

## **Part 2 - Responsibility for functions**

### **f. scheme of delegation to officers**

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In addition to decisions by council bodies or executive members, decisions may also be taken by officers who have the relevant authority either in accordance with legislation or under this constitution. This section sets out the areas of responsibility of key officers and their delegated decision making responsibilities under section 101 of the Local Government Act 1972 and all other powers enabling delegation to officers.

A copy of the council's structure chart is appended to this section.

## 1. General provisions

- 1.1 An officer with delegated powers may in writing authorise another officer or officers to exercise those powers. The officer with the delegated powers shall keep a register of all authorisations granted and will send a copy of each authorisation to the Legal Services Manager and the Democratic Services Officer.
- 1.2 The exercise of delegated powers is at the discretion of the relevant officer, who may refer any matter which he/she has authority to determine to a director, the Chief Executive, the relevant committee, the Executive or Council.
- 1.3 Delegation to an officer below director level also infers the same delegation to the Chief Executive and relevant director.
- 1.4 Council, its committees and the Executive reserve the right to additionally delegate a specific decision by resolution (also known as an express delegation).
- 1.5 When any decision is made under an express delegation, an executive decision is taken under delegated powers or a decision which grants a permission or licence, affects the rights of an individual or awards a contract or incurs expenditure which materially affects the authority's financial position is made under delegated powers, details of this must be submitted to the Democratic Services Officer for publication on the council's website, in accordance with the Openness of Local Government Bodies Regulations 2014.
- 1.6 Officers listed in this scheme of delegation have responsibility for managing the service and staff within their service area and may take any decision relating to their service in accordance with legislation and the provisions of this constitution, unless reserved to another body or officer within this constitution. The list of matters delegated to an officer is not exhaustive and their duties are not limited to those listed.
- 1.7 All officers reporting to council bodies are authorised to identify and compile background papers.
- 1.8 The Chief Executive, relevant director and the Legal Services Manager are responsible for responding to requisitions for information.
- 1.9 If an officer has delegated authority, that officer is deemed to be the proper officer to sign documents in relation to that function.
- 1.10 All functions under a local act (other than those specified or referred to in regulation 2 of schedule 1 of the Leicestershire Act 1985 or those specified elsewhere in this constitution) will be delegated to the relevant service manager as listed in the scheme of delegation.
- 1.11 Any powers of entry relating to any legislation are delegated to any officers authorised to administer that legislation.

- 1.12 Relevant service managers may obtain particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- 1.13 The Chief Executive, directors and service managers will make decisions on the appointment, discipline, grievance, dismissal and redundancy (including determination of suitable alternative employment) of officers in accordance with personnel policies.
- 1.14 All managers will be responsible for the health and safety of the council's employees and other persons who may be affected by the council's activities or on land within the management responsibility or ownership of the council.

## 2. Strategic Leadership Team

The Strategic Leadership Team consists of the Chief Executive, the Director (Community Services), the Director (Corporate Services) and the Director (Environment & Planning). The responsibilities of the Strategic Leadership Team as a body, or its members as individuals, include but are not limited to:

- 2.1 The Strategic Leadership Team will approve the management structure of each service area below director level.
- 2.2 The Strategic Leadership Team will determine grading and specific conditions such as car allowances for staff below director level.
- 2.3 The Strategic Leadership Team will approve the corporate training plan.
- 2.4 The Chief Executive or relevant director may institute legal proceedings, including proceedings for an injunction, to authorise the carrying out of works in default of a notice and to lodge an appeal against any court decision. Where legal action is proposed regarding the issuing of licences, consents, approvals, permissions, registrations and consequent contraventions (including the issue and prosecution of appropriate remedies and penalties including all civil and criminal court proceedings, formal cautions), the Chief Executive or relevant director, in consultation with the Legal Services Manager, must advise the relevant Executive member before making the decision to proceed.
- 2.5 The Chief Executive or relevant director may authorise applications for warrants.
- 2.6 The Chief Executive or relevant director will be authorised to administer formal cautions as a penalty following the admission of an offence.
- 2.7 The Chief Executive or relevant director is authorised to sign notices and other documents relating to Executive functions including those delegated to an individual member.
- 2.8 The Chief Executive or relevant director is authorised to implement any decision of the Scrutiny Commission or Finance & Performance Scrutiny and prepare any associated documentation.
- 2.9 The Chief Executive or relevant director will have authority to negotiate financial settlements in respect of Executive functions, in consultation with the relevant member of the Executive, and conclude those negotiations subject to the financial procedure rules.
- 2.10 The Chief Executive or relevant director (or other director in their absence) will have authority to deal with urgent business that must be decided within five working days in relation to Executive functions, having first consulted all available members of the Executive and the chairman of the Scrutiny Commission.

- 2.11 The Chief Executive and directors have authority to let contracts subject to authorisation of expenditure in accordance with the financial procedure rules.
  - 2.12 The Chief Executive and directors will oversee the management of any direct service organisation which delivers a function which is the responsibility of the Executive.
  - 2.13 The Chief Executive and directors will manage services within approved budgets according to financial procedure rules and personnel policies, including approving and monitoring service objectives and targets.
  - 2.14 The Chief Executive and directors will monitor service objectives and targets, programmes and strategies.
  - 2.15 The Chief Executive or directors will make decisions on whether to fill vacant officer positions.
  - 2.16 The Chief Executive and directors will be responsible for absence issues under the council's attendance management guidelines.
  - 2.17 The Chief Executive or relevant director will approve job descriptions and person specifications for employees below director level.
  - 2.18 The Chief Executive or relevant director is authorised to sign notices and other documents in relation to personnel issues.
  - 2.19 The Chief Executive, directors and Head of Finance will monitor the council's capital and revenue budgets and approve overspends, virements and supplementary budgets in accordance with financial procedure rules.
  - 2.20 The Strategic Leadership Team will have delegated authority to approve acquisition and disposals in accordance with the financial procedure rules.
3. Chief Executive / Head of Paid Service
    - 3.1 The Chief Executive holds the statutory designation of Head of Paid Service (see part 1, paragraph 10.1), Returning Officer (or Deputy Returning Officer where relevant), Electoral Registration Officer and District Emergency Planning Officer. The Chief Executive is responsible for the overall corporate management and operational responsibility including management responsibility for officers, relationships with members, external communications, emergency planning, crime & disorder and local elections.
    - 3.2 The Chief Executive has delegated authority to:

Staffing

      - determine individual grading issues and job evaluation within the agreed job evaluation scheme
      - agree voluntary severance arrangements including authorising early retirement by reason or redundancy or efficiency in relation to the directors
      - use the power of section 13(4) and 13(5) of the Local Government Act 2000 to place staff at the disposal of other local authorities for the purpose of joint arrangements or joint working in an emergency, in consultation with the Section 151 officer
      - Sign deeds of apprenticeship

- Produce notices and other documents relating to functions with respect of industrial relations (in accordance with relevant employment protection legislation)

#### Planning

- Determine applications for a certificate of appropriate alternative development

#### Compulsory purchase

- Advise in respect of land or buildings proposed to be acquired either by agreement or compulsorily under the Town and Country Planning acts and related legislation in consultation with the Legal Services Manager
- Advise Council in respect of the making of compulsory purchase orders to facilitate the proper planning of an area or to secure the reclamation of derelict land
- Decide whether or not to accept a Purchase or Blight Notice

#### Customer care

- Promote customer care and equality in service delivery and access

#### Elections & members

- Agree polling station changes at short notice in consultation with group leaders and the relevant ward member(s)
- Receive and witness declarations of acceptance of office
- Receive resignations from office by elected members
- Authorise in-year changes to committee membership in consultation with the relevant group leader, reporting to the next available meeting of Council

#### Parish councils

- Promote liaison and joint working with town and parish councils, including development of charters and devolving of functions

#### Emergency planning

- Co-ordinate multi agency implementation of civil contingency media and public relations policy

#### Signing and sealing

- Sign documents in addition to the powers of other proper officers except where specific professional qualifications are necessary
- Sign notices and other documents related to functions which are deemed general powers of all committees
- Publish and serve notices in addition to specific powers

#### Local legislation

- issue information and bulletins in accordance with sections 83, 84 and 85 of the Leicestershire Act 1985

#### Property

- Acquire or dispose of land or property in conjunction with the Section 151 Officer, in accordance with the financial procedure rules.

#### 4. Director (Community Services)

4.1 The Director (Community Services) is responsible for community safety, anti-social behaviour, tenancy management, housing repairs, cultural services, housing stock, homelessness, private sector housing and strategic & community planning.

4.2 The Director (Community Services) has delegated authority to:

- Liaise with government office housing officials to review the annual housing investment programme submission and resources allocation
- Liaise with the Homes and Communities Agency, as appropriate
- Advise the council of the housing needs of the borough and recommend how to fulfil those needs in accordance with a defined housing strategy

- Work in partnership with other housing providers to meet the housing needs of the borough and recommend any financial arrangements to be made between the council and other housing providers to carry this out
- Take action under relevant housing legislation
- Agree sale of land / housing in accordance with the financial procedure rules
- Decisions relating to legal or other interest in HRA land or buildings in consultation with the Legal Services Manager
- Support tenants who are in need or disadvantaged, subject to statutory limitation
- Waive requirements for two estimates for works in relation to grants for financial assistance in appropriate cases (in consultation with the Executive member where work value exceeds that permitted by the financial procedure rules)
- Cancel any grant approval or require the repayment of grant payments with or without interests in the case of grant conditions being breached
- Authorise suitably qualified officers to take action in relation to public space protection orders.

## 5. Director (Corporate Services)

5.1 The Director (Corporate Services) holds the statutory designation of Monitoring Officer (see part 1, paragraph 10.2), Deputy Returning Officer, Deputy Electoral Registration Officer and Senior Information Risk Officer. The Director (Corporate Services) is responsible for revenues & benefits, legal services, human resources & transformation, communications & promotion, consultation, governance and members, ICT, finance and estates & asset management.

5.2 The Director (Corporate Services) / Monitoring Officer has delegated authority to:

### Constitution

- Make any changes to the constitution based on matters of fact (such as changes in legislation).

### Governance

- Grant dispensations to councillors and co-opted members from requirements relating to interests set out in the members' code of conduct
- Administer a complaints process about the conduct of members from initial complaint until resolution
- Witness and receive declarations of acceptance of office from elected members
- Receive resignations from office by elected members
- Receive and keep register of interests and declarations of gifts and hospitality from members and officers
- Prepare notices and other documents related to duties, functions and decisions of the Ethical Governance & Personnel Committee
- Restrict members' access to papers in accordance with legislation
- Make payments or provide other benefits in cases of maladministration up to the value of £3,000
- Advise Council on data protection and freedom of information
- Act as custodian of original RIPA authorisations and related documentation
- Produce notices and other documents relating to functions reserved to Council
- Sign documents relating to decisions of the Appeals Panel
- Keep a role of Freeman and Honorary Aldermen
- Deposit of documents to be made available to the public

### Legal

- Authorise the service of requisitions for information, planning contravention notices, breach of condition notices and stop notices under relevant legislation

- Sign a certificate of legal opinion to accompany an application for political restriction in respect of a post in accordance with the Local Government & Housing Act 1989 and the Local Government Act 1972
- Sign documents in addition to the powers of other proper officers except where specific professional qualifications are necessary
- Publish and serve notices in addition to specific powers

#### Estates & Asset management

- Improve the quality of the borough's stock of industrial and commercial property by enabling or direct provision
- Design, prepare and manage contracts (including health and safety issues) of building work (whether new build or restoration) of all corporate property and professional services provided under the Local Authorities (Goods and Services) Act 1970
- Sell, purchase or lease land or buildings in accordance with the asset management plan and subject to financial procedure rules

#### Performance & risk

- Oversee the formal administration of the council's quality system, risk management and self-assessment programmes

#### IT

- Oversee and direct the technological resources of the council
- Approve all security arrangements of the council in respect of IT and financial issues

### 6. Director (Environment & Planning)

6.1 The Director (Environment & Planning) is responsible for environmental health (including pollution and commercial services), health and safety, emergency planning, streetscene services and planning.

6.2 The Director (Environment & Planning) has delegated authority to:

#### Planning

- Authorise prosecutions relating to the service areas for which the Director (Environment & Planning) has responsibility
- Apply for an injunction in relation to a listed building in consultation with the Legal Services Manager
- Liaise with the Department for Culture, Media and Sport and English Heritage concerning scheduled ancient monuments and areas of archaeological importance
- Formulate and implement policies and programmes for the reclamation of derelict land including securing the necessary grant aid or other financial resources to carry out such programmes
- Approval for proceeding to referendum stage and for making of Neighbourhood Development Plans in consultation with the relevant Executive member and ward member(s)

#### Environmental Health

- Authorise works to ameliorate flooding under the Land Drainage Act 1991
- Promote environmental awareness, prepare environmental indicators for the borough and monitor the overall state of the borough's environment
- Promote the climate change agenda

#### Street naming and numbering

- Approve new street numbering schemes or street numbering affecting existing properties
- Approve naming of new highways

#### Emergency planning

- To liaise with all stakeholders on emergency planning and to maintain and improve the council's emergency plan.

## 7. Head of Finance

7.1 The Head of Finance holds the statutory designation of Section 151 Officer / Chief Financial Officer. The Head of Finance is responsible for the operational management and control of the finances of the council in accordance with council policies and for all matters related to all finance and accountancy functions.

7.2 The Head of Finance has delegated authority to:

- Publish notices of setting of council tax
- Approve the council tax base
- Monitor the performance of all funds invested in consultation with the relevant member of the Executive
- Supervise the council's insurance arrangements
- Supervise the council's banking arrangements
- Receive the annual statement of accounts and recommend to Council
- Authorise payment of all accounts in accordance with the financial procedure rules
- Open accounts to inspection by any member
- Advise on the financial implications of proposed new policies or development of existing policies, including sources of revenue
- Authorise investments and debt repayment in accordance with the treasury management policy
- Consider outstanding debts due to the council and undertake recovery or write off, in accordance with financial procedure rules
- Receive money due from officers
- Administer house purchase advances in accordance with the council's policy
- Manage the council's concessionary travel schemes
- Authorise all leasing arrangements for the acquisition of vehicles, plant and equipment within approved budgets
- Manage the internal audit function
- Consider and make recommendations on the external audit management letter
- Consider and make recommendations on the internal and external audit plans
- Make recommendations on the development of the internal audit service and specify minimum audit levels to ensure statutory and other requirements are met
- Publish notices of audit
- Validate and determine applications for compensation, determine applications for a review of a compensation decision and conduct proceedings for an appeal against a compensation decision in relation to Community Right to Bid in consultation with the Legal Services Manager
- Determine applications to recoup compensation above £20k in relation to Community Right to Bid
- Issue declarations and certificates with regard to securities
- Acquire and dispose of land in accordance with the financial procedure rules.

## 8. Head of Planning

8.1 The Head of Planning is the designated Chief Planning Officer. The Head of Planning is responsible for the management of all services and staff within development management, enforcement, planning policy, economic development and regeneration and building control.

8.2 The Head of Planning has delegated authority to:

Development management



- Carry out all processes and procedures relating to the council's development management function
- Determine all applications for planning permission, advertisement consent, listed building consent, conservation area consent, works on trees covered by a Tree Preservation Order and any other planning related application or notification except where reserved to another body under this constitution, in accordance with the Town and Country Planning Act 1990
- Determine applications for certificates of lawful existing or proposed use or development in consultation with the Legal Services Manager
- Determine whether an agreement pursuant to Section 106 of the Town and County Planning Act 1990 is required in respect of any planning applications and to instruct the Legal Services Manager to enter into such agreements
- Determine variations to S106 agreements and unilateral undertakings in consultation with the chairman of the Planning Committee, relevant ward councillor(s) and the Legal Services Manager
- Approve discharge of conditions or release of monies held by the council from planning related agreements
- Sign all documents related to the council's development management function following decisions made under delegated powers or by the relevant committee or by Council

#### Enforcement

- Determine the course of action on breaches of planning control including not taking any action or where it is not expedient to take action
- Take any enforcement action including the issue and service of any statutory notice relating to the control of development, including but not limited to enforcement notices, stop notices and temporary stop notices, breach of condition notices, listed building enforcement notices, planning contravention notices, hazardous substances contravention notices, advertisement discontinuance notices, untidy site notices, tree replacement notices and injunctions in accordance with enforcement policies
- Exercise any statutory power to withdraw any such notice, to waive or relax any of their contents or extend a period for compliance
- Instigate prosecutions for failing to comply with the above notices in consultation with the Legal Services Manager

#### Building control

- Authorise named officers to enter land and premises including the seeking of warrants for the various purposes specified in and in accordance with relevant legislation
- Determine all applications for building regulations approval purposes
- Take action to deal with dangerous and/or derelict buildings and structures
- Serve and receive notices under relevant legislation and to effect enforcement, including requests for information in consultation with the Legal Services Manager

#### Conservation

- Serve Article 4 notices in consultation with the Legal Services Manager
- Administer grant schemes for tree planting, landscaping and other environmental improvement works within the borough
- Determine applications for landscape conservation grants, grants for the renovation or repair of listed buildings or other buildings contained in a partnership agreement, or local environmental improvement grants in accordance with policy and budget provision
- Undertake such actions as necessary to support nature conservation matters including in liaison with Natural England and other relevant bodies in relation to the designation of sites of special scientific interest and the establishment of local nature reserves

#### Consultation and responses

- Respond to consultations from adjoining authorities / external bodies
- Make observations on applications made by the county court

- Make observations on those applications which are matters for Leicestershire County Council
- Respond to national planning policy consultations in consultation with the relevant executive member

#### Planning policy

- Undertake such actions as necessary to produce evidence bases for planning policy documents in consultation with the Planning Policy Member Working Group and the relevant executive member
- Undertake such actions as necessary to develop planning guidance in consultation with the Planning Policy Member Working Group and the relevant member of the Executive for approval
- Serve notices related to preparation of a development plan
- Agree the first three stages of a neighbourhood development plan in consultation with the Planning Policy Member Working Group and the relevant executive member

#### Economic development

- Undertake such actions as necessary to promote the economic wellbeing of the borough through partnership with the business and community sectors

#### Trees and hedges

- Make, confirm, amend, withdraw, revoke and take any necessary enforcement action in relation to legislation regarding tree preservation orders, high hedges and hedgerows except those reserved for the Planning Committee

#### Community Right to Bid

- Validate and determine initial applications in relation to Community Right to Bid.

### 9. Head of Revenues & Benefits Partnership

9.1 The Head of Revenues & Benefits Partnership is responsible for the administration of council tax, non-domestic rates, benefits and revenues including management of all services and staff within the partnership.

9.2 The Head of Revenues & Benefits Partnership has delegated authority to:

- Implement the prosecution and enforcement policy following consultation with the Legal Services Manager
- Advise the relevant member of the Executive in determination of applications from occupiers of non-domestic properties for reduction of rate liability on grounds of hardship, part occupation relief, charitable relief and village shops relief
- Be consulted by the Valuation Officer and be a party to any agreement for the amendment to the valuation list for non-domestic rates and council tax purposes.

### 10. Head of Street Scene Services

10.1 The Head of Street Scene Services is responsible for refuse, recycling, garden waste, street cleaning, grounds maintenance, green spaces, neighbourhood wardens, street furniture and cemeteries.

10.2 The Head of Street Scene Services has delegated authority to:

- Administer the council's responsibilities and take action in accordance with the Anti-Social Behaviour Crime and Policing Act 2014
- Monitor and take action to deal with dangerous trees under relevant legislation
- Liaise with the highways authority on traffic management and highways maintenance
- Manage and recommend policies relating to the management of car parks in the borough

- Serve notices or recommend legal action in consultation with the Legal Services Manager in relation to dog fouling, refuse, refuse containers, abandoned vehicles, litter and graffiti under relevant legislation
- Manage the council's vehicle fleet and related contracts including acquisition, disposal and maintenance
- Hold the operator's licence on behalf of the council
- Hold an environmental permit to operate a waste transfer station
- Progress and monitor improvement schemes in relation to parks and open spaces within approved budgets
- Negotiate terms and recommend for adoption public open space in accordance with S106 agreements.

11. Head of ICT

11.1 The Head of ICT is responsible for management of information technology and management of the ICT partnership (including managing the contract) including staff within the service.

11.2 The Head of ICT has delegated authority to:

- Manage the ICT contract in accordance with financial procedure rules.

12. Community Safety & Performance Manager

12.1 The Community Safety & Performance Manager has delegated authority to:

- Support, in partnership, a domestic violence refuge
- Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation.

13. Anti-Social Behaviour & Tenancy Manager

13.1 The Anti-Social Behaviour & Tenancy Manager has delegated authority to:

- Exercise any function in relation to crime and disorder and anti-social behaviour in accordance with relevant legislation
- Administer the housing rents service and manage arrears
- Apply for a rent repayment order
- Manage tenancies in accordance with council policy and relevant legislation
- Administer the council's housing, social and welfare policies and initiatives.

14. Housing Repairs Investment Manager

14.1 The Housing Repairs Investment Manager has delegated authority to:

- Manage the delivery of reductions in carbon emissions in council-owned property
- Carry out planned maintenance and improvements for homes to the decent homes standard

15. Housing Repairs Operations Manager

15.1 The Housing Repairs Operations Manager has delegated authority to:

- Deal with repair requests on a priority basis in accordance with the council's policies.

16. Cultural Services Manager

16.1 The Cultural Services Manager has delegated authority to:

- Coordinate the involvement of young people in decision making
- Manage and sustain the Hinckley markets
- Manage and deliver the CCTV operations
- Support rural town centres in their development
- Work alongside the leisure centre operation to ensure high quality provision
- Support the provision of sports facilities with the aim to increase participation
- Support the creative arts sector

- Work with third parties to undertake a programme of general tourism destination marketing to support the local tourism sector and to work with them to promote product quality and co-ordinate marketing
- Provide access to information to incoming visitors and local citizens
- Provide street furniture and bus shelters
- Work with partner organisations to improve the health of all people in the borough
- Implement a GP referral scheme
- Improve access to services which can contribute to health.

## 17. Housing Options Manager

### 17.1 The Housing Options Manager has delegated authority to:

- Carry out all processes and procedures related to the council's housing function
- Effect the allocation of tenancies for all council dwellings in accordance with the council's allocations policy
- Let or allocate council-owned garages, sites and parking plots
- Lease on behalf of the council accommodation on a short-term basis for use of temporary housing of homeless families
- Approve the transfer and mutual exchanges of council house tenants
- Carry out duties in relation to the council's responsibilities for homelessness, including the provision of hostels, in accordance with relevant legislation
- Provide a housing advice service
- Administer the council's housing, social and welfare policies and initiatives
- Review any decision made under relevant housing legislation in relation to homelessness and housing allocations.

## 18. Private Sector Housing Manager

### 18.1 The Private Sector Housing Manager has delegated authority to:

- Serve notices and notifications in relation to drainage, sanitary convenience, earth closets, food storage accommodation and ruinous and dilapidated buildings under relevant legislation
- Serve abatement notices for statutory nuisance under relevant legislation
- Keep housing conditions under review and identify any action required under relevant housing legislation, including serving notices
- Carry out all functions, including notices, in relation to smoke & carbon monoxide alarms
- Carry out all functions in relation to prohibition orders, remedial action and improvement notices
- Carry out all duties in relation to empty dwellings and management orders
- Serve overcrowding notices
- Demand recovery of expenses incurred by local authority for service of housing notices and other action
- Require documents to be produced in accordance with legislation
- Carry out all duties in relation to demolition orders and closing orders, except those reserved for Council
- Carry out all duties in relation to Houses in Multiple Occupation, including mandatory licensing
- Determine applications for all types of housing financial assistance in accordance with the financial procedure rules in accordance with the housing renewal policy, including revisions to the amount of grant approved if the actual cost is less than the approved

estimate and all types of financial assistance which include the provision of dwellings by conversion or a reduction in the number of dwellings

- Oversee all functions in relation to energy efficiency in private dwellings
- Carry out all actions in relation to redress schemes for lettings agency work and property management work
- Take action in relation to mobile homes
- Serve notices to protect buildings not adequately secured
- Taking action under the Protection from Eviction Act 1977.

## 19. Housing Assets & Support Team Manager

19.1 The Housing Assets & Support Team Manager has delegated authority to:

- Operate a warden scheme and central control
- Encourage tenant participation in the housing service
- Arrange for and provide valuations to the Legal Services Manager in respect of Right to Buy applications
- Determine right to buy applications
- Manage tenancies in accordance with council policy and relevant legislation.

## 20. Strategic & Community Planning Manager

20.1 The Strategic & Community Planning Manager has delegated authority to:

- Receive recommendations from the Local Strategic Partnership and determine how they should be dealt with
- Make recommendations to the Local Strategic Partnership.

## 21. Environmental Services Manager (Commercial)

21.1 The Environmental Services Manager (Commercial) has delegated authority to:

### Licensing

- Determine applications for street collection and house-to-house collection permits
- Deal with all matters in connection with the licensing and enforcement of hackney carriages, private hire vehicles, drivers and operators, including granting, suspending or renewing licenses, varying fees and attaching conditions in relation to drivers and operators, except where reserved to the Licensing Committee in accordance with this constitution
- Supervise the administration, issuing and enforcement of licensing under the Licensing Act 2003 and determine applications except where reserved to the Licensing Committee in accordance with this constitution
- Determine whether representations made by an interested party (who is not also a responsible party) are vexatious or frivolous
- Deal with all matters in connection with the permitting and enforcement of gambling establishments and applications for gambling machine permits including granting, refusing, suspending and revoking licences, varying fees and attaching conditions, except where reserved to the Licensing Committee in accordance with this constitution
- Determine applications for gaming machine permits
- Advise Licensing Committee on licence conditions
- Sign documents relating to delegated licensing and registration functions
- Discharge all functions, powers and duties of the licensing authority as a responsible authority, including consideration of all types of licensing applications under the Act for

the grant, conversion, variation, renewal or review of licensing applications and making representations as a responsible authority, making representations as to the conditions which should be required to promote the licensing objectives under the Act, applying for reviews and appealing licensing decisions where considered appropriate and to take part in licensing appeals generally

- Deal with all matters in connection with scrap metal dealers in accordance with relevant legislation, including but not limited to licensing for fixed or mobile collectors and enforcement under relevant legislation

#### Environmental protection and safety

- Discharge the council's functions in relation to animal welfare, including control of dogs, anti-social behaviour, caravans and camping, licensing, public health, Sunday trading and waste
- Exercise discretionary and statutory duties in relation to the above functions to enter and monitor premises
- Make, sign and serve requisitions, notices, orders, warrants and authorisations and institute proceedings
- Issue licences and fines, award and pay grants and other assistance
- Exercise and authorise all forms of enforcement including the service of notices and the issue of cautions and all ancillary processes
- Enter land and premises and authorise named employees to enter land and premises including the seeking of warrants for the purposes specified in relevant legislation
- Grant consents for the operation of a loudspeaker
- Acknowledge receipt of temporary event notices
- Serve counter notices to temporary event notices
- Issue simple cautions

#### Food safety

- Approve vertical directive premises (meat, dairy and fishery products premises)
- Keep a register of food premises
- Register food business premises
- Undertake food safety functions under relevant legislation and regulations
- Enforce legislative powers and duties in relation to animals, feed and food under relevant legislation and regulations

#### Health and safety

- Undertake functions in relation to the Health and Safety at Work Act 1974 and related legislation not in the authority's capacity as an employer including power of entry and service of notices
- Transfer and assign premises under the Health & Safety (Enforcement Authority) Regulations 1987
- Enforce powers in relation to Plant Protection Product Regulations
- Enforce powers in relation to all smoke free legislation and regulations
- Carry out functions and powers in relation to the Sunbeds (Regulation) Act 2010
- Carry out functions under the Public Health (Control of Disease) Act 1984
- Enforce the requirements of the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010
- Appoint a CCDC to undertake, on behalf of the authority, functions in relation to communicable disease control

#### Drainage and water

- Serve notices and notifications and undertake enforcement, provide advice and authorise works in default for matters relating to public health, nuisance and the protection of water supplies.

22. Senior Environmental Health Officer (Pollution)

22.1 The Senior Environmental Health Officer (Pollution) has delegated authority to:

- Discharge any function relating to contaminated land in accordance with relevant legislation
- Discharge any function relating to control of pollution and management of air quality in accordance with relevant legislation (except those functions specified to be the responsibility of the Licensing (Regulatory) Committee)
- Exercise any function in relation to statutory nuisance, anti social behaviour, drainage, sanitary convenience, earth closets, food storage accommodation and ruinous and dilapidated buildings and the control of noise in accordance with relevant legislation (except those functions specified to be the responsibility of the Licensing (Regulatory) Committee)
- Undertake duties and powers in relation to legislation relating to stray dogs and the microchipping of dogs including enforcement powers
- Serve relevant notices and notifications and undertake enforcement, provide advice and authorise works in default for any areas of responsibility
- Take any action in relation to environmental permitting.

23. Legal Services Manager

23.1 The Legal Services Manager has delegated authority to:

- Institute, defend or participate in any legal proceedings in any case where such action is necessary.
- Act as custodian of the common seal of the council
- Seal documents
- Certify photographic copies of documents
- Sign documents in addition to the powers of other proper officers
- Direct persons residing unlawfully in vehicles to leave the land under the Criminal Justice and Public Order Act 1994
- Sign notices of seeking possession in consultation with the Anti-Social Behaviour and Tenancy Manager
- Publish notices of making byelaws and certification of byelaws or orders not specified elsewhere
- Maintain a register of assets of community value and a register of land not listed in relation to Community Right to Bid
- Validate and determine initial applications in relation to Community Right to Bid
- Validate and determine applications for review and conduct proceedings for an appeal against a listing in relation to Community Right to Bid
- Advise on human rights
- Authenticate boundaries
- Publicise and serve compulsory purchase orders and any other documents or notice relating thereto following approval by Council
- Publish and serve notices in addition to specific powers.

24. Human Resources and Transformation Manager

24.1 The HR & Transformation Manager has delegated authority to:

- Administer the council's early retirement scheme via Leicestershire County Council's pension service



- Oversee the delivery of customer services including the contact centre and reception
- Manage electoral registrations, participate in reviews of electoral divisions, wards, parliamentary constituencies and to advise council
- Receive notices of a casual vacancy from two local government electors.

25. Communications & Promotions Officer

25.1 The Communications & Promotions Officer has delegated authority to:

- Promote the public face of the council through the management of public and media relations
- Implement the council's policies in respect of corporate marketing and communication.

26. Democratic Services Officer

26.1 The Democratic Services Officer has delegated authority to:

- Provide services to councillors and committee administration, including scrutiny
- Sign summons to council meetings
- Receive notices regarding addresses to which summons to meetings are to be sent
- Circulate agendas and reports in accordance with legislation
- Supply agendas and reports to the press
- Receive, accept or reject questions and motions, including amendments
- Agree topics and forms of council forum debates in consultation with the Mayor and group leaders
- Publish decisions in accordance with statutory requirements
- Produce a certificate of resolutions of the council
- Produce summaries of minutes
- Prepare notices and other documents related to functions of the Ethical Governance & Personnel Committee
- Approve the member development programme
- Approve mileage and expense claims for members
- Oversee the administration of the council's complaints procedure.

27. Estates and Assets Manager

27.1 The Estates and Assets Manager is also the designated Corporate Property Officer and has delegated authority to:

- Provide office accommodation and other corporate property and fixtures and fitting within them as directed by the relevant director
- Manage land and buildings (including security arrangements) in the ownership of the council which are for the accommodation of employees
- Maintain an asset register and provide guidance to members and management
- Manage matters relating to energy conservation in all corporate property
- Provide architectural, estates and building maintenance services in respect of all council property, with the exception of housing
- Manage, repair and maintain all corporate property inclusive of public buildings as corporate landlord, to ensure compliance with legislation, fitness for use regulations, service delivery and maximum asset value
- Lease or license council land or buildings and ascertain any legal or other interest in land after consultation with internal and external users and consultation with the Legal Services Manager (with the exception of HRA matters)

- Authorise valuations, mortgage advances, acquisitions, disposals, leases and licenses
- Promote and enable improved access and mobility within the built environment with particular reference to people with disabilities in accordance with relevant legislation
- Prepare, let and manage contracts for the demolition of buildings, in accordance with council resolutions
- Disposal of land or property in accordance with the financial procedure rules.