

SCHEME OF DELEGATION OF POWERS AND FUNCTIONS TO OFFICERS

Approved by the Council on xxxxxxxx on the recommendation of the Standards and General Purposes Committee on xxxx and, insofar as it relates to the exercise of executive functions, by the Cabinet on xxxxxxxx.

1. INTRODUCTION

The Scheme of Delegation provides information on the arrangements for the delegation of authority to officers to carry out the Council's various functions and sets out those functions which have been delegated to officers. It should be read alongside other Council wide procedures and related documentation.

Decisions must be taken in accordance with the Access to Information Procedure Rules set out in part 4B of the constitution and the principles set out in this scheme.

The list of officers designated as proper officers for the purposes of various pieces of legislation governing local authorities is attached as schedule two.

2. POWERS OF DELEGATION

Delegations of non-executive functions to officers from Council, committees and sub-committees are made under Section 101 of the Local Government Act 1972. In the case of licensing and gambling, the delegations derive from Section 10 of the Licensing Act 2003 and Section 154 of the Gambling Act 2005.

Executive functions are delegated to officers by the Leader of the Council or the Executive under Section 9 of the Local Government Act 2000 (as amended by the Local Government and Public Involvement in Health Act 2007 and the Localism Act 2011

This Scheme does not delegate:

- any matter which by law may not be delegated to an officer; and
- any matter which is specifically excluded from delegation by this scheme, or reserved for decision by the Council, the Leader or Cabinet or a committee or sub-committee.

3. BASIS OF DELEGATION AND RECORDING, IMPLEMENTING AND ACCOUNTING FOR DECISIONS

Where a function has been delegated to an officer, the person or body making the delegation may at any time resume responsibility for the function and may exercise the function despite the delegation.

An officer may refer a delegated matter to the person or body that has made the delegation if it is likely to be particularly controversial or raises issues of policy which Members would more appropriately determine or could expose the Council to major corporate risk which cannot be contained within directorate budgets.

An officer may refer a delegated matter to the Chief Executive if it raises issues of corporate priorities or the co-ordination of various functions of the authority. The Chief Executive has delegated authority to act in respect of any matter referred to her in this way

4. CONFLICTS OF INTEREST

Every officer is responsible for (a) identifying whether he/she has any personal interest in any matter which is under consideration and (b) notifying the authority (including under section 117 of the Local Government Act 1972).

Where an officer has a personal interest in any matter, he/she shall not participate in that matter and will refer the matter to his/her line manager.

Where the Chief Executive is unable to act on a matter because of a conflict of interest, the matter shall be discharged by such other Director as the Chief Executive may determine for this purpose.

Where a Director is unable to act on a matter because of a conflict of interest, the Chief Executive shall discharge the matter herself or allocate the matter to another officer.

Where the Monitoring Officer is unable to act on a matter, it shall be determined by the officer designated as Deputy Monitoring Officer.

5. THE CONTEXT FOR THE EXERCISE OF FUNCTIONS

The Chief Executive, Directors and other Chief Officers are authorised to discharge all the functions of the authority within their areas of responsibility as defined in section 8 below. Each Director is required to maintain an internal "scheme of management" for their directorate, providing more detailed information about delegated decisions and how these will be taken.

In the absence of the Chief Executive, the functions of Chief Executive and Head of Paid Service shall be the responsibility of the Director nominated by the Chief Executive.

6. GENERAL CONDITIONS AND LIMITATIONS

In taking any decision, each Officer must ensure that:

- (a) they have acted in a considered, well informed and defensible manner which is in the best interests of the Council and its residents;
- (b) all decisions are made with a full understanding of Council policy relating to the decision;
- (c) all decisions are made with an awareness of relevant legal obligations including equality requirements and a clear assessment of the impact of the decision on those affected;
- (d) all decisions are made in accordance with relevant spending limits, financial regulations and contract standing orders; and
- (e) all decisions made are consistent with the Council's budget strategy

The obligation to ensure that these issues are properly understood rests with each decision maker. Officers shall ensure that they have taken advice on procedural, legal and financial requirements from the appropriate department or other professional advisers.

This Scheme of Delegation describes broad areas of responsibility rather than detailing specific statutory functions. The Chief Executive shall be responsible for coordinating the discharge of the Authority's functions between the various officers.

Where the name of a post is changed, or its relevant functions become vested in a different post, any of the delegated powers possessed by the post shall be retained by the renamed post or transferred to the different post as the case may be. This includes any delegated powers vested in a post by resolution of the Council, the Cabinet or a committee/sub-committee unless a decision is made by the delegating body to the contrary. The Monitoring Officer may make amendments to this scheme from time to time to reflect such changes.

7. GENERAL DELEGATION TO CHIEF EXECUTIVE AND ALL DIRECTORS

The Chief Executive and all Directors shall have the power to take all lawful action consistent with overall Council policy to deliver agreed strategy, plans and policy within their area of and without prejudice to the generality of the foregoing, to take the following actions:

- (a) to incur expenditure on the Council's behalf within the sums approved by Council and in accordance with the financial regulations;
- (b) to procure goods and services consistent with the Council's procurement strategy and contract standing orders, up to a value of £2million in each case;
- (c) to agree the operational arrangements associated with all partnerships/partnering arrangements and ensure that appropriate governance frameworks and arrangements are established and are operating effectively;

- (d) to deal with the following human resources matters:
 - (i) to put in place staffing and management arrangements for the delivery of services which are consistent with the Council's staffing policies and to comply with management policies and procedures;
 - (ii) to create, delete or amend posts within approved budget provision
 - (iii) to authorise the suspension and termination of employment for any reason of employees of the Council, subject to the application of the appropriate procedures, including the Officer Employment Procedure Rules set out in Part 4H and with the advice of the Head of Human Resources where necessary;
 - (ii) to approve adjustments to salary including accelerated increments, recognition payments, honoraria, market supplements and other awards in accordance with schemes approved by the Council;
- (e) to lead and manage the operational delivery of services in a way which ensures their effective performance in accordance with all relevant management policies;
- (f) to submit bids for funding in consultation with the relevant Cabinet Member where this does not imply an ongoing or requires match funding that cannot be met within Directorate budgets;
- (g) to agree virements within the budget and policy framework and in accordance with the Financial Regulations;
- (h) to serve or place any necessary statutory or other notices;
- (i) after consultation with the Monitoring Officer, to authorise the institution, defence of or appearance in criminal or civil proceedings in relation to any matter for which they are responsible;
- (j) the award of settlements under £10,000 arising from the Local Government Ombudsman's recommendations;
- (k) to review and recommend changes in the fees and charges for services and to approve inflation only increases in discretionary charges of in consultation with the Director of Corporate Services; and
- (l) to respond to consultations by other bodies in relation to matters which might affect the functions of the Council where the issues are in line with existing policy (where appropriate, in consultation with the relevant Cabinet Member);
- (m) to make applications for planning permission, building control consent and other approvals in respect of building works;

8. AREAS OF SPECIFIC RESPONSIBILITY

The areas of delegated responsibility of each Director are detailed in the Schedule to this scheme. The authorisations include the power to do anything which facilitates, is incidental or conducive to the exercise of the relevant authority.

9. DETAILED SCHEMES OF MANAGEMENT

Each Director is responsible for establishing an internal scheme of management for their own department. Under this scheme, Directors may delegate functions allocated to them to other officers. In the Environment and Regeneration Department there is an additional scheme of management, which governs decision making in respect of the Regulatory Services Partnership between the Council and the London Boroughs of Richmond and Wandsworth.

A copy of the internal scheme of management will be made available on the Council's intranet site and be available for public inspection. The scheme will be reviewed annually.

10. CHIEF EXECUTIVE'S ROLE

For the avoidance of doubt, the Chief Executive is authorised to determine anything which is not covered by this scheme.

The Chief Executive may allocate or re-allocate responsibility for functions between officers as necessary for the effective discharge of those functions or to cover absence of particular officers.

The Chief Executive may take a decision on any matter with in the area of specific responsibility of other officers set out in section 8 below provided it is not reserved by statute for decision by a specified officer.

In the absence or inability to act of the Chief Executive for any reason, the other directors shall authorised to exercise any of the powers vested in him or her by this scheme of delegation.

11. URGENT DECISIONS AND EMERGENCIES

The Chief Executive and each Director in respect of his or her specific responsibilities, may take urgent decisions on matters even if those matters have been reserved for decision by Council, Cabinet or Committee, as long as the matter in question is not prevented by any statutory provision from being taken by officers.

A decision is to be treated as urgent if in the reasonable view of the Monitoring Officer it cannot reasonably be deferred until the next scheduled meeting of the relevant decision making body. Urgent decisions may only be

taken after consulting the Leader of the Council or relevant cabinet member in the case of an executive function or chair of the appropriate committee or sub-committee in respect of non-executive function. Where the Leader or chair is unable to act, the nominated deputies are authorised to act on their behalf.

In the case of emergencies, the Chief Executive is authorised to approve all reasonable expenditure and/or undertake all reasonable actions after consultation with the Leader of the Council unless such consultation is not practicable.

Such decisions shall comply with the requirements of the Access to Information Procedure Rules set out in Part 4B of this constitution.

SCHEME OF DELEGATION TO OFFICERS

AREAS OF SPECIFIC RESPONSIBILITY

A. THE CHIEF EXECUTIVE

The Chief Executive shall:

- (a) be the Head of the Paid Service (Section 4 of the Local; Government and Housing Act 1989) and undertake:
 - (i) the overall corporate management and operational responsibility for the Council (including overall management responsibility for all staff);
 - (ii) the overall provision of professional advice to all parties in the decision- making process (the Cabinet, Overview and Scrutiny Commission and its Panels, the Council and other committees); and
 - (iii) together with the Monitoring Officer, all functions in respect of maintaining the Constitution, advising whether Cabinet decisions are within the budget and policy framework, and overall advice to councillors and officers in their respective roles;
- (b) be entitled incur expenditure and delegate responsibility to incur expenditure in the event of a civil emergency
- (c) designate “Proper Officers” for the purposes of particular statutory functions from time to time and so authorise them to perform the functions of such a person under relevant legislation unless such designations are required to be made by a resolution of the Council.
- (d) take decisions in relation to CHAS 2013 Ltd on matters which are the responsibility of the Council as shareholder and which have not been reserved for decision by the Cabinet. Such decisions to be taken in consultation with the Director of Corporate Services and Monitoring Officer, together referred to as the Shareholder Panel

B. DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES

The Director of Children’s Services is the statutory officer under Section 18(1) of the Children Act 2004 and has authority in respect of all matters relating to the education of children and young people, the safeguarding of vulnerable children and for promoting the general wellbeing of children and families and services including but without limitation:

- (a) Children’s Social Care;

- (b) Children, Youth and Family Services;
- (c) Schools: Provision and support; and
- (d) Policy, performance and resources in these areas.

C. DIRECTOR OF COMMUNITIES AND HOUSING

The Director of Communities and Housing is the statutory officer for adult social services under Section 6(A1) of the Local Authority Social Services Act 197B, the Care Act 2014 and has authority for all matters relating to the care and support of vulnerable adults, safeguarding of vulnerable adults, housing and cultural services, including but without limitation:

- (a) Strategic commissioning & resources for adult social care;
- (b) Transformation and independence for adults;
- (c) Joint arrangements with health service bodies
- (d) Policy and performance in these areas;
- (e) Acting as receiver and administer receivership cases;
- (f) All matters relating to Public Health
- (g) Homelessness and regulation of private sector housing
- (h) Libraries and lifelong learning including further and higher education
- (i) Acting as Caldicott guardian

D. DIRECTOR OF ENVIRONMENT AND REGENERATION

The delegated authority of the Director of Environment and Regeneration shall relate to the following:

- (a) Planning, development and building control and trees, save for those matters reserved to the Planning Application Committee pursuant to section 7 of the Scheme of Delegation from Council contained in part 3B of this Constitution;
- (b) Street scene, including inspection, enforcement and street cleansing services;
- (c) Highways including street trading;
- (d) Traffic and Parking;
- (e) Leisure, Parks, Sports, and Cultural Services;
- (f) Waste and recycling services;
- (g) Crematoria and Cemeteries;

- (h) Acting as the Chief Licensing Officer for matters that fall to the council as Licensing Authority;
- (i) Other licensing matters, including but not limited to, matters under the London Local Authorities Act 1990 (as amended), London Local Authorities Act 1991, Scrap Metal Dealers Act 2013, Local Government (Miscellaneous Provisions Act 1982, Animal Welfare Act 2006, Animal Boarding Establishments Act 1963, Zoo Licensing Act 1981, Riding Establishments Acts 1964 and 1970, Breeding of Dogs Act 1973;
- (j) Functions in respect of commercial and residential regulatory services, environmental health, trading standards, private sector housing oversight and regulation and the promotion of safer communities as set out in the scheme of management for the Regulatory Services Partnership between the Council and the London Boroughs of Richmond and Wandsworth;
- (k) Regeneration programmes;
- (l) Housing policy and supply;
- (l) Property Services, Asset Management (other than responsibility for the management of Council occupied premises);
- (m) Functions of the enforcement authority for purposes of Health and Safety at work;
- (n) Community Safety and CCTV; and
- (o) Passenger transport and fleet management

F. DIRECTOR OF CORPORATE SERVICES

The Director of Corporate Services is the statutory officer for finance and the proper administration of the Council's financial affairs under sections 115, 146 and 151 of the Local Government Act 1972, section 114 of the Local Government and Finance Act 1988 and as such has authority for the following matters, including but without limitation:

- (a) Exercising corporate Council functions in relation to finance services, revenues and benefits, including benefits fraud, the Council's fraud strategy and associated arrangements, debt recovery, the governance framework, treasury management including borrowing, insurance and associated risk management, internal audit,
- (b) Carrying out the Council's functions as administering authority under the Local Government Pension Scheme;
- (c) Administering trust funds and charitable funds as required by the Council;
- (d) Overseeing the management arrangements for: the Council's information technology services; human resources; procurement advice/support; payroll; information governance, legal and electoral services and emergency planning; customer services and facilities management;

- (e) Exercising the functions of the registering authority pursuant to the Local Land Charges Act 1975;
- (f) Registration services for purposes of births marriages and deaths including civil partnerships and naming ceremonies;
- (g) Deciding upon methods of capital financing;
- (h) Writing off irrecoverable debts and charges due to the Council;
- (i) Approving the commencement of a new capital schemes not already provided for in the budget up to a value of £50,000;
- (j) Agreeing the release and/or the reduction of any Bond and to authorise the service of the notice of release/and reduction;
- (k) Providing support for elected members of the Council and democratic processes; and
- (l) Acting as Senior Information Risk Owner for data protection purposes

G. DIRECTOR OF PUBLIC HEALTH

- (a) All the functions of the statutory Director of Public Health to take steps to improve health in accordance with section 73A and 73B National Health Services Act 2006

H. MONITORING OFFICER

The Managing Director of the South London Legal Partnership is the statutory Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.

The Monitoring Officer has delegated authority to do the following:

- (a) to take any action to implement any decision taken by or on behalf of the authority, including the signature or service of statutory and other notices and any document. The Monitoring Officer may authorise any other officer to take such action.
- (b) to institute, defend, settle or participate in any legal proceedings in any case where such action is necessary, in the view of the Monitoring Officer to give effect to decisions of the authority or in any case where s/he considers that such action is necessary to protect the Council's interests or those of the residents of Merton;
- (c) to arrange for any legal proceedings to be conducted by any solicitor or barrister employed within the South London Legal Partnership including appearances before any court or tribunal in which the officer has rights of audience;
- (d) to instruct counsel, solicitors or other experts for legal proceedings, public inquiries, or other matters involving the Council;
- (e) to give undertakings to any court or tribunal on behalf of the Council and to give solicitor's undertakings where appropriate and within the rules and guidance issued by the Law Society

- (f) to enter objections to any proposal affecting the Council, the Council's area or the inhabitants of the Council's area;
- (g) to be the Senior Responsible Officer (SRO) with regard to the Regulation of Investigatory Powers Act (RIPA) and to nominate Authorised Officers to determine RIPA requests;
- (h) to be the Council's Data Protection Officer under the Data Protection Act 2018
- (i) to ensure the lawfulness and fairness of decision-making, provide support to the Standards and General Purposes Committee, receive complaints about breaches of the Members Code of Conduct, conduct investigations in consultation with the Independent Persons designated under the Localism Act 2011;
- (j) to grant a dispensation to members under section 33 of the Localism Act 2011 allowing them to refrain from declaring a disclosable pecuniary interest and to participate in discussions in and vote on matters in which they have such an interest;
- (h) to authorise, in consultation with the Chief Executive or the relevant Director, the payment of any award of damages, compensation and costs made by any court or tribunal against the Council;

PROPER OFFICERS

STATUTORY OFFICERS AND PROPER OFFICER FUNCTIONS

1. Statutory Officers

Legislation requires local authorities to appoint certain officers with statutory responsibilities. These appointments and the officer to whom the council has allocated responsibility are listed below.

Title/Description (and statutory derivation)	Officer appointed
Head of Paid Service (Section 4 – Local Government & Housing Act 1989)	Chief Executive
Monitoring Officer (Section 5 – Local Government & Housing Act 1989)	Managing Director , South London Legal Partnership
Officer responsible for financial administration (Section 151 – Local Government Act 1972)	Director of Corporate Service
Director of Children’s Services (Section 18 – Children Act 2004)	Director of Children, Schools and Families
Director of Adult Social Services (Section 6–Local Authority Social Services Act 1970)	Director of Communities and Housing
Director of Public Health (Section 73A – National Health Service Act 2006)	Director of Public Health *
Scrutiny Officer (Section 31 – Local Democracy, Economic Development and Construction Act 2009)	Head of Strategy, Policy and Partnership

*Director of Public Health must be appointed by the authority *acting jointly* with the Secretary of State

2. Proper officer functions

The following officers are appointed proper officers and will carry out functions in relation to the statutory provisions specified. This list is not necessarily exhaustive and any omission shall not affect the validity of any action or decision taken by the proper officer.

REPRESENTATION OF THE PEOPLE ACT 1983	
Section 8 – registration of electors	Chief Executive
Section 28 – The Acting Returning Officer at an election of a Member of Parliament	Chief Executive
Section 35 – The Returning Officer at an election of London Borough councillors	Chief Executive
LOCAL GOVERNMENT ACT 1972	
Section 83(1) – The officer to whom a person elected to the office of Councillor shall deliver a declaration of acceptance of office on a form prescribed by rules made under Section 42 of the Act	Chief Executive
Section 83(3)(b) – The officer before whom a declaration of acceptance of office of chair of council or deputy chair of council may be made	Chief Executive
Section 84 – The officer to whom written notice of resignation of elected office shall be delivered	Chief Executive
Section 86 – To declare any vacancy in any office under this section	Chief Executive
Section 88(2) – The officer by whom a meeting of the council for the election of the vacant office of chairperson of the council may be convened	Chief Executive
Section 89(1)(b) – The officer to whom notice in writing of a casual vacancy occurring in the office of councillor may be given by two local government electors for the Borough	Chief Executive
Section 96 – The officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Monitoring Officer
Section 99 and Schedule 12 – To give notice and send summonses in respect of any council meeting	Chief Executive
Section 100A(6) – To give public notice of any meeting to which the public are entitled to attend, provide copies of agenda and facilities for the press	Chief Executive
Section 100B(2) – The officer to exclude from committees, sub-committees, council or cabinet meeting agendas any information to be dealt with in a meeting from which the public are likely to be excluded	Monitoring Officer

Section 100B(7)(c) The officer to supply to any newspaper copies of documents supplied to members of committees, sub-committees, council or cabinet meetings in connection with an item for consideration. The officer to supply to any newspaper copies of documents supplied to members of committees, sub-committees, council or cabinet meetings in connection with an item for consideration	Monitoring Officer
Section 100C(2) The officer to prepare a written summary of proceedings of committees, sub-committees, council or the cabinet from which the public were excluded	Head of Democracy and Electoral Services or Scrutiny Officer as appropriate
Section 100D(1)(a) The officer to prepare a list of background papers for reports considered by committees, sub-committees, council or the cabinet	Monitoring Officer
Section 100D(5) The officer to determine which documents constitute background papers and Section 100H – ability to charge for the provision of such documents	Monitoring Officer
Section 100F(2) The officer to decide which documents are not, by virtue of containing exempt information, required to be open to inspection	Monitoring Officer
Section 100G – To maintain a register of the names and addresses of members and membership of committees, lists of delegations and the like	Head of Democracy and Electoral Services
Section 115 – The officer to whom money properly due from officers shall be paid	Director of Corporate Services
Section 146 – The officer to make statutory declarations and issue any certificate with regard to securities held by local authority companies	Director of Corporate Services
Section 151 – The officer to be responsible for the proper administration of the authority's financial affairs (and to issue a report to members if there is or is likely to be unlawful expenditure or an unbalanced budget)	Monitoring Officer
Section 223 – Authorising officers to attend court and appear on behalf of the council under Local Government Act 1972 and the County Courts Act 1984	Monitoring Officer
Section 225(1) – The officer to receive and retain statutory documents on behalf of the authority	Monitoring Officer
Section 229(5) – The officer to certify photographic copies of documents	Monitoring Officer
Section 233 – The officer to receive documents required to be served on the authority	Monitoring Officer

Section 234(1) and (2) – The officer to authenticate documents on behalf of the authority	Monitoring Officer
Section 238 – The officer to certify printed copies of bylaws	Head of Democracy and Electoral Services / Scrutiny Officer as appropriate
Section 248 – The officer responsible for the keeping of the roll of freemen	Monitoring Officer
Schedule 12 [paragraphs 4(2)(b) & 4(3)] – The officer responsible for the receipt of notices regarding address to which summons to meetings is to be sent	Monitoring Officer
Schedule 14 [paragraph 25(7)] – The officer responsible for the certification of true copies of resolutions	Chief Executive
Schedule 29 [paragraph 41] – The officer responsible for the exercise of functions under Sections 9(1) & (2), 13(2)(h) and (3)(b) and 20(b) of the Registration Services Act 1953 (Proper Officer)	Chief Executive
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976	
Section 41 – The officer to certify copies of any resolution, order, report or minutes of proceedings of the authority as evidence in any legal proceedings	Monitoring Officer
Section 16 – Notices requiring details of interest in land	Any Officer of the Council
LOCAL GOVERNMENT AND HOUSING ACT 1989	
Section 2 – The officer to hold on deposit the list of politically restricted posts and Section 2 – provision of certificates as to whether a post is politically restricted	Monitoring Officer
Sections 15-17 (and regulations made thereunder) – The officer to receive notices relating to the membership of political groups	Monitoring Officer
LOCAL GOVERNMENT ACT 2000	
The officer responsible for ensuring a proper record is made of cabinet decisions and that the document comprising the authority's forward plan is published in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000	Head of Democracy and Electoral Services
To establish and maintain the members' register of interest (Section 81 LGA 2000) and ensure it is available for public inspection	Monitoring Officer
To ensure that copies of the constitution are available for inspection	Head of Democracy and Electoral Services

To make payments of relevant allowances in accordance with the council's members allowances scheme	Head of Democracy and Electoral Services
To defray expenses of any members making official and courtesy visits, receptions and entertainment of distinguished persons visiting the Borough	Chief Executive
LAND CHARGES ACT 1975	
Section 19 – The officer to act as Local Registrar as defined in Section 3 of the Land Charges Act 1975	Monitoring Officer
NATIONAL ASSISTANCE ACT 1948 AND NATIONAL ASSISTANCE (AMENDMENT) ACT 1951	
Proper officer to seek an order for removal of persons into care	Director of Communities and Housing
REGISTRATION OF SERVICES ACT 1953	
Proper officer for births, deaths and marriages	Chief Executive
LOCAL GOVERNMENT ACT 2003	
Section 25 – Requirement to report to council annually on the robustness of estimates and the adequacy of the proposed financial reserve	Director of Corporate Services
PUBLIC HEALTH (CONTROL OF DISEASES) ACT 1984, FOOD SAFETY (GENERAL FOOD HYGIENCE) REGULATIONS 1995 AND THE MILK AND DAIRIES (GENERAL) REGULATIONS 1969	
Requirement to appoint a suitably qualified person as the council's medical advisor on environmental health and proper officer for notifiable disease	As may be appointed from time to time by the Director of Environment and Regeneration or Director of Public Health
CIVIL EVIDENCE ACT 1995	
To certify council records for the purposes of admitting the document in evidence in civil proceedings	Monitoring Officer
CRIME AND DISORDER ACT 1998	
Section 12 – to apply for the discharge or variation of a Child Safety Order	Director of Children, Schools and Families
Sections 17 and 37 – to have regard to effect of the exercise of any function on the need to prevent crime and disorder and offending by children and young persons	The Chief Executive and Directors
CRIMINAL JUSTICE AND POLICE ACT 2001	
Delegated power to authorise officers to enter premises and seize items where the council has a power of seizure under this Act and to perform other related duties (return and security of seized items)	The Chief Executive and Directors

LOCAL GOVERNMENT FINANCE ACT 1988	
Section 114 – The officer to be responsible for the proper administration of the authority’s financial affairs (and to issue a report to members if there is or is likely to be unlawful expenditure or an unbalanced budget)	Director of Corporate Services
Section 116 – Notification to the council’s auditor of any meeting to be held under Section 115 of the 1988 Act (meeting to consider any report of the Chief Finance Officer under Section 114)	Director of Corporate Services
Section 139A – Provision of information to the Secretary of State in relation to the exercise of his powers under this Act as and when required	The Chief Executive and Directors
LOCAL GOVERNMENT CONTRACTS ACT	
Certification of relevant powers to enter into contract	The Chief Executive, Monitoring officer, Director of Corporate Services
LOCAL AUTHORITY CEMETERIES ORDERS 1977 (SI 1977 OF 204)	
Schedule 2, Article 10, Part 11.1(1) – To appoint an officer for the purpose of signing the Grants of Exclusive Right of Burial Deeds on behalf of the burial authority Note: It is not necessary for that deed to be executed under seal	As may be appointed from time to time by the Director of Environment and Regeneration
OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS	
Any other miscellaneous proper or statutory officer functions not otherwise delegated by the authority	Chief Executive or his/her nominee
NATIONAL HEALTH SERVICE ACT 2006	
Section 2B – the exercise by the authority of its duty to take steps as it considers appropriate for improving the health of the people in its area	Director of Public Health
Section 111 – the exercise by the authority of any functions prescribed by Secretary of State in relation to dental public health	Director of Public Health
Section 249 – the exercise by the authority of its duty to cooperate with the prison service with a view to improving the exercise of their respective functions in relation to securing and maintaining the health of prisoners	Director of Public Health
Schedule 1 – the exercise by the authority of any of its functions as set out in Schedule 1	Director of Public Health
Section 6C(1) – the exercise by the authority of any of the Secretary of State’s public health functions, which it is required to carry out by regulations issued by the Secretary of State	Director of Public Health

Section 7A – the exercise by the authority of any of the Secretary of State’s public health functions, which are delegated to it by the Secretary of State	Director of Public Health
Section 73A(1)(d) – the exercise by the authority of any of its functions that relate to planning for, or responding to, emergencies involving a risk to public health	Director of Public Health
Section 73A(1)(e) – the exercise by the authority of its functions under section 325 Criminal Justice Act 2003 (cooperating with “responsible bodies” in relation to the assessment of risks posed by certain offenders	Director of Public Health
Section 73A(1)(f) – the exercise by the authority of such other functions relating to public health as may be prescribed	Director of Public Health

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