

# Director's Sub-Delegation Scheme

<sup>1</sup>Director of City Development

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Signed<sup>2</sup>



Dated: 20.8.15

| Review Date <sup>3</sup> | Initial of reviewing officer |
|--------------------------|------------------------------|
|                          |                              |
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<sup>1</sup> Insert title of Director here

<sup>2</sup> Approving a sub-delegation scheme should be treated as a Significant Operational Decision, and the Delegated Decision Notice, together with supporting report, and the scheme should be published on the Council's website.

<sup>3</sup> This scheme is first made at the beginning of the Municipal Year following delegations being made by the Leader and at the Annual Council Meeting. After this the sub-delegation scheme should be kept under review to ensure that it is up to date and fit for purpose – use this table to record the dates when the scheme is reviewed if no changes are necessary.

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# Introduction

The<sup>4</sup> Director of City Development is authorised in accordance with the Officer Delegation Scheme to carry out functions on behalf of Full Council and the Executive. Each Director has the benefit of a number of delegations – these are set out separately in two schemes; one for Council functions (delegated by Full Council) and one for Executive Functions (delegated by the Leader of Council). Each scheme is further separated into the general functions which are shared so that all Directors can carry out those functions in relation to areas within their remit, and specific functions which may only be carried out by or on behalf of the named Director. Details of those delegations can be found in Part 3 of the Council’s Constitution.

The Director has chosen to sub-delegate some or all of those functions to officers of suitable experience and seniority in his/her own directorate or in another directorate. These officers are identified by reference to their job title rather than by name. If the Director delegates functions to a fellow Director he/she makes it clear in this sub-delegation scheme whether that Director can sub-delegate those functions. This scheme details the officers who can carry out each function on the Director’s behalf, together with the details of any terms and conditions which the Director has imposed on that sub-delegation (examples can be found in footnote<sup>5</sup> below). All officers are bound by the Employee Code of Conduct (which can be found in Part 5 of the Constitution) and should consider these together with any other rules or requirements in relation to personal conflicts of interest which may apply to them when exercising authority delegated under this scheme. Even though the Director has sub-delegated the functions he/she remains accountable for all decisions taken in accordance with this scheme. An officer with sub-delegated authority may decide not to exercise that authority, or the Director may indicate that the authority should not

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<sup>4</sup> Insert title of Director here.

<sup>5</sup> The Director may limit the delegation by imposing a term or condition, for example he/she may:-

- Impose a financial limit (e.g. decisions up to and including £100,000per annum in value);
- Impose a limit in relation to the category of the decision (e.g. Administrative decisions only);
- Require that certain decisions are referred to the Director or another senior officer (e.g. Key decisions to be referred to the Chief Officer (Environmental Action));
- Require an officer to consult specified people before making a particular type of decision (e.g. in consultation with the City Solicitor or in consultation with relevant ward Members);
- Limit decisions to those within an officer’s role (e.g. in relation to matters within their remit);
- Limit decisions to those relating to a specific function or project (e.g. decisions relating to the Basic Need Programme);

be exercised, in respect of any individual matter. In either case that matter should be referred to the Director for a decision or for referral to the relevant Committee if appropriate.

In some circumstances not all Directors have functions delegated to him/her in the delegation scheme. In these cases the relevant part of this sub-delegation scheme is marked as 'not applicable'.

Where the Director has chosen not to sub-delegate his/her authority, this is clearly stated within the scheme. Decisions in relation to those functions should be taken by the Director unless the absence provisions at the end of this scheme apply.

# Glossary

|                        |  |
|------------------------|--|
| Council Functions      | Functions which must be carried out by or on behalf of full Council. Functions which are reserved to Full Council can be found in Part 3 Section 2A of the Constitution. Other Council functions are delegated to Committees of Elected Members or to individual officers. |
| Elected Members        | Councillors elected by the citizens of Leeds.  |
| Executive Board        | The group of 10 Elected Members including and selected by the Leader, responsible for carrying out Executive functions.  |
| Executive Functions    | Functions which must be carried out by or on behalf of the Executive.  |
| Full Council           | The meeting of all 99 Elected Members of Leeds City Council  |
| Functions              | Things which Leeds City Council must or may do. All functions are set out in legislation which will state whether the function is permissive or mandatory.   |
| Leader                 | The Leader of Council, elected by all 99 Members of Council. (Usually the chosen leader of the largest political group represented at full Council.)   |
| Local Choice Functions | The Council must decide whether these functions should be treated as Council functions or Executive functions. Details of the responsibility for these functions can be found in Part 3 Section 1 of the Constitution  |

|                           |   |
|---------------------------|---|
| Officers                  | Staff employed by the Council.  |
| Relevant Executive Member | The Leader gives Portfolios of responsibility to individual members of Executive Board. Details of specific responsibilities are set out in the Executive Member Portfolios and the Executive Member Oversight of Officer Executive Delegations at Part 3 Section 3B of the Constitution. |

## Group Delegations – Definitions and Priorities

The Director has chosen to delegate a number of functions to groups of officers. Where the same group of officers receive a number of separate delegations, in order to save space within the sub-delegation scheme, those groups of officers have been given a title. The following table sets out the title of each group of officers and lists the officers within each group. It also provides details of how it should be determined which of the officers within the group should take any given decision.

| Group Title                                   | Officers included in group authorisation   | Order of responsibility |
|---|--|-------------------------|
| Heads of Service (Economic Development)       | <ul style="list-style-type: none"> <li>• Head of Business Support</li> <li>• Head of City Centre</li> <li>• Head of Economic Policy and Programmes</li> </ul>  |                         |
| Head of Service (Highways and Transportation) | <ul style="list-style-type: none"> <li>• Head of Engineering Services</li> <li>• Head of Transport Policy</li> </ul>   |                         |
| Heads of Service (Planning Services)          | <ul style="list-style-type: none"> <li>• Head of Planning Services</li> <li>• Head of Building Control Services</li> <li>• Head of Forward Planning and Implementation</li> <li>• Head of Customer Services (Planning Services)</li> </ul> |                         |



# Delegation of Functions Under Articles

The functions set out in this part of the sub-delegation scheme are delegated to the Director by Full Council through the relevant Article of the Constitution.

## General Delegations

The officer to whom these functions are sub-delegated may exercise these functions, which have been delegated to all Directors, for matters within his/her Director’s remit only.

| Article | Function Delegated  | Officer to whom delegated  | Terms and Conditions                             |
|---------|---|--|--|
| 14.5    | To sign as agent for the Council all contracts of a value below £100,000 agreed to be entered into by the Council or any part of it | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | Contracts of a value below £100,000 <sup>6</sup> |

<sup>6</sup> Contracts above the value of £100,000 are signed in accordance with Article 14 and the sub-delegation scheme of the City Solicitor.

### Specific Delegations<sup>7</sup>

The officer to whom these functions are sub-delegated may exercise these functions, which have been delegated to the Director alone, with general effect.

| Article | Function Delegated | Officer to whom delegated | Terms and Conditions |
|---------|--------------------|---------------------------|----------------------|
|         |                    |                           |                      |

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<sup>7</sup> Specific Delegations are made under:-

- Article 12 to the Chief Executive as Head of Paid Service and Deputy Chief Executive as his deputy; the City Solicitor as Monitoring Officer and the Head of Governance Services as her deputy; and the Deputy Chief Executive as Chief Finance Officer and the Chief Officer (Financial Management) as his deputy;
- Article 14 to the Chief Executive and the City Solicitor;
- Article 15 to the City Solicitor as Monitoring Officer;
- Article 16 to the City Solicitor as Monitoring Officer

# Council Functions –

## Introduction

The functions set out in this part of the sub-delegation scheme are Council Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)<sup>8</sup> which have been delegated to the Director by Full Council, or by a Council Committee.

Decisions in relation to these functions should be categorised in accordance with Article 13 and taken in accordance with the Access to Information Procedure Rules<sup>9</sup> which can be found in Part 4 of the Constitution.

Where a Significant Operational Decision is taken in relation to a Council Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice, both of which can be found in the Decision Making Toolkit. The decision may be implemented immediately. The report supporting the decision should be published together with the Delegated Decision Notice on the Council's website as soon as practicable after the decision has been taken.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Notice to make this written record if it is helpful to do so. The decision may be implemented immediately.

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<sup>8</sup> And those Local Choice Functions which are the responsibility of Full Council and have been delegated to the Director

<sup>9</sup> These rules incorporate the requirements of the Openness of Local Government Bodies Regulations 2014 in relation to the publication of written records of relevant decisions.

# Council Functions –

## General Delegations

|                | Function Delegated   | Officer to whom delegated  | Terms and Conditions  |
|----------------|--|--|---|
| <b>General</b> |  |  |   |
| (a)            | To make payments or provide other benefits in cases of maladministration | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | 1. In accordance with guidance notes jointly prepared by the City Solicitor and the Deputy Chief Executive. |

|     | Function Delegated  | Officer to whom delegated   | Terms and Conditions                       |
|-----|---|---|--|
| (b) | Functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Sport/Leisure Centre Operations Manager</li> <li>• Sport/Leisure Centre Area Managers</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Planning Officer</li> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> <li>• Chief Officer Resources and Strategy</li> </ul> | Powers limited to areas within their remit |

|                  | Function Delegated  | Officer to whom delegated   | Terms and Conditions  |
|------------------|---|---|---|
| <b>Personnel</b> |   |   |   |
| (c)(i)           | To appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | <ul style="list-style-type: none"> <li>• Powers limited to areas within their remit.</li> <li>• Following agreement by City Development Directorate and Corporate HR</li> </ul> |

|         | Function Delegated   | Officer to whom delegated  | Terms and Conditions   |
|---------|--|--|--|
| (c)(ii) | To appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision. | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | <p>Subject to there being budgetary provision.</p> <p>Such staff should be employed on terms set out in the guidance issued by the Director of Resources.</p> <p>Powers limited to areas within their remit.</p> |

|          | Function Delegated  | Officer to whom delegated  | Terms and Conditions  |
|----------|---|--|---|
| (c)(iii) | To determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | <ul style="list-style-type: none"> <li>• All decisions are subject to consultation with the Head of Finance (City Development) and the Head of Human Resources (City Development)</li> <li>• Powers limited to areas within their remit.</li> </ul> |



|                | Function Delegated         | Officer to whom delegated   | Terms and Conditions  |
|----------------|----------------------------|---|---|
| <b>Byelaws</b> |                            |   |   |
| (d)            | The enforcement of byelaws | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of City Centre</li> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | Powers limited to areas within their remit.   |
|                |                            | <ul style="list-style-type: none"> <li>• Markets Manager</li> </ul>   | Markets Manager authority delegated in respect of Markets only, to enforce byelaws relating to markets made by the Council in pursuance of powers under Section 60 of the Food Act 1984 and Section 23 of the West Yorkshire Act 1980 |

# Council Functions –

## Specific Delegations

The sub-delegation scheme for Council functions set out below includes a number of powers authorising the named officer to make decisions in relation to approvals, licenses, permissions and registrations. In accordance with his/her general delegations, and unless otherwise stated, the Director includes in relation to those authorisations the power to:-

- a) Impose conditions, limitation or restrictions;
- b) Determine any terms to which they are subject;
- c) Determine whether and how to enforce any failure to comply;
- d) Amend, modify, vary or revoke; and
- e) Determine whether a charge should be made or the amount of such a charge.

|            | Function Delegated                          | Officer to whom delegated  | Terms and Conditions   |
|------------|---|--|--|
| <b>(a)</b> | <b>To license market and street trading</b> | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> </ul> |  |
|            |   | <ul style="list-style-type: none"> <li>• Markets Manager</li> </ul>                        | Not to determine whether a charge should be made or the amount of such a charge.   |
|            |   | Manager of Street Cleansing and Enforcement (E&N)  | Powers limited to exercising the Council functions General parts 1 (c) - to determine whether and how to enforce any failure to comply <sup>10</sup> and (d) - to amend, modify vary or revoke |

<sup>10</sup> Including any failure to comply with such an approval, consent, licence, permission or registration, a condition, limitation or term to which it is subject; or any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the Executive.

|            | Function Delegated   | Officer to whom delegated  | Terms and Conditions  |
|------------|--|--|---|
| <b>(b)</b> | <b>To issue, amend or replace safety certificates (whether general or special) for sports grounds</b>                                    | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |   |
| <b>(c)</b> | <b>To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds</b>                                     |  |   |
| <b>(d)</b> | <b>To grant a street works licence</b>   | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> </ul>  |   |
|            |  | <ul style="list-style-type: none"> <li>• Head of Service (Highways and Transportation)</li> </ul>  | Not to determine whether a charge should be made or the amount of such a charge.  |
| <b>(e)</b> | <b>To grant permission for provision etc of services, amenities, recreation and refreshment facilities on highway and related powers</b> | Chief Officer Highways and Transportation  |   |
|            |  | Head of Service (Highways and Transportation)  | <ul style="list-style-type: none"> <li>• This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval.</li> <li>• Not to determine whether a charge should be made or the amount of such a charge.</li> </ul> |
| <b>(f)</b> | <b>To publish notice in respect of proposal to grant permission under section 115E of the Highways Act</b>                               | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> </ul>  |   |

|            | Function Delegated  | Officer to whom delegated  | Terms and Conditions  |
|------------|---|--|---|
|            | <b>1980</b>   | <ul style="list-style-type: none"> <li>Head of Service (Highways and Transportation)</li> </ul>  | <ul style="list-style-type: none"> <li>This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval.</li> </ul> |
| <b>(g)</b> | <b>To permit deposit of builder's skip on highway</b>                                 | Chief Officer Highways and Transportation  |   |
|            |   | Head of Service (Highways and Transportation)  | Not to determine whether a charge should be made or the amount of such a charge.  |
| <b>(h)</b> | <b>To license planting, retention and maintenance of trees etc in part of highway</b> | Chief Officer Highways and Transportation  |   |
|            |   | Head of Service (Highways and Transportation)  | Not to determine whether a charge should be made or the amount of such a charge.  |
| <b>(i)</b> | <b>To authorise erection of stiles etc on footpaths or bridleways</b>                 | <ul style="list-style-type: none"> <li>Chief Officer Highways and Transportation</li> <li>Head of Service (Highways and Transportation)</li> </ul> |   |
| <b>(j)</b> | <b>To license works in relation to buildings etc which obstruct the highway</b>       | Chief Officer Highways and Transportation  |   |
|            |   | Head of Service (Highways and Transportation)  | Not to determine whether a charge should be made or the amount of such a charge.  |
| <b>(k)</b> | <b>To consent to temporary deposits or excavations in streets</b>                     | <ul style="list-style-type: none"> <li>Chief Officer Highways and Transportation</li> </ul>  |   |

|            | Function Delegated   | Officer to whom delegated  | Terms and Conditions  |
|------------|--|--|---|
| <b>(l)</b> | <b>To dispense with obligation to erect hoarding or fence</b>  | <ul style="list-style-type: none"> <li>• Head of Service (Highways and Transportation)</li> </ul>  |   |
| <b>(m)</b> | <b>To restrict the placing of rails, beams etc over highways</b>   |  |   |
| <b>(n)</b> | <b>To consent to construction of cellars etc under street</b>  | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul> | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval. |
| <b>(o)</b> | <b>To consent to the making of openings into cellars etc under streets and pavement lights and ventilators</b> | Chief Officer Highways and Transportation<br>Head of Service (Highways and Transportation)   | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval. |
|            |  | Director of Environment and Housing (with the power to sub-delegate)   | Authority limited to the enforcement of this function   |
| <b>(p)</b> | <b>To make a special extinguishment order</b>  | Chief Officer Highways and Transportation  |   |
|            |  | Head of Service (Highways and Transportation)  | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval. |

|            | Function Delegated   | Officer to whom delegated  | Terms and Conditions  |
|------------|--|--|---|
|            |  | <ul style="list-style-type: none"> <li>• Countryside and Access Manager</li> <li>• Assistant Countryside and Access Manager</li> <li>• Principal Definitive Map Officer</li> </ul> | Functions limited to areas contained within the Definitive Map of Public Rights of Way. |
| <b>(q)</b> | <b>To assert and protect the rights of the public to use and enjoyment of highways</b> | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul>                             |   |
| <b>(r)</b> | <b>To serve notice of proposed action in relation to obstruction</b>                   | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul>                             |   |
|            |  | Director of Environment and Housing (with the power to sub-delegate)   | Authority limited to the enforcement of this function                                   |
| <b>(s)</b> | <b>To apply for variation of order under section 130B of the Highway Act 1980</b>      | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul>                             |   |
| <b>(t)</b> | <b>To make good damage and remove obstructions</b>                                     | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul>                             |   |
|            |  | Director of Environment and Housing (with the power to sub-delegate)   | Authority limited to the enforcement of this function                                   |

|            | Function Delegated  | Officer to whom delegated  | Terms and Conditions   |
|------------|---|--|--|
| <b>(u)</b> | <b>To remove nuisances deposited on the highway</b>   | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul> |  |
|            |   | Director of Environment and Housing (with the power to sub-delegate)   | Authority limited to the enforcement of this function  |
| <b>(v)</b> | <b>To designate footpath as cycle track</b>   | Chief Officer Highways and Transportation  |  |
|            |   | Head of Service (Highways and Transportation)  | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval |
| <b>(w)</b> | <b>To authorise stopping up or diversion of highway</b>   | Chief Officer Highways and Transportation  |  |
|            |   | Head of Service (Highways and Transportation)  | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval |
| <b>(x)</b> | <b>Functions in relation to the submission of the Transport and Works Act Order application for the New Generation Transport (NGT) Scheme</b> | Chief Officer Highways and Transportation  | Powers to apply only in the absence of the Director of City Development where the decision cannot reasonably be delayed.                                   |

# Executive Functions –

## Introduction

The functions set out in this part of the sub-delegation scheme are Executive Functions as defined by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended)<sup>11</sup> which have been delegated to the Director by the Leader of Council. If the Leader or relevant Executive Member<sup>12</sup> directs that the Director should not exercise his/her delegated authority in respect of any Executive function, then the officer with sub-delegated authority may not exercise that authority, and the matter must be referred to Executive Board.

Decisions in relation to these functions should be categorised in accordance with Article 13 and taken in accordance with the Executive and Decision Making Procedure Rules which can be found in Part 4 of the Constitution.

Where a Key Decision is proposed in relation to an Executive Function it should be publicised on the Council's web site using the Request to add a Key Decision to the 'List of Forthcoming Key Decisions' form. The decision itself should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice. The necessary templates can be found in the Decision Making Toolkit. In most cases a Key Decision will be open to Call In and should not be implemented until the Call In period has expired.

Where a Significant Operational Decision is taken in relation to an Executive Function it should be supported by a report to the decision maker on the corporate report template and recorded on a Delegated Decision Notice. The report supporting the decision should be published together with the Delegated Decision Notice on the Council's website as soon as practicable after the decision has been taken. A Significant Operational Decision may be implemented immediately.

Where an Administrative Decision is taken in relation to a Council Function you should keep a written record for audit purposes. You can use a Delegated Decision Notice to make this written record if it is helpful to do so. There is no requirement to publish the decision and it may be implemented immediately.

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<sup>11</sup> And those Local Choice Functions which are the responsibility of the Executive Board and have been delegated to the Director

<sup>12</sup> See glossary.



# Executive Functions –

## General Delegations

|                               | Function Delegated   | Officer to whom delegated   | Terms and Conditions |
|-------------------------------|--|---|----------------------|
| <b>Financial<sup>13</sup></b> |  |   |                      |
| 1                             | To incur expenditure and to generate and collect income in line with Financial Regulations, Contracts Procedure Rules and within approved revenue and capital estimates. | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Out of School Activities Team Manager</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Heads of Service (Planning Services)</li> <li>• Chief Officer Resources and Strategy</li> </ul> |                      |

<sup>13</sup> See Financial Regulations Toolkit

|  | Function Delegated | Officer to whom delegated   | Terms and Conditions  |
|--|--------------------|---|---|
|  |                    | <b>Debts</b> <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Markets Manager</li> </ul>   | <ul style="list-style-type: none"> <li>• For matters within their remit.</li> <li>• Power to write off debts limited to up to a value of three months' rent; debts of over three months must be referred to the relevant Chief Officer.</li> </ul>  |
|  |                    | <b>RGF Revenue Expenditure</b> <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Business Support</li> </ul> | <p>For matters within their remit.</p> <p>Within the RGF revenue budget powers are limited to expenditure as detailed below:</p> <ul style="list-style-type: none"> <li>• The Chief Officer Economy and Regeneration is authorised to approve business grants up to £100,000 in consultation with the Local Enterprise Partnership.</li> <li>• The Head of Business Support is authorised to approve business grants of up to £50,000.</li> </ul> |
|  |                    | <ul style="list-style-type: none"> <li>• Head of Forward Planning and Implementation</li> </ul>   | <ul style="list-style-type: none"> <li>• For matters within their remit.</li> <li>• Spend on Section 106 monies limited to £50,000 on revenue and £100,000 on capital.</li> <li>• Additionally, this authority cannot be exercised by the named post-holders if an elected member has objected to the proposal. In this situation the matter will be referred to the Planning (Officer) Board.</li> </ul>   |

|  | Function Delegated | Officer to whom delegated   | Terms and Conditions   |
|--|--------------------|---|--|
|  |                    | <ul style="list-style-type: none"> <li>• Team Leader Local Plans</li> </ul>                       | <ul style="list-style-type: none"> <li>• For matters within their remit.</li> <li>• Powers limited to spend on Section 106 monies with a limit of £50,000 on revenue and £100,000 on capital.</li> <li>• Additionally, this authority cannot be exercised by the named post-holders if an elected member has objected to the proposal. In this situation the matter will be referred to the Planning (Officer) Board.</li> </ul> |
|  |                    | <ul style="list-style-type: none"> <li>• Minerals, Waste and Contaminated Land Manager</li> </ul> | <ul style="list-style-type: none"> <li>• For matters within their remit.</li> <li>• Powers limited to capital spend with a limit of £100,000 on Section 106 monies.</li> <li>• Additionally, this authority cannot be exercised by the named post-holders if an elected member has objected to the proposal. In this situation the matter will be referred to the Planning (Officer) Board.</li> </ul>                           |

|   | Function Delegated   | Officer to whom delegated   | Terms and Conditions            |
|---|--|---|---------------------------------|
| 2 | In an emergency to incur any immediate and necessary expenditure required. Such expenditure must be reported to the Deputy Chief Executive at the first opportunity. | <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Heads of Service (Planning Services)</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |

|                                 | Function Delegated   | Officer to whom delegated   | Terms and Conditions            |
|---------------------------------|--|---|---------------------------------|
| <b>Procurement<sup>14</sup></b> |  |   |                                 |
| 3                               | To make decisions in relation to commissioning and procurement activity. Such activity should be carried out in accordance with the Contracts Procedure Rules.   | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |
| 4                               | To approve all matters relating to operational PFI projects, including (without limitation) variations to project documents and refinancing.   | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> </ul>   | For matters within their remit. |
| 5                               | <p><b>Signature of Certificates for Contracts – Local Government (Contracts) Act 1997 ('the 1991 Act')<sup>15</sup></b></p> <p>Subject to the approval of the City Solicitor and the Deputy Chief Executive, to sign certificates under the 1997 Act in relation to contracts.</p> | NOT TO BE SUB-DELEGATED <sup>16</sup>   |                                 |

<sup>14</sup> See Procurement and Category Management Toolkit

|                | Function Delegated   | Officer to whom delegated | Terms and Conditions |
|----------------|--|---------------------------|----------------------|
| <b>General</b> |  |                           |                      |
| 6              | <p>Community Right to Challenge<sup>17</sup></p> <p>In consultation with the Chief Officer PPPU and Procurement, to make a decision on an expression of interest under community right to challenge.</p> | Not sub-delegated         |                      |

<sup>15</sup>This function deals with signing a certificate to indicate that the authority has power to enter into a contract. Signing the contract itself is a separate action and authority to sign a contract is delegated under Article 14 of the Council’s Constitution and is sub-delegated under the part of this scheme which deals with authority under the Articles.

<sup>16</sup> In the event of the absence of the Director the certificate must be signed by the Deputy Chief Executive or City Solicitor or in their absence one of the Statutory Chief Officers or Non-Statutory Chief Officers to whom authority is delegated under the Officer Delegation Scheme (Executive Functions) General Delegations paragraph 5.

<sup>17</sup> Sections 81-86 Localism Act 2011 and Community Right to Challenge (Expressions of Interest and Excluded Services)(England) Regulations 2012

|   | Function Delegated  | Officer to whom delegated   | Terms and Conditions            |
|---|---|---|---------------------------------|
| 7 | Data Protection, Human Rights, Surveillance activities, and Freedom of Information <sup>18</sup>  |   | For matters within their remit. |
|   | a) To implement and ensure compliance with: <ul style="list-style-type: none"> <li>• the rules on data protection, human rights, surveillance activities, and freedom of information</li> <li>• the council’s policies on these matters</li> <li>• guidance and advice from the City Solicitor on these matters.</li> </ul> | <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |

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<sup>18</sup> See Managing Information Toolkit

|  | Function Delegated   | Officer to whom delegated  | Terms and Conditions                   |
|--|--|--|--|
|  | <p>b) To designate officers with specific responsibilities for these matters.</p>  | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | <p>For matters within their remit.</p> |
|  | <p>c) To advise the City Solicitor of any:-</p> <ul style="list-style-type: none"> <li>• new types of data processed;</li> <li>• new ways of processing personal data; and</li> <li>• new persons or organisations to whom data is given.</li> </ul> | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | <p>For matters within their remit.</p> |



|   | Function Delegated   | Officer to whom delegated   | Terms and Conditions            |
|---|--|---|---------------------------------|
| 8 | <p>Media<sup>19</sup></p> <p>To issue statements to the press and other news media about their delegated functions within the settled framework of council policy.</p>   | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Planning Services</li> <li>• Head of Forward Planning and Implementation</li> <li>• Area Planning Manager</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |
| 9 | <p>Authorising officers<sup>20</sup></p> <p>To authorise officers possessing such qualifications as may be required by law or in accordance with the council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the council (however described) and to issue any necessary certificates of authority.</p> | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul>   | For matters within their remit. |

<sup>19</sup> See Dealing with the Media Toolkit

<sup>20</sup> This delegation gives the officer detailed power to grant authority for other officers to carry out certain statutory powers or duties (e.g. entering onto land or appearing in court). This part of the sub-delegation scheme does not detail those 'authorised officers' – Authorised officers are given separate evidence of their authority (e.g. an ID

|    | Function Delegated   | Officer to whom delegated   | Terms and Conditions            |
|----|--|---|---------------------------------|
| 10 | Corporate procedures <sup>21</sup><br><br>To take any action remitted to the Director under corporate procedures.  | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |
| 11 | Local Choice Functions (see Section 1, Part 3 of the Constitution)   |   |                                 |
|    | (a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000 | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul>  | For matters within their remit. |

card or certificate), signed by the person named here who has the power to authorise them. Their details are kept in a separate list together with details of who authorised them, the date they were authorised and the functions for which they are authorised.

<sup>21</sup> This function refers to any powers delegated to the Director under the Procedure Rules set out at Part 4 of the Council's Constitution which are not specifically included elsewhere (for example functions under the Financial Regulations and the Contracts Procedure Rules which are delegated at Paragraphs 1 to 4 above)

|    | Function Delegated   | Officer to whom delegated  | Terms and Conditions            |
|----|--|--|---------------------------------|
|    | (b) To obtain particulars of persons interested in land  | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Officer Resources and Strategy</li> </ul>  | For matters within their remit. |
| 12 | <p>Budget and policy framework</p> <p>To formulate initial proposals within the budget and policy framework</p>  | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |
| 13 | <p>Functions on Behalf of an NHS Body</p> <p>To carry out functions exercisable on behalf of an NHS body under Section 75 National Health Service Act 2006 in relation to matters within the Director's remit.</p> | Not sub-delegated  |                                 |

|                               | Function Delegated  | Officer to whom delegated  | Terms and Conditions            |
|-------------------------------|---|--|---------------------------------|
| <b>Personnel<sup>22</sup></b> |   |  |                                 |
| 14                            | <p>Miscellaneous employment issues</p> <p>To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements</p> | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> <li>• Head of Library and Information Service</li> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> <li>• Chief Officer Highways and Transportation</li> <li>• Heads of Service (Highways and Transportation)</li> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Chief Officer Resources and Strategy</li> </ul> | For matters within their remit. |

<sup>22</sup> See Recruitment and Staffing Toolkit

|    | Function Delegated   | Officer to whom delegated   | Terms and Conditions  |
|----|--|---|---|
| 15 | <p>Changes to staff structure</p> <p>Decisions in relation to restructures except where the decision:</p> <p>(i) involves changes to existing National or Local Agreements and policies; and/or</p> <p>(ii) cannot be achieved within delegated powers in respect of budgets</p> | <ul style="list-style-type: none"> <li>• Chief Officer Resources and Strategy</li> </ul> <p>The Director of City Development has directed that this delegation should not be exercised by any Chief Officer within City Development, with the exception of the Chief Officer Resources and Strategy</p> | <p>Decisions are subject to:</p> <p>i. appropriate professional advice being sought,</p> <p>ii. prior consultation with all appropriate parties affected by the decision including all officially recognised trade unions, and</p> <p>iii. appropriate consideration of pay and grading requirements.</p> <p>Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or appropriate committee.</p> |

# Executive Functions –

## Specific Delegations

### Local Choice Functions

|    | Function sub-delegated by Director of City Development   | Officer to whom sub-delegated  | Terms and conditions   |
|----|--|--|--|
| 1. | Any function in relation to <b>contaminated land</b>   | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> </ul>                                    |  |
| 2. | Any function in relation to the <b>obtaining of information as to interests in land</b>  | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Land and Property</li> </ul>                        |  |
| 3. | Any function in relation to <b>the making of arrangements for the execution of highways works under S278 Highways Act 1980</b> | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Service (Highways and Transportation)</li> </ul> | This decision is subject to a delegated decision notification and must be referred to Highways and Transportation Board for consultation prior to approval |

## Specific Functions

|     | Function Delegated  | Officer to whom delegated   | Terms and Conditions                                      |
|-----|---|---|---|
| 1.  | Any function in relation to land and asset management <b>(including strategic investment in the Council's land and property portfolio, including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land) that has not been specifically delegated below</b> | Chief Officer Economy and Regeneration  |   |
| (a) | Leases and tenancies of property within the Commercial Property Portfolio transactions  | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Land and Property</li> </ul> |   |
| (b) | Other leases and tenancies transactions < £10,000 per annum   | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Land and Property</li> </ul> |   |
| (c) | Routine property matters including assignments, consents, change of use, sub lettings, surrenders, notices to review or terminate, temporary lettings, licences, and other routine property matters   | Chief Officer Economy and Regeneration  |   |
|     |   | Head of Land and Property   | Powers exclude decisions relating to the Markets Service. |
|     |   | Markets Manager   | Powers limited to the Markets Service.                    |
| (c) | Acquisitions ≤ £100,000 where client department has confirmed financial provision exists within the Capital Programme   | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Land and Property</li> </ul> |   |
| (d) | Disposal of land and property   | Chief Officer Economy and Regeneration  |   |

|     | <b>Function Delegated</b>   | <b>Officer to whom delegated</b>                                     | <b>Terms and Conditions</b>  |
|-----|---|--|--|
|     |   | Head of Land and Property  | Head of Land and Property powers limited to: <ul style="list-style-type: none"> <li>• Garden sales: decision to dispose limited to disposals &lt;£10,000</li> <li>• Other (including easement and rights of way; decisions relating to method, terms and purchaser): decision to dispose limited to disposals &lt;£10,000</li> </ul> |
| (e) | Restrictive covenants   | Chief Officer Economy and Regeneration                               |  |
|     |   | Head of Land and Property  | Head of Land and Property powers to be exercised in consultation with the Chief Officer Economy and Regeneration or Director of City Development.  |
| (f) | Routine property matters relating to the Environment and Housing commercial asset management portfolio, including rent reviews, lease renewals, assignments, consents, change of use, sub lettings, surrenders, notices to review or terminate, temporary lettings, licences, and other routine property matters. | Director of Environment and Housing (with the power to sub-delegate) | Powers in relation to this function are limited to only apply to property within the Environment and Housing commercial asset management portfolio.  |
| (g) | The management of St Aidan's Trust  | Minerals, Waste and Contaminated Land Manager                        | Powers limited to the authority to incur and authorise expenditure on minor items for the purposes of St Aidan's Trust up to an annual limit of £1,000   |



|     | <b>Function Delegated</b>   | <b>Officer to whom delegated</b>   | <b>Terms and Conditions</b>  |
|-----|---|--|--|
| 2.  | Any function in relation to <b>the operation of retail and wholesale markets and car boot sales</b>   | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Markets Manager</li> </ul>  | Chief Officer Economy and Regeneration to be consulted on key and significant operational decisions. |
| (a) | To approve licences for any Market including car boot sales (Leeds Metropolitan District (Market Charter Rights; West Yorkshire Act 1980; Leeds Corporation (Consolidation) Act 1905) | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Markets Manager</li> </ul>  |  |
| (b) | To grant market leases and tenancies  | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Markets Manager</li> </ul>  |  |
| 3.  | Any function in relation to <b>the promotion of economic development and economic led regeneration</b>  | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Heads of Service (Economic Development)</li> </ul>                    |  |
| (a) | Duty to carry out an Economic Assessment (Part four of the Local Democracy, Economic Development and Construction Act 2009)   | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Economic Policy and Programmes</li> </ul>                     |  |
| 4.  | Any function in relation to <b>the management of the city centre (including the promotion of the city centre and management of public spaces)</b>                                     | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of City Centre</li> </ul>  |  |
| 5.  | Any function in relation to <b>building control, whether under the Building Act 1984 or otherwise</b>   | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |  |

|     | <b>Function Delegated</b>   | <b>Officer to whom delegated</b>   | <b>Terms and Conditions</b> |
|-----|---|--|-----------------------------|
| (a) | Power to pass or reject Building Regulation applications (section 16 of the Building Act 1984)  | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |                             |
| (b) | To pursue persons contravening building regulations for a fine and require removal or alteration of offending work (sections 35 and 36 of the Building Act 1984)  | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |                             |
| (c) | Notice to be given requiring adequate drainage to be provided or defective drainage made good (section 59 of the Building Act 1984)   | <ul style="list-style-type: none"> <li>• Building Control Manager</li> <li>• Building Control Senior Surveyor</li> </ul>   |                             |
| (d) | Abatement notice to be issued requiring defects in defective premises to be remedied (section 76 of the Building Act 1984)  | <ul style="list-style-type: none"> <li>• Building Control Surveyor</li> </ul>  |                             |
| (e) | Issue notice in respect of dangerous structures and emergency action to be taken at the owner's expense should immediate action be required (section 77 and 78 of the Building Act 1984)                                      | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |                             |
| (f) | Issue notice requiring execution of work to make ruinous or dilapidated sites safe (section 79 of the Building Act 1984)  | <ul style="list-style-type: none"> <li>• Building Control Manager</li> <li>• Building Control Senior Surveyor</li> </ul>   |                             |
| (g) | Notice to be issued in respect of demolition works requiring the person undertaking the work to take various steps to make the site, adjacent buildings, and site services safe (sections 81 and 82 of the Building Act 1984) | <ul style="list-style-type: none"> <li>• Building Control Surveyor</li> </ul>  |                             |
| (h) | Power of entry to buildings in order to ascertain whether contraventions of building regulations of the Building Act are being carried out (section 95 of the Building Act 1984)  | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |                             |
| (i) | Recovery of any expense that has been incurred by the   | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> </ul> |                             |

|     | <b>Function Delegated</b>  | <b>Officer to whom delegated</b>  | <b>Terms and Conditions</b>  |
|-----|--|---|--|
|     | authority following action taken under this Act (section 107 of the Building Act 1984)   | <ul style="list-style-type: none"> <li>• Building Control Manager</li> <li>• Building Control Senior Surveyor</li> <li>• Building Control Surveyor</li> </ul>                 |  |
| 6.  | Any function in relation to <b>the authority's role as highways authority and road traffic authority (including transport (including car parking) policy and transportation) except in relation to parking enforcement (including (a) – (i) below)</b> | Chief Officer Highways and Transportation   |  |
|     |  | Head of Service (Highways and Transportation)   | For matters within remit or by agreement to cover absence /cross service issues.   |
| (a) | Unauthorised marks on the highway  | <ul style="list-style-type: none"> <li>• Head of Service (Highways and Transportation)</li> <li>• Director of Environment and Housing (with power to sub-delegate)</li> </ul> | Director of Environment and Housing's authority for functions (a) – (i) is limited to the enforcement of said functions. |
| (b) | Damage to the highway consequent on exclusion of sun and wind  |   |  |
| (c) | Penalty for wilful obstruction of highway  |   |  |
| (d) | Power to remove structures from highways   |   |  |
| (e) | Penalty for depositing things or pitching booths etc on the highway (deposits/trading)   |   |  |
| (f) | Prevention of soil etc being washed on to street (mud on highway)  |   |  |
| (g) | Cutting or felling etc of trees etc that overhang or are a danger to roads or footpaths  |   |  |
| (h) | Control of mixing of mortar etc on highways  |   |  |
| (i) | Vehicle crossings over footways and verges   |   |  |
| 7.  | Any function in relation to <b>safety at sports grounds</b>  | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> </ul>   |  |

|     | <b>Function Delegated</b>  | <b>Officer to whom delegated</b>  | <b>Terms and Conditions</b>   |
|-----|--|---|---|
|     |  | <ul style="list-style-type: none"> <li>• Head of Building Control Services</li> </ul>   |   |
| (a) | To issue prohibition notice at designated sports grounds (The Safety at Sports Grounds Act 1975)   | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Building Control Services</li> <li>• Building Control Manager</li> <li>• Building Control Senior Surveyor</li> </ul>      |   |
| (b) | To enter premises and issue alteration notices, enforcement notices or prohibition notices at designated sports grounds (the Regulatory Reform (Fire Safety) Order 2005) |   |   |
| 8.  | Any function in relation to <b>flood and water management (including land drainage activities)</b>   | <ul style="list-style-type: none"> <li>• Chief Officer Highways and Transportation</li> <li>• Head of Engineering Services</li> </ul>   |   |
| 9.  | Any function in relation to architectural and <b>design related services</b>   | Chief Officer Economy and Regeneration  | Decisions only to be taken following consultation with the Director of City Development |
| 10. | Any function in relation to <b>street naming and numbering</b>   | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> </ul>   |   |
| (a) | To carry out duties related to Street Naming and Numbering (sections 17-19 of the 1925 Public Health Act)  | <ul style="list-style-type: none"> <li>• Chief Planning Officer</li> <li>• Deputy Chief Planning Officer</li> <li>• Head of Forward Planning and Implementation</li> <li>• Team Leader Data</li> <li>• Street Naming and Numbering Officer</li> </ul> |   |

|     | <b>Function Delegated</b>  | <b>Officer to whom delegated</b>  | <b>Terms and Conditions</b>   |
|-----|--|---|---|
| 11. | Any function in relation to <b>tourism and promotion</b>   | <ul style="list-style-type: none"> <li>• Chief Officer Economy and Regeneration</li> <li>• Head of Business Support and Tourism</li> </ul>                            |   |
| 12. | Any function in relation to <b>culture</b>   | Chief Officer Culture and Sport   |   |
|     |  | <ul style="list-style-type: none"> <li>• Head of Arts and Events</li> <li>• Head of Museums and Galleries</li> <li>• Out of School Activities Team Manager</li> </ul> | For matters within their remit.   |
| 13  | Any function in relation to <b>libraries and record repositories</b> (including (a) below)   | Chief Officer Culture and Sport   |   |
| (a) | Any function in relation to Libraries including provision of an efficient and effective library service within the terms of the 1964 Act                     | Head of Library and Information Service   |   |
| 14. | Any function in relation to <b>sport and active lifestyles (including community sports facilities (excluding golf courses and outdoor pitches in parks))</b> | <ul style="list-style-type: none"> <li>• Chief Officer Culture and Sport</li> <li>• Head of Sport and Active Lifestyles</li> </ul>                                    |   |
| 15. | Any function in relation to <b>assets of community value</b>   | Chief Officer Economy and Regeneration  | Power to review limited to officers who did <b>not</b> list the site/property as an Asset of Community Value. |
|     |  | Head of Asset Management  | Powers limited to listing of Assets of Community Value.   |

|     | <b>Function Delegated</b>   | <b>Officer to whom delegated</b>       | <b>Terms and Conditions</b> |
|-----|---|--|-----------------------------|
| 16. | Any function that has not been specifically delegated below in relation to <b>housing policy and investment</b> | Chief Officer Economy and Regeneration |                             |
| (a) | Investment Planning and delivery of private sector housing investment   | Chief Officer Economy and Regeneration |                             |
| (b) | Delivery of housing regeneration through a public private partnership <sup>23</sup>                             | Chief Officer Economy and Regeneration |                             |

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<sup>23</sup> This does not include the power to procure such a partnership

# Miscellaneous Functions

The functions set out in this part of the Sub-delegation scheme are derived from:-

- Legislation which provides that a function should be the specific responsibility of the Director;
- Policies and Procedures which form part of the Constitution of Leeds City Council;
- Sub-delegations made by other Directors of Leeds City Council to whom those functions have been delegated; and
- Delegations which have been made to the Director by Full Council or the Executive for a period less than 6 months which are not therefore reflected in the Constitution

| Place from where function derived                   | Function Delegated                            | Officer to whom delegated            | Terms and Conditions |
|---|---|--------------------------------------|----------------------|
| a) Employment Policies/Assisted Car Purchase Scheme | Directorate authorisation of car loans        | Chief Officer Resources and Strategy |                      |
| b) Financial Regulations                            | Approval of virements and technical virements | Chief Officer Resources and Strategy |                      |

| Place from where function derived   | Function Delegated   | Officer to whom delegated  | Terms and Conditions   |
|---|--|--|--|
| <p><i>c) Sub-delegated to the Director of City Development by the City Solicitor, with the power for the Director to sub-delegate</i></p> | <p>To take any action intended to give effect to a decision of the executive or an officer including the commencement defence, withdrawal or settlement of proceedings</p> | <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Deputy Head of Land and Property</li> <li>• Principal Land and Property Officer</li> </ul> | <p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> <li>• the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25;</li> <li>• the completion of small Industrial Unit standard Tenancies; Wayleave Agreements with utilities companies; Garden Land Tenancies; Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / Investigations Agreements; and standard Garage Tenancy Agreements</li> </ul> |



| Place from where function derived   | Function Delegated  | Officer to whom delegated  | Terms and Conditions   |
|---|---|--|--|
| <p><i>d) Sub-delegated to the Director of City Development by the City Solicitor, with the power for the Director to sub-delegate</i></p> | <p><b>Legal proceedings</b><br/>To institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or any part of it or in any case where the City Solicitor considers that such action is necessary to protect the Council's interests</p> | <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Deputy Head of Land and Property</li> <li>• Principal Land and Property Officer</li> </ul> | <p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> <li>• the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25;</li> <li>• the completion of small Industrial Unit standard Tenancies; Wayleave Agreements with utilities companies; Garden Land Tenancies; Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / Investigations Agreements; and standard Garage Tenancy Agreements</li> </ul> |

| Place from where function derived   | Function Delegated   | Officer to whom delegated  | Terms and Conditions   |
|---|--|--|--|
| <p>e) <i>Sub-delegated to the Director of City Development by the City Solicitor, with the power for the Director to sub-delegate</i></p> | <p><b>Authentication of Documents for legal proceedings</b><br/>           To sign documents which are a necessary step in legal proceedings</p> | <ul style="list-style-type: none"> <li>• Head of Land and Property</li> <li>• Deputy Head of Land and Property</li> <li>• Principal Land and Property Officer</li> </ul> | <p>To take any action which the City Solicitor can take BUT only with regard to</p> <ul style="list-style-type: none"> <li>• the renewal of tenancies under the Landlord and Tenant Act 1954 - section 25;</li> <li>• the completion of small Industrial Unit standard Tenancies; Wayleave Agreements with utilities companies; Garden Land Tenancies; Rent Review Memoranda; Site Compound Agreements; Licences for temporary periods; Tenancy at Will; Site Indemnity / Investigations Agreements; and standard Garage Tenancy Agreements</li> </ul> |

# Absence Provisions

The table below sets out details of responsibility for those functions which are not sub-delegated by the Director in the usual course of business. These sub-delegations may only be exercised in the absence of the Director on leave<sup>24</sup> or where the Director has confirmed in writing that he/she will be absent from the office and these provisions are to apply<sup>25</sup>.

| Function sub-delegated by Director  | Officer with authority to exercise function in absence of Director.  | Terms and Conditions  |
|---|--|---|
| All functions   | <ul style="list-style-type: none"> <li>• Chief Officer Resources and Strategy</li> <li>• Chief Officer Economy and Regeneration</li> <li>• Chief Officer Culture and Sport</li> <li>• Chief Officer Highways and Transportation</li> <li>• Chief Planning Officer</li> </ul> | For functions within their remit (in absence of relevant Chief Officer any other Chief Officer) |
| The management of St Aidan’s Trust - Executive Function – specific 10 (g) | Deputy Chief Planning Officer  |   |

<sup>24</sup> Whether annual leave, sick leave or special leave

<sup>25</sup> It is recommended that a delegated decision form be used to record and publish this as a Significant Operational Decision.