <u>Outbreaks and communicable disease (DPH)</u> • <u>Sexual health (DPH)</u> • <u>Immunisation (DPH)</u> • <u>Screening (DPH)</u> • <u>Seasonal Flu and Mortality (DPH)</u> • <u>Infection control (DPH)</u>
2	<u>The exercise of public health functions of the Authority under Part 5 of the Health and Social Care Act 2012 including partnership arrangements made under Section 75 of the National Health Service Act 2006 and the overall development of partnership working.</u>
3	Determination of usage and oversight of grant funding in relation to grants that fall within the Policy Committee's remit, where required under the conditions of grant.

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Children's Services Committee

The Children's Services Committee is made up of 7 Elected Members as well as a number of other Members including statutory Diocesan representatives (for education matters), school heads, school parent governors and young people. The young people provide the Committee with a fresh perspective on children's services. The Committee is responsible for children's services including the protection of children and young people and exercising the Authority's functions as Local Education Authority.

Children's Services Committee also has a Sub-Committee 'Corporate Parent Forum' which is made up of the members of Children's Services Committee and other non-voting members which include foster carers and formerly looked after children. The Corporate Parent Forum is responsible for the development, implementation and review of the Council's Corporate Parent Strategies and policies in order to ensure that the Council's duty as a 'Corporate Parent' is discharged properly, effectively and consistently.

Children's Services Committee Membership			
Membership	7 Councillors	Quorum	3

No	Children's Services Committee Function
1	Responsibility for: - Children's Services including the care and protection of children and young people. - Exercising the Council's functions as Local Education Authority.
2	Responsibility for the formulation, development and implementation of the Policy Framework, other Strategies and Plans and service areas: Policy Framework: - Youth Justice Plan Service Areas: - Child Safeguarding, Assessment and Support (EDGJCS) - Children looked after and leaving care (EDGJCS) - Fostering and adoption (EDGJCS) - Quality and Review / Independent Reviewing Officers (EDGJCS) - Local Safeguarding Children Board (EDGJCS) - Children's Strategic Commissioning (EDGJCS) - Youth Support Services (EDGJCS) - Youth Offending Service (EDGJCS)

APPENDIX 1

3	• Early Help including children's centres and 0-19 healthy child programme (EDGJCS) • Monitoring of Schools Causing Concern • School Improvement Support and Challenge (EDGJCS) • Curriculum development and enrichment (EDGJCS) • Performance management and self- evaluation (EDGJCS) • Pupil Referral Unit (EDGJCS) • ICT in schools (EDGJCS) • Transformation of Learning (EDGJCS) • School Capital Programmes (EDGJCS) • Social and Educational Inclusion (EDGJCS) • School Transformation (EDGJCS) • Special Educational Needs and Disabilities (EDGJCS) • Educational Psychology (EDGJCS) • Early Years Foundation Stage (EDGJCS) • School Capital (in partnership with EDDNRS) (EDGJCS) • School Admissions and School Place Planning (EDGJCS)
4	Power to nominate <u>and approve</u> persons for appointment as Local Authority school governors.
5	Determination of usage and oversight of grant funding in relation to grants that fall within the Policy Committee's remit, where required under the conditions of grant.

APPENDIX 1

Corporate Parent Forum

Corporate Parent Forum Membership			
Membership	7 Councillors	Quorum	3 Councillors

No	Corporate Parent Forum Function
1	Responsibility for the formulation, development, implementation and review of the Council's Corporate Parent Strategies and policies in order to ensure that the Council's duty as a 'Corporate Parent' is discharged properly, effectively and consistently.
2	To advise and make recommendations to the Authority's decision-making bodies and other partner agencies on any issues that affect children and young people who are Looked After by Hartlepool Borough Council.
3	To oversee the exercise of the Authority's responsibilities as Corporate Parent and ensure that the interests of Looked After Children are appropriately reflected in all the Authority's policies and the work of the Children's Strategic Partnership.

APPENDIX 1

Economic-Housing, Growth and Regeneration-Communities Committee

The Economic-Housing Growth and Regeneration-Communities Committee consists of 7 Elected Members and is responsible for Inward Investment and Economic Growth. The Committee is also responsible for Culture & Events and Learning & Skills. Delivery of preventative and community based services for all Hartlepool residents that support people to live active healthy lives and to participate in their local communities.

<u>Economic-Housing</u> , Growth and <u>Regeneration-Communities</u> Committee Membership			
Membership	7 Councillors	Quorum	3 Councillors

No	<u>Economic-Housing</u> , Growth and <u>Regeneration-Communities</u> Committee Function
1	<u>Responsibility for the formulation, development and implementation of the Policy Framework, other Strategies and Plans and service areas:</u> <u>Policy Frameworks</u> <u>Annual Library Plan (if required) (DHGC)</u>
42	<u>Service Areas</u> <u>Housing Related Support (DHGC)</u> <u>Community Hubs incorporating a library offer, information and advice; and access to a range of health and employment support (EDACBS)</u> <u>Leisure Centres (DHGC)</u> <u>Learn to Swim Programme (DHGC)</u> <u>Carlton Outdoor Education Centre (DHGC)</u> <u>Summerhill Outdoor Activity Centre (DHGC)</u> <u>Sport and Physical Activity Team (DHGC)</u> <u>Strategy Development and Implementation (Playing Pitch Strategy, Indoor Facilities Strategy) (DHGC)</u> <u>Conservation Parks and Countryside (including allotments) (DHGC)</u> <u>Inward Investment and Economic Growth (EDDNRSDHGC)</u> <u>Communication and Marketing (CE)</u> <u>Strategic Procurement and Reprographic (EDDNRSDFID)</u> <u>Capital Programme Delivery and Monitoring (DFID)</u>

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APPENDIX 1

	• Estates and Asset Management (EDDNRS) • Asset and Property Management (EDDNRS) • Business Growth and Engagement (EDDNRSDHGC) • Culture and Events (EDACBSDHGC) • Learning and Skills (EDACBSDHGC) • Community Hubs incorporating a library offer, information and advice; and access to a range of health and employment support (EDAS AND DHGC) • Homelessness and Housing Advice (DHGC) • Housing Revenue Account (DHGC) • Community Cohesion Framework •
2	The approval of new grant-aided schemes subject to specific funding being available subject to compliance with any terms of grant.
3	To receive and examine quarterly reports on the monitoring and outcome of contract letting procedures including outputs, values, value for money considerations and performance (incorporating if necessary provider comparative analysis) where lowest/highest price is not payable/receivable.
4	Determination of usage and oversight of grant funding in relation to grants that fall within the Policy Committee's remit, where required under the conditions of grant.
5	To receive and examine reports on any exemptions granted to the Contract Procedure Rules.
6	Accepting, disposing or loaning out objects into the Museum Collection where the value exceeds £100,000.

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APPENDIX 1

Neighbourhoods and Regulatory Services Committee

The Neighbourhood and Regulatory Services Committee is responsible for a number of service areas including Building Design and Construction, Transport and Highways and Engineering and Environmental Services, Planning and Development Control, Community Safety and Public. The Committee is made up of 7 Elected Members.

Neighbourhoods and Regulatory Services Committee Membership			
Membership	7 Councillors	Quorum	3 Councillors

No	Neighbourhoods and Regulatory Services Committee Function
1	Responsibility for the formulation, development and implementation of the Policy Framework, other Strategies and Plans and service areas: Policy Framework • Local Transport Plan (EDNRS) • Community Safety Plan (DNRS) • The plans and strategies which together comprise the Local Plan (EDNRS).
2	Service Areas • Building Design and Construction (EDNRS) • Community Safety and Enforcement (EDNRS) (other than matters relating to the Safer Hartlepool Partnership which is the responsibility of the Finance and Corporate Affairs Committee) • Environmental Services (EDNRS) • Emergency Planning Unit (EDNRS) • Facilities Management (Cleaning, Catering and Security) (EDNRS) • Public Protection (EDNRS) • Safer Hartlepool Partnership (EDNRS) • Transport and Infrastructure (EDNRS) • Planning and Development Control (EDNRS) – Development Control element of planning falls within the functions of the Planning Committee (see below) • Building Control (EDNRS) • Emergency and Local Resilience Planning and Business Continuity (EDNRS) • Estates and Asset Management (DNRS) • Asset and Property Management (DNRS) • Health, Safety and Wellbeing (DNRS)

APPENDIX 1

No	Neighbourhoods and Regulatory Services Committee Function
3	To introduce Traffic Regulation Orders and Highway Infrastructure improvements where there are more than 2 material objections to the proposal.
4	Determination of usage and oversight of grant funding in relation to grants that fall within the Policy Committee's remit, where required under the conditions of grant.

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APPENDIX 1

Audit and Governance Committee

The Audit and Governance Committee is made up of 10 Elected Members. The Committee is responsible for the Council's Audit functions including the monitoring of both internal and external audit reports. The Committee undertakes the Council's statutory scrutiny role in relation to Health and Crime and Disorder. The Committee also undertakes the promotion of high ethical standards and Elected Member conduct under the Code of Conduct for Elected Members and Co-opted Members. 2 Independent Persons appointed by Council and 2 local Parish Council representatives form part of the Committee when undertaking this role.

Audit and Governance Committee Membership			
Membership	10 Councillors	Quorum	3 Councillors

No	Audit and Governance Committee Function
1	Promote the independent internal audit function and raise awareness of internal control, reviewing controls and financial operations and developing an anti-fraud culture.
2	Focussing and monitoring the Authority's audit resources by reviewing the plans and reports of the external auditor and the internal audit team to ensure that audit work is co-ordinated. Determining the arrangements for appointment of the External Auditor.
3	Monitoring audit performance by including reporting schedules and action on recommendations.
4	Power to approve Authority's statement of accounts and Annual Governance Statement.
5	To scrutinise the Treasury Management Strategy and resulting Treasury Management solutions thereon and to make such recommendations to Full Council as the Committee shall deem appropriate.
6	Consider the overall effectiveness of the Authority's corporate governance arrangements, risk management and anti-fraud and anti-corruption arrangements and to seek assurance that action is taken on risk related issues identified by internal and external audit.
7	Functions relating to the scrutiny of contracts and the monitoring of contracts (at the discretion of the Committee) subject to the formal quotation and tendering procedures under the Authority's Contract Procedure Rules.
8	Making appointments to the Independent Remuneration Panel as established under the provisions of the Local Government Act 2000.
9	Promoting and maintaining high standards of conduct by Elected Members and Co-opted members of the Authority.

APPENDIX 1

No	Audit and Governance Committee Function
10	To delegate to a Hearing Sub-Committee, the conduct of a hearing upon a complaint and to make recommendations and report findings, as appropriate.
11	To assist in making recommendations through the better governance of the Council insofar as it relates to the maintenance and promotion of high ethical standards.
12	To exercise and undertake the statutory health scrutiny functions of the Authority under Part 5 of Chapter 2 of the Health and Social Care Act 2012 and regulations made there under and associated guidance.
13	To undertake the functions of the Authority's Crime and Disorder Committee for the purposes of the Police and Justice Act 2006.
14	Power to determine complaints regarding Elected Members in accordance with the Council's agreed corporate complaints procedures.
15	Monitoring the use of Covert Surveillance (Regulation of Investigatory Powers Act 2000) (RIPA): • To receive reports upon the Authority's use of surveillance powers under the Regulation of Investigatory Powers Act 2000 (RIPA). • To examine compliance with the legislation, the Code of Practice and Authority policy in connection to RIPA. • To consider whether the Authority policy on RIPA remains fit for purpose and recommend changes where appropriate for the consideration of Finance and Corporate Affairs Committee.
16	The nomination of members from the Committee to serve on joint bodies formed with neighbouring Authorities for health scrutiny exercises.

Appeals Committee

Appeals Committee Membership			
Membership	5 Councillors plus 1 non-statutory co-opted Independent Person (non-voting)	Quorum	3 Councillors

No	Appeals Committee Functions
1	Power to consider and determine: • Appeals against dismissal • Appeals arising out of Departmental staffing reviews and/or re-structures • Grievances at the final internal stage • Home to School Transport Appeals.
2	Functions relating to local government pensions, etc. relating to the determination of individual cases excluding those relating to individual early retirement.

APPENDIX 1

Licensing Committee

Licensing Committee Membership			
Membership	12 Councillors	Quorum	3 Councillors

No	Licensing Committee Function
1	Policy Framework The development of the following policies to be referred to Council for adoption: • Licensing Act 2003 Policy. • Gambling Act 2005 Policy.
2	Appointments to the following Sub-Committees:- • Licensing Sub-Committees. • Regulatory Sub-Committees.

Licensing Sub Committee

Licensing Sub Committee Membership			
Membership	3 Councillors	Quorum	3 Councillors

No	Licensing Sub Committee Function
1	Discharge the Council's functions under the Licensing Act 2003 and the Gambling Act 2005, with the exception of those functions reserved to Full Council.

APPENDIX 1

Regulatory Sub Committee

Regulatory Sub Committee Membership			
Membership	4 Councillors	Quorum	3 Councillors

No	Regulatory Sub Committee Function
1	Discharges the Licensing Committee's functions in relation to individual licence matters not assigned to the Licensing Act Sub-Committee. Including: the power to refuse, revoke or suspend except for matters where eligibility criteria are not met or where there is judged to be a clear risk
1	to the well-being of the public, or a section of the public, which needs to be addressed as a matter of urgency, except those relating to Commons Registration and Roads and Highways (delegated to Planning Committee).
2	Discharges all other licensing and registration functions except those relating to Commons Registration and Roads and Highways (delegated to Planning Committee) with the exception of those functions reserved to Full Council.

APPENDIX 1

Planning Committee

The Planning Committee shall exercise the Authority's Town and Country Planning, and Development Management functions including Commons registration and Village Greens. This includes powers relating to the protection and preservation of important hedgerows and trees.

NB: "Planning application" means applications for planning permission, listed building consent, , advertisement consent and tree preservation order consents.

Planning Committee Membership			
Membership	11 Councillors	Quorum	5 Councillors

No	Planning Committee Function
1	Any Planning application which any Elected Member, or within a parished area the appropriate Parish Council, requests in writing should be referred to the Committee for decision, such request to be received within 21 days of the publication of details of the application or such later time with the permission of the Chair of the Committee.
2	Any Planning application which has received three or more material planning objections from separate addresses,
3	Any Planning application with an Officer recommendation to approve which is significantly contrary to current planning policy.
4	Any application made by or on behalf of an Elected Member or HBC planning officer.
5	Powers, related to Commons Registration, where applications / modifications are opposed.
6	Functions relating to public rights of way where applications / modifications are opposed.
7	Functions relating to Town and Village Greens where applications / modifications are opposed.
8	To consider reports on the proposed Development Plan Documents of neighbouring authorities where the Council is a consultee.
9	To receive reports on the performance of the Development Control and Planning Policy section.

APPENDIX 1

No	Planning Committee Function
10	Powers relating to Tree Preservation Orders where three or more objections are received.
11	Any Planning application referred by the Executive Director of Development, Neighbourhoods and Regulatory Services at his/her discretion.
12	Any application for replacement of windows or doors in a Conservation Area.

APPENDIX 1

Safer Hartlepool Partnership

Safer Hartlepool Partnership Membership			
Membership	Leader of the Council, Chair of Neighbourhood Services Committee + representatives of partner organisations as required under legislation.	Quorum	3 Members (with at least 2 being Responsible Authority Members)

No	Safer Hartlepool Partnership Function
1	A partnership to create confident cohesive and healthy communities by working together to reduce crime, anti-social behaviour, re- offending and substance misuse in Hartlepool
2	The Partnership is responsible for the delivery of the community safety outcomes.
3	Plans and Strategies: • Anti-Social Behaviour Strategy • Community Safety Plan • Youth Justice Strategic Plan • Drug Treatment Plan • Alcohol Harm Reduction Strategy • Domestic Violence Strategy • Social Behaviour Plan • Prevent Action Plan • Reducing Reoffending Strategy • Community Cohesion Framework • Troubled Families Programme

APPENDIX 1

Health and Wellbeing Board

Health and Wellbeing Board Membership			
Membership	Leader of Council + 3 Councillors. Prescribed Membership as set out in Statutory Guidance. Additional non-prescribed Members.	Quorum	5 prescribed Members with at least 1 rep from each of the 3 prescribed Member organisations

No	Health and Wellbeing Board Function
1	Responsibility for the preparation and implementation of a Health and Wellbeing Strategy for the Borough.
2	Responsibility for ensuring the development and use of a comprehensive evidence based Joint Strategic Needs Assessment (JSNA) for Hartlepool and that a pharmaceutical needs assessment is undertaken.
3	Responsibility for ensuring consistency between the commissioning priorities of partners and the Health and Wellbeing Strategy and JSNA. Having strategic influence over commissioning and investment decisions across health, public health and social care services to ensure integration and joint commissioning particularly for those services being commissioned and provided to the most vulnerable people.

Appointments Panel

Appointments Panel Membership			
Membership	8 Councillors	Quorum	3 Councillors

No	Appointments Panel Function
1	To exercise those functions as set out within the Officer Employment Procedure Rules at Part 4 of the Constitution.

APPENDIX 1

Constitution Committee

Constitution Committee Membership			
Membership	9 Councillors	Quorum	3 Councillors

No	Constitution Committee Function
1	To review, monitor, and where necessary, recommend changes to the Constitution to full Council, so that the aims and principles of the Council's Constitution are given full effect.

APPENDIX 1

Civic Honours Committee

Civic Honours Committee Membership			
Membership	5 Councillors + 1 co-opted Member	Quorum	3 Councillors

No	Civic Honours Committee Function
1	Receive, consider and make recommendations to Council in respect of conferment of the Freedom of the Borough upon individuals or organisations.
2	Consider nominations for Honorary Alderman and Honorary Alderwoman and make recommendations to the Council thereon.
3	Make recommendations and issue guidance as the Committee may consider appropriate to Council on the conferment of Civic Honours.

APPENDIX 1

Independent Advisory Committee

Independent Advisory Committee			
Membership	3	Quorum	2

No	Independent Advisory Committee Function
1	To act as an advisory panel to the Council in respect of any recommendation that is made to dismiss an officer designated as the Council's Head of Paid Service, the Section 151 Officer or Monitoring Officer (the Statutory Officers).

4. OFFICER DELEGATIONS SCHEME

- 4.1 The Chief Executive, Executive Directors, [Directors](#) (collectively referred to below as 'Directors') and Chief Officers are authorised to carry out those functions of the Authority, statutory duties and managerial responsibilities delegated to them as set out in this scheme.
- 4.2 The Chief Executive is authorised to exercise any of those functions delegated to the Directors and the Chief Officers, provided he/she is not prohibited from doing so by any other legal or constitutional requirement.

Exercise of Delegated Functions

- 4.3 The Chief Executive, Directors and Chief Officers may authorise other officers to exercise their delegated powers and duties on their behalf. In these circumstances:
- (a) documentary evidence of the authorisation must be kept in the form of an Authorisation Record and will be retained by Democratic Services;
 - (b) Chief Executive, Directors or Chief Officer with the original delegation shall remain accountable for any decision taken under such an authorisation;
 - (c) the Chief Executive, Directors or Chief Officer with the original delegation must ensure that the officer who has been authorised to act is not prohibited from doing so by any other legal or constitutional requirement and has the relevant skills, experience and qualifications to undertake the duties; and
- 4.4 The exercise of any functions of the Authority in respect of any particular matter which has been delegated shall include the power to take any action incidental, conducive or ancillary thereto. This will include the enforcement of all legislation relating to the Council's powers, duties and functions, including the issuing of certificates, licences, notices, consents and orders including the authorisation of registration and the maintenance of such registers and lists relating thereto.

Duties

4.5 In exercising delegated powers officers must:

- (a) act within the law, the Authority's Constitution, Contract Procedure Rules, Financial Procedure Rules and the Authority's approved budget, policies, plans and strategies;
- (b) not make decisions about matters in which they have a personal interest. If an officer has a personal interest, whether financial or not, which could overlap or bring about conflict with the Authority's work, it must be declared in accordance with the Code of Conduct for Employees.
- (c) consult the chair of the relevant committee prior to taking action:
 - where the taking of action has policy or significant financial implications; or
 - where the chair has given a prior indication that he/she wishes to be consulted on a matter or type of matter.

- (d) consult any other appropriate officer and/or ward members if appropriate;
- (e) keep documentary evidence of the exercise of the delegated power and the consultation undertaken; and make the documentary evidence available on request to the public unless the document is exempt under a provision of the Freedom of Information Act 2000 or its disclosure would be a breach of the Data Protection Act 2018.

Deputising

- 4.6 Where the Chief Executive is absent or unable to act the Chief Executive will authorise an Executive Director to exercise the functions delegated to the Chief Executive provided the Chief Executive is satisfied that the Executive Director is not prohibited from doing so by any other legal or constitutional requirement.
- 4.7 Where a Director or Chief Officer is absent or unable to act, the Chief Executive or the relevant Executive Director, as appropriate, will authorise another officer to exercise the functions provided they are satisfied that the Officer is not prohibited from doing so by any other legal or constitutional requirement.
- 4.8 In the circumstances set out in paragraph 4.6 and 4.7 documentary evidence of the authorisation must be produced and retained by Democratic Services for the period of the authorisation.

5. THE STATUTORY/PROPER OFFICERS

- 5.1 The following statutory roles have been assigned to the post holder of the positions named below with the authority to exercise the duties and responsibilities associated with those positions.
- 5.2 The Chief Executive is hereby appointed the Proper Officer in relation to any reference to any enactment other than the Local Government Act 1972, or in any instrument made before the 26th October, 1972, to the Clerk of a Council or the Town Clerk of a Borough, which by virtue of any provision in the said Act, is to be construed as a reference to the Proper Officer of the Council.
- 5.3 The Director of Finance, IT and Digital is hereby appointed the Proper Officer in relation to any reference in any enactments or Instruments to a Borough Treasurer or Treasurer or Section 151 Officer which by any such provision is to be construed as a reference to the Proper Officer of the Council.
- 5.4 The Executive Director of ~~Development~~, Neighbourhoods and Regulatory Services is hereby appointed the Proper Officer in relation to any reference in any enactments or Instruments to a Sanitary Inspector or Public Health Officer which by any such provision is to be construed as a reference to the Proper Officer of the Council.

Legislation	Description
Civil Partnership Act 2004.	The Assistant Director (Customer Services and IT <u>Digital, Data & Technology</u>) is hereby appointed Proper Officer to undertake the Council's duties.
Commons Registration Act 1965.	The Director of Legal, Governance and Human Resources is hereby appointed the Proper Officer.
Local Authority Social Services and National Health Services Complaints (England) Regulations 2009	The Executive Director of Children's and Joint Commissioning Services and the Executive Director of Adult and Community Based Services <u>and Public Health</u> are hereby appointed as the Proper Officers for ensuring compliance.
Local Elections (Declaration of Acceptance of Office) Order 2001	The Chief Executive <u>Director of Legal Governance and Human Resources</u> is hereby appointed Proper Officer for the purposes of receipt of declaration of office of Elected Members.
Local Government (Committees and Political Groups) Regulations 1990.	The Director of Legal, Governance and Human Resources is hereby appointed Proper Officer to receive notices.

Legislation	Description
Local Government (Miscellaneous Provisions) Act 1976 s. 41(2A)	The Director of Legal, Governance and Human Resources is hereby appointed Proper Officer for the purposes of certification of records of decisions.
Local Government Act, 1972	The Executive Director of Development , Neighbourhoods and Regulatory Services is hereby appointed Proper Officer in relation to any reference in any enactments or Instruments referred to in any resolution of the Council to a Borough Engineer, Borough Surveyor, Surveyor or Head of Engineering and Waste Management which by any provision is to be construed as a reference to the Proper Officer of the Council.
Local Government and Housing Act 1989 as amended in respect of politically restricted posts.	The Director of Legal, Governance and Human Resources is hereby appointed Proper Officer.
Local Government and Housing Act 1989, Section 5.	The Director of Legal, Governance and Human Resources is hereby appointed Monitoring Officer.
Public Health (Control of Disease) Act 1984 (as amended) and in relation to any reference in any enactments or instruments made thereunder.	The person appointed by Public Health England as a Consultant in Communicable Disease/Consultant in Health Protection/Regional Epidemiologist/Unit Director is hereby appointed to act as Proper Officer for the Council for the purposes of functions.
Registration Services Act 1953 as amended.	The Assistant Director (Customer Services and IT Digital, Data & Technology) is hereby appointed Proper Officer.
S.8, 28,35, 52, 67 and 131 respectively of the Representation of the People Act 1983.	The Chief Executive Director of Legal, Governance and Human Resources is hereby appointed the Returning Officer and the Electoral Registration Officer.
S.82 Representation of the People Act 1983.	The Chief Executive Director of Legal, Governance and Human Resources is hereby appointed the Proper Officer for the taking of an election candidate's declaration of expenses.
S4 of the Local Government and Housing Act 1989.	The Chief Executive is hereby designated as Head of the Paid Service.

4.24 APPENDIX 1

Legislation	Description
Section 18 of the Children Act 2004.	The Executive Director of Children's and Joint Commissioning Services as the Proper Officer.
Section 30 of the Health and Social Care Act 2012	The Director of Public Health is hereby appointed Proper Officer.
Section 4(2) of the Housing Act 2004.	The Executive Director of Development, Neighbourhoods and Regulatory Services is hereby appointed the Proper Officer.
Section 532 of the Education Act 1996.	The Executive Director of Children's and Joint Commissioning Services is hereby appointed Proper Officer.
Section 6 of the Local Authority Social Services Act 1970 (as amended).	The Executive Director of Adult and Community Based Services <u>and Public Health</u> is hereby appointed Proper Officer.
Section 6(3) of the Sheriffs Act 1887.	The Chief Executive is hereby appointed the Proper Officer.
Section 9FB of the Local Government Act 2000 as amended by the Localism Act 2011	The <u>Democratic Services and</u> Statutory Scrutiny Manager is hereby designated as Scrutiny Officer.

5.5 In respect of the sections of the Local Government Act 1972 set out in the first column below, the Officer of the Council referred to in the second column shall be the Proper Officer with regard to the function referred to in the third column:-

Section Local Government Act 1972	Proper Officer	Function
13(3)	Chief Executive	Parish Trustee.
83(1) to (4)	<u>Director of Legal, Governance and Human Resources</u> Chief Executive	Witness and receipt of declarations of acceptance of office.
84	Chief Executive	Receipt of declaration of resignation of office.
88(2)	Chief Executive	Convening of meeting of Council to fill casual vacancy in the Office of Chairman.

Section Local Government Act 1972	Proper Officer	Function
89(1)(b)	<u>Director of Legal, Governance and Human Resources</u> Chief Executive	Receipt of notice of casual vacancy from 2 Local Government electors.
100B - 100F	Director of Legal, Governance and Human Resources	Functions with respect to exempt information.
115(2)	Director of Finance, IT and Digital Services	Receipt of money due from Officers.
117	Chief Executive	Keeping record of particulars of any notice given by an Officer as to a pecuniary interest in any contract or proposed contract.
146(1)(a) and (b)	Director of Finance, IT and Digital Services	Declarations and certificates with regard to securities.
191	<u>Assistant Director (Development and Growth)</u> <u>Director of Neighbourhoods and Regulatory Services</u>	<u>Functions with respect to ordnance survey.</u>
210(6) and (b)	Chief Executive	Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities, or, if there is no such office, to Proper Officers.
212(1) and (2)	Director of Legal, Governance and Human Resources	Proper Officer to act as local registrar for Land Charges Act 1972 and 1975.
225(1)	Director of Legal, Governance and Human Resources	Deposit of Documents.
229(5)	Director of Legal, Governance and Human Resources	Certification of photographic copies of documents.
234(1) and (2)	Chief Executive	Authentication of documents.
236(9)	Director of Legal, Governance and Human Resources	To send copies of bye-laws for Parish Records.

238	Director of Legal, Governance and Human Resources	Certification of bye-laws.
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Section Local Government Act 1972	Proper Officer	Function
248	Director of Legal, Governance and Human Resources	Keeping of roll of Freemen.
Schedule 12	Chief Executive	Signature of summonses to Council meetings.
Para. 4(3)	Chief Executive	Receipt of notices regarding address to which summons to meetings is to be sent.
Para. 25(7)	Director of Legal, Governance and Human Resources	Certification of resolutions under para. 25 of Schedule 14.
Schedule 16 Para. 28	Director of Legal, Governance and Human Resources	Receipt on deposit of lists of protected buildings (section 54(4) of the Town and Country Planning Act 1971).

- 5.6 Hartlepool Borough Council hereby appoints any person for the time being employed as a Director for Health Protection or Consultant in Communicable Disease Control / Consultant in Health Protection at the North East Health Protection Team of the UK Health Security Agency to act as Proper Officers for the following purposes:

Legislation	Section or Regulation	Effect
The Health Protection (Notification) Regulations 2010	Regulations 2, 3, 6	Receipt and disclosure of notification of suspected notifiable disease, infection or contamination in patients and dead persons.

- 5.7 For the purpose of exercising any of the functions for which the Officer of the Council named in the first column is appointed Proper Officer whenever that Officer is unable to perform such functions, the Officer of the Council named in the second column hereunder shall be appointed Deputy to the Proper Officer in respect of these functions:-

Proper Officer	Deputy Proper Officer
Chief Executive	The Chief Executive will authorise an Executive Director/ Director .
Director of Legal, Governance and Human Resources	Assistant Director of Legal and Governance and Human Resources .

Proper Officer	Deputy Proper Officer
Director of Finance, IT and Digital Services	Assistant Director (Corporate and Financial Services Finance (Deputy s151)) – Assistant Director (Customer Services and IT Digital, Data & Technology) (as appropriate)
Assistant Director (Corporate and Financial Services Finance)	Director of Finance, IT and Digital Services
Assistant Director (Customer Services and IT Digital, Data & Technology)	Director of Finance, IT and Digital Services
Executive Director of Development , Neighbourhoods and Regulatory Services	Assistant Director (Neighbourhoods) / Assistant Director (Regulatory Services) / Assistant Director (Development and Growth) (as appropriate)
Assistant Director (Neighbourhoods)	Executive Director of Development , Neighbourhoods and Regulatory Services
Assistant Director (Regulatory Services)	Executive Director of Development , Neighbourhoods and Regulatory Services
Assistant Director (Development and Growth)	Executive Director of Development, Neighbourhoods and Regulatory Services
Director of Housing, Growth and Communities	Assistant Director (Preventative & Community Based Services) Assistant Director (Housing & Growth) (as appropriate)

Proper Officer	Deputy Proper Officer
Executive Director of Children's and Joint Commissioning Services	Director of Public Health / Assistant Director of Joint Commissioning <u>Early Intervention, Performance & Commissioning Services</u> -Assistant Director (Children's and Families' Services) / Assistant Director (Education) (as appropriate)
Assistant Director (Children's and Families' Services)	Director of Children's and Joint Commissioning Services
<u>Assistant Director (Early Intervention, Performance and Commissioning)</u>	<u>Director of Children's Services</u>
<u>Assistant Director (Education)</u>	<u>Director of Children's Services</u>
Executive Director of Adult and Community Based Services <u>and Public Health</u>	<u>Director of Public Health</u> Assistant Director (Adult Social Care) Assistant Director (Preventative and Community Based Services) (as appropriate)
Director of Public Health	Chief Executive other than statutory health protection duties – Alternative Director of Public Health (Tees Valley Authorities) <u>Director of Adult Services and Public Health</u>

Chief Executive, Executive Directors, Directors and all Assistant Directors

- 5.8 The Chief Executive, ~~Executive Directors~~, Directors and all ~~Assistant Directors~~ Chief Officers are authorised to exercise the functions listed below:

No	Delegation
GD1	To carry out those functions of the Authority delegated to them as set out in this scheme.
GD2	Where the Chief Executive, Executive Directors, Directors or a Chief Officer hold statutory or proper officer positions (as set in section 5 of the scheme), to exercise those statutory duties and responsibilities assigned to the positions by law.

No	Delegation
GD3	To take decisions on behalf of the Authority on all matters where they have managerial or professional responsibilities for their service areas.
GD4	To serve, receive and act upon notices, give or refuse consents, issue determinations, apply for permissions, make orders, grant licenses in the exercise of any discretionary power or in complying with any duty of the Authority delegated to them.
GD5	To seek any formal regulatory approval which may be required for a project, scheme or programme which has been approved by the Council, Committee or any officer acting under delegated powers.
GD6	In consultation with the Director of Legal, Governance and Human Resources and the Director of Finance, IT and Digital Services to make payments or provide benefits in cases of maladministration under section 92 of the Local Government Act 2000.
GD7	To procure goods, works and services and undertake other associated functions in accordance with the duties and responsibilities laid down in Contract Procedure Rules.
GD8	In consultation with the Director of Legal, Governance and Human Resources to submit tenders to other public bodies, as defined by the Local Authorities Goods and Services Act 1970, for work falling within the capability of the Authority and if successful to authorise the Director of Legal, Governance and Human Resources to complete the appropriate contract documents.
GD9	In consultation with the Director of Finance, IT and Digital Services and the Executive Director of Development , Neighbourhoods and Regulatory Services to authorise expenditure without recourse to the provisions of Financial Procedure Rules and/or Contract Procedure Rules in accordance with the Authority's business continuity and emergency planning policies and procedures.
GD10	In consultation with the Chair of the relevant Committee, the setting of fees and charges that have not been determined as part of the budget process, where the in-year additional income or expenditure does not have a gross full year effect greater than £100,000 i.e. where key decision test (i) does not apply.
GD11	To exercise the functions, duties and responsibilities relating to the financial management of their service areas as set out in Financial Procedure Rules.
GD12	To ensure that all staff in their service area are aware of the existence and content of the Financial Procedure Rules.
GD13	To award grants to voluntary and community organisations and individuals in accordance with financial regulations, delegated budgets and Authority policy.

No	Delegation
GD14	To appoint (below the level of Chief Officer and as set out in the Officer Employment Rules), dismiss and deploy staff and deal with other employment matters in accordance with human resources policy, procedure and guidelines, subject to their actions being within their approved budget.
GD15	To represent the Authority at meetings, as appropriate, of any organisations where the Authority has an involvement or interest subject to: (a) a record being kept when a representation is likely to be for a significant period; and (b) consultation with the Director of Legal, Governance and Human Resources in respect of any formal indemnification that may be necessary.
GD16	To enter into partnership agreements/arrangements with other bodies to work collectively to achieve joint objective(s). When entering into partnership agreements/arrangements Chief Officers will ensure the appropriate policies and procedures are followed including the Constitution, and the other provisions of the Officer Delegation Scheme, Contract Procedure Rules and Financial Procedure Rules.
GD17	To monitor the effectiveness of partnerships.
GD18	To appoint officers as authorised officers of the Authority and to sign warrant and authorisation cards enabling staff to undertake their duties and enter land and premises pursuant to statute.
GD19	Strictly in exceptional circumstances, such as a global pandemic, where Officers with the requisite delegations are incapacitated or absent, functions may be exercised by any Officer within the Council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided.
GD20	Power to determine and implement a programme of promotional activities and events, including appropriate hospitality, within budget provision.
GD21	Power to determine attendance of Officers in his/her division at events not on the Approved List of Conferences, Seminars and Meetings in accordance with the Council's scheme of guidance.
GD22	Variations to existing policies and procedures together with new policies/procedures which do not have significant service or corporate impact, where changes are necessary to ensure compliance with the law, Ministerial Direction or Government Guidance.
GD23	Approval of Departmental service plans.
GD24	Strategic service level financial and performance monitoring.

No	Delegation
GD25	Matters relating to bids for funding which do not have major financial or strategic significance, or which have either been approved in principle by the relevant Policy Committee or as part of the approved budget and policy framework.
GD26	Involvement in grant allocations and other allocations of funding within the terms of a scheme or method of allocation previously agreed by the Council.
GD27	Improvement plans and other key reports.
GD28	External Audit and other inspection reports on service and non-strategic corporate matters.
GD29	Allocations, scheme designs and specifications within agreed programmes of works.
GD30	Policies, plans and strategies which are not part of the budget and policy framework or otherwise reserved to a Policy Committee

No	Delegation
GD31	Powers for a variety of transactions within £100,000 in capital value and £50,000 in rental value (annual figure). The powers are to approve land and property disposals and acquisitions, leases, lettings, licences, wayleaves, easements, undertaking and concluding rent reviews, lease renewals and the release and amendments of restrictions, covenants and other land and property matters.

No	Delegation
	<u>To develop and submit expressions of interest for funding programmes and opportunities that will assist the delivery of Authority's priorities.</u>

6. SENIOR LEADERSHIP STRUCTURE



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7. CHIEF EXECUTIVE

- 7.1 The Chief Executive leads, manages and directs the **senior management leadership team** to promote a corporate, co-ordinated, cross-functional approach towards strategy and policy development and the delivery of services for Hartlepool. The Chief Executive is responsible and accountable to the Authority and provides clear leadership in order to maintain and achieve sustained improvement in Authority performance, efficiency and service delivery. The Chief Executive represents the Authority within the local community and at a regional and national level to promote the social, economic and environmental wellbeing of Hartlepool.
- 7.2 In addition to the general delegations set out in section 6 of the scheme, the Chief Executive is authorised to exercise the following specific functions:

No	Delegation
General	
CE1	To exercise any function delegated to the Executive Directors, Directors and Chief Officers, provided s/he is not prohibited from doing so by any other legal or constitutional requirement.
CE2	To approve and make necessary in-term changes to the plans and strategies included in the Policy Framework following sign-off by Full Council unless the change would: - have a budgetary impact outside of the financial regulations framework; - have an impact on other strategic plans; and / or, involve the insertion or deletion of a key objective from the plan.
CE3	To determine attendance by Elected Members at non-local events either not included in the approved list of conferences, seminars and meetings, or where the Elected Member is not specified on the approved list, together with any reasonable associated costs.
CE4	To determine attendance of Executive Directors, Directors and Chief Officers at events not on the approved list of conferences, seminars and meetings.
CE5	To determine any requests in connection with the use of office accommodation within any of the Authority's establishments, together with matters relating to Bank Holiday and other closures of the Civic Centre and other administrative buildings.
CE6	To determine all matters relevant to the discharge of the Authority's civic and ceremonial functions, including the replacement of civic vehicles and the provision of appropriate hospitality which may be necessary to facilitate the efficient discharge of the Authority's functions in this area.

CE7	To act as the Authority's representative on Joint Committees and Partnership Boards and to exercise all decision making powers in consultation with the Leader of the Council, as required under the Authority's governance arrangements.
CE8	In consultation with the Leader (or in his/her absence the Deputy Leader), Chair of the relevant Committee (or in his/her absence Vice Chair) Monitoring Officer and Section 151 Officer, the Chief Executive (or in his/her absence the authorised Executive Director/Director) may take a decision normally reserved to Full Council or a Committee where: (a) Failure to take the decision quickly would, or would be likely to, harm the interests of the Council and the public. (b) The decision is so urgent that it cannot wait until the next meeting of the Committee at which the decision would normally be taken. The decision together with the reason as to why it was determined urgent must be recorded on an Officer Decision Record. The record of urgent decisions will be held by the Democratic Services team and will be made available for inspection. Following the decision, it be reported to the next meeting of the relevant committee explaining: • the decision; • the reasons for it; and • the reasons why the decision was treated as a matter of urgency.
CE9	In exceptional circumstances, such as a global pandemic, the Chief Executive, in consultation with the Leader and the Ceremonial Mayor, may postpone convened meetings of Full Council (including Committee Meetings).

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CE10	In consultation with the Chair of Finance and Corporate Affairs Committee and authorised Executive Director/Director, the Monitoring Officer and Section 151 Officer may take a decision which is contrary to the policy framework or contrary to or not wholly in accordance with the budget approved by Full Council, if the decision is a matter of urgency. However, the decision may only be taken: (a) if it is not practical to convene a quorate meeting of the Full Council; and (b) if the Ceremonial Mayor acting as Chair of the Council, in consultation with the Monitoring Officer agrees that the decision is a matter of urgency. In the absence of the Chair of the Council the approval of the Vice-Chair of Council, will be sufficient. The decision together with the reason as to why it was determined urgent must be recorded on an Officer Decision Record. The record of urgent decisions will be held by the Democratic Services Team and will be made available for inspection. Following the decision, it be reported to the next meeting of the relevant committee explaining: • the decision; • the reasons for it; and • the reason why the decision was treated as a matter of urgency.
CE11	The appointment and dismissal of, and taking disciplinary action against, officers below the level of Chief Officer (excluding political assistants).
CE12	Ensure that all staff are aware of the existence and content of the Officer Delegation Scheme and they comply at all times with the general principles set out in the Officer Delegation Scheme.
CE13	In consultation with the Director of Legal, Governance and Human Resources, to take decisions on managing access to the Authority in the event of unacceptable behaviour in accordance with Authority's Managing Unreasonable Behaviour Policy.

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CE14	Make decisions on a robust and self-funded business case as set out in the Financial Procedure Rules, ensuring they comply with the Principles of Decision Making as set out in the Articles, and is in accordance with the Budget and the plans and strategies in the Policy Framework, if relevant, and does not add a recurring financial commitment to the General Fund budget. This delegation shall be exercised by the Chief Executive, with agreement from: • Director of Finance, IT and Digital Services and; • Director of Legal, Governance and Human Resources In consultation with: • Chair of Finance and Corporate Affairs Committee, and; • Chair of the relevant Committee responsible for service area. This delegation will also apply where revisions are needed to existing business cases (whether delegated or approved at the relevant committee) but where such revisions still meet the objectives of the original business case and the tests above are satisfied. Details of business cases approved, or amendments to previously approved business cases, shall be reported to the next scheduled meeting of the Finance and Corporate Affairs Committee for information.
CE15	To determine requests to hold open-air services of a religious or similar nature, except for marriages, should such a request be of a controversial nature.
CE16	The final decision, post consultation, on any staffing proposals requiring compulsory redundancy of one or more staff (excluding statutory officers).
CE17	Functions relating to elections with the exceptions of the Statutory Powers reserved for Full Council: (a) Power to assign Officers in relation to requisitions of the Electoral Registration Officer. (b) Power to divide electoral wards into polling districts at Local Government elections. (c) Powers in respect of holding elections. (d) Power to pay expenses properly incurred by Electoral Registration Officers. (e) Duty to declare vacancy in office in certain cases. (f)(a) Duty to give public notice of a casual vacancy.

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CE17	(g) — Duty to declare vacancy in office in certain cases. (h) — Power to make temporary appointments to Parish Councils. (i) — Power to determine fees and conditions for supply of copies of, or extracts from, election documents. — Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.
CE178	Severance payments of £20,000 and above, but below £100,000, must be personally approved and signed off by the Head of Paid Service, in consultation with the Leader/Chair of Finance and Corporate Affairs Committee, s151 Officer and Monitoring officer.
CE189	Power to make agreements with other Local Authorities for the placing of staff at the disposal of those other Local Authorities.
CE1920	In consultation with the Chair of Finance and Corporate Affairs Committee and the Chair of the Committee responsible for the relevant service area along with that Executive Director /Director, the determination of Departmental staffing proposals, where service areas are being amalgamated or disaggregated or service area is created, modified or deleted due to changes in grant/external funding.

8. DIRECTOR OF FINANCE, IT AND DIGITAL

- 8.1 The Director of Finance, IT and Digital [Services](#) provides senior leadership on: issues of effective resource allocation; financial planning and management; maximising income for the Authority through effective Council Tax and Business Rates collection; and ensuring that services are corporate, integrated and provided in accordance with Authority policy and any relevant statutory duties.
- 8.2 The Director of Finance, IT and Digital [Services](#) is the Council's 'Responsible Financial Officer' (sometimes known as the 'Chief Finance Officer' or 'Section 151 Officer'). The responsibilities and powers of this officer derive from statute (Section 151 of the Local Government Act 1972), which provide that every local authority shall appoint one officer who has an overall duty to "make arrangements for the proper administration of [the Council's] financial affairs". The Director of Finance, IT and Digital [Services](#) is thus 'head of profession' for the financial arrangements of the Council and has a managerial and professional responsibility in this regard.
- 8.3 The Director of Finance, IT and Digital [Services](#) is responsible for the following services:
- Corporate [Finance & Accountancy Services](#)
 - ~~Finance and~~ Customer [and Digital](#) Services
 - ~~Accountancy~~
 - ~~Financial Management~~
 - ~~IT~~
 - ~~Digital~~ [Revenues and Benefits](#)
 - [Payroll](#)
 - [Accounts Payable and Receivable](#)
 - [Insurance](#)
 - [Systems Support](#)
 - [Procurement & Social Value](#)
 - [Registrars](#)
 - [CICT & Cyber Security](#)
 - [Transformation & Change](#)
 - [Strategic Data & Intelligence](#)
 - [Internal Audit*](#)
- 8.4 In addition to the general delegations set out in the scheme, the Director of Finance, IT and Digital [Services](#) is authorised to exercise the following specific functions:

No	Delegation
General	
DFID1	Determination and, where necessary, adjudication, on all issues of interpretation/application relating to the national and local conditions of service both corporately and in individual cases.
DFID2	The arrangement of insurance cover and settling of claims

DFID3	To administer the billing and collection of Council Tax and Non-Domestic Rates in accordance with the Local Government Finance Acts 1988 and 1992.
DFID4	To determine applications for rate relief under sections 43, 45, 47 and 48 of the Local Government Finance Act 1988 in accordance with any general scheme approved by the Council.
DFID5	To determine applications for hardship relief in respect of Non-Domestic Rates under Section 49 of the Local Government Act 1988 in accordance with any general scheme approved by the Council.
DFID6	To determine applications in respect of empty allowances for part-occupation of non-domestic hereditaments under Section 44A of the Local Government Act 1988.
DFID7	To make proposals for the alteration of the Local Valuation List and to lodge appeals against decisions of the Valuation Tribunal and Lands Tribunal.
DFID8	To take Court proceedings for the recovery of, Council Tax, Non- Domestic Rates and Sundry Debts.
DFID9	To write off irrecoverable Council Tax, Non-Domestic Rates and other irrecoverable debts which are uneconomic to collect, within the approved limit of £50,000.
DFID10	To manage the borrowing, financing and investment requirements of the Council in accordance with approved council policy.
DFID11	To make all necessary banking arrangements on behalf of the Council.
DFID12	To administer and grant Housing and Council Tax Support (for pensioners and any other excepted categories) under the Social Security, Contributions and Benefits Act 1992 and the Social Security Administration Act 1992.
DFID13	To administer and grant Council Tax support to working age adults under the approved Localised Council Tax Support Scheme.
DFID14	To determine sanctions in fraudulent benefit cases in accordance with the Social Security Administration Act 1992.
DFID15	To disburse monies from funds and accounts of the Authority as required for the lawful discharge of the Authority's functions.
DFID16	To enter into Treasury Management transactions in the name of the Authority as may be required to meet the needs of both revenue and capital accounts subject to any statutory limitations, the provisions of the Treasury Management Strategy or the provisions of the Authority's Budget and Policy Framework.
DFID17	To negotiate and enter into leasing agreements as a means of financing capital expenditure.

DFID18	To vary the mortgage interest rate under section 110 of the Housing Act 1980 as directed by the Secretary of State.
DFID19	To vary the mortgage interest rate on pre 3rd October 1980 mortgages as directed by circular 20/64.
DFID20	The arrangement of insurance cover and settling of claims and in consultation with the Chief Executive: (a) Authority to deal with the settlement of insurance claims on risks being carried by the Authority's Insurance Fund with the exception of all contract guarantee claims; and (b) to take all decisions in order to balance the risks included in the Insurance Fund.
DFID21	To receive, investigate and pay the Coroner's accounts, fee and related expenses and to take any other action in relation to those items.
DFID22	To determine the Authority's pension discretions pursuant to Regulations
DFID23	To consider and determine, applications made by employees who are members of the Local Government Pension Scheme who seek the application of the Authority's pension discretions under the relevant Pension Scheme Regulations.
DFID24	To serve notices, enter into agreements, give receipts, make adjustments, institute proceedings and take any action available to the Authority to collect or enforce the payment of the National Non-Domestic Rate and the Council Tax from those persons liable.
DFID25	On the Authority's behalf, to prosecute or defend or to appear in any proceedings before a Magistrates Court and to conduct any such proceedings in respect of unpaid Council Tax or National Non-Domestic Rate payable to the Authority and to discontinue such proceedings if considered necessary.
DFID26	In relation to the recovery of general debts and overpaid housing benefits: (a) to issue County Court summonses; (b) to deal with all matters arising from the issue of County Court summonses; (c) to seek Judgement Orders in cases where the summons is undefended; (d) to issue enforcement proceedings in relation to cases where a judgement has been made but the order not complied with; and in cases where the debt is no greater than £5,000 (or the applicable limit at any given time for cases which can be pursued through the small claims court) and a defence is submitted, to attend small claims arbitration hearings on behalf of the Authority.

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DFID27	To deal with all matters relating to the issues of Completion Notices for Council Tax and National Non-Domestic Rating purposes and the administration of appeals against any such notices.
DFID28	To determine all applications for the apportionment of rateable value of partly occupied hereditaments under section 44A of the Local Government Finance Act 1988.
DFID29	To deal with all matters relating to Housing Benefit, Universal Credit elements relevant to the local authority and the Localised Council Tax Support scheme as set out in the relevant regulations.
DFID30	To administer any Council Tax transition scheme and to determine any appeals submitted under the provisions of any such scheme.
DFID31	To determine applications for any form of discretionary rate relief which meet the relevant legislative requirements and satisfies the criteria set out in the Authority's policy for dealing with such applications.
DFID32	In consultation with the relevant Chief Officers, to review the Authority's policy on the granting of discretionary relief of business rates and to implement any changes to policy.
DFID33	To delegate to the relevant Chief Officers, as required under section 16 of the Local Government Finance Act 1992, to appear before and conduct proceedings at any Valuation tribunal on any appeal relating to Council Tax or Local Council Tax Support.
DFID34	To delegate to the relevant Chief Officers, to act on the Authority's behalf as required by section 223 of the LGFA 1992 in respect of the collection and recovery of any Council Tax or National Non Domestic Rate payable to the Authority. To prosecute or defend, or to appear in a Magistrates Court or to conduct any such proceedings in respect of Council Tax and National Non Domestic Rates payable to the Authority.
DFID35	To institute possession proceedings in cases of mortgage arrears.
DFID36	To provide an adequate and effective system of internal audit.
DFID37	Power to deal with all local and national taxation matters arising under the terms of the Local Government and Rating Act 1967, the Local Government Finance Act 1988, and the Local Government Finance Act 1992, as amended and any future relevant legislation, including the power to represent the Council in any court proceedings.
DFID38	Power to deal with allotment rent arrears and the recovery procedure.
DFID39	Power to deal with outstanding sundry debtor accounts.
DFID40	Power to implement changes in standard national rate and local average rate of interest in respect of mortgage advances.

DFID41	Power to vire expenditure in case of emergency, from one estimate head to another, after consultation with the Chair of the relevant Committee and the relevant Executive Director /Director.
DFID42	Power in accordance with the provisions of Section 151 of the Local Government Act 1972 to make all arrangements for the proper administration of the Council's financial affairs including power to negotiate and manage all loans to the Council and to make any investment required for day to day cash management and borrowing and leasing arrangements. Power to amend the approved Treasury Management Strategy in emergencies.
DFID43	Rights of audience to pursue debts through the small claims procedure.
DFID44	Power to administer Housing, and Council Tax benefits (and any other appropriate local tax) in accordance with regulations.
DFID45	Power to determine the charge to the public for the Abstract of Accounts and where cheques have been returned to the Council endorsed "refer to drawer".
DFID46	Power to exercise the Council's statutory powers and duties under the Local Government Finance Act 1988, in particular Section 114.
DFID47	Power to settle claims against the Council arising from the use of the Direct Debit Scheme operated in conjunction with participating banks.
DFID48	Power to exercise the Council's statutory powers and duties under the Accounts and Audit Regulations 1996 in relation to Internal Audit.
DFID49	Power under the Insolvency Act 1986 to vote in any meeting of creditors in relation to either corporate liquidation, creditors' voluntary arrangements, or personal bankruptcy matters.
DFID50	Power to institute prosecution in detected fraud cases in consultation with the Chief Executive and the Director of Legal, Governance and Human Resources
DFID51	Power to levy reasonable costs for court action in relation to all debts due to the Council and subject to legal recovery proceedings in consultation with the Director of Legal, Governance and Human Resources.
DFID52	Power to deal with and approve car purchase advances which comply with the approved scheme including reviewing and determining; (i) the maximum amount of loan that can be advanced, (ii) the percentage rule for calculating the applicants ability to repay.
DFID53	Power under Section 15 of the Social Security Administration Fraud Act 1997 to levy penalties as an alternative to prosecution in cases of detected fraudulent Housing Benefit.

DFID54	Power to determine any charge of the letting of rooms in the Civic Suite, up to and including the maximum as determined by the Council.
DFID55	Power to approve and implement energy savings projects in accordance with agreed criteria and within approved budgets.
DFID56	Individual early retirement decisions within the scheme with the agreement of the Chief Executive Officer and/or in consultation with the appropriate Executive Director /Director

9. DIRECTOR OF LEGAL, GOVERNANCE AND HUMAN RESOURCES

9.1 The Director of Legal, Governance and Human Resources is responsible for all legal services required by the Council. The managed team is staffed by solicitors and legal executives with relevant qualifications and experience; being directly responsible, for example, for child and adult safeguarding cases, all land transactions – sales and purchases of land and property, preparation of contracts for goods and services required by the Council, the preparation of statutory orders, such as traffic regulation orders, tree preservation orders and byelaws, and litigation in the Magistrates and other courts, Employment Tribunals etc. The Director of Legal, Governance and Human Resources is responsible for the following services:

- Legal Services
- Elections
- [Land Charges](#)
- Members' Services
- Statutory Scrutiny
- [Governance & Democratic Services](#)
- [School Appeals](#)
- [Human Resources*](#)
- [Workforce Support*](#)
- [TU Relations*](#)
- [Job Evaluation*](#)
- [MD Chief Executive & Statutory Officer support](#)
- [PA's/Executive Support](#) [All dept support & admin](#)
- [Returning Officer](#)

9.2 In addition to the general delegations set out in section 6 of the scheme, the Director of Legal, Governance and Human Resources is authorised to exercise the following specific functions:

No	Delegation
General	
DLGHR1	Power to seek Counsel's opinion on any matter affecting the Council's affairs and instruct Counsel as necessary in the Council's interests.
DLGHR2	Power to institute, withdraw from, compromise or participate in any legal proceedings (including prospective legal proceedings) involving the Council. In accordance with the Statutory Guidance on Special Severance Payments the Director of Legal, Governance and Human Resources can approve payments up to £20,000.
DLGHR3	Power to take any legal action necessary to give effect to a decision of the Council.
DLGHR4	To authorise the relevant officers of the Authority for the purposes of any matter coming within appropriate legislation, bye-laws, regulations and orders.

No	Delegation
DLGHR5	To authorise staff pursuant to section 223 of the Local Government Act 1972 to appear on behalf of the Authority in proceedings before a Magistrates Court where those staff members would otherwise not have rights of audience before the Court.
DLGHR6	To receive and record declarations of hospitality received from Elected Members.
DLGHR7	To maintain a register of Elected Member Interests.
DLGHR8	Power to confirm, without modification, the creation, diversion or extinguishment of Orders in respect of: - Public Rights of Way, following the statutory advertising period. - Footpath and footway conversion orders following the statutory advertising period. - Definitive Map Modification Orders following the statutory advertising period. - Where two or less objections have been received.
DLGHR9	To appoint panels of persons from whom Education Appeals Panel can be constituted and to constitute and to act as Clerk to Education Appeals Panels.
DLGHR10	To consider admission appeals and exclusion reviews in accordance with the School Standards and Framework Act 1998 and the Education Act 2002 as amended.
DLGHR11	To make requests for information relating to land use and ownership under section 16(1) of the Local Government (Miscellaneous Provisions) Act 1976.
DLGHR12	To serve notices under section 146 of the Law and Property Act 1925 (notice before forfeiture requiring breach of covenant to be remedied).
DLGHR13	To act as the Proper Officer to receive and acknowledge receipt of complaints of failure to comply with the Code of Conduct for Members and Co-opted Members in accordance with the Authority's adopted arrangements.
DLGHR14	To review complaints received in respect of any alleged breach by any elected or co-opted Member of the Council of the Code of Conduct for Members and Co-opted Members and determine, in consultation with the Independent Person: (a) whether the allegation, if proven, would constitute a failure to observe the Code of Conduct; and (b) if it would constitute such a failure, determine (applying the Authority's adopted assessment criteria), whether the complaint should be investigated or referred for local resolution, and following such determination to refer the complaint for either purpose.

No	Delegation
DLGHR15	To refer the review of any such complaint received to the Audit and Governance Committee where the Monitoring Officer considers it inappropriate for him/her to take the decision as to whether a complaint should be accepted as a complaint and/or investigated or referred for informal resolution.
DLGHR16	To determine requests for anonymity received from a complainant in relation to a complaint that a Member has failed to comply with the Code of Conduct for Members and Co-opted Members.
DLGHR17	Where a request for anonymity has been granted, to determine when the identity of the complainant will be provided to a Member who is the subject of a complaint that he/she has failed to comply with the Code of Conduct for Members and Co-opted Members.
DLGHR18	To undertake informal/local resolution with respect to complaints that a Member has failed to comply with the Code of Conduct for Members and Co-opted Members, in consultation with the Independent Person and/or the Chair Audit and Governance Committee as appropriate in accordance with the Authority's adopted arrangements.
DLGHR19	To appoint an Investigating Officer to investigate a complaint that a Member has failed to comply with the Code of Conduct for Members and Co-opted Members.
DLGHR20	To provide reports to the Audit and Governance Committee in relation to the number and nature of complaints received, advice on the progress of any investigations and to advise the committee of matters where training or other action may lead to the promotion or maintenance of high standards of conduct by the Authority's elected or co-opted Members.
DLGHR21	To undertake any other necessary or appropriate actions to facilitate the administration of the Authority's adopted arrangements in relation to the Code of Conduct for Members and Co-opted Member.
DLGHR22	To refer the report of the Investigating Officer which identifies a breach of the Code of Conduct, where informal/local resolution of a complaint is unsuccessful, to the Audit and Governance Committee for a formal hearing and determination.
DLGHR23	To act as the Authority's Senior Responsible Officer under the Regulation of Investigatory Powers Act (RIPA) 2000 and be responsible for maintaining effective procedures on behalf of the Authority under this Act. Such procedures to include the appointment of authorising officers, the maintenance of a list of authorising officers, the maintenance of a register of authorisations and ensuring appropriate training provision. A report to be submitted to Audit and Governance Committee annually on the operation of a RIPA policy.

No	Delegation
DLGHR24	Assisting Elected Members and Co-opted members to observe the requirements of the Council's Code of Conduct
DLGHR25	To advise and offer guidance to Elected Members and Co-opted members on the adoption or revision of the Code of Conduct
DLGHR26	To grant dispensations to Elected Members and Co-opted members (including Parish Council representatives) from requirements relating to interests as set out within the relevant Code of Conduct.
DLGHR27	Power to ensure that all Council policies and practices, and all legislation, with regard to personnel matters be adhered to.
DLGHR28	Power to institute payment of honoraria in accordance with the Council's scheme.
DLGHR29	Power to implement all national and local conditions of service.
DLGHR30	Power to determine car allowances in accordance with the Council's provisions.
DLGHR31	Power to authorise payment of appropriate Officers professional subscriptions where a legal requirement exists.
DLGHR32	Power to consult, negotiate and reach agreements with the Trade Unions on corporate staffing/employment matters within the overall policy and financial framework determined by Elected Members, and in consultation with the Chief Executive, Executive Directors /Directors/Chief Officers as appropriate
DLGHR33	That any in-year informal, ad hoc vacancies on Committees, Partnerships or Boards be implemented in accordance with the agreed proportionality for the committee/body and Group wishes.
DLGHR34	Functions relating to elections with the exceptions of the Statutory Powers reserved for Full Council: (a) Power to assign Officers in relation to requisitions of the Electoral Registration Officer. (b) Power to divide electoral wards into polling districts at Local Government elections. (c) Powers in respect of holding elections. (d) Power to pay expenses properly incurred by Electoral Registration Officers. (e) Duty to declare vacancy in office in certain cases. (f) Duty to give public notice of a casual vacancy. (g) Duty to declare vacancy in office in certain cases. (h) Power to make temporary appointments to Parish Councils. (i) Power to determine fees and conditions for supply of copies of, or extracts from, election documents. (j) Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England

No	Delegation
	and Wales) of the Representation of the People Act 2000.

10. EXECUTIVE DIRECTOR OF ADULT ~~AND COMMUNITY BASED SERVICES~~ AND PUBLIC HEALTH

~~8.1 The Executive Director of Adult's Services is responsible for, with the Director of Public Health (outlined specifically in section 13), driving the development of the Joint Strategic Needs Assessment, strategic commissioning for children's and adult services and joint health and wellbeing strategy~~

10.2 The Executive Director of Adult ~~and Community Based~~ Services is responsible for the services which support vulnerable people to maintain their independence and exercise choice and control about how their needs are met, whilst also ensuring that they are safeguarded, including:

- ~~• Older people~~
- ~~• People with mental health needs~~
- ~~• People with substance misuse issues~~
- ~~• People with learning disabilities physical disabilities or sensory impairment, carers.~~
- ~~• Adult Social Care~~
- ~~• Direct Care & Support Service~~
- ~~• OT & Special Needs Housing~~
- ~~• 18-25 Learning Disability Service~~
- ~~• Carers Support~~
- ~~• Financial Assessments~~
- ~~• Adult Safeguarding~~
- ~~• Commissioning & Performance~~
- ~~• Tees Safeguarding Adults Board~~

~~The Executive Director of Adult's Services is responsible for, with the Director of Public Health (outlined specifically in section 13), driving the development of the Joint Strategic Needs Assessment, strategic commissioning for children's and adult services and joint health and wellbeing strategy~~

~~10.1 Further to this Adult Social Care jointly the Preventative & Community Based Services provides supports to people to live active, healthy lives and to participate in their local communities including:~~

- ~~• Community Hubs incorporating a library offer; information and advice; and access to a range of health and employment support.~~

~~10.2~~10.1 In addition to the general delegations set out in section 6 of the scheme, the Executive Director of Adult ~~and Community Based~~ Services and Public Health is authorised to exercise the following specific functions:

No	Delegation
General	

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EDACBS1	Exercise responsibilities and duties in order to promote and safeguard the interests and wellbeing of adults, for whom the Local Authority has a social services function.
EDACBS2	Exercise the authority to institute legal proceedings and action in relation to vulnerable adults and to accept on behalf of the Local Authority, Court and other legal orders, in relation to those vulnerable adults including the power to authorise the deprivation of liberty of persons under the Mental Capacity Act 2005.
EDACBS3	Agree adult care packages, service responses and expenditure for care and accommodation of individuals for whom the Council has a social services function and to do so within the Care Act 2014 eligibility criteria and exceptionally outside of eligibility criteria where necessary on the grounds of urgency, vulnerability or legal directive.
EDACBS4	Determine contracts and arrangements for social care services relating to adults in accordance with the commissioning strategy and approved contract process and in relation to independent sector providers, with other Local Authorities and with health bodies.
EDACBS5	Exercise duties as Responsible Individual and matters relating to registration and operation of social care services in connection with adults.
EDACBS6	Power to exercise discretion in the waiving of charges when considered appropriate.
EDACBS7	Power to complete and submit applications to the Government and other bodies in respect of monies available through specific grant or other funds.
EDACBS8	To agree to the letting of any leisure and community facilities.
EDACBS9	To approve the closure of libraries in cases of emergency.
EDACBS10	To determine issues relating to the management and control of libraries including the purchase, hire, sale and disposal of books and other material.
EDACBS11	Provide protection of property of persons referred to in sections 47 and 48 of the National Assistance Act 1948 to prevent loss or damage to it if no arrangements have been made to protect it and recover any reasonable expenses incurred.
EDACBS12	To approve applications for disabled facilities grants.
EDACBS13	To approve adaptation schemes for the improvement of houses for persons suffering from disability and in this connection to approve schemes up to a maximum cost of £30,000.
EDACBS14	To agree to the cost of social work services provided to Hartlepool residents who choose to live in residential or nursing care homes in other parts of the country to be undertaken by those authorities on behalf of Hartlepool.

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EDACBS15	To act in all cases of emergency and in all cases to make suitable arrangements for the provision of accommodation and assistance for persons for whom the Authority is under a duty to provide such accommodation and assistance under the provisions of any of the Acts specified in Schedule 1 to the Local Authority Social Services Act 1970 and to exercise discretion with any emergency admission case where a person is an owner/occupier and is to be admitted into a Residential Home and leaves a relative in the property.
EDACBS16	To nominate appropriate officers for appointment by the NHS (or such other body as may be authorised by the Secretary of State for Health) to a Continuing Care Review Panel operated by the NHS to review decisions about assessment of patients continuing care needs and application of eligibility criteria.
EDACBS17	The Executive Director or his/her duly authorised nominee to sign individual placement agreements called the Residents Agreement made under pre- placement or block contracts for residential care for any individual with an eligible social care need requiring residential care.
EDACBS18	The Executive Director or his/her duly authorised nominee to sign individual placement agreements called the 'Individual Service Agreement' made under pre-placement or block contracts for domiciliary care packages and other community based support.
EDACBS19	To act in relation to the duty to co-operate with the NHS in accordance with section 22 of the National Health Service Act 1977 and amended by section 27 of the Health Act 1999 and to enter into agreements with the NHS to provide services under section 256 of the NHS Act 2006 as amended by section 75 of the NHS Act 2006, subject to such agreements being reported to Adult and Community Bases Services and Public Health Committee.
EDACBS20	With respect to the cost of residential care to take such action which is deemed necessary to ensure that agreements in relation to agreed "top up" payments are carried out and to recover any debt which may arise through the failure to make such payments.
EDACBS21	To enter into a Deferred Payments Agreement under section 55 of the Health and Social Care Act 2001 in respect of a resident who is willing to pay their assessed charge but who, following an assessment of resources has insufficient income and capital (that is below the upper capital limit) excluding their property to meet their care homes fees.
EDACBS22	To create a charge against properties under sections 34-36 of the Care Act 2014 and the Care and Support (Deferred Payment) Regulations 2014.

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EDACBS23	To agree the standard rate for accommodation in homes not managed by the local authority but provided under contract with the independent and voluntary sectors. (National Assistance Act 1948, section 26(2).)
EDACBS24	To sign agreements to allow the recovery of payments made under the Charging for Residential Accommodation Guidance (CRAG) and section 55 of the Health and Social Care Act 2001, requiring local authorities to make available deferred payments.
EDACBS25	To agree to register a legal charge against a property owned by an individual, under section 22 of the Health and Social Services and Social Security Adjudications Act 1983, in those circumstances where an individual fails to pay an assessed charge.
EDACBS26	To receive patients into guardianship under the provisions of section 7 and 37 the Mental Health Act 1983.
EDACBS27	To appoint and approve Approved Mental Health Professionals under section 114 of the Mental Health Act 1983 to carry out statutory functions under the Act, such appointments to be made within the criteria contained in Directions issued from time to time by the Secretary of State for Social Services under the said section.
EDACBS28	To deal with all matters not otherwise delegated connected with the Mental Health Act 1983 in respect of section 25 agreements, section 117 and section 27 nearest relative and the Mental Capacity Act 2005.
EDACBS29	To identify suitable officers who will make decisions and where appropriate authorise a Deprivation of Liberty under the terms of the Mental Capacity Act 2005.
EDACBS30	To determine the Authority's response to the recommendations of Complaints Review Panels under the Authority's social services complaints procedure in accordance with the Local Authority Social Services Complaints (England) Regulations 2006.
Culture and Events	
EDACBS31	In consultation with the Chair of Economic Growth and Regeneration Committee, accepting, disposing or loaning out objects where the value is less than £100,000.
Learning and Skills	
EDACBS32	Power to deal with the development and dissemination of road safety in relation to schools education, training programmes and safety audits.
EDACBS33	Ensuring the provision of relevant and accurate information to the public on services.

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EDACBS34	Power to implement programme and activities relating to education and raising public awareness about environmental matters.
Heritage and Countryside	
EDACBS35	Power to approve minor landscaping works up to a value of £1,000.
EDACBS36	Power to act as the Council's Liaison Officer with the Ordnance Survey, to authorise the annual payment of Ordnance Survey Copyright fees and to maintain and distribute digital data in accordance with requirements of the Service Level Agreement.
EDACBS37	Power to take appropriate action under Section 4(3) of the Wildlife and Countryside Act 1981.
EDACBS38	In consultation with the Chair of Adult and Community Based Services Committee, to approve Conservation Grants.
EDACBS39	To be responsible for the control, management, inspection and letting of allotments including the authority to issue and sign allotment agreements.
EDACBS40	To serve Notices to Quit in relation to breaches of allotment rules.
EDACBS41	Power to approve a request for a name to be added to a War Memorial
EDACBS42	Power to control and manage public open markets.

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11. EXECUTIVE DIRECTOR OF CHILDREN'S ~~AND JOINT COMMISSIONING~~ SERVICES

~~11.1 The Executive Director of Children's and Joint Commissioning Services is responsible for, with the Director of Public Health (outlined specifically in section 13), driving the development of the Joint Strategic Needs Assessment, strategic commissioning for children's and adult services and joint health and wellbeing strategy~~

~~11.211.1~~ The Executive Director of Children's ~~and Joint Commissioning~~ Services is further responsible for Children Services, with the aim to support and help children, young people and their families to lead happy, safe and healthy lives. This is undertaken by working closely with children, young people and their families to build on their unique strengths, skills and resources, supporting and helping them to be the best they can.

~~11.311.2~~ The Executive Director of Children's ~~and Joint Commissioning~~ Services is further responsible for Education, with the aim to ensure all children and young people in Hartlepool enjoy their childhood, attend a good school and are well equipped to enter adulthood with the education and skills necessary for them to live happy and fulfilled lives.

~~11.411.3~~ In addition to the general delegations set out in section 6 of the scheme, the Executive Director of Children's ~~and Joint Commissioning~~ Services is authorised to exercise the following specific functions:

No.	Delegation
General	
Children's Social Services	
EDCJCS CS1	Research into matters relating to local authority welfare services. Health Visiting and Social Work (Training) Act 1962.
EDCJCS CS2	Care and other treatment of children and young persons through court proceedings Children and Young Persons Act 1969.
EDCJCS CS3	To ensure the provision for services for transition for children to adult care and support in England. Chronically Sick and Disabled Persons Act 1970 and Care Act 2014.
EDCJCS CS4	Functions exercisable under the Adoption and Children Act 2002.
EDCJCS CS5	To discharge all of the functions of the local authority as contained in the Children Act 1989.
EDCJCS CS6	Local offer for care leavers Children and Social Work Act 2016.
EDCJCS CS7	To discharge any functions exercisable by the authority under the National Health Service Act 2006 on behalf of an NHS body insofar as those functions relate to children.

No.	Delegation
EDCJCS ED CS8	To discharge the functions conferred on the authority under Part 1 of the Childcare Act 2006 and any function conferred on the authority under section 2 of the Childcare Act 2016.
EDCJCS ED CS9	The Protection of the young in relation to criminal and summary proceedings; children appearing before court as in need of care, protection or control; committal of children to approved school or care of fit person, etc. Remand homes, approved schools and children in care of fit persons Children and Young Persons Act 1933.
EDCJCS ED CS10	To ensure appropriate commissioning for social care services relating to children and adults in accordance with the commissioning strategy and approved contract process.
Youth Offending	
EDCJCS ED CS11	To determine and implement any response necessary to meet the needs of young people in the youth justice system as required by the courts or the national standards for the Youth Offending Service.
EDCJCS ED CS12	To exercise the duties and responsibilities contained within the Crime and Disorder Act 1998 and the Criminal Justice Act 2003 insofar as they relate to youth justice.
EDCJCS ED CS13	To establish youth offender panels and all other requirements contained within Powers of Criminal Courts (Sentencing) Act 2000.
EDCJCS ED CS14	To exercise powers relating to young persons in need of care, protection or control; further provisions for protection of the young in relation to criminal proceedings Children and Young Persons Act 1963.
Education	
EDCJCS ED CS15	To discharge all education functions conferred on or exercisable by the authority Children Act 2004.
EDCJCS ED CS16	To exercise the powers of the Authority as Local Education Authority under the Schools Standards and Framework Act 1998 and other relevant legislation and any steps required under direction issued by the Secretary of State for Education.
EDCJCS ED CS17	To ensure sufficiency of places in early years, schools and colleges.
EDCJCS ED CS18	To comply with the local authorities duty to children with special education needs including the identification and assessment of children with special education needs, the provision of education to those children and all other associated duties Children and Families Act 2014.

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No.	Delegation
EDGJCS25 CS19	To appoint Parent Governor Representatives to local authority committees dealing with education; Education Act 1996
EDGJCS25 CS20	To ensure that each maintained school has a governing body, instrument of governance and all otherwise complied with all other requirements of the Education Act 2002.
EDGJCS25 CS21	In consultation with the Chair of the relevant Committee, to authorise works where an emergency (e.g. risk of school closure) or a significant risk of health and safety is likely.
EDGJCS25 CS22	Approve grants and awards to pupils and students in further or higher education in accordance with nationally or locally agreed schemes or provisions, or as a special case outside such provisions, in either case in accordance with regulations and advice issued by the Secretary of State for Education.
EDGJCS25 CS23	To make arrangements to establish the identities of children residing in the area who are not receiving suitable Education Act 1996.
EDGJCS25 CS24	To discharge all functions of the authority as contained within the Education Act 2005 relating to the performance and inspection of schools.
Housing	
EDGJCS25	To grant Discretionary Housing Payments to Housing Benefit recipients for Housing Costs in accordance with the Social Security Amendment (Discretionary Housing Payments) Regulations 2001 and the Discretionary Housing Payments (Grants) Order 2001.
EDGJCS26	To administer and grant Local Welfare Support grant payments.
EDGJCS27	To discharge the functions of the authority insofar as they are relevant and in accordance with the Housing Act 1996.
Child Poverty	
EDGJCS25 CS258	To make arrangements to promote co-operation between the Council and its partner Authorities and other persons or bodies to reduce and mitigate the effects of child poverty in the Council's area under Section 21 of the Child Poverty Act 2010.
Miscellaneous	
EDGJCS25 CS269	To consider licence applications for children to take part in performance or take part in paid sports or paid modelling work.

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12. DIRECTOR OF PUBLIC HEALTH

12.1 The Director of Public Health is responsible for the teams which aim to improve the health of the population, protect the health of the population and ensure the population has good healthcare.

- [Public Health](#)
- [Substance Misuse](#)
- [Sexual Health](#)
- [Immunisation Screening](#)
- [JSNA](#)
- [Health Interface](#)
- [Intervention Programmes](#)
- [Commissioning & Contracts](#)

12.12.2 In addition to the general delegations set out in section 6 of the scheme, the Director of Public Health is authorised to exercise the following specific functions:

No	Delegation
DPH1	To oversee public health to deliver better health outcomes and to reduce health inequalities within the Borough.
DPH2	To liaise with Local Authorities, communities and voluntary groups, public health services and clinical commissioning groups to deliver effective public health interventions.
DPH3	To prepare an Annual Report on the health of the local population and for the Council to publish that report.
DPH4	Responsibility relating to pharmaceutical needs assessment and consultation requirements thereon (including but not limited to the preparation, maintenance and publication of required pharmaceutical and other lists and arrangements for applications in respect thereof).

13. **EXECUTIVE DIRECTOR OF ~~DEVELOPMENT~~, NEIGHBOURHOODS AND REGULATORY SERVICES**

13.1 The ~~Executive~~ Director of ~~Development~~, Neighbourhoods and Regulatory Services is responsible for the teams which are committed to growing our economy, help businesses, facilitate the creation of new and diverse jobs and inward investment and to arm residents with the right skills to take advantage of this growth. Further to this to regenerate the Borough through delivering key regeneration projects and delivering new housing, services and infrastructure including roads, schools, shops and services to develop and grow the Borough by supporting and encouraging sustainable development and inward investment. The ~~Executive~~ Director of ~~Development~~, Neighbourhoods and Regulatory Services is responsible for the following services:

- Planning and ~~Development~~[Building Control](#)
- Environmental Services ([operational maintenance of parks, open spaces, beaches, Cems & Cems](#))
- [Waste Collection, Recycling Disposal](#)
- [Passenger Transport](#)
- [Fleet Transport](#)
- Public Protection
- [Community Safety & ASB](#)
- [CCTV](#)
- [Safer Hartlepool Partnership](#)
- [Environmental Health](#)
- [Trading Standards](#)
- [Licensing](#)
- [Engineering and Building Design](#) ~~and Construction~~
- [Construction & Building Maintenance](#)
- Highways ~~and Infrastructure~~ [& Strategic Transport](#)
- [Emergency Planning & Civil Contingencies](#)
- [Health, Safety & Risk](#)
- [Business Continuity](#)
- [Car Parking](#)
- [Facilities Management](#) [School Meals and Building Cleaning](#)
- [Security Contract](#)
- ~~Economic Growth~~
- ~~Strategic Estates and~~ [Asset Management](#)
- [Housing Revenue Account \(HRA\)](#)
- [Housing Standards & Selective Licensing](#)
- [Valuations](#)
- [Strategic Regeneration](#) [Capital Programme](#)

13.2 In addition to the general delegations set out in section 6 of the scheme, the ~~Executive~~ Director of ~~Development~~, Neighbourhoods and Regulatory Services is authorised to exercise the following specific functions:

No	Delegation
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Planning and Development	
EDDNRS1	The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land.
EDDNRS2	The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
EDDNRS3	To determine, in consultation with the Chair of Planning Committee, all forms of planning and other applications/notifications and certificates under the Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Planning Act 2008 or under any related secondary legislation (General Permitted Development Order etc.) except those reserved to the Planning Committee.
EDDNRS4	Matters which will be exercised by the Director and to be reported for information to the next available meeting of the Committee: a) To serve a Tree Preservation Order. b) To serve a hedgerow retention notice. c) To require the discontinuance of a use of land d) To serve a stop notice (including a temporary stop notice) e) To issue an enforcement notice f) To apply for an injunction restraining a breach of planning control g) To serve a building preservation notice and related powers h) To issue enforcement notice in relation to demolition of unlisted building in conservation area i) To acquire a listed building in need of repair and to serve a repairs notice j) To apply for an injunction in relation to a listed building k) To defend Planning enforcement Appeals l) To exercise Section 215 of the Town and Country Planning Act 1990 m) To take any enforcement action under the Town and Country Planning Act 1990 (as amended), the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990, the Planning Act 2008 or under any related secondary legislation.
EDDNRS5	Power to formulate and issue decision notices following decisions made in principle by the Committee.
EDDNRS6	Power to negotiate and set charges for diversion or related matters and to take action regarding blockages or Rights of Way issues other than those related to countryside management.
EDDNRS7	In relation to matters which are relevant to countryside management, power to negotiate and set charges for diversion or related matters and to take action regarding blockage on Rights of Way issues.

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EDDNRS8	Power in cases of urgency to carry out all of the functions of the Planning Committee relating to public rights of way which are relevant to countryside management.
EDDNRS9	Power to register without modification unopposed applications to register land as town or village green in respect of Town and Village Greens, following the statutory consultation period.
EDDNRS10	Power to refer disputes with regard to planning application viability to the District Valuer for impartial assessment.
EDDNRS11	Power to determine the designated Officer having power of entry to premises under the provisions of the Planning Acts.
EDDNRS12	To consider reports on proposed changes to national planning policy in consultation with the Chair.
EDDNRS13	To consider reports on the proposed Development Plan Documents of neighbouring authorities where the Council is a consultee.
Environmental Services	
EDDNRS14	To exercise the functions of the Authority in relation to the management, inspection and control of asbestos, (Control of Asbestos at Work Regulations), and water systems in relation to Legionella (Approved Code of Practice for Minimisation of Legionella in Water Systems (L8)).
EDDNRS15	To exercise the Council's functions under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987.
EDDNRS16	Power to make Tender Bids for Works and Services, subject to relevant legal requirements.
EDDNRS17	Power to seek out competitive tenders for the supply of goods and services, in response to the changes in the market economy
EDDNRS18	Power to purchase plant and vehicles subject to the usual tendering arrangements in line with Council procurement rules
EDDNRS19	Power to implement programmes and activities relating to education and raising public awareness about environmental matters.
EDDNRS20	Power to name, rename, number and renumber streets under the conditions of relevant Acts and in consultation with the Neighbourhood Services committee.
EDDNRS21	Power to deal with applications in relation to the Concessionary Fares Scheme
EDDNRS22	Power to determine applications under the Blue Badge scheme and deal with any subsequent action required.

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EDDNRS23	Power to allocate staff car park places to individuals subject to payment of the approved charges.
EDDNRS24	Power to approve or reject plans submitted under and in accordance with the provision of byelaws relating to new streets.
EDDNRS25	Power to approve changes to subsidised bus services and charges within the existing budgetary provision.
EDDNRS26	Power to exercise directly or by his/her nominated representative, power of entry and inspection under Section 11 of the Safety of Sports Ground Act 1975.

No	Delegation
EDDNRS27	Power to exercise directly or by his/her nominated representative power of entry and inspection under Section 35 of the Fire Safety and Safety of Places of Sport Act 1987
EDDNRS28	Power to serve notices, take default action and authorise legal action under the provision of Section 20 of the Local Government (Miscellaneous Provisions) Act 1976.
EDDNRS29	Power to serve notices where appropriate under the Local Government (Miscellaneous Provisions) Act 1976 requiring the removal of trees, or such parts thereof, as may be required to secure the protection of the public, and/or the unimpeded movement of vehicles.
EDDNRS30	Be authorised to determine which Officers are “Suitably Qualified” in relation to the appropriate authorisations.
EDDNRS31	Power to institute proceedings for obstruction of an Inspector in exercising his/her powers under Section 20 of the Health and Safety at Work Act 1974.
EDDNRS32	Power to take any necessary action on behalf of, or acting as, the Hartlepool Port Health Authority.
EDDNRS33	Power to implement schemes for remediation and after-care of closed landfill sites and institute measures to minimise the environmental impact of leachate and landfill gas, as required by the Environment Agency.
EDDNRS34	Power to enter into arrangements with regard to the River Tees Port Health Authority
EDDNRS35	To agree the transfer or assignment of premises between the Health and Safety Executive and the Authority under the Health and Safety (Enforcing Authority) Regulations 1998.
EDDNRS36	In consultation with the Director of Legal, Governance and Human Resources to serve notices and institute proceedings under section 20 of the Local Government (Miscellaneous Provisions) Act 1976 (Provision of Sanitary Appliances at Places of Entertainment).
EDDNRS37	After consultation with the Director of Legal, Governance and Human Resources discretion as to whether or not to commence proceedings under the Health and Safety at Work etc. Act 1974.
EDDNRS38	To arrange for the restoration of water supplies to premises where it has been discontinued because of the absence or defective state of any apparatus by the carrying out of works of renewal and repair and the recovery of expenses up to £200.
EDDNRS39	To select and purchase vehicles, plant and workshop equipment in accordance with the Authority's procurement rules.

No	Delegation
EDDNRS40	To provide driver training and the assessment of driving standards of Authority employees who operate vehicles and plant belonging or on hire to the Authority.
EDDNRS41	To deal with dangerous trees under the provisions of section 23 of the Local Government (Miscellaneous Provisions) Act 1976, in cases of emergency.
EDDNRS42	To take all necessary action with regard to the service of notices and the execution of works and the recovery of costs under legislation relating to injurious weeds.
EDDNRS43	To designate "Appointed Officers" in accordance with the Dutch Elm Disease (Local Authorities) Order 1984.
EDDNRS44	To sign orders with public utilities.
Public Protection	
EDDNRS45	To exercise the Council's functions in respect of dangerous and dilapidated buildings and other structures including authorising service of Notice under the Public Health Acts 1936 and 1961 and the Building Act 1984.
EDDNRS46	To exercise those functions and responsibilities in relation to the seizure of stray dogs under Part VIII of the Environmental Protection Act 1990 and such other ancillary and related powers under the Act.
EDDNRS47	To exercise the Council's functions with regard to temporary markets under Section 37 of the Local Government (Miscellaneous Provisions) Act 1982.
EDDNRS48	Power to grant and suspend all Hackney Carriage Vehicle Licences, Private Hire Vehicle Licences and Private Hire Operators Licences, Hackney Carriage Drivers Licences and Private Hire Drivers Licences.
EDDNRS49	Power to issue licences under the Game Act 1831.
EDDNRS50	Power to carry out any necessary action or functions under the County of Cleveland Act 1987 and subsequent Regulations made thereunder.
EDDNRS51	Power to serve notices, give consent or take action in default including legal proceedings in respect of Control of Pollution Act 1974.
EDDNRS52	Power to issue notices, take default action and authorise legal action under the Slaughterhouses Act 1974.

No	Delegation
EDDNRS53	Power to act on behalf of the Council in respect of:- - The Food and Environment Protection Act 1985, Part III as amended by the Pesticides (Fees and Enforcement) Act 1989 - The Control of Pesticides Regulations 1986.
EDDNRS54	Power to serve notices, take default action and authorise any necessary legal action in relation to contraventions of the Public Health Acts delegated to the Regeneration Board.
EDDNRS55	Power under Section 287 of the Public Health Act 1936 to issue the necessary authentication for an Officer to enter premises as may be required.
EDDNRS56	Power to serve notices and take action in default, including legal proceedings, in respect of Sections 80 and 81 of the Environmental Protection Act 1990 to statutory nuisance.
EDDNRS57	Power to authorise any necessary legal action for; contravention of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
EDDNRS58	Power to issue but not refuse registration of food premises under the regulations made under Section 19 of the Food Safety Act 1990.
EDDNRS59	Power to enforce the provisions of the 'Products of Animal Origin (Import and Export) Regulations 1992.
EDDNRS60	Power to approve Plans submitted under Section 4 of the Clean Air Act 1993 and submissions under Section 7 of the Clean Air Act 1993.
EDDNRS61	Power to enforce the provision of the Clean Air Act 1993 and any Regulations made thereunder including authorisation of work in default and legal proceedings.
EDDNRS62	Power to approve Chimney Heights submitted under Sections 14 and 15 of the Clean Air Act 1993.
EDDNRS63	Exercise all powers of the Council (other than those reserved to Committee) under the relevant Acts and subsequent Regulations, Byelaws and Orders, including but not limited to, enforcement, institution of proceedings, approval, certification, designation, variation, consenting, granting or renewal relevant to the responsibilities and service areas assigned to the post.

No	Delegation
Licensing	
EDDNRS64	Power to carry out all of the functions of the Licensing Act Sub-Committee and the Regulatory Sub-Committee
EDDNRS65	Power under Section 287 of the Public Health Act 1936 to issue the necessary authentication for an Officer to enter premises as may be required.
EDDNRS66	Power to appoint a Chief Inspector of Weights and Measures.
EDDNRS67	Power to appoint alternative Proper Officers, Nominated Medical Practitioners and Authorised Officers as set out in the Public Health (Control of Diseases) Act 1984 and the National Assistance Act 1948 (as amended in 1951).
EDDNRS68	Power to issue, refuse and revoke licences to premises under the provisions of the Food Safety (General Food Hygiene) (Butchers Shops) Amendments Regulations 2000.
EDDNRS69	Power to nominate Authorised Officers and others to exercise statutory powers of entry under Section 108 of the Environment Act 1995.
EDDNRS71	Authorisation in accordance with the provisions of Section 19(1)(c) of the Food and Environment Protection Act 1985 as amended by the Pesticides (Fees and Enforcement) Act 1989.
EDDNRS71	Power to Serve Notice under Section 51 of the Clean Air Act 1993.
EDDNRS72	Appoint Proper Officer of the Authority under the Public Health (Control of Diseases) Act 1984.
EDDNRS73	To exercise all powers and duties under the provisions of the Public Health (Control of Diseases) Act 1984.
EDDNRS74	To serve abatement notices where the Authority is satisfied that a statutory nuisance exists or is likely to occur or re-occur.
EDDNRS75	To implement, administer and deal with all ancillary matters, including the appeals process associated with the Food Standards Agency national Food Hygiene Rating Scheme.
EDDNRS76	To undertake those functions under any of the “relevant statutory provisions” within the meaning of Part 1 (health, safety and welfare in connection with work and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that these functions are discharged otherwise than in the Authority’s capacity as an employer.

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No	Delegation
EDDNRS77	To exercise all powers and duties under the relevant requirements of the Working Time Regulations 1998.
EDDNRS78	To deal with applications for the registration of persons and premises relating to the practice of acupuncture, tattooing, skin piercing and electrolysis under the Local Government (Miscellaneous Provisions) Act 1982.
EDDNRS79	To issue, under Section 19 (2) of the Criminal Justice and Police Act 2001, a Closure Notice to premises when satisfied that the premises are being, or have been within the last 24 hours, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of, the premises.
EDDNRS80	In consultation with the Chair of the relevant Committee the setting fees for licences/consents/registrations and similar.
EDDNRS81	To determine applications for licences under the Authority's scheme for licensing pleasure craft under section 94 of the Public Health Acts Amendment Act, 1907 subject to appeals against any refusal being referred to the Licensing Committee.
EDDNRS82	To determine transfers, variations, provisional statements and variations of designated premises supervisors under Licensing Act 2003 where no representations have been received to enable licensable activities to be provided at establishments in Hartlepool.
EDDNRS83	To license the use of moveable dwellings and camping sites under section 269 of the Public Health Act 1936.
EDDNRS83	To serve notices under sections 60 and 61 of the Control of Pollution Act 1974 (Prevention of Noise) and 79 and 80 of the Environmental Protection Act 1990.
EDDNRS84	The inspection of premises and the taking of all necessary action in connection with furnaces and fuel and to deal with the control of chimney heights under the clean air legislation.
EDDNRS85	To consider and decide upon applications under section 61 of the Control of Pollution Act 1974 (consent to work on construction sites).
EDDNRS86	To determine whether abatement notices should be fixed to vehicles, machinery or plant contravening the Noise and Statutory Nuisance Act 1993.
EDDNRS88	To determine applications for permits for the operation of loud speakers in streets or roads in accordance with the Noise and Statutory Nuisance Act 1993.
EDDNRS89	To determine the validity of an application for deemed consent under the Planning (Hazardous Substances) Act 1990.

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No	Delegation
EDDNRS90	To serve notices under section 85 of the Water Industry Act 1991.
EDDNRS91	To inspect, determine, consult and remediate contaminated land within Hartlepool under section 57 of the Environment Act 1995 and Part 2A of the Environmental Protection Act 1990.
EDDNRS92	To enable powers of entry, work to be carried out in default and to seize equipment under section 81(3) of the Environmental Protection Act 1990 and section 10 of the Noise Act 1996.
EDDNRS93	To enforce the prohibition of dark smoke from any chimney, prohibition of dark smoke from industrial or trade premises under sections 1 and 2 respectively of the Clean Air Act 1993 and enforce the prohibition of smoke in smoke control areas and the acquisition and sale of unauthorised fuel and all other pollution issues referred to under the Clean Air Act 1993.
EDDNRS94	To control noise on construction sites by service and enforcement of section 60 notices under Control of Pollution Act 1974.
EDDNRS95	To enable the monitoring, review and assessment of air quality under Part IV of the Environment Act 1995 and the consultation and declaration of areas as Air Quality Management Areas.
EDDNRS96	To take action under the Noise Act 1996 to abate and control noise complaints from domestic and licensed premises.
EDDNRS98	To designate alarm notification areas under sections 69-72 of the Clean Neighbourhoods and Environment Act 2005.
EDDNRS99	To take action as necessary under the Clean Neighbourhoods and Environment Act 2005 in relation to audible intruder alarms including powers of entry to abate the sounding of alarms and service of fixed penalty notices.
EDDNRS99	To undertake the duties of the Authority as Weights and Measures Authority including the appointment of the Chief Inspector of Weights and measures, approving the Annual Report of the Chief Inspector of Weights and Measures and all legislative requirements that apply to the Authority in that capacity including any functions performed under the Licensing Act 2003 and the Violent Crime Reduction Act 2006.
EDDNRS100	To determine applications for consent to permit loading and unloading at large shops before 9.00 am on Sunday mornings within a loading control area under Schedule 3 of the Sunday Trading Act 1994, subject to such conditions considered appropriate.
EDDNRS101	To appoint appropriate Officers of the trading standards section as inspectors under the provisions of the Sunday Trading Act 1994.
EDDNRS102	To renew arrangements to secure the provision of the trading standards metrology laboratory services, subject to their being no material changes to the arrangement agreed in May 2007.

No	Delegation
EDDNRS103	To determine applications relating to sites for circuses and caravan rallies.
EDDNRS104	To take all necessary action, including issuing any instructions for prosecution, in connection with those sections of the Clean Neighbourhoods and Environment Act 2005 and associated regulations which relate to highways, nuisance and/or abandoned vehicles, fly- posting, transport of waste materials, noise nuisance and abandoned shopping trolleys.
EDDNRS105	To take all necessary action with regard to the parking of caravans on unlicensed areas of the Borough.
EDDNRS106	To determine applications for licences to display goods in accordance with section 20 Schedule 5, of the Local Government (Miscellaneous Provisions) Act 1982.
Community Safety	
EDDNRS107	To undertake the Authority's powers and duties in relation to high hedge complaints under the Anti-Social Behaviour Act 2003.
EDDNRS108	Exercise responsibilities in relation to applications for Child Safety Orders under Section 11 of the Crime and Disorder Act 1998
EDDNRS109	Power to apply for an Injunction to Prevent Nuisance and Annoyance (IPNA) and Criminal Behaviour Orders (CBOs) under Parts 1 and 2 of the Anti-Social Behaviour, Crime and Policing Act 2014.
EDDNRS110	To respond to any Police consultation in respect of the making by the Police of a Dispersal Order under Part 3 of the Anti-Social Behaviour, Crime and Policing Act 2014.
EDDNRS111	Exercise responsibilities in consultation with the Director of Legal, Governance and Human Resources in relation to Drink Banning Orders under the Violent Crime Reduction Act 2006.
EDDNRS112	Where applicable the power to designate an area as a Public Space Protection Order and to undertake such consultation in respect thereof under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.
EDDNRS113	Power to take action to deal with anti-social behaviour under the provisions of the Crime and Disorder Act 1998.
EDDNRS114	Power to deal with all Fly tipping and to take any necessary action against offenders in consultation with the Director of Legal, Governance and Human Resources.
EDDNRS115	Power to deal with abandoned vehicles recovered under the Refuse Disposal (Amenity) Act 1978 procedures after due process of law and in accordance with Standing Orders.

No	Delegation
EDNRS116	Power to endorse or take any necessary action to implement any agreed transfer of enforcement responsibility as set out in Regulation 5 and 6 of the Health and Safety (Enforcing Authority) Regulations 1989.
EDNRS117	Power to nominate Authorised Officers within his/her Department who shall have powers to collect and deal with stray and dangerous dogs under the Dangerous Dogs Act 1991 and the Road Traffic Act 1988.
EDNRS118	Anti-Social Behaviour, Crime and Policing Act 2014: a) To issue a Closure Notice under section 76 of the Anti-Social Behaviour, Crime and Policing Act 2014. b) To issue a Cancellation Notice under section 78 of the Anti-Social Behaviour, Crime and Policing Act 2014. c) To authorise Officers to enter premises for which a Closure Order is in force and/or to do anything necessary to secure the premises against entry. d) To issue a Community Protection Notice under section 43 of the Anti-Social Behaviour, Crime and Policing Act 2014. e) To issue Fixed Penalty Notices under sections 52 and 68 of the Anti-Social Behaviour, Crime and Policing Act 2014 for failure to comply with a Community Protection Notice or Public Spaces Protection Order. f) To delegate authorised Officers to utilise the Anti-Social Behaviour, Crime and Policing Act 2014 with regard to issuing and enforcement of community protection orders and Fixed Penalty Notices. g) To authorise Officers to take enforcement action and enter premises for which a Community Protection Notice Order is in force and/or to do anything necessary to secure the premises against entry. To discharge all other functions under the Anti-Social Behaviour, Crime and Policing Act 2014 except those not capable of delegation.
EDNRS119	To issue a certificate that a need for a closure order has ceased, under section 22 of the Criminal Justice and Police Act 2001.
EDNRS120	To authorise Officers to act in accordance with section 25 of the Criminal Justice and Police Act 2001 and to enter premises and do all that is reasonably necessary for the purpose of securing compliance with a closure order.
EDNRS121	To investigate complaints and offences and provide instructions to the Director of Legal, Governance and Human Resources to consider commencing legal proceedings.
EDNRS122	Permit the authorisation of Officers to enforce legislation relating to idling offences under Road Traffic (Vehicle Emissions) (Fixed Penalty)(England) Regulations 2002.

No	Delegation
EDNRS123	To enforce, and with the Director of Legal, Governance and Human Resources to institute proceedings, in relation to the sale of combat knives and offensive weapons under the Criminal Justice Act 1988, Part XI and any subsidiary legislation made thereunder.
EDNRS124	To dispose of redundant vehicles, plant and workshop equipment in accordance with the Authority's Financial Regulations.
EDNRS125	To consider and respond to requests from Cleveland Police in respect of the designation of dispersal areas under the provisions of the Anti-Social Behaviour Act 2000.
EDNRS126	To issue penalty and fixed penalty notices, penalty charge notices and fixed monetary penalties for all offences under the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005, Dog Byelaws, The Dogs (Fouling of Land) Act 1996, Anti-Social Behaviour Act 2003, Control of Pollution (Amendment) Act 1989, Refuse Disposal (Amenity) Act 1978, Noise Act 1996 and Housing Act 2004 and the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 made under the Energy Act 2013 and any amendments under those Orders.
EDNRS127	To act as the Proper Officer under section 149(1) of the Environmental Protection Act 1990 for the purpose of discharging the Authority's functions for dealing with stray dogs.
EDNRS128	To take all necessary action with regard to unauthorised dumping under section 33 of the Environmental Protection Act 1990.
EDNRS129	To manage the use and enforcement of on and off street parking, waiting and loading restrictions, bus lane enforcement and other items under the Traffic Management Act 2004, the Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007, the Civil Enforcement of Parking Contraventions (England) General Regulations 2007, the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007, the Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007, the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) 2007 and the Bus Lane Contraventions (Approved Local Authorities) (England) (Amendment) (No 3) Order 2007, the 2015 Deregulation Bill and any subsequent amending legislation or further legislation regarding parking contraventions.
EDNRS130	To decide upon applications for the issue of parking permits for the parking of vehicles in "permit holders only" parking places established by the Authority under the Road Traffic Regulation Act.

No	Delegation
EDDNRS131	To arrange for the removal of vehicles under section 3 of Refuse Disposal (Amenity) Act 1978, section 99 of the Road Traffic Regulation Act 1984, Part II of the Removal and Disposal of Vehicles Regulations 1986 and section 11 of Clean Neighbourhoods and Environment Act 2005 that are illegally, obstructively or dangerously parked, abandoned or broken down on a road and the removal and disposal of abandoned vehicles generally.
Building Design and Construction	
EDDNRS132	To receive, pass or reject all plans, certificates and notices pursuant to the Building Regulations 2010 (as amended) and related legislation.
EDDNRS133	Power to approve condition or reject applications submitted under the Building Regulations 2010 (as amended) and other related legislation.
EDDNRS134	Power to accept and process Building Notices given under and in accordance with the provisions of the Building Regulations 2010 (as amended).
EDDNRS135	Power to accept or reject Initial notices and subsequent certificates under and in accordance with the provisions of the Building (Approved Inspectors etc.) (Amendment) Regulations 2010.
EDDNRS136	Power to pass or reject applications for relaxation or dispensation of the Building Regulations 2010 (as amended).
EDDNRS137	Power to serve Enforcement notices under the Building Act 1984 and power to authorise proceedings and take action under Sections 35 and 36 of the Building Act 1984.
EDDNRS138	Power to exercise all of the duties and powers under the Building Act 1984.
EDDNRS139	Power to respond to consultations made by outside bodies or agencies to the Council in their capacity as a Building Control Regulation Authority.
EDDNRS140	Power to accept and process applications for Regularisation Certificates under and in accordance with the provisions of the Building Regulations 2010 (as amended).
EDDNRS141	Power to authorise the charging of fees in accordance with the provisions of The Building (Local Authority Charges) Regulation 2010.
EDDNRS142	Power to deal with agreements to provide sewers under buildings in accordance with the provisions of the Building Act 1984 and through the Agency with Northumbrian Water Ltd.

No	Delegation
EDNRS143	Power to maintain and improve existing watercourses and to construct new works under Section 14(2), 14(3) and 15 of the Land Drainage Act, 1991.
EDNRS144	Power to apply to DEFRA for grant aid for works to watercourses under Section 59 of the Land Drainage Act 1991.
EDNRS145	Power to secure and maintain a proper flow in a watercourse by service of notice under Section 25 of the Land Drainage Act 1991.
EDNRS147	Power to require and to give approval to a developer to fill, partially fill, cover over, or culvert any ditch or watercourse (excluding main river) that runs through or abuts land to be developed, under Section 262 and 263 of the Public Health Act 1936.
EDNRS147	Power to require a landowner to repair, maintain and cleanse culverts and watercourses in, on or under their land under Section 264 of the Public Health Act 1936.
EDNRS148	Power to authorise the undertaking of drainage work to prevent flooding under the Land Drainage Act 1991.
EDNRS149	Power to authorise the preparation of any programme and implementation of any works and dealing with any other matters under the Water Act 1973.
EDNRS150	To deal with applications for relaxation of Building Regulations made under section 8 of the Building Act 1984 and current Building Regulations.
EDNRS151	To exercise the powers of the Authority under section 81 of the Building Act 1984 in respect of notification of intended demolitions or to ensure the proper execution of demolition work.
EDNRS152	To exercise the powers of the Authority under section 78 of the Building Act 1984 with regard to emergency measures in respect of dangerous buildings.
EDNRS153	To serve notice under section 77 of the Buildings Act 1984 with respect to executing works to potentially dangerous buildings/structures.
EDNRS154	To execute and enforce breaches of the current Building Regulations in accordance with section 35 and 36 of the Building Act 1984.
EDNRS155	To execute and enforce the powers of the Authority under section 72 of the Building Act 1984 in relation to buildings with inadequate means of escape in case of fire.

No	Delegation
Highways and Infrastructure	
EDDNRS156	Power to arrange the execution of works in connection with highway cleansing through the Control of Pollution Act 1974 and the Environment Protection Act 1990.
EDDNRS1587	Power to authorise unscheduled and scheduled maintenance in respect of the adopted highway network and under the Local Transport Plan in accordance with the approved budget.
EDDNRS158	Power to issue permits for abnormal load movements throughout the Borough under S.21 of the Road Traffic Regulations Act 1984.
EDDNRS159	Power to authorise the use of three/four way temporary traffic signals in the public highway.
EDDNRS160	Power to act on behalf of the Highways Authority in respect of the conditions of the New Roads and Street Works Act 1991 including, but not limited to, licensing and enforcement issues
EDDNRS161	Power to authorise and determine the conditions for the temporary closure of the public highway for 'thronging's' in accordance with the requirements of the Town Police Clauses Act 1847.
EDDNRS162	Power to deal with matters relating to compensation claims against the Council concerned with defects in the highway.
EDDNRS163	Power to deal with the establishment and management of schemes for off street parking
EDDNRS164	Power to authorise the advertisement of proposed Traffic Regulation Orders.
EDDNRS165	Power to act on behalf of the Highway Authority in respect of the conditions of the Highway Act 1980 including but not limited to Licensing and Enforcement of activities on, under and above, the highway and adoption of highways under the relevant sections of the Act.
EDDNRS166	Power to act on behalf of the Highway Authority in respect of the conditions of the Highway Act 1980 including but not limited to Licensing and Enforcement of activities on, under and above, the highway and adoption of highways under the relevant sections of the Act.
EDDNRS167	To make requests for information under section 16(1) of the Local Government (Miscellaneous Provisions) Act 1976.
EDDNRS168	To approve the making of temporary and permanent Traffic Regulation Orders and the issue of temporary and permanent

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	Traffic Regulation Notices.
EDDNRS169	To approve applications for permission to place public kiosks, feeder pillars, electric pillars, clocks and any other similar structures on or over public highways.
EDDNRS170	To determine requests for the repositioning of street furniture to allow access to private premises.
EDDNRS171	To object where necessary on behalf of the Authority as Highway Authority to the granting or renewal of a vehicle operators' licence and to authorise the appropriate Officer, to appear before the Licensing Authority to support such objection if considered necessary.
EDDNRS172	To carry out minor traffic management measures not requiring Traffic Regulation Orders and costing less than £10,000 subject to the necessary finance being available in the approved budget.
EDDNRS173	To serve notices under section 112 of the Road Traffic Regulation Act 1984 on registered keepers of vehicles requiring them to notify the Authority of the name and address of the driver.
EDDNRS174	To grant Street Works Licences under section 50 of the New Roads and Street Works Act 1991.
EDDNRS175	To determine the priority for the surfacing of roads.
EDDNRS176	Power to make orders and enter into agreements for the creation, modification and/or stopping up of highways and adoption of new streets as highways (including those that are repairable at the public expense) in accordance with the Highways Act 1980 (as amended) and thereafter make all orders necessary to modify the Definitive Map in accordance with the Wildlife and Countryside Act 1981
EDDNRS177	To make application to the Department for Transport in respect of the closure or diversion of a highway that is consequential of planning permission for development in accordance with section 247 of the Town and Country Planning Act 1990.
EDDNRS178	To deal with all matters in relation to the closure or diversion of highways as a consequence of planning permission for development in accordance with section 257 of the Town and Country Planning Act 1990.
EDDNRS179	To make all necessary arrangements to convert a footway to a cycle track with a right of way on foot under sections 65 and 66 of the Highways Act 1980.
EDDNRS180	To make all necessary arrangements in respect of Orders under section 3 of the Cycle Tracks Act 1984 for the conversion of all or any part of a footpath to a Cycle Track.

No	Delegation
Emergency Planning	
EDDNRS181	In consultation with the Chair of Neighbourhood Services, to make decisions on the felling of street trees following the duty to consult under the provisions of section 96A of the Highways Act 1980 (as amended by 115 of the Environment Act 2021). In cases where the removal of a street tree is outside the scope of the duty to consult or is subject to an exemption within the legislation or guidance, the decision on whether to fell a street tree will be made by the Council's arboriculturalist.
EDDNRS182	To discharge the Authority's responsibilities as a category 1 responder under the Civil Contingencies Act 2004.
EDDNRS183	To act as the Proper Officer for civil emergencies.
EDDNRS184	To approve and maintain emergency planning arrangements and procedures on behalf of the Authority under the statutory guidance of the Civil Contingencies Act 2004, such procedure to include, amongst other matters, the appointment of appropriate Officers involved in the process.
EDDNRS185	To act as the Proper Officer for business continuity management.
EDDNRS186	As the Proper Officer for business continuity management to approve and maintain an effective business continuity management procedure on behalf of the Authority under the statutory guidance set out in the Civil Contingencies Act 2004, including the appointment of appropriate Officers involved in the process.
Facilities Management	
EDDNRS187	Determine and implement a Joint Waste Strategy developed by the constituent Authorities.
EDDNRS188	Power to approve private functions, sponsored walks etc. in public open spaces, subject to the approval of the Director of Finance, IT and Digital for insurance purposes and in consultation with the Strategic Asset Manager.
EDDNRS189	Power to negotiate the terms of contracts concerning the disposal, recycling, re-use and minimisation of wastes
EDDNRS190	Power to manage the Household Waste Recycling Centre and implement and expand schemes for the recycling, re-use and minimisation of waste.
EDDNRS191	Power to deal with proposals and their implementation for the provision of new and improvement of existing street lighting and client responsibilities for the maintenance of street lighting.

No	Delegation
EDDNRS192	Power to agree a reduced notification period under Section 6 of the Control of Asbestos at Work Regulations 2006 and Section 5 of the Asbestos (Licensing) Regulations 1983.
EDDNRS193	To determine applications received from persons suffering a learning difficulty or physical disability for a reduced cost of admission to leisure facilities.
EDDNRS194	To determine applications from voluntary and charitable organisations, for reduced charges for leisure facilities for fund raising events.
EDDNRS195	To hire transport from outside sources for use by service areas.
EDDNRS196	To issue permits under section 19 of the Transport Act 1985 and the section 19 Permit Regulations 2009 (or any amended Section 19 Permit Regulations) in relation to minibuses.
EDDNRS197	To submit on behalf of the Authority observations on traffic regulation conditions in relation to bus service registrations made under the Transport Act 1985.
EDDNRS198	To inspect premises for the assessment of charges for refuse collection and waste disposal, in accordance with the Control of Pollution Act (COPA) 1974, Environmental Protection Act 1990 and Controlled Waste (England and Wales) Regulations 2012.
EDDNRS199	To determine waste disposal licences and resolutions under the Waste Disposal Regulations, section 34 of the Environmental Protection Act 1990.
EDDNRS200	To extend the provision of Authority services into new developments within the Borough, as required by the Control of Pollution Act (COPA) 1974, and section 46 of the Environmental Protection Act 1990.
EDDNRS201	To make arrangements for the separate collection of recyclable waste under the Household Waste recycling Act 2003, and Waste (England and Wales) (Amendment) Regulations 2012.
EDDNRS202	To exercise the powers and duties of the Authority under Parts II and IV of the Environmental Protection Act, 1990.
EDDNRS203	Power to authorise officers to carry out any functions required to be carried out by the Authority under the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 (including subsequent regulations/amendments including the issuing of prohibition notices.

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EDDNRS204	Power to design and implement the public Christmas decorations in accordance with the approved budget.
EDDNRS205	Power to approve applications for permission to site mobile exhibitions in the Council's Car Parks.
EDDNRS206	To determine applications received for permission to display temporary advertisements on selected street lighting columns within the Authority's policy of permitting such advertising for charitable and suitable non-commercial events.
Economic Growth and Regeneration	
EDDNRS207	To manage, operate and develop <u>Economic Growth and Regeneration</u> policies and projects.
EDDNRS208	Power to take all formal steps necessary under Section 35 of the Local Government and Housing Act 1989 to enable the powers to be exercised in respect of Economic Development related activities.
EDDNRS209	Power to approve financial assistance and award grants to companies within approved guidelines and budget provision.
EDDNRS210	Power to implement an Economic Growth and Regeneration Inclusive Growth Strategy for the Borough.
EDDNRS211	Power to prepare and implement an annual programme of corporate hospitality for the purpose of Economic Growth and/or Regeneration.
EDDNRS212	On behalf of the Economic Growth and Regeneration Committee, power to enforce the provisions of any Act or Statutory Instrument relevant to the post and which has been delegated by the Council to a Board or Panel.
EDDNRS213	In relation to all projects and programmes, to authorise the entering into of agreements with other funding organisations where the purpose of the agreement is to enable that organisation to provide funding support for projects within any of the programmes delivered or managed by the Authority.
EDDNRS214	To develop and submit expressions of interest for funding programmes and opportunities that will assist the delivery of Authority's priorities. All
EDDNRS215	Power to enter into informal negotiations with prospective landlords, tenants, purchasers or vendors, reporting any terms of agreement possible back to the relevant Chair of Committee.
EDDNRS216	Power to deal with any proceedings in respect of any breach of tenancy conditions and to take any subsequent action necessary.

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EDDNRS217	Power to instruct the Director of Legal, Governance and Human Resources to take any action necessary for the legal implementation of any matter related to Strategic Asset Management.
EDDNRS218	Power to employ auctioneers to sell property at auction and to authorise the auctioneer to sign contracts on behalf of the Council at auction, where the Council appraisals agreed.
EDDNRS219	Power to agree the terms of purchase of houses in advance of proposed or agree clearance areas, reporting to the appropriate Board/Committee for information all subject to appropriate budgetary provision being available in consultation with the Director of Finance, IT and Digital and relevant Committee Chair.
EDDNRS220	Power to settle compensation claims from Council house tenants to a maximum of £500.
EDDNRS221	Power to consider and approve requests for conveyance of additional strips of land comprised in Council house premises, subject to the 'Right to Buy' provisions where the tenant of the adjoining property has no objection and the Council's interests are not prejudiced thereby.
Strategic Assets Management	
EDDNRS222	Power to accept subject to contract the highest tender received by the Borough Council for property advertised for sale or to let by way of lease or licence upon the open market and to report back to the appropriate Committee/Board for information.
EDDNRS223	Power to approve land and property disposals, leases, lettings, licences, wayleaves, easements, undertaking and concluding rent reviews, lease renewals and the release and amendments of restrictions, covenants and other land and property matters within prescribed thresholds as set out in the Finance and Corporate Affairs Committee arrangements.
EDDNRS224	Power to re-advertise property where no tender has been received as a result of previous marketing.
EDDNRS225	Power to grant early entry under licence onto land or into buildings for which authority to sell or lease has previously been granted.
EDDNRS226	Power to review rents, and review existing leases, of all properties and land, except Council Houses and to serve all relevant notices under the lease and power to respond to all notices served upon the Council in this respect.
EDDNRS227	Power to re-let property, other than Council houses, upon the open market, which has previously been let and which is not required for the Council's immediate statutory purposes.

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EDDNRS228	Power to agree terms for, and authorize the granting of wayleaves, easements and licences over Borough Council land and to allow early entry onto relevant Borough Council land.
EDDNRS229	Subject to budgetary availability power to agree terms and authorise the taking of wayleaves and easements over land owned by a third party where such easements and wayleaves are required for benefit of Borough Council property holdings and power to allow early entry.
EDDNRS230	Power to give consent to building or development of land or to the alterations of buildings where such consent is required pursuant to a covenant contained in a conveyance or lease of the land or building, and to determine applications for variation of user clauses or restrictive covenants from leaseholders or freeholders of Council owned or previously Council owned land or property
EDDNRS231	Power to consent to alterations to shop premises under the terms of lease and to authorise landlord's repairs.
EDDNRS232	Power to terminate business leases at appropriate premises.
EDDNRS233	Power to approve the institution of proceedings for the recovery of property held under lease
EDDNRS234	Power to determine eligibility for assistance and approve claims for repurchase in appropriate cases under the provision of the Housing Act 1985.
EDDNRS235	Power to allocate tenancies to approved applicants and tenants of houses in confirmed Clearance Areas or Closing and Demolition Orders and to pensioners in future Clearance Areas where the property has been purchased by the Council and other approved cases in proposed Clearance Areas.
EDDNRS236	Power to nominate tenants to Registered Provider's properties.
EDDNRS237	Power to allocate Council tenancies in accordance with the Council's allocations policy.
EDDNRS238	Power to order repairs to Council dwellings and garages.
EDDNRS239	Power to approve within the guidelines laid down by the Council applications for sale of Council dwellings.
EDDNRS240	Power to approve exchanges between Council tenants or Council tenants and private tenants (including Housing Associations).
EDDNRS241	Power to approve letting a Council tenancy to persons with former tenant arrears or recharges debt under £500.
EDDNRS242	Power to transfer tenancies on death, remarriage or in cases of legal and mutual separation and similar special cases.

EDDNRS243	Power to provide move on' accommodation from supported or emergency accommodation.
EDDNRS244	Power to allocate garage tenancies.
EDDNRS245	Power to award decoration vouchers to tenants of properties which have been re-let and left in a poor state of decoration or properties which are proving difficult to let by virtue of the poor standard of decoration.
EDDNRS246	Power to reduce charges for tenant's liability for repairs on grounds of financial hardship, age or condition of the appliance to be replaced and to waive charges where there is reasonable doubt as to the extent of liability.
EDDNRS247	Power to take all action necessary up to and including application to County Court for Possession Orders in respect of rent arrears cases.
EDDNRS248	Power to serve notice upon the tenant or tenants of a Council dwelling house in respect of any breach of tenancy condition and/or any breach of the grounds set out in Schedule 2 of the Housing Act 1985 (as amended) and to take any subsequent action necessary including authorising application to the County Court for Possession Orders subject to prior consultation with the Director of Legal, Governance and Human Resources.
EDDNRS249	Power to take action to recover possession of any Council owned dwelling or garage occupied by an unauthorised occupier.
EDDNRS250	Power to instruct the Director of Legal, Governance and Human Resources to take possession action for recovery of premises in appropriate cases where a breach of the tenancy agreement has taken place.
EDDNRS251	Power, in consultation with the Chair of Finance and Corporate Affairs Committee, to accept offers to sell houses to the Council upon terms agreed with the Strategic Asset Manager, in advance of proposed or agreed clearance areas and to report to the relevant Committee for information.
EDDNRS252	Power to authorise appropriate treatment of party walls exposed by demolition of adjoining clearance area properties.
EDDNRS253	Power, in consultation with the Director of Finance, IT and Digital Services , to write off former tenancy arrears which do not exceed £50,000, after all appropriate recovery procedures have been attempted.

No	Delegation
EDDNRS254	To exercise the Authority's powers under section 33 of the Local Government (Miscellaneous Provisions) Act 1976 to ensure the continuation or restoration of water, gas or electricity to private residential dwellings where the failure of the landlord to pay the bills results in the threat of or the actual disconnection of supplies and to recover the costs incurred and interest accrued in taking any such action.
EDDNRS255	To approve applications for grants relating to private sector housing which comply with the provisions of the Housing Acts, Housing Grants, Construction and Regeneration Act 1996 and the Housing Assistance (England and Wales) Regulatory Reform Order 2002 within the scheme laid down by the Authority.
EDDNRS256	To approve in whole or in part the removal of the conditions imposed by an Improvement Grant under the Housing Grants, Construction and Regeneration Act 1996 and the Housing Assistance (England and Wales) Regulatory Reform Order 2002 where there is a repayment of an amount which reflects that proportion of the condition period remaining unexpired plus compound interest.
EDDNRS257	To serve notices under the provisions of Part 1 of the Housing Act 2004 in connection with housing disrepair; to consider the carrying out of works in default; the execution of such works in default and the recovery of expenses incurred and interest accrued in executing such works.
EDDNRS258	To carry out inspections and submit reports in connection with the provisions of the Housing Acts so far as they relate to houses in accordance with the provisions relating to repair, the closing and demolition of houses unfit for human habitation and the abatement of overcrowding.
EDDNRS259	To serve all necessary notices under the Housing Act 2004 to ensure that houses in multiple occupation are provided with adequate means of escape from fire and adequate other fire precautions and in consultation with the Director of Finance, Legal and Governance <u>Legal, Governance and HR</u> to exercise discretion to take action to ensure that such notices are complied with either by the institution of any court proceedings or the acceptance of undertakings on behalf of the Authority under the Housing Act 2004.

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No	Delegation
EDDNRS260	In respect of grants relating to private sector housing improvement to determine when a contractor other than one whose estimate accompanied the application be allowed to undertake the work and the circumstances when grant shall be paid direct to any applicant in preference to the contractor.
EDDNRS261	To exercise all powers and duties of the Authority under the provisions of the Housing Act 2004 and associated regulations with respect to housing conditions (Part 1), licensing of houses in multiple occupancy (Part 2), selective licensing of other residential accommodation (Part 3), additional control provisions in relation to residential accommodation (Part 4), miscellaneous provisions (Part 6) and supplementary and final provisions (Part 7).
EDDNRS262	The management of all matters required to ensure the Authority carries out its statutory duties as a local housing authority as prescribed in: • Housing Act 1985 • Housing Act 1996 • Housing Act 2004 • Local Government and Housing Act 1989 and Any other relevant statute or government guidance relating to the management and provision of social housing and related facilities.
EDDNRS263	To take any decisions on the selection of property appropriate for affordable rent.
EDDNRS264	Exercising the management of functions of the Authority in relation to dwellings owned by the Authority but not held under Part IV of the Housing Act 1985.

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No	Delegation
EDDNRS265	Authorising the allocation and granting of tenancies and licenses in accordance with the Authority's allocation scheme: (a) approving rents in specific cases; (b) serving notices, to quit, of termination or seeking possession; (c) maintaining properties and estates; (d) granting consent or otherwise to the assignment of a tenancy where statute allows and in line with the Authority's policy; (e) granting consent to mutual exchanges, imposing conditions to that consent where appropriate or refusing such consent with reference to Schedule 3 of the Housing Act 1985; (f) granting consent or otherwise to tenants' requests to carry out improvements or alterations; (g) granting consent or otherwise in any other matter where the Authority's tenancy agreement including introductory tenancy agreement or licensees requires that permission is sought by the tenant or licensee; (h) authorising compensation for tenants' improvements be they statutory or discretionary (Housing Act 1985 sections 99a and 100); (i) settling any claims by tenants for disrepair; (j) taking action under sections 1 and 115 of the Crime and Disorder Act 1998, Part V of the Housing Act 1996, Anti-Social Behaviour Act 2003 and Housing Act 2004; (k) taking action to secure the eviction of trespassers; (l) undertaking consultation with tenants and / or social landlords where required by statute or government guidance or where otherwise appropriate e.g. section 105 of the Housing Act 1985; and (m) authorise the granting of licences for the use of garages, reviewing licence conditions and subsequent termination of licences where necessary.

No	Delegation
EDDNRS266	Carry out the Authority's statutory responsibilities under Part V of the Housing Act 1985 (Right To Buy). • Authorising service of statutory notices, admitting/denying the right to buy, withdrawing or requiring completion. • Authorising sales of freehold or otherwise granting of long leases. In consultation with the Director of Legal, Governance and Human Resources, with regard to freeholds, enforcing covenants including those relating to repayment of discount, use of shared areas and letting of whole. Leasehold: • Agreeing variations to the terms of individual leases. • Granting/refusing permission to requests on various matters, by leaseholders, where the lease requires consent of the landlord, e.g. requests to sublet whole. In consultation with the Director of Legal, Governance and Human Resources authorising action on breaches of covenants.
EDDNRS267	To ensure compliance with all Authority policies relating to the provision and management of Council owned residential properties. Authority to make changes to all such policies where provision of service would be improved or necessity arises or to recommend such changes to the appropriate committee where appropriate.
EDDNRS268	To establish such arrangements as appropriate to ensure effective engagement of tenants and leaseholders in the setting, monitoring and review of housing and related services including holding meetings, organising consultation events, surveys and newsletters
EDDNRS269	To consider any matters relating to the Housing Act 1985 (as amended) in respect of Right to Buy including the repayment of discount and right of first refusal.
EDDNRS270	In consultation with the Director of Finance, IT and Digital, the write-off of Credit balances associated with untraceable former tenants in compliance with the Authority's write-off policy.

DIRECTOR OF HOUSING, GROWTH AND COMMUNITIES

<u>Culture and Events - DHGC</u>	
<u>DHGC</u>	<u>In consultation with the Chair of Economic Growth and Regeneration Committee, accepting, disposing or loaning out objects where the value is less than £100,000.</u>
<u>Learning and Skills - DHGC</u>	
<u>DHGC</u>	<u>Power to deal with the development and dissemination of road safety in relation to schools education, training programmes and safety audits.</u>
<u>DHGC</u>	<u>Ensuring the provision of relevant and accurate information to the public on services.</u>
<u>DHGC</u>	<u>Power to implement programme and activities relating to education and raising public awareness about environmental matters.</u>
<u>Heritage and Countryside - DHGC</u>	
<u>DHGC</u>	<u>Power to approve minor landscaping works up to a value of £1,000.</u>
<u>DHGC</u>	<u>Power to act as the Council's Liaison Officer with the Ordnance Survey, to authorise the annual payment of Ordnance Survey Copyright fees and to maintain and distribute digital data in accordance with requirements of the Service Level Agreement.</u>
<u>DHGC</u>	<u>Power to take appropriate action under Section 4(3) of the Wildlife and Countryside Act 1981.</u>
<u>DHGC</u>	<u>In consultation with the Chair of Adult and Community Based Services Committee, to approve Conservation Grants.</u>
<u>DHGC</u>	<u>To be responsible for the control, management, inspection and letting of allotments including the authority to issue and sign allotment agreements.</u>
<u>DHGC</u>	<u>To serve Notices to Quit in relation to breaches of allotment rules.</u>
<u>DHGC</u>	<u>Power to approve a request for a name to be added to a War Memorial</u>
<u>DHGC</u>	<u>Power to control and manage public open markets.</u>

Housing
EDCS25 To grant Discretionary Housing Payments to Housing Benefit recipients for Housing Costs in accordance with the Social Security Amendment (Discretionary

Housing Payments) Regulations 2001 and the Discretionary Housing Payments (Grants) Order 2001.

EDCS26 To administer and grant Local Welfare Support grant payments.

EDCS27 To discharge the functions of the authority insofar as they are relevant and in accordance with the Housing Act 1996.

Growth

<u>Power to take all formal steps necessary under Section 35 of the Local Government and Housing Act 1989 to enable the powers to be exercised in respect of Economic Development related activities.</u>

<u>Power to approve financial assistance and award grants to companies within approved guidelines and budget provision.</u>

<u>Power to implement an Inclusive Growth Strategy for the Borough.</u>

General

In relation to all projects and programmes, to authorise the entering into of agreements with other funding organisations where the purpose of the agreement is to enable that organisation to provide funding support for projects within any of the programmes delivered or managed by the Authority.