

Part 7 – B

AUTHORISATION TO OFFICERS BY CHIEF EXECUTIVE

1 Introduction

1.1 Pursuant to:

- (a) Full Council resolution of 18 May 2005
- (b) Cabinet resolution of 13th June 2005
- (c) Any other enabling powers whether referred to herein or not

1.2 This document sets out the functions of the Council both as vested in me by statute and those delegated to me by the Council's Constitution as on a decision of the Cabinet, which I have authorised the Chief Officers of the Council to exercise on my behalf. The authorisations are set out as follows:

- (a) Director of Children Schools and Families – section 2
- (b) Director of Community and Housing ~~Services~~- section ~~03~~
- (c) Director of Environment and Regeneration - section 4
- (d) Director of Corporate Services - section 5

1.3 For Information

1.3.1 Authorisations residing in identified officers, proper officers and responsibilities of the Council's Chief legal officer are set out in Part 3F.

- (a)
- (b)
- (c)

Signed:

Chief Executive and Head of Paid Service

Date

1.4 In this scheme of authorisations "Chief Officer" means a departmental director or the person appointed to deputise for them in their absence.

1.5 The authorisations are on the basis that Chief Officers will have in mind the need for co-ordination with services provided by other departments and organisations providing associated services, and within CMT protocols.

- 1.6 Any conflicts of policy across departments will be resolved by the Chief Executive or an officer authorised by the Chief Executive.
- 1.7 The authorisations include the responsibility for the management of the Council's operational resources associated with the functions – HR, finance, land and property, ICT and procurement in accordance with the policies and procedures relevant to those operational resources.
- 1.8 The authorisations include the appropriate power under section 111 of the Local Government Act 1972 to do things which facilitate or which are incidental or conducive to the exercise of any function and the exercise of the well being power under section (2) of the Local Government Act 2000 so far as the exercise of those powers relates to the service area of the Chief Officer.
- 1.9 The authorisations include the appropriate functions of the Council as a “Principal Authority”, a “Best Value Authority” and “Local Authority” appropriate to authorisations.
- 1.10 The authorisations include the power to sign contracts and to authorise sealing of contracts that have been awarded in accordance with contract standing orders.
- 1.11 This scheme operates within the Council's Constitution (which includes financial regulations and standing orders). No provision in this scheme allows Chief Officers to act outside the Council's personnel, finance, strategic or administrative policies and procedures.
- 1.12 Save for significant variations in departmental structure the authorisations include the power to determine and vary staffing structures and staffing complement within allocated budgets.
- 1.13 It should be noted that, by law, the Chief Executive reserves the right to withdraw the authorisations at any time and has concurrent right to make decisions on all these issues including the right to override any decision already made.

2 Director of Children Schools and Families

2.1 Section 18 Children Act 2004

- (a) Except for matters reserved for the decision of members or other decision makers the Director of Children, Schools and Family Services is authorised to exercise the following functions: Such decisions must be in accordance with the strategies policies set by the Council and must in all cases be made within a approved budgetary provision and financial procedures.
- (b) Functions conferred on, or exercisable by, the Council as a Local Education Authority

- (c) Functions conferred on or excisable by the Council which are Social Services functions within the meaning of the Local Authority Social Services Act 1970 so far as those functions relate to children.
- (d) Functions conferred under Section 23C to 24D of the Children Act 1 1989 so far as not falling within paragraph (b)
- (e) Functions conferred on a Children Services Authority under Section 10 to 12 and 17 of he Children Act 2004
- (f) Functions exercisable by the Council under Section 31 of the Mental Health Act 1999 on behalf of an NHS body so far as those functions relate to Children

3 Director of Community and Housing **Services**

- (a) Except for matters reserved for the decision of members or other decision-maker the Director of Community and Housing **Services** is authorised to exercise the following functions. Such decisions must be in accordance with the strategic polices set by the Council and must in all cases be made within approved budgetary provisions and financial procedures.
- (b) Functions conferred or exercisable by the Council which are Social Services functions within the meaning of the Local Authority Social Services Act 1970 so far as those functions relate to adults (Adult Social Services)
- (c) Functions exercisable by the Council under Section 31 of the Health Act 1999 on behalf of an NHS body so far as those functions relate to adults
- (d) Functions as a Local Education Authority with respect to higher and further education, under :
- (e) The Education reform Act 1988 (Section 120, (3),
- (f) The Education Act 1992 (Section 85);
- (g) The Education Act 1996 (S.15.B);
- (h) The Learning and Skills Council Act 2000:
- (i) Functions conferred on or exercisable by the Council as a Housing Authority (including functions conferred on the Council as a local authority in relation to homeless persons), except private sector housing issues
- (j) Functions conferred on or exercisable by the Council as a Library Authority

- (k) Functions conferred on or exercisable by the Council as a Burial Authority.
- (l) Functions conferred on or exercisable by the Council as an Allotments Authority and the management of all land designated as allotments.
- (m) All other functions relating to the provision of (housing and social care to adults and the provision of housing and leisure services and the provisional management of related facilities and services).

4 Director of Environment and Regeneration

4.1 Except for matters reserved for the decision of members of other decision-makers the Director of Environment and Regeneration is authorised to make decisions on functions; such decisions must be in accordance with the strategies policies set by the Council and must in all cases be made within a approved budgetary provision and financial procedures.

- (a) Functions conferred on or exercisable by the council as a Local Planning Authority in relation to Town and Country Planning (including the Preservation of Trees), Development Control, Licensing and Registration Functions and functions relating to the Wildlife Act 1981
- (b) Functions conferred on or ~~exercisable~~exercisable by the Council relating to Street Trading and Street Management functions including functions as a Highway Authority and a Road Traffic Authority
- (c) Functions conferred on or ~~exercisable~~exercisable by the Council as a as a Principal Litter Authority, Litter Authority, Waste Collection Authority and Waste Disposal Authority
- (d) Functions conferred on or ~~exercisable~~exercisable by the Council as a as a Weights and Measures Authority and an Enforcement Authority
- (e) Functions conferred on or ~~exercisable~~exercisable by the Council as a Licensing Authority under the Licensing Act 2003
- (f) Functions relate to the management of the Council's property portfolio (other than responsibility for the management of Council occupied premises)
- (g) All other functions related to the protection of the environment and the regulation and control of the activities and the use of premises, which affect environment or local amenity.

- (h) Functions conferred on or exercisable by the Council as a local housing authority relating to private sector housing including private sector strategy, repair grants and disabled facilities grants

5 Director of Corporate ResourcesServices

5.1 Except for matters reserved for the decision of members or other decision makers the Director of Corporate ResourcesServices is authorised to exercise the following functions. Such decisions must be in accordance with strategies and policies set by the Council and must in all cases be made within approved budgetary provision and financial procedures.

- (a) Registering Authority for the purposes of the Local Land Charges Act 1975
- (b) Registration Services for purposes of births marriages and deaths including civil partnerships and naming ceremonies
- (c) Billing authority for the purposes of levying and collection of Council Tax
- (d) Housing Benefit and Council Tax administration
- (e) Enforcement Authority for purposes of Health and Safety at work
- (f) Electoral Administration functions
- (g) The management of the Council's cashflows, banking, money market and capital market transactions (Treasury Management)
- (h) Arrangements for the proper management of the Council's financial affairs including superannuation and payroll functions
- (i) Arrangements for the proper management of the Council IT functions
- (j) Arrangements for the proper management of the Council Human Resources functions
- (k) To approve and administer student support, student loans and access fund arrangements (section 22 Teaching and Higher Education Act 1998.)
- (l) Arrangements for the proper management of procurement functions
- (m) Provision of support for elected members of the Council and democratic processes.

- (n) Managing the process to facilitate the formal meetings and decisions of the Council, its councillors and sub-committees and the Cabinet and its committees and to record such decisions.