

**Table of Council delegations**

**Appendix 3**

<b>Post</b>	<b>Proposal</b>	<b>Comment</b>
Chief Executive	Retained	No amendment
The Director of Children's Services	Retained	No amendment
The Chief Social Services Officer	No existing Council delegation	-
The Director of City Services	Retained	No amendment
The Director of Corporate Services	Re-designated	Post not extant from 31 March 2007, but see further Director of Resources
The Director of Development	Re-designated	Post not extant from 31 March 2007, but see further Director of City Development
The Director of Learning and Leisure	Deleted	Post not extant from 31 March 2007, but see further Director of City Development
The Director of Legal and Democratic Services	Re-designated	Post not extant from 31 March 2007, but see further Assistant Chief Executive (Corporate Governance)
The Director of Neighbourhoods and Housing	Re-designated	Post not extant from 31 March 2007, but see further Director of Environment and Neighbourhoods

**Table of Council delegations**

**Appendix 3**

New delegations

<b>Post</b>	<b>Comment</b>	<b>Annex no.</b>
The Director of Adult Social Services	New post, with delegation from 31 March 2007. No council functions to be delegated	-
The Director of City Development	From 31 March 2007.  <ul style="list-style-type: none"> <li>• Functions (a) – (d) previously delegated to the Director of Development;</li> <li>• Functions (e) – (jj) in relation to culture and recreation previously delegated to the Director of Learning and Leisure.</li> </ul>	G
The Director of Environment and Neighbourhoods	From 31 March 2007. Functions previously delegated to Director of Neighbourhoods and Housing	H
Assistant Chief Executive (Corporate Governance)	From 31 March 2007. Functions previously delegated to Director of Legal and Democratic Services	I
Director of Resources	From 31 March 2007. Functions previously delegated to Director of Corporate Services	J

**Director of City Development**

The Director of City Development is authorised to discharge the following Council (non-executive) functions:

(a)	To license market and street trading	Part III of , and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982
(b)	To issue, amend or replace safety certificates (whether general or special) for sports grounds	The Safety of Sports Grounds Act 1975
(c)	To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds	Part II of the Fire Safety and Safety of Places of Sport Act 1987
(d)	To issue fire certificates	Section 5 of the Fire Precautions Act 1971
(e)	To license pleasure boats and pleasure vessels	Section 94 of the Public Health Acts Amendment Act 1907
(f)	To authorise erection of stiles etc on footpaths or bridleways	Section 147 of the Highways Act 1980
(g)	To create footpath or bridleway by agreement	Section 25 of the Highways Act 1980
(h)	To create footpaths and bridleways	Section 26 of the Highways Act 1980
(i)	Duty to keep register of information with respect to maps, statements and declarations	Section 31A of the Highways Act 1980
(j)	To stop up footpaths and bridleways	Section 118 of the Highways Act 1980
(k)	To determine application for public path extinguishment order	Sections 118ZA and 118C(2) of the Highways Act 1980
(l)	To make a rail crossing extinguishment order	Section 118A of the Highways Act 1980
(m)	To make a special extinguishment order	Section 118B of the Highways Act 1980
(n)	To divert footpaths and bridleways	Section 119 of the Highways Act 1980
(o)	To make a public path diversion order	Sections 119ZA and 119C(4) of the Highways Act 1980
(p)	To make a rail crossing diversion order	Section 119A of the Highways Act 1980
(q)	To make a special diversion order	Section 119B of the Highways Act 1980
(r)	To require applicant for order to enter into agreement	Section 119C(3) of the Highways Act 1980
(s)	To make an SSSI diversion order	Section 12B of the Highways Act 1980
(t)	To keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980	Section 121B of the Highways Act 1980
(u)	To decline to determine certain applications	Section 121C of the Highways Act 1980
(v)	To authorise temporary disturbance of surface of footpath or bridleway	Section 135 Highways Act 1980
(w)	To assert and protect the rights of the public to use and enjoyment of highways	Section 130 of the Highways Act 1980

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(x)	To divert footpath or bridleway temporarily	Section 135A of the Highways Act 1980
(y)	To extinguish certain public rights of way	Section 32 of the Acquisition of Land Act 1981
(z)	To keep definitive map and statement under review	Section 53 of the Wildlife and Countryside Act 1981
(aa)	To include modifications in other orders	Section 53A of the Wildlife and Countryside Act 1981
(bb)	To keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981	Section 53B of the Wildlife and Countryside Act 1981
(cc)	To reclassify roads used as public paths	Section 54 of the Wildlife and Countryside Act 1981
(dd)	To prepare map and statement by way of consolidation of definitive map and statement	Section 57A of the Wildlife and Countryside Act 1981
(ee)	To designate footpath as cycle track	Section 3 of the Cycle Tracks Act 1984
(ff)	To extinguish public right of way over land acquired for clearance	Section 294 of the Housing Act 1981
(gg)	To authorise stopping up or diversion of footpath or bridleway	Section 257 of the Town and Country Planning Act 1990
(hh)	To extinguish public rights of way over land held for planning purposes	Section 258 of the Town and Country Planning Act 1990
(ii)	To enter into agreements with respect to means of access	Section 35 of the Countryside and Rights of Way Act 2000
(jj)	To provide access in absence of agreement	Section 37 of the Countryside and Rights of Way Act 2000

**Director of Environment and Neighbourhoods**

The Director of Environment and Neighbourhoods is authorised to discharge the following Council (non-executive) functions:

(a)	To issue licences authorising the use of land as a caravan site ("site licences")	Section 3(3) of the Caravan Sites and Control of Development Act 1960
(b)	To license the use of moveable dwellings and camping sites	Section 269(1) of the Public Health Act 1936
(c)	To license premises for acupuncture, tattooing, ear-piercing and electrolysis	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982
(d)	To register and license premises for the preparation of food	Section 19 of the Food Safety Act 1990
(e)	To license premises for the breeding of dogs	Section 1 of the Breeding of Dogs Act 1973 and Section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999
(f)	To license pet shops and other establishment where animals are bred or kept for the purposes of carrying on a business	Section 1 of the Pet Animals Act 1951, section 1 of the Animal Boarding Establishments Act 1963, the Riding Establishments Act 1964 and 1970, section 1 of the Breeding of Dogs Act 1973 and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999
(g)	To register animal trainers and exhibitors	Section 1 of the Performing Animals (Regulation) Act 1925
(h)	To license zoos	Section 1 of the Zoo Licensing Act 1981
(i)	To license dangerous wild animals	Section 1 of the Dangerous Wild Animals Act 1976
(j)	To license knackers' yards	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999
(k)	To grant consent for the operation of a loudspeaker	Schedule 2 to the Noise and Statutory Nuisance Act 1993
(l)	To issue licences for the movement of pigs	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (SI 1996/11)
(m)	To license the sale of pigs	Article 13 of the Pigs (Records, Identification and Movement) Order 1995
(n)	To license collecting centres for the movement of pigs	Article 14 of the Pigs (Records, Identification and Movement) Order 1995
(o)	To issue a licence to move cattle from a market	Article 5(2) of the Cattle Identification Regulations 1998 (SI 1998/871)
(p)	To sanction use of parts of buildings for storage of celluloid	Section 1 of the Celluloid and Cinematograph Film Act 1922
(q)	To approve meat product premises	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (SI

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		1994/3082)
(r)	To approve premises for the production of minced meat or meat preparations	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (SI 1995/3205)
(s)	To approve dairy establishments	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (SI 1995/1086)
(t)	To approve egg product establishments	Regulation 5 of the Egg Products Regulations 1993 (SI 1993/1520)
(u)	To issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (SI 1995/1763)
(v)	To approve fish products premises	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (SI 1998/992)
(w)	To approve dispatch or purification centres	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
(x)	To register auction and wholesale markets	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998
(y)	To keep register of food business premises	Regulation 5 of the Food Premises (Registration) Regulations 1991 (SI 1991/2828)
(z)	To register food business premises	Regulation 9 of the Food Premises (Registration) Regulations 1991

**ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)**

1. The Assistant Chief Executive (Corporate Governance) is the Monitoring Officer for the Council.
2. Subject to the exceptions listed below, the Assistant Chief Executive (Corporate Governance) is authorised to discharge the following Council (non-executive) functions:

**Licensing and Regulations:**

(a)	To license hackney carriages and private hire vehicles	(a) As to hackney carriages, the Town Police Clauses Act 1847 as extended by section 171 of the Public Health Act 1875 and section 15 of the Transport Act 1985 and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (b) As to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(b)	To license drivers of hackney carriages and private hire vehicles	Section 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(c)	To license operators of hackney carriages and private hire vehicles	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976
(d)	*To register pool promoters♦	Schedule 2 to the Betting, Gaming and Lotteries Act 1963
(e)	*To grant track betting licences♦	Schedule 3 to the Betting, Gaming and Lotteries Act 1963
(f)	*To licence inter-track betting schemes♦	Schedule 5ZA to the Betting, Gaming and Lotteries Act 1963
(g)	*To grant permits in respect of premises with amusement machines♦	Schedule 9 to the Gaming Act 1968
(h)	*To register societies wishing to promote lotteries♦	Schedule 1 to the Lotteries Amusements Act 1976
(i)	*To grant permits in respect of premises where amusements with prizes are provided♦	Schedule 3 to the Lotteries and Amusements Act 1976
(j)	*To licence sex shops and sex cinemas	The Local Government (Miscellaneous Provisions) Act 1982, Section 2, Schedule 3
(p)	*To license dealers in game and the killing and selling of game	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860 section 4 of the customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874 and section 213 of the Local Government Act

*Officer Delegation Scheme (Council (non-executive) functions)*

		1972
(q)	*To license scrap yards	Section 1 of the Scrap Metal Dealers Act 1964
(r)	*To approve premises for the solemnisation of marriages	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995(SI 1995/510)
(s)	*To license persons to collect for charitable and other causes	Section 5 of the Police, Factories etc (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939
(t)	To register motor salvage operators	Part I of the Vehicles (Crime) Act 2001

◆ From 1 September 2007 these provisions will be repealed and licences will be granted under the Gambling Act 2005 by the Licensing Committee. From 30 April 2007 the Licensing Committee will have delegated power to deal with transitional applications to convert these licences to licences under the 2005 Act. The Panel will deal with any new applications made prior to 1 September 2007 where these are permitted by legislation

**Functions relating to elections:**

(a)	Functions in relation to parishes and parish councils	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part
(b)	To dissolve small parish councils	Section 10 of the Local Government Act 1972
(c)	To make orders for grouping parishes, dissolving groups and separating parishes from groups	Section 11 of the Local Government Act 1972
(d)	To make temporary appointments to parish councils	Section 91 of the Local Government Act 1972

**Functions relating to standing orders:**

(a)	To make standing orders	Section 106 of, and paragraph 42 of Schedule 12 to the Local Government Act 1972
(b)	To make standing orders as to contracts	Section 135 of the Local Government Act 1972

**Exceptions:**

The Assistant Chief Executive (Corporate Governance) is not authorised to discharge those functions marked \*above where objections have been received.

**Licensing Functions delegated by Licensing Committee:**

Subject to the exceptions listed below, the Assistant Chief Executive (Corporate Governance) is authorised to discharge the licensing functions <sup>8</sup> of the licensing authority.	Licensing Act 2003
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<sup>8</sup> "Licensing functions" means functions under the 2003 Act



*Officer Delegation Scheme (Council (non-executive) functions)*

**Exceptions:**

- any licensing function<sup>1</sup> reserved to full Council;<sup>9</sup> and
- any licensing function where full Council has referred a matter to a committee other than the Licensing Committee;<sup>10</sup> and
- any licensing function within the terms of reference of the Licensing Sub-committees<sup>11</sup>; and
- any function under Section 52(2) or (3) of the Act; and
- any function under Section 88(2) or (3) of the Act; and
- any function under Section 167(5) of the Act: and
- to determine whether Section 20(3) or 74(3) applies to a film and make recommendations about the admission of children to that film; and
- to object when the Authority is consultee and not the relevant authority considering an application.

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<sup>9</sup> Part 3, Section 2A of the Constitution sets out licensing functions reserved to full Council, as licensing authority under the 2003 Act.

<sup>10</sup> Under the provisions of Section 7(5)(a) of the 2003 Act.

<sup>11</sup> Except where a Licensing sub-committee has arranged for the discharge of any of their functions to an Officer.

**Director of Resources**

The Director of Resources is authorised to discharge the following Council (non-executive) functions:

(a)	Functions relating to local government pensions, etc	Regulations under section 7, 12 or 24 of the Superannuation Act 1972
(b)	To make Financial Procedure Rules	Paragraph 42 of Schedule 12 to the Local Government Act 1972
(c)	To make arrangements to consider and determine employee appeals in relation to grievances, grading and dismissal <sup>3</sup>	Section 112 Local Government Act 1972
(d)	To determine employee terms and conditions	Section 112 Local Government Act 1972

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<sup>3</sup> Except in relation to those which are to be determined by the Employment Committee.  
Part 3 Section 2C  
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Issue