

## Table of executive delegations Appendix 1

Post	Amendment	Comment	Annex no.
Chief Executive	None	-	-
The Director of Children's Services	New footnote	<p>New footnote for clarity confirms that functions relating to early years and youth services are included within the delegation.</p> <p>In part the Director's authority is concurrent with</p> <ul style="list-style-type: none"> <li>• Chief Officer (Early Years and Youth Services)</li> <li>• Chief Officer (Children's Social Services)</li> </ul> <p>(See following Annex A(i) and A(ii))</p>	A
The Chief Social Services Officer	Deleted	Post not extant from 31 March 2007, due to appointment of Director of Adult Social Services.	-
The Director of City Services	None	-	-
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 and Director of Environment and Neighbourhoods	-
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 executive delegations Appendix 1

### New delegations

Post	Comment	Annex No.
Chief Officer (Early Years and Youth Services)	<p>NEW From 31<sup>st</sup> March 2007</p> <p>Concurrent delegation from Leader of Council to discharge any function of the Executive in relation to:</p> <ul style="list-style-type: none"> <li>(a) early years development and child care planning;</li> <li>(b) youth services.</li> </ul>	A(i)
Chief Officer (Children's Social Services)	<p>NEW From 31<sup>st</sup> March 2007</p> <p>Concurrent delegation from Leader of Council to discharge any function of the Executive in relation to:</p> <ul style="list-style-type: none"> <li>(a) social services, so far as those functions relate to               <ul style="list-style-type: none"> <li>(i) children or</li> <li>(ii) young people leaving care</li> </ul> </li> </ul>	A(ii)
The Director of Adult Social Services	<p>New post, with delegation from 31 March 2007.</p> <ul style="list-style-type: none"> <li>• Function (a) (social services functions in relation to adults); and</li> <li>• Function (b) (functions exercisable on behalf of an NHS body, so far as those functions relate to adults).</li> </ul>	B

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Post	Comment	Annex No.
	<p>(Functions (a) and (b) were previously delegated to Chief Social Services Officer. )</p> <ul style="list-style-type: none"> <li>• Function (c) (arrangements to protect and promote the welfare of vulnerable adults) delegates functions in relation to matters which are not social services functions but which relate to vulnerable adults.</li> </ul>	
The Director of City Development	<p>From 31 March 2007.</p> <ul style="list-style-type: none"> <li>• Functions 1(a) – (c) and 2 (a) – (n): previously delegated to the Director of Development;</li> <li>• Functions (o) – ( r): (culture and recreation) previously delegated to the Director of Learning and Leisure;</li> </ul>	C
The Director of Environment and Neighbourhoods	<p>From 31 March 2007.</p> <ul style="list-style-type: none"> <li>• Functions 1 and 2.(a) – (g): previously delegated to the Director of Neighbourhoods and Housing;</li> <li>• Function 2.(h) (vocational training and allied services for persons over compulsory school age, and the promotion of arrangements to assist persons to obtain employment and employers to obtain employees): previously delegated to the Director of Learning and Leisure.</li> </ul>	D
Assistant Chief Executive (Corporate Governance)	<p>From 31 March 2007.</p> <p>All functions were previously delegated to the Director of Legal and Democratic Services, with the exception of a minor amendment to 2(iii) to update the delegation, further to the Licensing Act 2003 and the Gambling Act 2005.</p>	E

## Table of executive delegations Appendix 1

Post	Comment	Annex No.
Director of Resources	From 31 March 2007.  All functions previously delegated to the Director of Corporate Services.	F

**THE DIRECTOR OF CHILDREN'S SERVICES<sup>1</sup>**

With the exception of those matters where an appropriate Executive Member<sup>2</sup> has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>3</sup>, the Director of Children's Services<sup>4</sup> is authorised to discharge any function<sup>5</sup> of the Executive in relation to:

- (a) the authority's role as children's services authority<sup>6</sup>;
- (b) social services, so far as those functions relate to
  - (i) children or
  - (ii) young people leaving care<sup>7</sup>;
- (c) functions exercisable on behalf of an NHS body<sup>8</sup>, so far as they relate to children;
- (d) the authority's role as local education authority<sup>9</sup> excluding vocational training and allied services.

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<sup>1</sup> Appointed under Section 18 Children Act 2004

<sup>2</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>3</sup> The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

<sup>4</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for the delegated authority to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>5</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing to anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

<sup>6</sup> Including functions in relation to:

- arrangements to promote co-operation to improve well-being of children;
- arrangements to safeguard and promote welfare of children;
- information data-bases;
- the Local Safeguarding Children Board.

<sup>7</sup> Under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

<sup>8</sup> Under Section 31 of the Health Act 1999

<sup>9</sup> Including early years development, childcare planning and youth services.

**CHIEF OFFICER (EARLY YEARS AND YOUTH SERVICES)**

With the exception of those matters where

- (i) an appropriate Executive Member<sup>1</sup> or the Director of Children's Services has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>2</sup>; or
- (ii) the Director of Children's Services has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration

the Chief Officer (Early Years and Youth Services)<sup>3</sup> is authorised<sup>4</sup> to discharge any function<sup>5</sup> of the Executive in relation to:

- (a) early years development and child care planning;
- (b) youth services.

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<sup>1</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>2</sup> The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board or to the Director of Children's Services

<sup>3</sup> The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and the Chief Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Officer remains responsible for any decision taken pursuant to such arrangements.

<sup>4</sup> The Chief Officer must consult the Director of Children's Services before taking any key or major decisions.

<sup>5</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

**CHIEF OFFICER (CHILDREN'S SOCIAL SERVICES)**

With the exception of those matters where

- (i) an appropriate Executive Member<sup>1</sup> or the Director of Children's Services has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>2</sup>; or
- (ii) the Director of Children's Services has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration

the Chief Officer (Children's Social Services)<sup>3</sup> is authorised<sup>4</sup> to discharge any function<sup>5</sup> of the Executive in relation to:

- (a) social services, so far as those functions relate to
  - (i) children or
  - (ii) young people leaving care<sup>6</sup>;

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<sup>1</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>2</sup> The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board or to the Director of Children's Services

<sup>3</sup> The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and the Chief Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Officer remains responsible for any decision taken pursuant to such arrangements.

<sup>4</sup> The Chief Officer must consult the Director of Children's Services before taking any key or major decisions.

<sup>5</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

<sup>6</sup> Under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

**THE DIRECTOR OF ADULT SOCIAL SERVICES<sup>1</sup>**

With the exception of those matters where an appropriate Executive Member<sup>2</sup>, has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration,<sup>3</sup> the Director of Adult Social Services<sup>4</sup> is authorised to discharge any function<sup>5</sup> of the Executive in relation to:

- (a) social services so far as those functions relate to adults<sup>6</sup>;
- (b) functions exercisable on behalf of an NHS body<sup>7</sup>, so far as those functions relate to adults<sup>8</sup>;
- (c) arrangements to protect and promote the welfare of vulnerable adults<sup>9</sup>, including vulnerable young people moving into adulthood.

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<sup>1</sup> Appointed under Section 6 Local Authority Social Services Act 1970

<sup>2</sup> An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>3</sup> The Director of Adult Social Services may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

<sup>4</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for the delegate authority to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>5</sup> “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director of Adult Social Services Officer as “proper officer” for the purpose of any function delegated to him/her under these arrangements.

<sup>6</sup> That is, do not relate to:

(i) children or

(ii) young people leaving care under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

<sup>7</sup> Under Section 31 of the Health Act 1999

<sup>8</sup> See footnote 6 above

<sup>9</sup> So far as not falling within (a) above. See also footnote 6 above



## THE DIRECTOR OF CITY DEVELOPMENT

With the exception of those matters where an appropriate Executive Member<sup>1</sup> has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>2</sup> and with the exception of those matters reserved to the Executive Board<sup>3</sup>, the Director of City Development<sup>4</sup> is authorised to discharge the following functions<sup>5</sup>:

1. Local choice functions which have been assigned to the Executive (see Section 1 Part 3 of the Constitution):
  - (a) any function related to contaminated land;
  - (b) obtaining of information as to interests in land; and
  - (c) the making of arrangements for the execution of highways works under S278 Highways Act 1980.
  
2. Any function of the Executive<sup>6</sup> in relation to:
  - (a) the management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land);
  - (b) the operation of retail and wholesale markets and car boot sales;
  - (c) the promotion of economic development;
  - (d) the management of the city centre (including the promotion of the city centre and management of public spaces);
  - (e) the authority's role as local planning authority<sup>7</sup>;
  - (f) building control (whether under the Building Act 1984 or otherwise);

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<sup>1</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board.

<sup>2</sup> The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

<sup>3</sup> Certain disposals of land are currently required to be referred to an appropriate committee for consideration.

<sup>4</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>5</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

<sup>6</sup> The Director of City Development will be mindful of the potential for conflicts of interest arising and will make appropriate arrangements in this respect.

<sup>7</sup> Save where any such functions are exercisable by a Plans Panel, the discharge of all **Council functions** relating to town and country planning and development control has been delegated to the Chief Planning Officer. No such **Council functions** will be exercisable by the Director.

*Officer Delegation Scheme (Executive Functions)*

- (g) the authority's role as highways authority and road traffic authority relating to transportation and engineering services;
- (h) safety at sports grounds;
- (i) land drainage;
- (j) environmental management (including policy development on waste management) and the formulation and implementation of environmental improvement programmes;
- (k) design services;
- (l) asset management;
- (m) street naming and numbering;
- (n) tourism and promotions;
- (o) cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainments, halls and venues);
- (p) recreation services (including parks, countryside and sports facilities);
- (q) cemeteries, crematoria, burial grounds and mortuaries;
- (r) countryside management (including all matters relating to the provision and maintenance of footpaths and bridleways), and the provision and maintenance of landscaping schemes.

**THE DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOODS**

With the exception of those matters where an appropriate Executive Member<sup>1</sup>, has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration<sup>2</sup>, the Director of Environment and Neighbourhoods<sup>3</sup> is authorised to discharge the following functions:

1. Local choice functions which have been assigned to the Executive (see Section 1 Part 3 of the Constitution):
  - (a) the service of an abatement notice in respect of a statutory nuisance;
  - (b) the passing of a resolution that schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
  - (c) the inspection of the authority's area to detect any statutory nuisance;
  - (d) the investigation of any complaint as to the existence of a statutory nuisance; and
  - (e) the control of pollution or management of air quality.
2. Any function<sup>4</sup> of the Executive in relation to
  - (a) the authority's role as housing authority excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority<sup>5</sup>;
  - (b) the condition and occupation of housing, caravan sites and land occupied by travelling people;
  - (c) environmental and consumer protection, health and safety other than in relation to Council employees, public health (including the investigation and control of notifiable diseases);
  - (d) regeneration, community planning and community initiatives;

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<sup>1</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>2</sup> The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

<sup>3</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>4</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

<sup>5</sup> These agreements have been made in accordance with Section 27 Housing Act 1985 - see further addendum 1

*Officer Delegation Scheme (Executive Functions)*

- (e) community safety and the reduction of crime and disorder (including the management of closed circuit TV);
- (f) the management and oversight of area based working arrangements;
- (g) animal welfare;
- (h) vocational training and allied services for persons over compulsory school age, and the promotion of arrangements to assist persons to obtain employment and employers to obtain employees.

**THE ASSISTANT CHIEF EXECUTIVE (CORPORATE GOVERNANCE)**

With the exception of those matters where an appropriate Executive Member<sup>1</sup> has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>2</sup>, the Assistant Chief Executive (Corporate Governance)<sup>3</sup> is authorised to:

- (a) act as Solicitor to the Council and 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, and the authorisation of Council officers to conduct legal matters in court;
- (b) discharge any function<sup>4</sup> of the Executive in relation to:
  - (i) the management of corporate governance;
  - (ii) land charges;
  - (iii) vehicle licensing, other licensing<sup>5</sup> and enforcement;
  - (iv) elections;
  - (v) data protection, human rights, freedom of information and the regulation of surveillance activities;
  - (vi) the registration of births, deaths, marriages and civil partnerships;
  - (vii) the management of matters relating to Members, the Lord Mayor, committees and scrutiny support; and
  - (viii) procurement and purchasing.

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<sup>1</sup> An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>2</sup> The Assistant Chief Executive may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

<sup>3</sup> The fact that a function has been delegated to the Assistant Chief Executive does not require the Assistant Chief Executive to give the matter his/her personal attention and the Assistant Chief Executive may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Assistant Chief Executive remains responsible for any decision taken pursuant to such arrangements.

<sup>4</sup> “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Assistant Chief Executive as “proper officer” for the purpose of any function delegated to him/her under these arrangements. Note, however, for purposes of data protection, human rights, freedom of information, and the regulation of surveillance activities “function” is limited to preparing policies and strategies for approval, guidance and advice, notification and dealings with the Information Commissioner generally, and monitoring compliance.

<sup>5</sup> Under the Licensing Act 2003, and the Gambling Act 2005.

## **THE DIRECTOR OF RESOURCES**

With the exception of those matters where an appropriate Executive Member<sup>1</sup> has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration<sup>2</sup>, the Director of Resources<sup>3</sup> is authorised to discharge any function<sup>4</sup> of the Executive in relation to:

- (a) making arrangements for the proper administration of the authority's financial affairs<sup>5</sup> including administration of benefits, student support, the collection of revenue, council tax and national non domestic rates, internal audit, creditor payments, pensions and the Council's insurance arrangements;
- (b) industrial relations and employment matters, including employee training and health and safety;
- (c) risk management;
- (d) civil defence and emergency peace time planning; and
- (e) the management of matters relating to the application of information, communication and associated technologies to support the discharge of any function of the Executive;

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<sup>1</sup> An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

<sup>2</sup> The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

<sup>3</sup> The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

<sup>4</sup> "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements

<sup>5</sup> The Director of Resources has responsibility for these arrangements as Section 151 Officer