

# Luton Borough Council Constitution

## Section 5: Delegations to Officers

### Part 5 B: Scheme of Delegation to Officers (Executive Functions)

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## Section 5: Delegations to Officers

### Part 5 B: Scheme of Delegation to Officers (Executive Functions)

#### 1. Overview

##### 1. Introduction

1.1 The officers of the council shall in respect of Executive functions have delegated to them the functions, powers and duties referred to in paragraphs 3 and 4 below, but subject to the general reservations, conditions and qualifications set out in paragraphs 5 and 6 below.

##### 2. Definitions

2.1 In this Scheme the following expressions shall have the meanings assigned to them below:-

- (1) **'the Articles'** means the Articles of the constitution as set out in Part 2 of the constitution
- (2) **'the Constitution'** means the constitution of the council prepared and maintained under Section 37 of the 2000 Act
- (3) **'Corporate Director'** means an officer who reports directly to the Chief Executive, whose post title includes the word **'Director'** and who is responsible for one or more Service Directors or Directors with statutory responsibilities
- (4) **'the Council'** means Luton Borough Council
- (5) **'the Executive'** means the Executive of Luton Borough Council appointed under the provisions of Part II of the 2000 Act and includes a committee of the Executive
- (6) **'Executive Functions'** means those functions of the council which by virtue of Section 13 of the 2000 Act are the responsibility of the Executive and any local choice function which under the provisions of the constitution is the responsibility of the Executive
- (7) **'Financial Regulations'** means the financial regulations as set out in Part 5 of the constitution
- (8) **'the Functions Regulations'** means the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended from time to time
- (9) **'the general reservations'** means the reservations, conditions and qualifications set out in Paragraphs 5 and 6 of this Scheme
- (10) **'Service Director'** means an officer who reports to a Corporate Director, or an officer other than a Corporate Director who reports directly to the Chief Executive, irrespective of that officer's post title, but does not include an officer whose duties are wholly or substantially in the nature of secretarial, administrative or clerical support
- (11) **'Directors with Statutory Responsibilities'** means an officer who reports to a Corporate Director, or an officer other than a Corporate Director who reports directly to the Chief Executive, irrespective of that officer's post title, but holds a statutory officer role. This does not include an officer whose duties are wholly or substantially in the nature of secretarial, administrative or clerical support
- (12) **'Local Choice Function'** means a function of the council which under Regulation 3(1) of and Schedule 2 to the Functions Regulations may or may not be the responsibility of the Executive

- (13) **'Non-Executive Functions'** means those functions of the council which under Regulation 2 of and Schedule 1 to the Functions Regulations are not the responsibility of the Executive and any local choice function which under the provisions of the constitution is not the responsibility of the Executive
- (14) **'Portfolio Holder'** means a member of the Executive to whom the Executive Leader has assigned responsibility to take a lead role in relation to a particular matter or particular matters, whether or not that person has power to take decisions in relation to any such matter or matters
- (15) **'power'** includes any function, power or duty
- (16) **'the relevant budget'** means the total approved revenue budget for the relevant financial year for, in the case of the Chief Executive or a Corporate Director, the Department for which the Chief Executive or Corporate Director is responsible, and, in the case of a Service Director, the service area for which the Service Director is responsible, with, in any case, no commitment to additional expenditure in any future year above the level of the budget for the relevant financial year
- (17) **'the relevant Corporate Director'** means the Corporate Director responsible for the function in question or the Corporate Director to whom the Service Director taking, proposing to take, or responsible for, the action or function in question reports
- (18) **'the relevant financial year'** means the financial year in which the decision or action in question is taken
- (19) **'the relevant Service Director'** means the Service Director responsible for the function in question or the Service Director to whom the officer taking, proposing to take, or responsible for, the action or function in question reports
- (20) **'the relevant Portfolio Holder'** means the Portfolio Holder with responsibility for the matter in question
- (21) **'Schedule 1'** means Schedule 1 to this Scheme
- (22) **'Schedule 2'** means Schedule 2 to this Scheme
- (23) **'Scheme of Devolved Financial Management'** means the Scheme of Devolved Financial Management referred to in Financial Regulations
- (24) **'Standing Orders'** means the Standing Orders as set out in Part 3 A of the Constitution and
- (25) **'the 2000 Act'** means the Local Government Act 2000 (as amended )

2.2 Subject to the definitions in paragraph 2.1 above and to any other provision in this Scheme all expressions in this scheme shall have the same meaning as they do in the Articles or in Standing Orders, and, if there be any conflict between the meaning of any expression in the Articles and the same expression in Standing Orders, the meaning of the expression in the Articles shall prevail.

2.3 Any reference in this scheme to any statute, bye-law, regulation or scheme made by the council or to any part of the constitution shall include any amendment, modification, re-enactment or re-issue of the statute, bye-law, regulation, scheme or part of the constitution.

### 3. General delegations to officers

- 3.1 Each officer of the council or category of officer of the council specified in Schedule 1 shall have delegated to her/him/them the powers specified in Schedule 1 in relation to each such officer or category of officers.
- 3.2 For reference purposes each power specified in Schedule 1 shall have the reference number in relation to that power specified in Schedule 1.
- 3.3 The delegation of any power specified in Schedule 1 shall be subject to any condition(s) or qualification(s) specified in Schedule 1, which shall apply in addition to the general reservations.

### 4. Specific delegations to officers

- 4.1 Each officer of the council specified in Schedule 2 shall have delegated to her/him the powers specified in Schedule 2 in relation to that officer.
- 4.2 For reference purposes each power specified in Schedule 2 shall have the reference number in relation to that power specified in Schedule 2.
- 4.3 The delegation of any power specified in Schedule 2 shall be subject to any condition(s) or qualification(s) specified in Schedule 2, which shall apply in addition to the general reservations.

### 5. General reservations conditions and qualifications applying to delegations

- 5.1 The following reservations, conditions and qualifications apply to the exercise of all powers delegated to officers:-
  - (1) all powers and duties shall be exercised on behalf of and in the name of the council
  - (2) the constitution shall be complied with
  - (3) the right of the Executive to impose further conditions or restrictions on the exercise by officers, or any specified officer, of any delegated power
  - (4) the right of the Executive to exercise any power delegated to an officer, or to issue directions to an officer on the exercise of any power or duty, but the Executive shall not act in either of these ways if:-
    - (a) the officer concerned has already acted in the exercise of the delegated power or
    - (b) to do so would involve or potentially involve the Executive or the council being in breach of any statute, rule of law, or of the rules of natural justice, or would be likely to involve maladministration or
    - (c) any third party rights would be adversely affected or
    - (d) the power is one which has been delegated to an officer because of that officer's professional qualification or expertise and requires for its exercise professional judgement based on that qualification or expertise
  - (5) an officer may decline to exercise her/his delegated power in any case and make a recommendation to the Executive but shall not do so if any third party rights would be adversely affected solely as a result of the officer declining to exercise her/his delegated power

### 6. Amendment to scheme

- 6.1 This scheme may be amended at any time by the Executive.

- 6.2 Nothing in this scheme shall preclude the Executive from revoking an officer's delegated authority (either generally or in respect of specific matters) if the Executive considers that it is necessary to do so urgently in the interests of the council.
- 6.3 In an emergency the Chief Executive shall have authority to exercise the power given to the Executive under paragraph 6.2 above.

## Schedule 1. General delegations to officers

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
All Service Directors and Directors with Statutory Responsibilities	1/001	To award a contract to the person or firm submitting the lowest (or, in the case of income to the council, the highest) or most economically advantageous quotation or tender.	Compliance with Chapter 9 (Contract Procedure Rules) of Standing Orders.
All Service Directors and Directors with Statutory Responsibilities	1/002	To approve final accounts	
All Service Directors and Directors with Statutory Responsibilities	1/003	To implement any decision of the Executive or of any person or body authorised by or under the authority of the Executive or the Executive Leader to take the decision in question	
All Service Directors and Directors with Statutory Responsibilities	1/004	To proceed with any project within the capital or revenue budgets approved by the Executive.	
All Service Directors and Directors with Statutory Responsibilities	1/005	In a case of urgency, to proceed with a project even though the Executive has not approved the project under Chapter 9 (Contract Procedure Rules) of Standing Orders.	Subject to prior consultation with:- (1) the Chief Executive (2) Director of Finance, Revenues and Benefits (3) the relevant Corporate Director and (4) the relevant Portfolio Holder, who shall be informed of the views of the officers referred to at (1) to (3) above

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
All Service Directors and Directors with Statutory Responsibilities	1/006	To undertake consultation, discussion and negotiation relating to all schemes and proposals which are included in the approved capital or revenue budgets.	
All Service Directors and Directors with Statutory Responsibilities	1/007	To use council land and premises in accordance with council policy or as approved by the Executive.	
All Service Directors and Directors with Statutory Responsibilities	1/008	In any case where an enactment provides, authorises or requires a power to be carried out by an authorised officer of the council, to authorise an officer to carry out that power under that enactment and to provide the officer with a warrant of authority, identity card or similar document.	
All Service Directors and Directors with Statutory Responsibilities	1/009	To permit filming or sound recording on council premises in relation to any matter within the Service Director's area of responsibility.	Subject to prior consultation with the council's Director of Citizen Engagement & Legal Services
All Service Directors and Directors with Statutory Responsibilities	1/010	To exercise any power delegated to Service Directors or Chief Officers by Standing Orders, Financial Regulations or the Scheme of Devolved Financial Management.	Any condition or qualification imposed by the Standing Order, Financial Regulation or provision of the Scheme of Devolved Financial Management under which the power is delegated.



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
All Service Directors and Directors with Statutory Responsibilities	1/011	To request the Director of Finance, Revenues and Benefits to write off debts in accordance with Financial Regulations.	Subject to a maximum of £20,000 following consultation with the Director of Finance, Revenues and Benefits.  In excess of £20,000.00 a recommendation to write off may be made jointly with the Director of Finance, Revenues and Benefits.
All Service Directors and Directors with Statutory Responsibilities	1/012	To appoint specialist advisers or consultants in respect of any matter within the Service Director's area of responsibility.	Subject to the relevant budget not being exceeded and procurement rules and regulations being observed.
All Service Directors and Directors with Statutory Responsibilities	1/013	To approve an ex gratia payment to an employee who has suffered physical injury or damage to her/his personal property arising out of her/his employment.	Subject to the payment or payments in relation to a single incident not exceeding £500 or between £500.01 and £1,000 following consultation with the Service Director, Finance and Audit. Any payment over £1,000.01 will require Executive approval.
All Service Directors and Directors with Statutory Responsibilities	1/014	To authorise an employee to undertake a training course and to approve financial assistance for such training.	Subject to the council's policies and procedures and to the relevant budget not being exceeded.
All Service Directors and Directors with Statutory Responsibilities	1/015	To recover (or to waive recovery of) any financial assistance which the council may be entitled to recover from employee who discontinues a training course.	As for Delegation 1/014
All Service Directors and Directors with Statutory Responsibilities	1/016	To offer work experience placements to students.	Subject to the council's policies and procedures and to the relevant budget not being exceeded.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
All Service Directors and Directors with Statutory Responsibilities	1/017	To approve attendance by an employee at any conference relevant to the employee's area of work or professional discipline.	Subject to the council's policies and procedures and to the relevant budget not being exceeded.
All Service Directors and Directors with Statutory Responsibilities	1/018	To take all necessary action to deal with any emergency, whether or not such emergency relates to the Service Director's area of responsibility.	(1) If a Service Director takes any action in an emergency relating to the responsibilities of any other Service Director, or of a Corporate Director or the Chief Executive, (s)he shall, if practicable, consult the relevant Corporate Director or Chief Executive before taking the action and, in any event, shall inform that other Service Director as soon as practicable after taking the action.  (2) Any action taken in an emergency which would otherwise be outside the delegated authority of a Service Director or which involves expenditure for which there is no provision shall be reported to the relevant Corporate Director, to the Director of Finance, Revenues and Benefits and to the Executive at the earliest opportunity.
All Service Directors and Directors with Statutory Responsibilities	1/019	To do anything necessarily incidental to the powers and duties delegated under this Scheme, or to the Service Director's area of responsibility.	
All Service Directors and Directors with Statutory Responsibilities	1/020	To levy any fee or charge and to change the amount of any fee or charge levied.	Where the fee or charge, or the change in the amount of the fee or charge, is prescribed by or under statute or has been approved by or under the authority of the Executive.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
All Service Directors and Directors with Statutory Responsibilities	1/021	To arrange for another officer to carry out any power delegated to that Service Director, either under Schedule 1 or under Schedule 2.	Subject to the other officer having the necessary qualifications and experience to exercise the power delegated.
The relevant Service Director and Directors with Statutory Responsibilities	1/022	To exercise any power delegated under this Scheme to an officer who reports to the relevant Service Director.	The relevant Service Director shall not exercise this power if any of the following apply:- (1) the officer concerned has already acted in the exercise of the delegated power or (2) to do so would involve or potentially involve the Executive or the council being in breach of any statute, rule of law, or of the rules of natural justice, or would be likely to involve maladministration or (3) any third party rights would be adversely affected or (4) the power is one which has been delegated to an officer because of that officer's professional qualification or expertise and requires for its exercise professional judgement based on that qualification or expertise
The relevant Service Director and Directors with Statutory Responsibilities	1/023	To approve an ex-gratia payment to a third party who has suffered loss rising out of the actions of the council.	Subject to the payment in respect of a single incident not exceeding £500 or between £500.01 and £1,000 following consultation with the Service Director, Finance and Audit.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
The relevant Corporate Director	1/024	To exercise any power delegated under this Scheme to a Service Director who reports to the relevant Corporate Director.	The relevant Corporate Director shall not exercise this power if any of the following apply:- (1) the officer concerned has already acted in the exercise of the delegated power or (2) to do so would involve or potentially involve the Executive or the council being in breach of any statute, rule of law, or of the rules of natural justice, or would be likely to involve maladministration or (3) any third party rights would be adversely affected or (4) the power is one which has been delegated to an officer because of that officer's professional qualification or expertise and requires for its exercise professional judgement based on that qualification or expertise.
The relevant Corporate Director	1/025	To approve an ex-gratia payment to a third party who has suffered loss rising out of the actions of the council.	Subject to the payment in respect of a single incident being in excess of £1,000.01 but not exceeding £2,000. Any payment over £2,000 will require the approval of the Executive.
Chief Executive	1/026	To exercise the power delegated to the relevant Corporate Director under delegated power 1/024above.	Subject to the conditions set out in (1) to (4) in relation to Delegation 1/024above.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
The relevant Service Director and Directors with Statutory Responsibilities	1/027	To respond to consultations except where the proposals set out for consultation, if implemented, would result in material and significant change to current models of service delivery or require resources not presently provided for in capital or revenue budgets.	In consultation with the relevant portfolio-holder and the Director of Finance, Revenues and Benefits.
The relevant Service Director and Directors with Statutory Responsibilities	1/028	To identify, instigate, prepare and submit bids for external funding except where the resources required for doing so are not presently provided for in capital or revenue budgets.	In consultation with the relevant portfolio-holder and the Director of Finance, Revenues and Benefits.

## Schedule 2. Specific delegations to officers

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Adult Social Services	2/001	To consider and determine all requests from clients for access to their social services records	Subject to compliance with the provisions of the Data Protection Act 1998 as amended by the Data Protection Act 2018 and General Data Protection Regulations 2018 (GDPR) as amended or replaced by subsequent enactments

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Adult Social Services	2/002	<p>To act as authorised officer for property and affairs deputyships appointed by order of the Court of Protection to conduct the financial and property affairs of elderly and disabled clients in the care of the council, including:-</p> <ol style="list-style-type: none"> <li>(1) making application to the Court for powers, or amendment of powers, to act as a deputy for property and financial affairs.</li> <li>(2) attendance at Court as necessary</li> <li>(3) service of Court documents on clients, their relatives or persons nominated by them</li> <li>(4) complying with the orders of the Court and to conduct the financial affairs of the client in accordance with instructions received</li> <li>(5) collection of all income due to the client and payment of just debts</li> <li>(6) sale of property in appropriate cases</li> <li>(7) investment of surplus funds as necessary</li> <li>(8) completion of Income Tax Returns and checking of assessment</li> <li>(9) making funeral arrangements</li> </ol>	Subject to the Mental Capacity Act 2005 as amended

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Adult Social Services	2/003	To exercise the statutory duties of the Local Authority under Sections 8(1) and Section 20 of the Mental Health Act 1983 in respect of guardianship.	Subject to the Mental Capacity Act 2005 as amended
Director of Adult Social Services	2/004	To procure the provision of residential care or other forms of social care.	Subject to the National Assistance Act 1948, as amended by the Care Act 2014, related Regulations and Guidance.  Up to a limit in any single case of £500,000 per year.
Director of Adult Social Services	2/005	To deal with admissions and discharges from establishments under the management of the council or approved voluntary organisations and transfers between such establishments.	
Director of Adult Social Services	2/006	To deal with assessment and collection of charges from persons accommodated in residential establishments or making use of social services provided by the council, or from the persons liable for their maintenance.	Subject to the Care Act 2014, related Regulations and Guidance.  Amending and dis-applying parts of the National Assistance Act 1948 and guidance issued under 7(1) of the Local Authority Social Services Act 1970.
Director of Adult Social Services	2/007	To deal with the provision of temporary protection for property of persons admitted to hospitals, etc under section 47 of the Care Act 2014.	
Director of Adult Social Services	2/008	To approve the payment of increases in maintenance or residential accommodation	Subject to the Care Act 2014 and related Regulations.  Director of Adult Social Services



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Adult Social Services	2/009	To exercise discretion in waiving or reducing charges to persons accommodated in residential establishments or making use of social care services or facilities provided by the council or to persons liable for their maintenance.	
Director of Adult Social Services	2/010	To arrange for and, if necessary, to instruct the Head of Legal Services to take steps to secure a legal charge against property owned by a person in or to be taken into residential care.	Subject to the Care Act 2014 and related Regulations
Service Director, Neighbourhood Services	2/011	To exercise the council's powers under the Traffic Management Act 2004.	

<p>Service Director, Neighbourhood Services</p>	<p>2/012</p>	<p>To exercise the council's powers in relation to environmental and consumer protection (including licensing) in a relevant enactment, in so far as such powers are the responsibility of the Executive.</p>	<p>1) For the purposes of this delegation 'a relevant enactment' means any of the following enactments or any enactment which amends, re-enacts or consolidates any of the following enactments or any Regulations made under any of the following enactments:-</p> <ul style="list-style-type: none"> <li>• Accommodation Agencies Act 1953</li> <li>• Agriculture (Miscellaneous Provisions) Act 1968</li> <li>• Alkali and Works (Regulations) Act 1954</li> <li>• Animal By-Products (Enforcement) (England) Regulations 2011</li> <li>• Animal Health Act 1981</li> <li>• Animal Health and Welfare Act 1984</li> <li>• Animal Welfare Act 2006</li> <li>• Anti-Social Behaviour Act 2003</li> <li>• Building Act 1984</li> <li>• Cancer Act 1939</li> <li>• Children and Young Persons (Protection from Tobacco) Act 1991</li> <li>• Children and Young Persons Act 1933</li> <li>• Clean Air Act 1993</li> <li>• Clean Neighbourhoods and Environment Act 2005</li> <li>• Companies Act 2006</li> <li>• Consumer Credit Acts 1974 and 2006</li> </ul>
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			<ul style="list-style-type: none"> <li>• Consumer Protection Act 1987</li> <li>• Control of Pollution Act 1974</li> <li>• Copyright Designs and Patents Act 1988</li> <li>• Countryside Act 1968</li> <li>• Courts and Legal Services Act 1990 (Sections 104-107 only)</li> <li>• Crime and Disorder Act 1998</li> <li>• Criminal Attempts Act 1981</li> <li>• Criminal Justice and Police Act 2001</li> <li>• Dangerous Wild Animals Act 1976</li> <li>• Dangerous Dogs Acts 1989 and 1991</li> <li>• Dangerous Dogs (Amendment) Act 1997</li> <li>• Data Protection Act 1998</li> <li>• Development of Tourism Act 1969</li> <li>• Disability Discrimination Act 1995</li> <li>• Dogs Act 1906</li> <li>• Dogs (Fouling of Land) Act 1996</li> <li>• Dogs (Protection of Livestock) Act 1953</li> <li>• Education Reform Act 1988</li> <li>• Energy Acts 1976, 1983 and 2004</li> <li>• Enterprise Act 2002</li> <li>• Environment Act 1995</li> </ul>
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			<ul style="list-style-type: none"> <li>• Environmental Protection Act 1990</li> <li>• Estate Agents Act 1979</li> <li>• European Communities Act 1972</li> <li>• Fireworks Acts 2003 (Section 12)</li> <li>• Food Act 1984</li> <li>• Food and Environmental Protection Act 1985</li> <li>• Food Safety Act 1990</li> <li>• Forgery and Counterfeiting Act 1981</li> <li>• Fraud Act 2006</li> <li>• Gambling Act 2005</li> <li>• Game Licences Act 1860</li> <li>• Ground Game Act 1880</li> <li>• Guard Dogs Act 1975</li> <li>• Hallmarking Act 1973</li> <li>• Hares Act 1848</li> <li>• Health and Safety at Work etc. Act 1974</li> <li>• Highways Act 1980</li> <li>• Health Act 2006</li> <li>• House to House Collections Acts 1939 and 1947</li> <li>• Housing Act 1984</li> <li>• Housing Acts 1985 and 2004</li> <li>• Insurance Brokers (Registration) Act 1977</li> <li>• Intoxicating Substances (Supply) Act 1985</li> <li>• Knives Act 1997</li> <li>• Land Drainage Act 1976</li> <li>• Licensing Act 2003</li> </ul>
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			<ul style="list-style-type: none"> <li>• Litter Act 1983</li> <li>• Local Government Acts 1933, 1972, 1981 and 2000</li> <li>• Local Government and Housing Act 1989</li> <li>• Local Government (Miscellaneous Provisions) Acts 1976 and 1982</li> <li>• Lotteries and Amusements Act 1976</li> <li>• Malicious Communications Act 1988</li> <li>• Medicines Act 1968</li> <li>• Motorcycles Noise Act 1987</li> <li>• Motor Vehicles (Safety Equipment for Children) Act 1991</li> <li>• National Lotteries Act 1993</li> <li>• Noise and Statutory Nuisance Act 1993</li> <li>• Noise Act 1996</li> <li>• Non-automatic Weighing Instruments Regulations 2000</li> <li>• Offensive Weapons Act 1996</li> <li>• Offices, Shops and Railway Premises Act 1963</li> <li>• Open Spaces Act 1906</li> <li>• Petroleum (Consolidation) Act 1928</li> <li>• Petroleum (Transfer of Licences) Act 1936</li> <li>• Poisons Act 1972</li> </ul>
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			<ul style="list-style-type: none"> <li>• Police and Criminal Evidence Act 1984</li> <li>• Police, Factories etc (Miscellaneous Provisions) Act 1916</li> <li>• Pollution Prevention and Control Act 1999 together with the Pollution Prevention and Control (England and Wales) Regulations 2000</li> <li>• Prevention of Damage by Pests Act 1949</li> <li>• Prices Act 1974</li> <li>• Private Security Industry Act 2001</li> <li>• Proceeds of Crime Act 2002</li> <li>• Protection of Animals Act 1911</li> <li>• Protection of Badgers Act 1992</li> <li>• Protection from Harassment Act 1997</li> <li>• Public Health Acts 1936 and 1961 (Section 73 only)</li> <li>• Public Health (Control of Diseases) Act 1984</li> <li>• Refuse Disposal (Amenity) Act 1978</li> <li>• Regulation of Investigatory Powers Act 2000</li> <li>• Removal and Disposal of Vehicles Regulations 1986</li> <li>• Road Traffic Acts 1972, 1988 and 1991</li> </ul>
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			<ul style="list-style-type: none"> <li>• Road Traffic (Consequential Provisions) Act 1988</li> <li>• Road Traffic (Foreign Vehicles) Act 1972</li> <li>• Road Traffic Offenders Act 1988</li> <li>• Scrap Metal Dealers Act 2013</li> <li>• Slaughter Houses Act 1974</li> <li>• Slaughter of Poultry Act 1987</li> <li>• Sunday Trading Act 1994</li> <li>• Theft Act 1968 and 1978</li> <li>• Timeshare, Holiday Product, Resale and Exchange Contracts Regulations 2010</li> <li>• Tobacco Advertising and Promotion Act 2002</li> <li>• Town and Country Planning Act 1990 (in relation to the Control of Advertisements)</li> <li>• Town Police Clauses Act 1847</li> <li>• Trade Descriptions Act 1968</li> <li>• Trade Marks Act 1994</li> <li>• Unfair Contract Terms Act 1977</li> <li>• Unsolicited Goods and Services Acts 1971 and 1975</li> <li>• Vehicle Excise Duty (Immobilisation, Removal and Disposal) Regulations 1997</li> </ul>
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<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
			<ul style="list-style-type: none"> <li>• Video Recordings Acts 1984 and 2010</li> <li>• Violent Crime Reduction Act 2006</li> <li>• Weights and Measures Acts 1976 and 1985</li> <li>• Wildlife and Countryside Act 1981</li> <li>• Zoo Licensing Act 1981</li> </ul>
Service Director, Neighbourhood Services	2/013	To authorise any officer of the council to make purchases of alcohol for the purposes of the discharge of the council's duties under the Licensing Act 2003.	
Service Director, Neighbourhood Services	2/014	To take such action as is necessary for and to authorise any young person or child to make purchases of alcohol for the purposes of the discharge of the council's duties under the Licensing Act 2003.	
Service Director, Neighbourhood Services	2/016	To let market stalls.	
Service Director, Neighbourhood Services	2/017	To act or to authorise another officer of the council to act as the council's Chief Inspector of Weights and Measures and be responsible for the safe custody and maintenance of the council's Local and Working Standards as maintained by the council under the Weights and Measures Act 1985.	
Service Director, Neighbourhood Services	2/018	To operate a Consumer Advice Service.	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Neighbourhood Services	2/019	To recruit (on such basis as the Service Director, Neighbourhood Services may determine) members of the public, including persons under 18 years of age and children, to make test purchases on behalf of the council.	
Service Director, Neighbourhood Services	2/020	To make arrangements, under Section 101 of the Local Government Act 1972, for another local authority to prosecute any person for an offence alleged to have been committed in the Borough of Luton, where the alleged offence is an offence under a statute which the Service Director, Business and Consumer Services has delegated authority to enforce.	
Service Director, Neighbourhood Services	2/021	To make representations on behalf of the council as 'a responsible authority' under the Licensing Act 2003 or the Gambling Act 2005.	
Service Director, Neighbourhood Services	2/021A	To make representations on behalf of the council as a 'responsible authority' under the Licensing Act 2003 or the Gambling Act 2005.	
Service Director, Neighbourhood Services	2/022	To determine the charge to be made for the supply of publications in relation to regeneration and intended to be made available to the public.	
Service Director, Neighbourhood Services	2/023	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Neighbourhood Services	2/024	To enforce the Consumer Rights Act 2015, the Enterprise and Regulatory Reform Act 2013 and the Climate Change Act 2008, in so far as such powers are the responsibility of the Executive.	
Service Director, Neighbourhood Services	2/024(a)	To enforce the following provisions of the Environmental Protection Act 1990.  The unauthorised Deposit of Waste (Fixed Penalties) Regulation 2016 as amended further to the Deregulation Act 2015 - Household Waste: decriminalisation	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Sustainable Development	2/025	To exercise the council's powers in relation to building control contained in a relevant enactment, in so far as such powers are the responsibility of the Executive.	<p>For the purposes of this delegation 'a relevant enactment' means any of the following enactments, any Regulations made under any of the following enactments or any enactment which amends, re-enacts or consolidates any of the following enactments or any Regulations made under any of the following enactments:-</p> <ol style="list-style-type: none"> <li>1) Building Act 1984</li> <li>2) Building Safety Act 2022</li> <li>3) Sustainable and Secure Buildings Act 2004</li> <li>4) Building Regulations 2010</li> <li>5) Safety of Sports Grounds Act 1975</li> <li>6) Fire Safety and Safety at Places of Sport Act 1987</li> <li>7) Regulatory Reform (Fire Safety) Order 2005</li> <li>8) Building (Local Authority Charges) Regulations 2010</li> <li>9) Any enactment relating to building control</li> </ol>
Service Director, Citizen Engagement & Legal Services	2/027	To approve the use, either on payment of, free of charge, of Committee Rooms by approved organisations or bodies.	The delegation does not permit approval of the use of Committee Rooms by political parties.
Head of Development Management	2/028	To determine and issue Certificates of Lawfulness of Existing or Proposed Use or Development	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Development Management	2/029	To determine the charge to be made for the supply of documents intended to be made available to the public in relation to Development Control matters.	
Head of Development Management	2/030	To lodge objections or other representations with the Traffic Commissioners, on planning grounds, to the grant of Heavy Goods Vehicle Operators' Licences if they relate to matters which are contrary to the development plan or to good planning practice.	
Head of Development Management	2/031	To determine the extent of Environmental Statements to be submitted by prospective developers in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.	
Service Director, Children's Operations	2/032	To make and sustain arrangements to promote co-operation between the council and its partner organisations to improve the wellbeing of children in the authority's area under Section 10, Children Act 2004.	Subject to consultation with the relevant Executive Portfolio holder.
Service Director, Children's Operations	2/033	To make arrangements to ensure the authority's functions are discharged having regard to the need to safeguard and promote the welfare of children under Section 11, Children Act 2004.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Children's Operations	2/034	To establish, maintain and operate a database of basic information on all children in the authority or, if the duty to create a database or databases is placed on another body, to participate in its operation under Section 12, Children Act 2004.	
Service Director, Children's Operations	2/035	Under the Children Act 2004, as amended by the Children and Social Work Act 2017 (Section 16), to establish a Local Safeguarding Children Board (LSCB) to co-ordinate and ensure the effectiveness of board members', and partners' activities, for the purpose of safeguarding and promoting the welfare of children in the authority's area.	
Service Director, Children's Operations	2/036	To prepare and publish a Children and Young People's Plan (CYPP) to set out the authority's strategy for discharging their functions in relation to children and young people under Section 17, Children Act 2004.	
Corporate Director, Children, Families and Education Services	2/037	Subject to Regulations, to co-ordinate statements of proposed action in light of a Joint Area Review report, in consultation with partners under Section 20(9)(d) Children Act 2004.	
Corporate Director, Children, Families and Education Services	2/037	Subject to Regulations, to co-ordinate statements of proposed action in light of a Joint Area Review report, in consultation with partners under Section 20(9)(d) Children Act 2004.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Children's Operations	2/038	To arrange for the seconding of at least one children's social worker and at least one education professional to the Youth Offending Team under Section 39(5) of the Crime and Disorder Act 1998.	
Service Director, Children's Operations	2/039	To promote the educational achievement of looked after children under Section 22(3 A) of the Children Act 1989.	
Service Director, Children's Operations	2/040	To provide the Secretary of State, if the council is so directed, with information on individual children under Section 83(4 A) of the Children Act 1989.	
Service Director, Children's Operations	2/041	To approve new Instruments of Government in relation to schools.	
Service Director, Neighbourhood Services	2/042	To cancel excess charge notices issued in relation to car parks, on-street parking and bus lane enforcement.	
Service Director, Property and Infrastructure	2/043	To exercise the powers under Section 14(3) of the Road Traffic Regulation Act 1984 temporarily to prohibit or restrict traffic on roads where urgently necessary owing to the likelihood of danger to the public or of serious damage to the highway.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/044	To issue Notices and Orders under the Road Traffic Regulation Act 1984, in respect of the temporary prohibition of traffic as empowered by the Road Traffic (Temporary Restriction) Act 1991, and authority to make Temporary Orders under the Road Traffic Regulation Act 1984 in relation to Notices issued by the public utilities ('concessionaires') under the New Roads and Street Works act 1991.	
Service Director, Property and Infrastructure	2/045	To invoke procedures to make minor deletions or insertions to existing Road Traffic Regulation Orders and the suspension of experimental Traffic Regulation Orders.	
Service Director, Property and Infrastructure	2/046	To make Road Traffic Regulation Orders under the Road Traffic Regulation (Special Events) Act 1994, to close roads for a temporary period for special events.	
Service Director, Property and Infrastructure	2/047	To approve requests for road adoptions including road classification.	
Service Director, Sustainable Development	2/048	To exercise the powers under Section 78 of the Building Act 1984 relating to dangerous buildings	
Service Director, Property and Infrastructure	2/049	To issue licences under the New Roads and Street Works Act 1991 and, insofar as the function concerned is not the responsibility of any other Service Director.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/050	To introduce Traffic Regulation Orders as necessary to implement Highway Schemes approved by the Executive or schemes required as part of the Development Control process.	
Service Director, Property and Infrastructure	2/051	To determine objections received in relation to proposed Traffic Regulation Orders, where these do not require a Public Inquiry.	After consulting the relevant Portfolio Holder.
Service Director, Neighbourhood Services	2/052	To take such action as is necessary under Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005.	
Service Director, Property and Infrastructure & Service Director, Neighbourhood Services	2/053	To exercise the council's powers under the Traffic Management Act 2004.	
Service Director, Neighbourhood Services	2/053	To exercise the council's powers under the Traffic Management Act 2004.	
Service Director, Neighbourhood Services	2/054	To determine reasonable charges in relation to the commercial waste collection service	
Service Director, Neighbourhood Services	2/055	To waive charges for special collections of bulky household refuse.	
Service Director, Neighbourhood Services	2/056	To waive charges in respect of disposal charges, abandoned vehicle charges	
Service Director, Neighbourhood Services	2/057	To apply for Waste Management Licences for relevant waste management facilities.	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Sustainable Development	2/058	To apply for any necessary planning permissions, to sign Notices required under relevant planning legislation, and to sign any notice under the Environmental Statement Regulations.	
Service Director, Neighbourhood Services	2/059	In relation to waste management facilities, to sign and enter Public Notices in the local media in relation to planning applications, Environmental Statements, Site Licences and Discharge Consents.	
Service Director, Sustainable Development	2/060	To sign waste disposal contracts let under Section 51 of the Environmental Protection Act 1990.	Subject to consultation with the relevant Executive Portfolio holder
Service Director, Sustainable Development	2/061	To agree waste management contract variations up to £30,000.	Subject to consultation with the relevant Executive Portfolio holder
Service Director, Sustainable Development	2/061A	To exercise the powers contained in the following enactments in so far as they relate to the responsibilities of the post-holder and in so far as they are the responsibility of the Executive:-  Local Government Act 1976, section 16;  Housing Act 2004, section 235	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Neighbourhood Services	2/062	To exercise the council's powers contained in the following enactments:-  1) Litter Act 1983 (except those provisions relating to Non-Executive functions)  2) Refuse Disposal (Amenity) Act 1978  3) Environmental Protection Act 1990 - Sections 34, 35, 37, 40, 42, 44A, 45, 46, 47, 48, 49, 50, 51, 52, 55, 59, 60, 63, 75, 87, 88, 89, 90, 91, 95 and Schedule 4  4) Environment Act 1995 - Sections 93, 94 and 95  5) Clean Neighbourhoods and Environment Act 2005 - Sections 3 and 4	
Service Director, Neighbourhood Services	2/063	To determine applications for the temporary use of parks, recreation grounds and open spaces.	Subject to local Ward Councillors being informed.
Service Director, Neighbourhood Services	2/064	To let games areas, etc., at prescribed fees.	
Service Director, Neighbourhood Services	2/065	To issue grants of grave spaces and approval of inscription in Book of Remembrance and Memorials.	
Service Director, Neighbourhood Services	2/066	To instruct a Principal Solicitor to issue and serve directions under Section 77 and to commence proceedings in the Magistrates Court under Section 78 of the Criminal Justice and Public Order Act 1994.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/067	To permit openings in the highway by Statutory Undertakers under the New Roads and Street Works Act 1991.	
Service Director, Property and Infrastructure	2/068	To approve requests for the siting of Home Watch signs on the highway.	
Service Director, Neighbourhood Services	2/069	To let allotments.	
Service Director, Neighbourhood Services	2/070	To serve notice to quit allotments.	
Service Director, Property and Infrastructure	2/071	To approve requests for the hanging of banners in streets.	

<p>Service Director, Property and Infrastructure</p>	<p>2/072</p>	<p>To exercise the council's powers in a relevant enactment in so far as such powers are the responsibility of the Executive.</p>	<p>For the purposes of this delegation 'a relevant enactment' means any of the following enactments or any enactment which amends, re-enacts or consolidates any of the following enactments or any Regulation made under any of the following enactments:-</p> <ul style="list-style-type: none"> <li>• Anti-Social Behaviour Act 2003</li> <li>• Clean Neighbourhoods and Environment Act 2005</li> <li>• Climate Change Act 2008</li> <li>• Control of Pollution Act 1974</li> <li>• Countryside Act 1968</li> <li>• Countryside and Rights of Way Act 2000</li> <li>• Dogs (Protection of Livestock) Act 1953</li> <li>• Environment Act 1995</li> <li>• Environmental Protection Act 1990</li> <li>• Highways Act 1980</li> <li>• Household Waste and Recycling Act 2003</li> <li>• Litter Act 1983</li> <li>• Sections 16 and 41 Local Government (Miscellaneous Provisions) Act 1976</li> <li>• New Roads and Street Works Act 1991</li> <li>• Open Spaces Act 1906</li> <li>• Public Health Act 1936</li> <li>• Public Health Act 1961 (Section 73 only)</li> </ul>
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Officer	Reference Number	Power delegated	Conditions or qualifications to which delegation is subject
			<ul style="list-style-type: none"> <li>• Police and Criminal Evidence Act 1984</li> <li>• Refuse Disposal Amenity Act 1978</li> <li>• Road Traffic Acts 1972, 1981 and 1988</li> <li>• Road Traffic Regulation Act 1984</li> <li>• Road Traffic Regulations (Special Events) Act 1994</li> <li>• Road Traffic (Temporary Restrictions) Act 1991</li> <li>• Town and Country Planning Act 1990 (in relation to the Control of Advertisements)</li> <li>• Waste and Emissions Trading Act 2003</li> <li>• Waste Minimisation Act 1998</li> <li>• Water Industry Act 1991</li> <li>• Wildlife and Countryside Act 1981</li> </ul>
Service Director, Neighbourhood Services	2/073	To approve requests for Grave Maintenance Agreements for 100 years at the cemeteries of the council at the fee contained in the Scale of Charges.	
Service Director, Property and Infrastructure	2/074	To exercise the council's powers under the Traffic Management Act 2004.	
Service Director, Neighbourhood Services	2/075	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Finance, Revenues and Benefits	2/076	To implement the policies set out in the council's Treasury Policy Statement.	
Director of Finance, Revenues and Benefits	2/077	To pay accounts.	
Director of Finance, Revenues and Benefits	2/078	To approve the issue of Notices of Variation to Mortgagors in the light of the determination by the Secretary of State of the Standard National Rate in force from time to time and the local Average Rate of Interest determined by the Executive from time to time whichever is the higher and to determine the rate of interest applicable to mortgages granted prior to 3 October 1980 and mortgages granted by the council.	Subject, in the case of mortgages granted on or after 3 October 1980, to the policy determined by the council at Minute 329/81 being continued.
Director of Finance, Revenues and Benefits	2/079	To make an election to treat as taxable supply land or property in which the council has a legal interest.	
Director of Finance, Revenues and Benefits	2/080	Serve Demand Notices.	
Director of Finance, Revenues and Benefits	2/081	To enter into agreements to receive payments on account of amounts due.	
Director of Finance, Revenues and Benefits	2/082	To take appropriate recovery procedures, e.g. apply to the courts for Liability Orders, Destrainment on Goods, Attachment of Earnings Order, etc.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Finance, Revenues and Benefits	2/083	To approve the write off of debts in accordance with Financial Regulations.	Subject to a maximum of £20,000. In excess of £20,000 a recommendation to write off should be made to the Executive.
Director of Finance, Revenues and Benefits	2/084	To approve payments made for and on behalf of the council.	
Director of Finance, Revenues and Benefits	2/085	To accept on behalf of the council any future grants, subject to the terms and conditions of those grants, where specific acceptance of the grant and its terms and conditions is required.	Subject to prior consultation with the relevant Portfolio Holder.
Service Director, Property and Infrastructure	2/086	To negotiate and to finalise terms for:- 1) the freehold sale of council owned land and premises, and 2) the grant of new leases of land and premises (in excess of 25 years for property held in the investment portfolio and in excess of 10 years for all other property) and to report back to the Executive for approval of the negotiated terms if requested.	Subject to the Executive having approved the principle of such disposal.
Service Director, Property and Infrastructure	2/087	To grant new leases and to approve the terms of such for terms of up to and including 15 years for property held in the investment portfolio and up to and including 5 years for all other property.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/088	To approve terms negotiated for leases, licences etc. of council owned land or premises on the renewal of existing terms.	Subject to consultation with the relevant Executive Portfolio holder.
Service Director, Property and Infrastructure	2/089	To grant new leases on new terms for any term of years on council owned property contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954.	
Service Director, Property and Infrastructure	2/090	To re-negotiate the terms of existing leases for the purposes of maximising income and enhancing capital value.	
Service Director, Property and Infrastructure	2/091	To approve terms negotiated for the acquisition of the freehold or leasehold interest in land or premises.	Subject to the Executive having approved the principle of such acquisition and provision having been made in the approved Capital and/or Revenue Budget.
Service Director, Property and Infrastructure	2/092	To grant licences, easements or tenancies at will for temporary third party use and occupation of council owned property for any period of time.	Subject to local Ward Councillors being informed.
Service Director, Property and Infrastructure	2/093	To grant a wayleave easement or deed of access over council owned land to a third party	
Service Director, Property and Infrastructure	2/094	To negotiate with any lessee of council owned property changes to any absolute clause in the lease in the interests of good estate management.	
Service Director, Property and Infrastructure	2/095	To accept an early surrender of any lease of council owned property in the interests of good estate management or for strategic asset management or regeneration purposes.	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/096	Authority to appoint bailiffs or to take peaceable re-entry of council owned property as part of the debt management strategy.	Subject to any prior judicial proceedings where necessary.
Service Director, Property and Infrastructure	2/097	To dispose of the freehold interest in any council land which is surplus to requirements:-  1) for the purpose of permitting an extension of a garden, where the value is below £100,000, or,  2) with a market value of up to £200,000	
Service Director, Property and Infrastructure	2/098	To  1) release restrictive covenants (where appropriate) on previously owned council land (subject to consultation with the Service Director, Housing where the land in question was previously housing land including Right to Buy sales) and  2) release restrictive covenants (where appropriate) on any land disposed of in pursuance of Delegated Authority 2/097  in either case for the best negotiated consideration up to a value of £100,000 or at nil consideration to avert unnecessary legal action and, to effect this, to enter into any necessary negotiations to agree any terms.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/099	To apply for planning permission for development, re-development or change of use of council owned property, or third party property in connection with proposals or projects to further asset management or regeneration objectives.	
Service Director, Property and Infrastructure	2/100	To negotiate and settle schedules of dilapidations on behalf of the council and landlord or tenant.	
Service Director, Property and Infrastructure	2/101	To secure orders for possession from the County Court for dwellings occupied by council staff under a service tenancy.	
Service Director, Property and Infrastructure	2/102	To negotiate, and enter into energy purchase agreements for Council owned properties..	
Service Director, Property and Infrastructure	2/103	To approve Home Loss Payments in accordance with the provisions of the Land Compensation Act 1973.	
Service Director, Property and Infrastructure	2/104	To make interim payments on acquisition of freehold and leasehold interest.	
Service Director, Property and Infrastructure	2/105	To make payment on account to owners/occupiers of properties included in a compulsory purchase order.	
Service Director, Property and Infrastructure	2/106	To make discretionary payments of up to £500 under the Land Compensation Act 1973, to persons displaced by the council by compulsory purchase, demolition or closing orders, etc.	
Service Director, Property and Infrastructure	2/107	To approve use of the 'Gap', St. George's Square by non-commercial organisations.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Property and Infrastructure	2/108	To approve the use of the Town Hall forecourt for specific events.	
Service Director, Property and Infrastructure	2/109	To process transactions for the buy back of council housing under the Housing Act 2004 (the Right of First Refusal) until they are handed over to the Head of Legal Services.	
Service Director, Property and Infrastructure	2/110	To approve transactions affecting land relating to construction projects which have been approved by the Executive for implementation by the Luton Learning & Community Partnership, QED or Foxhall Homes where these transactions are ancillary to the implementation of those approved projects.	
Service Director, Housing	2/111	To authorise a bailiff to distraint on goods of tenants in arrears with rent.	Subject to prior consultation with the relevant Portfolio Holder and having informed the relevant ward councillors.
Service Director, Housing	2/112	To allocate council housing in accordance with the council's Allocations Policy.	
Service Director, Housing	2/113	To waive the council's requirement for a legal determination of a marriage (divorce or judicial separation or civil partnership) and 'custody' of any children in cases where the Service Director, Housing is satisfied that there is likely to be a delay in securing a court decision and where such a delay would cause the applicant or their family undue hardship.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/114	To offer accommodation on a temporary basis where the need arises due to extensive repair or refurbishment works required to the applicant's existing property.	If any applicant is dissatisfied with the decision of the Service Director, Housing (s)he shall have a right of appeal in writing to the Housing Appeal and Review Panel.
Service Director, Housing	2/115	To approve the erection of garages of approved design within the curtilage of council dwellings.	
Service Director, Housing	2/116	To revise the charges in the list of items rechargeable to tenants every 6 months to take account of any increases in the costs of materials and labour during the intervening period.	Subject to prior consultation with the relevant Portfolio Holder.
Service Director, Housing	2/117	To approve assignments of agreements relating to spaces at the Municipal Caravan Site and to collect the appropriate commission on the sale of a mobile home at the Municipal Caravan Site.	
Service Director, Housing	2/118	To serve notices under the Secure Tenancies (Right to Repair Scheme) Regulations 1985.	
Service Director, Housing	2/119	To implement the deposit scheme on Travellers' site caravan plots and to determine the amount of deposit requested up to a maximum of £200.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/120	To take any action which she/he considers necessary in regard to the management of any land or premises owned or occupied by, or let to, the council whether or not then sub-let by the council to a third party, including, but not limited to, the issuing of any statutory or other legal notice in relation to such land or premises or in relation to any interest in such land or premises, the taking of any steps to obtain possession of such land or premises and the institution of any proceedings in relation to such land or premises.	Provided that prior to the obtaining of actual possession of any land or premises used for residential purposes the Service Director, Housing has given not less than 48 hours notice to each of the councillors for the ward in which the land or premises is situated.
Service Director, Housing	2/121	To chair the Housing Needs Review Panel, or nominate a delegate. To make decisions relating to:-  1) the award of Emergency or Band A priority to housing applicants or  2) to decide where special circumstances merit a departure from the terms of the published Allocations Policy	Subject to a right for the applicant to request a further review of any decision of the Housing Needs Review Panel to the Housing Appeal and Review Panel.
Service Director, Housing	2/122	Where exceptional circumstances, or overriding management requirements, exist to approve offers of accommodation, either in person or through a nominated delegate, outside of the Choice Based Lettings scheme by way of a direct let.	
Service Director, Housing	2/123	To implement the Right of First Refusal provisions of the Right to Buy.	Subject to prior consultation with the Service Director, Fixed Assets.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/124	To take any necessary action in respect of any application for a Demotion Order under the Anti-Social Behaviour Act 2003 and any action subsequent to the grant of such an order.	
Service Director, Housing	2/125	To use Demoted Tenancies as a further method to tackle anti-social behaviour.	
Service Director, Housing	2/126	To agree, where the decision to acquire has to be made within strict time limits, the acquisition of dwellings for housing of applicants for council housing.	Subject to prior consultation with the relevant Portfolio Holder and the Service Director, Fixed Assets.
Service Director, Housing	2/127	To agree the acquisition of dwellings or properties that are:- 1) part owned by the council under shared ownership leases or 2) are former council properties sold under the Right to Buy or 3) required for redevelopment	Subject to prior consultation with the relevant Portfolio Holder.
Service Director, Housing	2/128	To decide on extensions to any temporary or fixed term tenancies.	
Service Director, Housing	2/129	To agree the disposal of stock (homes and garages) where necessary to provide development sites.	Where a development scheme has been approved or authorised by the Executive.
Service Director, Housing	2/130	To nominate registered social landlords to exercise the buy back option on the council's behalf.	Subject to prior consultation with the relevant Portfolio Holder

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/131	Under the Housing Assistance, subject to the availability of resources within the General Fund Capital Programme, to offer such assistance as is authorised thereby and to:- <ol style="list-style-type: none"> <li>1) determine specifications for works</li> <li>2) approve or refuse applications</li> <li>3) make payments</li> <li>4) recalculate or withhold payments</li> <li>5) determine repayment on breach of conditions</li> <li>6) waive conditions regarding payments and</li> <li>7) execute works towards which assistance aid may be paid and any further works necessary through the council's Agency Scheme.</li> </ol>	Subject to a right for the applicant(s) to ask for a review by a Panel of Relevant managers and a subsequent further review by the council's Housing Appeal and Review Panel against any decision of the Service Director, Housing
Service Director, Housing	2/132	To exercise the powers contained in the Housing Grants, Construction and Regeneration Act 1996.	
Service Director, Housing	2/133	To exercise the powers under the Housing Acts 1985 and 1996 to give directions to prevent or reduce overcrowding and for the making of management orders in respect of houses in multiple occupation.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/134	To approve the determination of closing orders under Section 278 of the Housing Act 1985 where the properties in question have been rehabilitated to the required standard.	
Service Director, Housing	2/135	To determine, whether or not an applicant for assistance is entitled to assistance under Part XVI of the Housing Act 1985 and whether a reinstatement grant or an offer of repurchase should be made, and to serve notice admitting or denying the right to assistance, notice of determination to make a reinstatement grant or to repurchase and to administer the payment of reinstatement grant.	Subject to prior consultation with the Service Director, Fixed Assets.
Service Director, Housing	2/136	To administer and determine applications under Section 435 of the Housing Act 1985.	
Service Director, Housing	2/137	To exercise the powers contained in Sections 255 and 256 the Housing Act 2004.	
Service Director, Housing	2/138	To exercise the powers contained in Sections 24, 29 to 31, 34 to 43, 51 to 52, 56, 57, 76, 77, 81, 82 and 84 to 86 (in all cases inclusive) of the Housing Grants, Construction and Regeneration Act 1996.	Subject to the right of any person required to repay any grant paid under any of these provisions because of a breach of any of the conditions subject to which the grant was paid to appeal to the Housing Appeal and Review Panel.
Service Director, Housing	2/139	In exceptional cases to waive the requirement for 2 estimates under Section 2(2)(b) of the Housing Grants, Construction and Regeneration Act 1996.	Subject to prior consultation with the relevant Portfolio Holder.



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/140	In exceptional cases to waive the requirement for ownership, tenancy and/or residency under Section 10(3) of the Housing Grants, Construction and Regeneration Act 1996.	
Service Director, Housing	2/141	To consider and determine oral and written representations against intended action in accordance with the Housing (Fitness Procedures) Order 1996 or under Section 377 A of the Housing Act 1985, or under any subsequent Order made under Section 86 or Section 377 A of the Housing Act 1985.	
Service Director, Housing	2/142	Under the terms of reference of the Luton Home Improvement Agency to make the service available in exceptional cases to persons under 60 years of age.	
Service Director, Housing	2/143	To assess and recover fees and costs incurred in the preparation and service of notices and orders under any of the following provisions:- Sections 10, 11, 20, 21 and 41 of the Housing Act 2004.	After consulting the Service Director, Finance and Audit, or such other officer as may be authorised.
Service Director, Housing	2/144	To approve and administer the giving of mortgages under Part XIV of the Housing Act 1985 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.	
Service Director, Housing	2/145	To take appropriate recovery procedures, e.g. apply to the courts for Liability Orders, Destraint on Goods, Attachment of Earnings Order, etc.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/146	To allocate council housing in accordance with the council's Allocations Policy.	
Service Director, Housing	2/147	<p>To exercise the powers contained in the following enactments in so far as they relate to housing and in so far as they are the responsibility of the Executive:-</p> <ol style="list-style-type: none"> <li>1) Building Act 1984 Sections 59, 64 and 76</li> <li>2) Caravan Sites and Control of Development Act 1960 (Licensing and Regulatory Controls)</li> <li>3) Environmental Protection Act 1990 Section 80</li> <li>4) Housing Act 2004 Parts 1, 2, 3, 4 and 7</li> <li>5) Local Government (Miscellaneous Provisions) Act 1976 Section 16</li> <li>6) Local Government (Miscellaneous Provisions) Act 1982 Section 29</li> <li>7) Prevention of Damage by Pests Act 1949 Sections 4 and 6</li> <li>8) Public Health Act 1936 Sections 45, 48, 49, 50, 51, 52, 83, 84, 85, 140, 141, 259, 268, 284, 285 and 287and</li> <li>9) Public Health Act 1961 Sections 17, 22 and 35.</li> </ol>	
Service Director, Housing	2/148	To take such action as is necessary under the council's Housing Assistance Policy.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/149	To make decisions in relation to persons who apply for housing as being homeless or threatened with homelessness under Part VII of the Housing Act 1996 as amended.	
Service Director, Housing	2/149A	To make decisions in relation to persons who request a review of the decision made in regards to their homelessness application under section 202 Part VII of the Housing Act 1996 as amended	If any applicant is dissatisfied with the review decision of the Service Director, Housing they shall have a right of review in writing to the Housing Appeal and Review Panel except where that applicant seeks to pursue an application for an appeal to the County Court.
Service Director, Housing	2/150	To take any action which she/he considers necessary in regard to the management of any land or premises owned or occupied by the council or let to the council whether or not then sub-let by the council to a third party, including, but not limited, to the issuing of any statutory or other legal notice in relation to such land or premises or in relation to any interest in such land or premises, the taking of any steps to obtain possession of such land or premises and the institution of any proceedings in relation to such land or premises.	Provided that prior to the obtaining of actual possession of any land or premises used for residential purposes the Service Director, Housing has given not less than 48 hours to each of the councillors for the ward in which the land or premises is situated.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/151	To receive and disperse such grants as may be awarded (Ministry of Housing, Communities and Local Government, Local Government Association, Home Office etc) (or its successor(s)) where application is made by the council for funding, or such grant is awarded in respect of the council's duties towards homeless households/threatened with homelessness or prevention of homelessness or asylum seekers accommodated by the council.	
Service Director, Housing	2/152	To discharge the council's duties towards homeless households or households threatened with homelessness in accordance with the council's stated policies.	
Service Director, Housing	2/153	To collect all necessary charges in relation to the provision of temporary or interim accommodation provided under the provisions of the Housing Act 1985, Part III, Housing Act 1996, Part VII, Homeless Act 2002 and Asylum and Immigration Act 1996.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Housing	2/154	To select a partner or partners to manage Houses in Multiple Occupation or any other properties secured through action under Empty Dwelling Management Orders or to receive ownership of any properties acquired following action under a Compulsory Purchase Order and to waive Standing Orders should the contract sum for the management of these properties exceed agreed limits.	After consulting the relevant Portfolio Holder.
Service Director, Housing	2/155	To notify those entitled to assistance in accordance with Section 562 of the Housing Act 1985 (defective dwellings).	
Service Director, Housing	2/156	To notify new applicants to purchase designated dwellings, in accordance with Section 563 of the Housing Act 1985 when serving Form RTB2.	
Service Director, Housing	2/157	To negotiate for the purchase of any property in respect of which a valid Purchase Notice has been served on the council under Section 227 of the Housing Act 1985.	
Service Director, Housing	2/158	To process Right to Buy sales (including procedures such as rent to mortgage or shared ownership) until they are handed over to the Head of Legal Services for legal transfer.	
Service Director, Housing	2/159	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Customer and Organisation Development	2/160	To acquire monitoring data from all departments in order to fulfil monitoring requirements of the Equal Opportunities Strategy in Employment.	
Head of Legal Services	2/161	To terminate, renew and assign leases, except in those cases where an assignment involves a change of use of the land or premises.	At the request of the Service Director, Property and Infrastructure.
Head of Legal Services	2/162	To serve notices under the Dutch Elm Disease (Local Authorities (Amendment)) Order 1971, and, as and where necessary, to execute works in default and to institute proceedings for failure to comply.	
Head of Legal Services	2/163	To apply for the grant or as the case may be, renewal or transfer of any permit in force under Section 34 of and Schedule 9 to the Gaming Act 1968 relating to the provision of amusements with prizes by means of machine.	At the request of the Service Director, Neighbourhood Services.
Head of Legal Services	2/164	To serve appropriate Notices from time to time under the Agricultural Holdings Act 1948, to enable the Service Director, Property and Infrastructure to review the rent of the various agricultural tenancies.	
Head of Legal Services	2/165	To enter into agreements to payment by instalments to reimburse council expenses incurred in executing works in default under the Public Health Acts 1936-1961.	After consulting the Director of Finance, Revenues and Benefits.
Head of Legal Services	2/166	To enter into agreements under Section 38 of the Highways Act 1980 and Section 104 of the Water Industry Act 1991.	After consulting the Service Director, Property and Infrastructure.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Legal Services	2/167	To take the necessary action to make minor adjustments or suspensions under the Advance Payments Code, the Highways Act 1980.	After consulting the Service Director, Property and Infrastructure.
Head of Legal Services	2/168	To implement the legal transfer stage of Right to Buy sales (including procedures such as rent to mortgage or shared ownership).	
Head of Legal Services	2/169	To deal with the procedures defined in Part XVI of the Housing Act 1985 for the repurchase of defective dwellings.	Except those delegated to the Service Director, Property and Infrastructure.
Head of Legal Services	2/170	To determine applications for postponement of discount charges in favour of subsequent mortgages under the Right to Buy or Cash Incentive Scheme.	Subject to a right of appeal to the Housing Appeal and Review Panel.
Head of Legal Services	2/171	To implement the discount repayment provisions of the Right to Buy.	After consulting with the Service Director, Property and Infrastructure and in accordance with the guidance of the Secretary of State subject to a right of appeal in writing on the ground of social and financial hardship to the Housing Appeal and Review Panel.
Head of Legal Services	2/172	To approve assignments of leases of shops.	At the request of the Service Director, Property and Infrastructure.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Legal Services	2/173	To serve notices terminating leases or licences of properties or land where such leases or licences were granted on a short term basis or for periods of less than 3 years and, as appropriate, to instruct the Service Director, Property and Infrastructure to negotiate a renewal of such leases or licences.	At the request of the Service Director, Property and Infrastructure.
Head of Legal Services	2/174	To take steps to secure a legal charge against property owned by a person in or to be taken into residential care.	At the request of the Director of Adult Social Services.
Head of Legal Services	2/175	To use Compulsory Purchase Powers where appropriate for properties which have been empty for a significant amount of time or have potential or actual structural failure or are causing nuisance within the neighbourhood or are infested with rodents or vermin (or a combination of these factors) and cannot be dealt with by the use of the Enforced Sale procedure on long term empty homes where appropriate or the use of Empty Dwelling Management Orders on appropriate dwellings which have been empty for an unreasonable time and are suitable for this action.	At the request of the Service Director, Housing, the Executive having approved use of the Council's CPO powers.
Head of Legal Services	2/175A	To exercise the council's powers in relation to the:  Administration of Justice Act 1970; and the  Solicitors Act 1974  in so far as such powers are the responsibility of the Executive.	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Principal Solicitors	2/176	To prosecute for offences both under statute and at common law and institute proceedings.	In respect of Executive functions.
Principal Solicitors	2/177	To exercise the powers contained in the Local Land Charges Act 1975.	
Principal Solicitors	2/178	To institute proceedings in order to ensure compliance with the Sunday Trading Act 1994	At the request of the Service Director, Neighbourhood Services.
Principal Solicitors	2/179	To issue, serve directions and commence proceedings in the Magistrates Court under Sections 77 and 78, of the Criminal Justice and Public Order Act 1994, where appropriate, take into account the guidance in Department of the Environment Circular 18/94 or any other replacement guidance issued from time to time, and to implement any order of the Magistrates Court obtained.	
Principal Solicitors	2/180	To authorise any officer of the council to appear in Court under the provisions of Section 223 of the Local Government Act 1972.	With respect to Executive functions.
Principal Solicitors	2/181	To make arrangements, under Section 101 of the Local Government Act 1972, for another local authority to prosecute any person for an offence alleged to have been committed in the Borough of Luton, where such an offence is one in respect of which the a Principal Solicitor has delegated authority to prosecute.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Principal Solicitors	2/182	To apply to the Magistrates' Court for Anti-Social Behaviour Orders under the Crime and Disorder Act 1998 and to take action under the Anti-Social Behaviour Act 2003 in accordance with the council's Anti-Social Behaviour Protocol and to take action under the Anti-Social Behaviour Act 2003.	
Principal Solicitors	2/183	To take any action, in any circumstances which she/he considers necessary in regard to any land or premises owned or occupied by, or let to the council, including, but not limited to the issuing of any statutory or other legal notice in relation to such land or premises or in relation to any interest in such land or premises, the taking of any steps to obtain possession of such land or premises and the institution of any proceedings in relation to such land or premises.	
Principal Solicitors	2/184	In cases of rent or site charge arrears, to:-  1) serve Notices to Quit or Notices of Seeking Possession or to make applications to the County Court for permission to terminate site agreements (Municipal Caravan Site)  2) institute proceedings for possession  3) take any other action as necessary	At the request of the Service Director, Housing.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Principal Solicitors	2/185	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder.	
Head of Legal Services	2/185A	To exercise any power delegated to the Principal Solicitors	
Service Director, Education	2/186	The assessment of and provision for pupils with special educational needs under the Education Act 1996.	
Service Director, Education	2/187	To determine whether to provide transport and other facilities for pupils with statements of special educational needs under Section 509 of the Education Act 1996.	
Service Director, Education	2/188	The provision of education at non-maintained schools under Section 18 of the Education Act 1996.	
Service Director, Education	2/189	To assist with the provision of clothing and maintenance under the Education Act 1996.	
Service Director, Education	2/190	To exercise discretion in waiving day nursery charges where hardship would result or in the interest of particular children.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Corporate Director, Population Wellbeing, Corporate Director, Children, Families & Education Services and Corporate Director, Inclusive Economy.	2/191	To apply, or instruct a Principal Solicitor to apply, to the Magistrates Court for Anti-Social Behaviour Orders under the Crime and Disorder Act 1998 in accordance with the council's Anti-Social Behaviour Protocol.	Corporate Director, Population Wellbeing, Corporate Director, Children, Families & Education Services and Corporate Director, Inclusive Economy.
Corporate Director, Population Wellbeing, Corporate Director, Children, Families & Education Services and Corporate Director, Inclusive Economy.	2/191	To apply, or instruct a Principal Solicitor to apply, to the Magistrates Court for Anti-Social Behaviour Orders under the Crime and Disorder Act 1998 in accordance with the council's Anti-Social Behaviour Protocol.	
Director of Citizen Engagement & Legal Services	2/192	To deal with applications for grants under the council's scheme for grant-aid approved voluntary organisations.	
Service Director, Quality and Improvement	2/193	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder.	
Service Director, Education	2/194	The service of school attendance orders and the enforcement of school attendance under Section 437 of the Education Act 1996.	
Service Director, Education	2/195	To apply for an education supervision order under Section 437 of the Education Act 1996.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Children's Operations	2/196	<p>To make discretionary allowances and to meet expenditure in connection with the boarding out of children, as follows:-</p> <ol style="list-style-type: none"> <li>2) to make an additional allowance up to double the basic rate for the age in the case of children requiring special skilled care, children with special needs and difficult children</li> <li>3) to authorise retaining fees to be paid to foster parents when a child is absent in hospital or for some other special reason or</li> <li>4) to make provision for other items of expenditure, e.g. additional fares to school or a bicycle in lieu, fees for playgroup or day nursery, fees for evening classes, school journeys, wedding presents, etc. and to cover expenses incurred because of visits and other contacts with a child's own parents</li> <li>5) to make provision for other items of expenditure, e.g. additional fares to school or a bicycle in lieu, fees for playgroup or day nursery, fees for evening classes, school journeys</li> <li>6) wedding presents, etc. and to cover expenses incurred because of visits and other contacts with a child's own parents</li> </ol>	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Children's Operations	2/197	To approve payments to foster parents in respect of damage or loss sustained by them arising from the actions of children in care.	Subject to no payment exceeding £1,000.
Service Director, Children's Operations	2/198	To approve, or refuse, applications for children looked after by the authority, to be placed in secure accommodation.	
Service Director, Children's Operations	2/199	To consider and determine all requests from clients for access to their social services records compiled prior to 1 April 1985.	
Service Director, Children's Operations	2/200	To approve, or refuse, the registration of residential and day care services under both the Registered Homes Act 1984 and the Children Act 1989.	
Service Director, Children's Operations	2/201	To procure the provision of residential care or other forms of social care.	Up to a limit in any single case of £100,000 per year
Service Director, Children's Operations	2/202	To apply, or instruct a Principal Solicitor to apply, to the Magistrates Court for Anti-Social Behaviour Orders under the Crime and Disorder Act 1998 in accordance with the council's Anti-Social Behaviour Protocol.	Subject to prior consultation with the relevant Portfolio Holder.
Head of Legal Services	2/204	To exercise the council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014 and any subsidiary legislation promulgated thereunder.	
Service Director, Sustainable Development	2/205	To exercise the powers under Section 78 of the Building Act 1984 relating to dangerous buildings.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Sustainable Development	2/206	To approve (including stage and conditional approval) and reject full plans submitted under the Building Act 1984 and the Building Regulations 2010 for the time being in force.	
Service Director, Sustainable Development	2/207	To accept and reject building notices submitted under the provisions of the Building Regulations 2010 for the time being in force.	
Service Director, Sustainable Development	2/208	To accept and reject notices and certificates submitted in accordance with the Building (Approved Inspectors etc.) Regulations 2010 for the time being in force.	
Service Director, Sustainable Development	2/209	To enforce the provisions of the Building (Local Authority Charges) Regulations for the time being in force.	
Service Director, Sustainable Development	2/210	To ensure compliance with the provisions contained within the council's Policy Statement on Building Control and Level of Service	
Service Director, Sustainable Development	2/211	To determine applications for the relaxation/dispensation of the Building Regulations 1985/2010 or any statutory amendment thereof for the time being in force.	
Service Director, Sustainable Development	2/212	To serve notice under Section 32 of the Building Act 1984 declaring plans submitted under the Building Regulations 2010 to be of no effect.	
Service Director, Sustainable Development	2/213	To issue notices under Section 81 of the Building Act 1984 in respect of the demolition of buildings.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Sustainable Development	2/214	To issue Regularisation Certificates in respect of unauthorised building works.	
Service Director, Sustainable Development	2/215	To implement the provisions of the Party Wall etc. Act 1996.	
Service Director, Sustainable Development	2/216	To serve Building Preservation Notices in respect of those buildings identified as meeting the criteria for inclusion in the Statutory List of Buildings of Special Architectural or Historic Interest.	
Service Director, Sustainable Development	2/218	To approve street naming and numbering and the numbering of buildings in streets.	
Service Director, Sustainable Development	2/219	<p>To exercise the council's powers as the Lead Local Flood Authority and SuDS Approving Body under the Flood and Water Management Act 2010:-</p> <ol style="list-style-type: none"> <li>1) to request information from any person in connection with the authorities' floor risk management functions and sanction a person who fails to comply with this request under Sections 14 and 15</li> <li>2) to designate structures or features under Section 30 and Schedule 1</li> <li>3) to carry out works that will or may cause flooding under Section 39</li> <li>4) to carry out works to manage flood risk from surface water, ground water or ordinary watercourse under Schedule 2 (29)</li> </ol>	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Sustainable Development	2/220	To exercise the council's powers under the Countryside and Rights of Way Act 2000.	
Service Director, Customer and Organisation Development	2/221	To purchase equipment required to link with the council's computer information and voice network.	
Director of Finance, Revenues and Benefits	2/222	To institute proceedings for arrears of Council Tax or any other arrears of a similar nature.	
Director of Finance, Revenues and Benefits	2/223	To grant the full discretionary rate relief permissible for up to a maximum period of 8 weeks in respect of applications for relief from charities occupying premises on short term tenancies.	
Director of Finance, Revenues and Benefits	2/224	To determine applications for Discretionary Rate Relief for Charitable Organisations and Community Amateur Sports Groups in accordance with all relevant Policy Frameworks.	
Director of Finance, Revenues and Benefits	2/225	To determine applications for Discretionary Rate Relief where there is Central Government funding in accordance with all relevant Policy Frameworks.	
Director of Finance, Revenues and Benefits	2/226	To determine applications for Discretionary Rate Relief in accordance with the Business Growth Incentive Scheme Policy Framework.	
Director of Finance, Revenues and Benefits	2/227	Serve Demand Notices.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Finance, Revenues and Benefits	2/228	To agree to receive payments on account of amounts due.	
Director of Finance, Revenues and Benefits	2/229	To publish the amount of Council Tax in newspapers.	
Director of Finance, Revenues and Benefits	2/230	To take appropriate recovery procedures, e.g. apply to the Courts for Liability Orders, Destraint on Goods, Attachment of Earnings Order, etc	
Director of Finance, Revenues and Benefits	2/231	To determine applications for discretionary Housing Benefit Payments	Within the permitted total expenditure allowed.
Director of Finance, Revenues and Benefits	2/232	To carry out the proper administration of the recovery and collection of Council Tax.	
Director of Finance, Revenues and Benefits	2/233	To represent the council, and to appoint any other officer to represent the council, at the Bedfordshire Valuation Tribunal.	
Director of Finance, Revenues and Benefits	2/234	To award discretionary rate relief, or reduction or remission of Non-Domestic Rate on the grounds of hardship.	Subject to prior consultation with the relevant Portfolio Holder

<p>Director of Finance, Revenues and Benefits</p>	<p>2/235</p>	<p>To exercise the following powers, in relation to Council Tax under the Local Government Finance Act 1992 and the Council Tax (Administration and Enforcement) Regulations 1992:-</p> <ol style="list-style-type: none"> <li>1) to decide that a dwelling is a chargeable dwelling</li> <li>2) to decide that a person is liable to pay or is exempt from payment of Council Tax</li> <li>3) to decide that a person may be disregarded for the purposes of discount entitlement</li> <li>4) to calculate the amount a person is liable to pay by way of Council Tax</li> <li>5) to issue and serve a completion notice in respect of any new dwelling</li> <li>6) to consider appeals in respect of liability, completion dates, or the amount a person is liable to pay by way of Council Tax, or the imposition of a penalty</li> <li>7) to represent the council at the Bedfordshire Valuation Tribunal</li> <li>8) to impose a penalty in respect of the non-supply of information or the supply of information which the Billing and Recovery Manager believes to be knowingly inaccurate in a material particular</li> <li>9) to quash a penalty imposed under (8) above</li> </ol>	
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		<p>10) to request information from any resident, owner, managing agent or public body for the purposes of identifying liable persons or exempt dwellings</p> <p>11) to supply information to any other billing authority for the purposes of the exercise by them of their functions</p> <p>12) to make enquiries as to whether a dwelling is or has been an exempt dwelling</p> <p>13) to issue and serve demand notices, reminder notices, joint taxpayer notices, penalty notices, adjustment notices, and final notices</p> <p>14) to make alternative agreements for payments other than the statutory instalment scheme</p> <p>15) to collect and receive payments</p> <p>16) to make complaint for the issue of a summons</p> <p>17) to issue and serve summonses</p> <p>18) to request employment and financial information following the issue of a liability order</p> <p>19) to institute legal proceedings in respect of the non-supply of, or the supply of false, employment or financial information</p> <p>20) to make and serve an Attachment of Earnings Order</p> <p>21) to make and serve an order discharging an Attachment of Earnings Order</p>	
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<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
		22) to institute legal proceedings against an employer who fails to comply with an Attachment of Earnings Order  23) to make application for the deduction of sums from income support or job seekers allowance  24) to make an order for the attachment of an elected member's allowances  25) to discharge an order in respect of an attachment of an elected member's allowances  26) to issue and send a Compliance Notice  27) to take control of Goods  28) to apply for the issue of a warrant of commitment  29) to institute bankruptcy or winding up proceedings under the Insolvency Act 1986 and  30) to apply for the imposition of a charging order	

<p>Director of Finance, Revenues and Benefits</p>	<p>2/236</p>	<p>To exercise the following powers in relation to non-domestic rates, under the Local Government Finance Act 1988 and the Non-Domestic Rating (Collection and Enforcement) (Local Lists) Regulations 1989:-</p> <ol style="list-style-type: none"> <li>1) to decide that a person is liable to pay or exempt from payment of occupied or unoccupied Non-Domestic Rates</li> <li>2) to calculate the amount a person is liable to pay by way of non-domestic rates</li> <li>3) to issue and serve a completion notice in respect of any new dwelling</li> <li>4) to require the Valuation Officer to apportion the rateable value of any partly occupied hereditament</li> <li>5) to consider appeals in respect of completion dates</li> <li>6) to represent the council at the Bedfordshire Valuation Tribunal</li> <li>7) to issue and serve demand notices, further (reminder) notices, adjustment notices, and reminder (final) notices</li> <li>8) to make alternative agreements for payments other than the statutory instalment scheme</li> <li>9) to collect and receive payments</li> <li>10) to make complaint for the issue of a summons</li> <li>11) to issue and serve summonses</li> <li>12) to take control of Goods</li> </ol>	
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<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
		13) to apply for the issue of a warrant of commitment  14) to institute bankruptcy or winding up proceedings under the Insolvency Act 1986 and  15) to institute legal proceedings for the recovery of an unpaid sum of Non-Domestic Rates	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Finance, Revenues and Benefits	2/237	<p>To exercise the following powers, in relation to Housing Benefit and Council Tax Benefit overpayments, under the Social Security Administration Act 1992 and the Housing Benefit (General) Regulations 1987:-</p> <ol style="list-style-type: none"> <li>1) to determine the rate of recovery</li> <li>2) to recover overpaid Housing or Council Tax Benefit by deductions from on-going Housing Benefit, arrears of benefit owed, deductions from a landlord's personal benefit, or from the Housing Benefit of tenants unrelated to the overpayment</li> <li>3) to request the recovery of an overpayment from Social Security benefits</li> <li>4) to issue a demand for payment and take subsequent recovery action</li> <li>5) to register an overpayment as an order of court</li> <li>6) to recover an administrative penalty</li> <li>7) to collect and receive payments</li> <li>8) to institute legal proceedings for the recovery of an unpaid overpayment and</li> <li>9) to institute bankruptcy or winding up proceedings under the Insolvency Act 1986</li> </ol>	



<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Education	2/238	To allocate places to children applying for admission to community schools.	
Service Director, Education	2/239	To direct schools to admit children under Sections 96 and 97 of the Schools Standards and Framework Act 1998.	
Service Director, Education	2/240	To determine whether to provide transport and other facilities for pupils other than those with statements of special educational need under Section 509 of the Education Act 1996.	
Service Director, Education	2/241	To make arrangements for the election of school governors under Schedule 11 of the School Standards and Framework Act 1998.	
Service Director, Education	2/242	To appoint a person as a Governor of a Local Education Authority Maintained School, or of such other school or educational institution for which the Local Education Authority is the appointing authority, where in any case a meeting of the body to which the appointment is to be made is scheduled to take place on or before the date of the next ordinary meeting of the Executive.	After consulting the relevant Portfolio Holder.
Director of Public Health	2/243	To take all steps necessary under the council's duties to improve public health.	
Director of Public Health	2/244	To exercise any of the Secretary of State's public health protection or health improvement functions that are delegated to the council either by arrangement or under Regulations.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Public Health	2/245	To exercise any of the Secretary of State's public health functions exercised by the council under Section 7 A of the National Health Service Act 2006 as amended.	
Director of Public Health	2/246	To exercise the council's functions that relate to planning for, or responding to, emergencies that present a risk to public health.	
Director of Public Health	2/247	To co-operate as necessary with any prison service with a view to improving the exercise of functions in relation to securing and maintaining the health of prisoners.	
Director of Public Health	2/248	To write the annual report on the health of the local population.	
Director of Public Health	2/249	Subject to Regulations to formulate the council's public health response under the Licensing Act 2003.	
Director of Public Health	2/250	To take appropriate action with regard to maternity or child health clinics under the Healthy Start and Welfare Food Regulations 2005 as amended.	
Director of Public Health	2/251	To be an active member of the Health and Wellbeing Board, advising on and contributing to the development of the Joint Strategic Needs Assessment and Joint Health and wellbeing Strategy, and commissioning appropriate services accordingly.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Director of Public Health	2/252	To take such action as is reasonably practicable to ensure that:- <ol style="list-style-type: none"> <li>1) steps are taken to protect the health of the local population</li> <li>2) NHS commissioners receive the public health advice they need</li> <li>3) there is appropriate access to sexual health services</li> <li>4) all steps are taken with regard to the National Child Measured programme and</li> <li>5) all steps are taken with regard to the NHS Health Check assessments</li> </ol>	

<p>Director of Public Health</p>	<p>2/253</p>	<p>To take such steps as are reasonably practicable with regard to:-</p> <ol style="list-style-type: none"> <li>1) tobacco control and smoking cessation services</li> <li>2) alcohol and drug misuse services</li> <li>3) public health services for children and young people aged 5-19 (including the Health Child Programme 5-19) (and in the longer term all public health services for children and young people)</li> <li>4) interventions to tackle obesity such as community lifestyle and weight management services</li> <li>5) locally-led nutrition initiatives</li> <li>6) increasing levels of physical activity in the local population</li> <li>7) public mental health services</li> <li>8) dental public health services accidental injury prevention</li> <li>9) population level interventions to reduce and prevent birth defects</li> <li>10) behavioural and lifestyle campaigns to prevent cancer and long-term conditions</li> <li>11) local initiatives on workplace health</li> <li>12) supporting, reviewing and challenging delivery of key public health funded and NHS delivered services such as immunisation and screening programmes</li> </ol>	
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<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
		13) local initiatives to reduce excess deaths as a result of seasonal mortality 14) public health aspects of community safety, violence prevention and response 15) public health aspects of local initiatives to tackle social exclusion and 16) local initiatives on workplace health	
Director of Public Health	2/254	To undertake the day to day management of ring-fenced public health grant provided to the council to discharge its new public health responsibilities	