

**Luton Borough Council Constitution**

**Section 5: Delegations to Officers**

**Part 5 C: Scheme of Delegation (Non-Executive functions)**

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## Section 5: Delegations to Officers

### Part 5 C: Scheme of Delegation (Non-Executive functions)

#### 1. Overview

##### 1. Introduction

- 1.1 The officers of the council shall in respect of Non-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 A 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
- (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)
- (9) **'the general reservations'** means the reservations, conditions and qualifications set out in Paragraphs 5 and 6 of this scheme
- (10) **'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
- (11) **'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
- (12) **'power'** includes any function, power or duty

- (13) **'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
- (14) **'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
- (15) **'the relevant financial year'** means the financial year in which the decision or action in question is taken
- (16) **'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
- (17) **'the relevant Judicial Panel'** means the Judicial Panel responsible for function in question under Part 3 of the Constitution (Responsibility for Functions)
- (18) **'Regulatory Committee'** means one of the following Committees:
- (a) Administration and Regulation Committee
  - (b) Development Control Committee and
  - (c) Licensing Committee
- (19) **'the relevant Regulatory Committee'** means the Regulatory Committee, or a sub-committee of a regulatory committee, having responsibility for the power in question
- (20) **'Schedule 1'** means Schedule 1 to this scheme
- (21) **'Schedule 2'** means Schedule 2 to this scheme
- (22) **'Scheme of Devolved Financial Management'** means the Scheme of Devolved Financial Management referred to in Financial Regulations
- (23) **'Service Director'** means an officer who reports directly to a Corporate Director, or an officer other than a Corporate Director who reports 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
- (24) **'Directors with Statutory Responsibilities'** means an officer who reports to a Corporate Director, or an officer other than a Corporate Director who reports 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
- (25) **'Standing Orders'** means the Standing Orders as set out in Part £ A of the Constitution
- (26) **'the 2000 Act'** means the Local Government Act 2000

2.2 Subject to the definitions in paragraph 2.1 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 column (1) of Part 5 C:Schedule 1 shall have delegated to her/him/them the powers specified in column (3) of Part 5 C:Schedule 1 in relation to each such officer or category of officers.

3.2 For reference purposes each power specified in column (3) of Part 5 C:Schedule 1 shall have the reference number in relation to that power specified in column (2) of Part 5 C:Schedule 1.

3.3 The delegation of any power specified in column (3) of Part 5 C:Schedule 1 shall be subject to any condition(s) or qualification(s) specified in column (4) of Part 5 C: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 column (1) of Schedule 2 shall have delegated to her/him the powers specified in column (3) of Schedule 2 in relation to that officer.

4.2 For reference purposes each power specified in column (3) of Schedule 2 shall have the reference number in relation to that power specified in column 2 of Schedule 2, which reference number shall include, for information purposes only, an indication of the relevant Regulatory Committee, or where relevant, Full Council, using the following key:-

FC = Full Council

AD/REG = Administration and Regulation Committee

DMC = Development Management Committee

LIC = Licensing Committee and

ALL = All Regulatory Committees

4.3 The delegation of any power specified in column (3) of Schedule 2 shall be subject to any condition(s) or qualification(s) specified in column (4) of 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 council and the relevant regulatory committees to impose further conditions or restrictions on the exercise by officers, or any specified officer, of any delegated power

- (4) the right of the council and the relevant regulatory committee 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 council or the relevant regulatory committee 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 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 relevant regulatory committee 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) where an appeal lies against a delegated decision of an officer or where the determination of an application for the grant, renewal, or transfer of a licence or consent is not delegated to an officer, the appeal or, as the case may be, the application will be made to the relevant judicial panel and not to a regulatory committee

## 6. Amendment to scheme

- 6.1 This scheme may be amended at any time by the council.
- 6.2 The relevant regulatory committee may at any time amend Schedule 2 in relation to powers within the terms of reference of that regulatory committee.
- 6.3 Nothing in this scheme shall preclude the relevant regulatory committee from revoking an officer's delegated authority in relation to a power delegated under Schedule 2 (either generally or in respect of specific matters) if the relevant regulatory committee considers that it is necessary to do so urgently in the interests of the council.
- 6.4 In an emergency the Chief Executive:
  - (1) shall have authority to exercise the power given to the relevant regulatory committee under paragraph 6.3 above
  - (2) shall have power to revoke a specific officer's delegated authority in relation to a power delegated under Part 5 C:Schedule 1 if the Chief Executive considers that it is necessary to do so urgently in the interests of the council

## 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 of Standing Orders.
All Service Directors and Directors with Statutory Responsibilities	1/002	To approve final accounts of contracts entered into by the council.	
All Service Directors and Directors with Statutory Responsibilities	1/003	To implement any decision of the council or a regulatory committee or of an officer acting under delegated powers.	
All Service Directors and Directors with Statutory Responsibilities	1/004	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	1/005	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 Director of Citizen Engagement & Legal Services

<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	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.
All Service Directors and Directors with Statutory Responsibilities	1/007	To appoint employees to the council's establishment other than those within JNC related Chief Officer Conditions of Service.	Delegations 1/007to 1/030are subject to compliance with the council's Policies and Procedures, particularly (but not exclusively) the council's Policies and Procedures relating to Recruitment, Redundancy and Redeployment, Organisational Change, Job Evaluation and Equalities and the Single Status Agreement and to the relevant budget not being exceeded in addition to any specific condition or qualification specified below in relation to any of those delegations.
All Service Directors and Directors with Statutory Responsibilities	1/008	To confirm an employee's appointment following any probationary period.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/009	To vary or to carry out a restructuring of the Service's establishment, except where to do so would create a risk of redundancy or of the transfer of staff under the Transfer of Undertakings (Protection of Employees) Regulations.	As for Delegation 1/007and subject to consultation with the Chair of Administration & Regulation Committee, Service Director, Customer and Organisational Development and the Director of Finance, Revenues and Benefits.

<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	1/010	In any case where the Executive, or a person acting on behalf of the Executive, including any officer to whom powers have been delegated by the Executive, has made a decision in relation to an Executive function ('the Executive decision'), to take any and all action in relation to any employee in the Service Director's Service, which is necessary or required to implement, or which is consequent on the Executive decision.	As for Delegation 1/007 and subject to consultation with the Service Director, Customer and Organisational Development
All Service Directors and Directors with Statutory Responsibilities	1/011	To approve honoraria payments to employees for temporary additional duties.	As for Delegation 1/007 and subject to consultation with the Service Director, Customer and Organisational Development
All Service Directors and Directors with Statutory Responsibilities	1/012	To grant special leave to an employee.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/013	To grant unpaid leave to an employee.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/014	To grant an essential or casual user car allowance to an employee.	As for Delegation 1/007 and subject to consultation with the Service Director, Customer and Organisational Development.

<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	1/015	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.	As for Delegation 1/007 and 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 Director of Finance, Revenues and Benefits. Any payment over £1,000.01 will require the approval of the Full Council.
All Service Directors and Directors with Statutory Responsibilities	1/016	To exercise discretion in the starting salary of an employee.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/017	To award an additional increment or additional increments to an employee based on merit and within the employee's grade.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/018	To discipline and dismiss an employee in accordance with the council's Disciplinary Procedure.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/019	To authorise an employee to undertake a training course and to approve financial assistance for such training.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/020	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 1/007
All Service Directors and Directors with Statutory Responsibilities	1/021	To authorise overtime payments to an employee.	As for Delegation 1/007

<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	1/022	To take on additional temporary or casual employees to cover for sickness, leave or peaks of workload.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/023	To approve apprenticeships.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/024	To approve the provision of telephone facilities for an employee required to be on emergency call out.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/025	To offer work experience placements to students.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/026	To approve payments under the council's relocation scheme for new employees.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/027	To approve time off for trade union duties.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/028	To approve attendance by an employee at any conference relevant to the employee's area of work or professional discipline.	As for Delegation 1/007
All Service Directors and Directors with Statutory Responsibilities	1/029	To approve a request from any organisation for an employee to be available for call out duties in normal working hours in the event of an emergency or disaster.	As for Delegation 1/007

<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	1/030	To approve a request from an employee to take on another employment, carry out a business or undertake work, other than work for the council outside of normal working hours.	As for Delegation 1/007 and subject to being satisfied that such employment, business or other work will not conflict with the interests of the council or with the employee's normal duties.
All Service Directors and Directors with Statutory Responsibilities	1/031	To request the Service Director, Housing, to allocate council housing to a new employee on a temporary basis.	
All Service Directors and Directors with Statutory Responsibilities	1/032	To take all necessary action to deal with any emergency, whether or not such emergency relates to the Service Director's area of responsibility.	<ol style="list-style-type: none"> <li>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.</li> <li>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 relevant regulatory committee at the earliest opportunity.</li> </ol>

<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	1/033	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	1/034	To arrange for another officer in her/his Service 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.
All Corporate Directors	1/035	To appoint an interim Service Director or Director with Statutory responsibilities within the relevant Corporate Director's own department.	Subject to the conditions set out in relation to the Chief Executive under Delegation 1/040 Does not apply to the designation of a Monitoring Officer which is a matter reserved to Full Council. Subject to the Chair of Administration & Regulation Committee being informed.

<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 or Director with Statutory responsibilities	1/036	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: <ul style="list-style-type: none"> <li>a) the officer concerned has already acted in the exercise of the delegated power or</li> <li>b) to do so would involve or potentially involve 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</li> <li>c) any third party rights would be adversely affected or</li> <li>d) 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</li> </ul>
The relevant Service Directors or Directors with Statutory Responsibilities	1/037	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 relevant Committee Chair and the Director of Finance, Revenues and Benefits.

<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	1/038	To exercise any power delegated under this scheme to a Service Director or Director with statutory responsibilities who reports to the relevant Corporate Director	The relevant Corporate Director shall not exercise this power if any of the following apply: <ul style="list-style-type: none"> <li>a) the officer concerned has already acted in the exercise of the delegated power or</li> <li>b) to do so would involve or potentially involve 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</li> <li>c) any third party rights would be adversely affected or</li> <li>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</li> </ul>
The relevant Corporate Director	1/039	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 Full Council.
Chief Executive	1/040	To appoint an interim Corporate Director or, within the Chief Executive's own department, an interim Service Director or Director with Statutory Responsibilities (excepting the designation of a person as the Monitoring Officer).	Compliance with the council's established recruitment policies, practices and procedures, and: the relevant budget not being exceeded, and no such appointment being for a period of more than 9 months from the date on which the appointee commences her/his duties, and the Chair of Administration & Regulation Committee being informed.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Chief Executive	1/041	To exercise the power delegated to the relevant Corporate Director under delegated power 1/038above.	Subject to the conditions set out in (a) to (d) in relation to Delegation 1/038
The relevant Service Director and Directors with Statutory Responsibilities	1/042	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.

## Schedule 2. Specific delegations to officers

Officer	Reference Number	Power delegated	Conditions or qualifications to which delegation is subject
Service Director, Neighbourhood Services	2/001 AD/REG	To appoint any person as an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 and to vary or revoke any such appointment.	
Service Director, Neighbourhood Services	2/002 FC	<p>To authorise or permit an officer of the council to be appointed as an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 by any of the following authorities:</p> <ul style="list-style-type: none"> <li>• Bedford Borough Council</li> <li>• Broxbourne Borough Council</li> <li>• Central Bedfordshire Council</li> <li>• Dacorum Borough Council</li> <li>• East Hertfordshire District Council</li> <li>• Hertfordshire County Council</li> <li>• Hertsmere Borough Council</li> <li>• North Hertfordshire District Council</li> <li>• St. Albans City and District Council</li> <li>• Stevenage Borough Council</li> <li>• Three Rivers District Council</li> <li>• Watford Borough Council</li> <li>• Welwyn Hatfield Borough Council</li> </ul> <p>(referred to collectively in Delegations 2/003 and 2/004 as 'the relevant authorities').</p>	

<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	2/003 FC	Under Section 1 of the Local Authorities (Good and Services) Act 1970, to authorise or permit an officer of the council to be appointed as an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 by the Health and Safety Executive within the Borough of Luton or within the area or areas of any of the relevant authorities.	
Service Director, Neighbourhood Services	2/004 FC	To appoint an officer of any of the relevant authorities or an officer of the Health and Safety Executive as an Inspector under Section 19 of the Health and Safety at Work etc. Act 1974 for the purpose of the discharge of any of the council's functions under that Act.	
Service Director, Neighbourhood Services	2/005 FC	Under Section 20(2)(c)(i) of the Health and Safety at Work etc. Act 1974 to authorise a person to accompany an Inspector appointed under Section 19 of that Act.	
Service Director, Neighbourhood Services	2/006 AD/REG	To serve Improvement and Emergency Prohibition Notices Under Sections 10 and 12 of the Food Safety Act 1990.	
Service Director, Neighbourhood Services	2/007 AD/REG	All powers under the European Communities Act 1972 or Regulations made under that Act in relation to food hygiene, food standards, food safety, imported food and animal feed.	

<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	2/008 AD/REG	To serve Statutory Notices in respect of the execution of works in default and recovery and apportionment of expenses arising from the following statutes:-  1) Control of Pollution Act 1974 and  2) Clean Air Act 1993	Delegation 2/008 shall not apply in any case where the Chief Executive or the Head of Legal Services has delegated power to serve such notices.
Service Director, Neighbourhood Services	2/009 AD/REG	To issue permissions for street and house to house collections in accordance with the council's Standard Conditions.	
Service Director, Neighbourhood Services	2/010 AD/REG	Registration of persons and premises for the purpose of carrying on the business of acupuncture, tattooing, ear-piercing and electrolysis.	

<p>Service Director, Neighbourhood Services</p>	<p>2/011 AD/REG</p>	<p>The council's functions powers and duties under the following Acts and any Directives or Regulations made under those Acts together with any other relevant current legislation for the time being in force:</p> <ul style="list-style-type: none"> <li>• Animal Welfare Act 2006</li> <li>• Clean Air Act 1993</li> <li>• Dangerous Wild Animals Act 1976</li> <li>• Environmental Permitting Regulations 2010</li> <li>• Environmental Protection Act 1990</li> <li>• Explosives Regulations 2014</li> <li>• Fireworks Regulations 2004</li> <li>• Fireworks (Safety) Regulations 1997</li> <li>• Gambling Act 2005</li> <li>• Game Act 1831</li> <li>• Guard Dogs Act 1975</li> <li>• Highways Act 1980</li> <li>• House to House Collections Act 1939 and 1947</li> <li>• Housing Act 2004</li> <li>• Licensing Act 2003</li> <li>• Local Government (Miscellaneous Provisions) Act 1976 (Part II)</li> <li>• Local Government (Miscellaneous Provisions) Act 1982</li> <li>• Marriages and Civil Partnerships (approved Premises) Regulations 2005</li> <li>• Petroleum (Consolidation) Act 1928</li> </ul>	<ol style="list-style-type: none"> <li>1) Delegation 2/011 shall not apply in any case where the Chief Executive or the Head of Legal Services or a Principal Solicitor has power delegated to him or her to exercise a function under the legislation referred to.</li> <li>2) The Delegations in relation to the Gambling Act 2005 shall only have effect insofar as no other Delegation is in force in relation to the same matter.</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>
		<ul style="list-style-type: none"> <li>• Police, Factories, etc. (Miscellaneous Provisions) Act 1916 (Section 5 only)</li> <li>• Private Security Industry Act 2001</li> <li>• Public Health (Control of Diseases) Act 1984</li> <li>• Public Health Act 1936 and 1961 (Section 73 only)</li> <li>• Scrap Metal Dealers Act 2013</li> <li>• Slaughterhouses Act 1974</li> <li>• Sunday Trading Act 1994</li> <li>• Town Police Clauses Act 1947</li> <li>• Zoo Licensing Act 1981</li> </ul>	

Officer	Reference Number	Power delegated	Conditions or qualifications to which delegation is subject
Service Director, Neighbourhood Services	2/011A AD/REG	To exercise the Council's powers under the following legislation for the purposes of the relevant functions within the Borough of Luton or within the area or areas of any or all of Bedford Borough Council and Central Bedfordshire Council: <ul style="list-style-type: none"> <li>• Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018</li> <li>• Dangerous Wild Animals Act 1976</li> <li>• Gambling Act 2005</li> <li>• House to House Collections Act 1939 and 1947</li> <li>• Licensing Act 2003</li> <li>• Local Government (Miscellaneous Provisions) Act 1976 (Part II)</li> <li>• Local Government (Miscellaneous Provisions) Act 1982</li> <li>• Police, Factories, etc (Miscellaneous Provisions) Act 1916 (Section 5 only)</li> <li>• Scrap Metal Dealers Act 2013 Town Police Clauses Act 1847 Zoo Licensing Act 1981</li> </ul>	
Service Director, Neighbourhood Services	2/012 AD/REG	To seize and dispose of vehicles used for illegal waste disposal under section 5 of the Control of Pollution (Amendment) Act 1989.	
Service Director, Neighbourhood Services	2/013 AD/REG	To maintain a register under the Medicines Act 1968.	

<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	2/014 AD REG	To refuse acceptance of any application for any licence which is incomplete, filled out incorrectly or outside any formal time limit required by legislation.	
Service Director, Neighbourhood Services	2/015 AD/REG	To determine claims under Smoke Control Orders. Determination of Applications under Section 6 of the Clean Air Act 1968.	
Service Director, Neighbourhood Services	2/016 AD/REG	Approval of prior consents to work on construction sites and conditions to be attached thereto under Section 61 of the Control of Pollution Act 1974.	
Service Director, Neighbourhood Services	2/017 AD/REG	The functions powers and duties of the council in respect of the Environment Act 1995 Part IV and Sections 108 to 110, 113 and 123 of Part V.	
Service Director, Neighbourhood Services	2/018 AD/REG	To issue any licences/certificates and/or make and keep any registration of persons or premises in pursuance of the following Acts and where appropriate collect fees for the issue or variation of such licences and certificates:- <ul style="list-style-type: none"> <li>• Environmental and Safety Information Act 1988</li> <li>• Poisons Act 1972</li> </ul>	
Service Director, Neighbourhood Services	2/019 AD/REG	To take such action as is necessary to comply with the duty imposed on the council by the Vehicles (Crime) Act 2001.	
Service Director, Neighbourhood Services	2/020 AD/REG	Power to enforce against offences under Part 1 Health Act 2006 (smoking restrictions).	

<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	2/021 AD/REG	Power to transfer enforcement functions to another enforcement authority under the Smoke-free (Premises and Enforcement) Regulations 2006.	
Service Director, Neighbourhood Services	2/022 AD/REG	Authority, where sufficient information is available prior to a noisy or pay party to enable an injunction to be obtained including:- <ol style="list-style-type: none"> <li>1) to instruct counsel to take any necessary action</li> <li>2) to take proceedings in the High Court under Section 222 of the Local Government Act 1972 including injunction proceedings and such other action as counsel may advise to prevent within the Borough of Luton any persons from committing or attempting to commit an offence or offences contrary to Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982</li> <li>3) to take proceedings under Sections 80 and 81 of the Environmental Protection Act 1990, including injunction proceedings and such other action as counsel may advise when an offence has been committed under Section 80(4) of the said Act and it is unlikely that proceedings for the offence would afford an adequate remedy in the case of a noise nuisance and</li> <li>4) in interlocutory proceedings to give an undertaking as to damages on behalf of the council where this is specifically required</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, Neighbourhood Services	2/023 LIC	To grant, vary, refuse, revoke or add condition to a site or collector's licence under the Scrap Metal Dealers Act 2013.	Delegation 2/023 is subject to there being no representations made.
Service Director, Neighbourhood Services	2/024 LIC	To ensure the details of all grants, variations, refusals and revocations of scrap metal licences are transmitted to the Environment Agency for entry on the National Register.	
Service Director, Neighbourhood Services	2/042 AD/REG	To serve statutory notices execute works in default, recover and apportion expenses and any other powers and duties of the Council in respect of the Environment Act 1995 Part II, Sections 45, 51 to 57, 59 to 60 and Part IV, 86 to 90, 92, 93, 95 to 99.	
Service Director, Sustainable Development	2/025 AD/REG	To issue, amend or replace safety certificates (whether general or special) for sports grounds under the Safety of Sports Grounds Act 1975.	
Service Director, Sustainable Development	2/026 AD/REG	To issue, cancel, amend or replace safety certificates for regulated stands at sports grounds under Part III of the Fire Safety and Safety of Places of Sport Act 1987.	
Service Director, Sustainable Development	2/061 DC	To determine applications for consents under the Tree Preservation Order Regulations.	
Service Director, Sustainable Development	2/062 DC	To consider and determine applications for Claims for Deemed Consent under the provisions of the Planning (Hazardous Substances) Regulations 1992.	

<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	2/063 DC	To determine applications for consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 for minor works affected Listed Buildings but not extending either the height or floor area of such buildings.	
Service Director, Sustainable Development	2/064 DC	To determine applications for a determination as to whether or not the Local Planning Authority wishes to exercise control over the demolition of a building under the Town and Country Planning (Demolition – Description of Buildings) (No. 2) Direction 1992.	
Service Director, Sustainable Development	2/065 DC	To determine the extent of 'Environmental Statements' to be submitted by prospective developers in accordance with the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988.	After consulting the chair of Development Management Committee.
Service Director, Sustainable Development	2/066 DC	To issue a Retention Notice in respect of any relevant application made under Regulation 5 of the Hedgerow Regulations 1997.	
Service Director, Sustainable Development	2/067 DC	To serve statutory notices, execute works in default, recover and apportion expenses and any other powers or duties of the council in respect of circumstances where the Environment Act 1995 Part II (Section 57) applies (to deal with land which presents an imminent danger or serious danger or serious harm or serious pollution of controlled waters).	After consulting the Service Director, Neighbourhood Services.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Planning	2/027 DC	In relation to any appeal made under the Town and Country Planning Act 1990 or any Regulations or Directions made under that Act, to prepare, submit and present the council's statement including appropriate conditions and, if appropriate, in the case of enforcement appeals, a statement as to whether the council would be prepared to grant permission or consent for the development or works the subject of the appeal.	

<p>Head of Planning</p>	<p>2/028A DC</p>	<p>Save as provided by the provisions contained in Delegation 2/028C DC, 2/028D DC and 2/028E DC, to approve all applications for planning permission, approval and consent (including the imposition of appropriate conditions).</p>	<p>1. Subject to the interpretation at 2 below, the following are excepted from the power delegated under Delegations 2/028A DC:</p> <p>1.1. Applications for outline or full planning permission for residential schemes involving the development of 0.5 hectares or more of land or the erection of 10 dwellings or more.</p> <p>1.2. Change of use of buildings involving the creation of 10 units or more of residential accommodation.</p> <p>1.3. Applications for outline or full planning permission for non-residential schemes involving the development of 1 hectare or more of land or the creation of 1,000 square metres or more of floorspace.</p> <p>1.4. Changes of use involving non-residential accommodation exceeding 1,000 square metres of floorspace.</p> <p>1.5. Where the decision would be contrary to the provisions of the development plan then in force for the area, except in the case of minor variations from approved planning standards (as described in Paragraph 2.1 below).</p> <p>1.6. Where the decision would be contrary to 4 or more written representations from separate addresses or households or to a petition containing 4 or more signatures from separate addresses or households</p>
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			<p>received within the period specified for representations from members of the public (other than the applicant or their agent) having regard to, subject to Paragraph 2.2 below, material planning considerations.</p> <p>1.7. Where a Member requests, in accordance with the Protocol for call-in to the Development Management Committee at Part 6 A of the Council's Constitution, for it to be referred to a meeting of the Development Management Committee for determination.</p> <p>The Member making the request may withdraw it by notifying the Head of Planning in writing no later than two clear working days prior to publication of the Agenda of the Committee meeting.</p> <p>1.8. Where an application for permanent development (i.e. not temporary buildings or structures) has been submitted by or on behalf of the Council or relates to land owned or occupied by the Council which is recommended for approval and which is:</p> <p>a) Subject to a written objection from a consultee or member of the public (where their name and address has been provided) raising, subject to Paragraph 2.2 below, material planning considerations; or</p> <p>b) Is contrary to the development plan.</p>
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			<p>1.9. Where an application has been submitted by or on behalf of a Member or officer of the Council which is recommended for approval and which is:</p> <p>a) Subject to a written objection from a consultee or member of the public (where their name and address has been provided) raising, subject to Paragraph 2.2 below, material planning considerations; or</p> <p>b) Is contrary to the development plan.</p> <p>1.10. Where the decision of the Head of Planning would run counter to an earlier decision or condition imposed by the Development Control Committee in respect of the same site.</p> <p>1.11. Where the decision of the Head of Planning would run counter to the minimum gross internal floor areas set out within the 'Technical Housing Standards – Nationally Described Space Standards' (MHCLG, March 2015) (or subsequent updates or equivalent standards).</p> <p>2. Interpretation</p> <p>2.1. The minor variations referred to in Paragraph 1.5 above are variations to the Council's standards in respect of driveway lengths, the provision of garaging and parking, minimum garden sizes, distances between buildings, etc.</p>
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			<p>2.2. The following shall not be regarded as material planning considerations:</p> <ul style="list-style-type: none"> <li>a) An objection to the principle of development where the proposal is not contrary to the policies of the approved development plan;</li> <li>b) A trade objection which anticipates competition from the proposed development;</li> <li>c) Objections relating to trespass on to the objector's property, inclusive of matters relating to rights of way and shared access;</li> <li>d) Noise and other forms of disturbance arising during and solely as a result of any building operations involved in the development;</li> <li>e) The question of future maintenance of the objector's property, perceived loss of value to an objector's property, drainage and other issues covered by building control procedures;</li> <li>f) Issues which are covered by other legislation and over which planning controls do not exist;</li> <li>g) Alleged unauthorised activities or works directly relating to the proposal under consideration and which might be dealt with through other planning investigations;</li> <li>h) Comments of a wholly personal nature, including opinions of morality and comments which are abusive or discriminatory in nature; or</li> </ul>
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	2/028B DC	Save as provided for in Delegation 2/028D DC and 2/028E DC, to refuse applications for planning permission, approval and consent.	<p>i) The wording or context of proposed advertisements.</p> <p>3. The following are excepted from the power delegated under Delegation 2/028B DC:</p> <p>3.1. Where the decision would be contrary to 4 or more written representations from separate addresses or households or to a petition containing 4 or more signatures from separate addresses or households received within the period specified for representations from members of the public (other than the applicant or their agent).</p> <p>3.2. Where a Member requests, in accordance with the Protocol for call-in to the Development Management Committee at Part 6 A of the Council's Constitution, for it to be referred to a meeting of the Development Management Committee for determination.</p> <p>The Member making the request may withdraw it by notifying the Head of Planning in writing no later than two clear working days prior to publication of the Agenda of the Committee meeting.</p> <p>3.3. Where the decision of the Head of Planning would run counter to an earlier decision or condition imposed by the Development Control Committee in respect of the same site.</p>
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	2/028C DC	<p>To determine the planning applications (including the imposition of appropriate conditions) as follows:</p> <p>(a) To approve any minor material variation to an existing planning permission (Section 73) or nonmaterial amendment application (Section 96A) to an existing planning permission and enter any related planning obligation (Section 106 Agreement);</p> <p>(b) To enter into a planning obligation (Section 106 Agreement);</p> <p>(c) To approve any application to vary an existing Section 106 Agreement (Section 106A) and to enter into that Agreement; and</p> <p>(d) To approve any reserved matters relating to an existing outline planning permission</p>	<p>4. The following are excepted from the power delegated under Delegation 2/028C DC:</p> <p>4.1. Where the decision would be contrary to the provisions of the development plan then in force for the area, except in the case of minor variations from approved planning standards as described in Paragraph 2.1 above.</p> <p>4.2. Where the decision would be contrary to 4 or more written representations from separate addresses or households or to a petition containing 4 or more signatures from separate addresses or households objecting to the application received within, where applicable, the period specified for representations from members of the public (other than the applicant or their agent) having regard to, subject to Paragraph 2.2 above, material planning considerations.</p> <p>4.3. Where a Member requests, in accordance with the Protocol for call-in to the Development Management Committee at Part 6 A of the Council's Constitution, for it to be referred to a meeting of the Development Management Committee for determination.</p> <p>The Member making the request may withdraw it by notifying the Head of Planning in writing no later than two clear working days</p>
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			<p>prior to publication of the Agenda of the Committee meeting.</p> <p>4.4. Where an application for permanent development (i.e. not temporary buildings or structures) has been submitted by or on behalf of the Council or relates to land owned or occupied by the Council which is recommended for approval and which is:</p> <p>a) Subject to a written objection from a consultee or member of the public (where their name and address has been provided) raising, subject to Paragraph 2.2 above, material planning considerations; or</p> <p>b) Is contrary to the development plan.</p> <p>4.5. Where an application has been submitted by or on behalf of a Member or officer of the Council which is recommended for approval and which is:</p> <p>a) Subject to a written objection from a consultee or member of the public (where their name and address has been provided) raising, subject to Paragraph 2.2 above, material planning considerations; or</p> <p>b) Is contrary to the development plan.</p> <p>4.6. Where the decision of the Head of Planning would run counter to the minimum gross internal floor areas set out within the 'Technical Housing Standards – Nationally Described Space Standards' (MHCLG, March</p>
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	<p>2/028D DC</p>	<p>To determine all applications for planning permission, approval or consent (including the imposition of appropriate conditions) as follows:</p> <p>(a) To approve or refuse any application made to discharge a condition relating to an existing planning permission or consent;</p> <p>(b) To approve or refuse any application made for a determination of whether the prior approval of the local planning authority will be required prior to the commencement of that development (prior approval/notification applications); and</p> <p>(c) To approve or refuse any application made for an 'Additional Environmental Approval' (AEA); for variation of the approved hours of construction; or, pursuant to any time-limited COVID-19-related legislation, which may be forthcoming.</p>	<p>2015) (or subsequent updates or equivalent standards).</p>
	<p>2/028E DC</p>	<p>To approve or refuse all applications for temporary planning permission, approval or consent (including the imposition of appropriate conditions).</p>	<p>The following are excepted from the power delegated under Delegation 2/028E DC:</p> <p>5.1. Where the application would be recommended for approval and the decision would be contrary to 4 or more written representations from separate addresses or households or to a petition containing 4 or more signatures from separate addresses or households objecting to the application received within, where</p>

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
	2/028F DC	In the absence of the Head of Planning, the Team Leader – Planning Applications or Team Leader – Strategic Applications may exercise the delegations contained in Delegations 2/028A DC, 2/028B DC, 2/028C DC, 2/028D DC and 2/028E DC.	applicable, the period specified for representations from members of the public (other than the applicant or their agent) having regard to, subject to Paragraph 2.2 above, material planning considerations.
Head of Planning	2/029 DC	To supply copies of all applications for planning permission and plans accompanying such applications at full cost, except to persons or organisations who are unable to inspect the documents by reason of disability or by reason of their being a considerable distance from the Town Hall.	
Head of Planning	2/030 DC	To serve Planning Contravention Notices under Section 171C, and Breach of Conditions Notices in accordance with Section 187A of the Town and Country Planning Act 1990.	
Head of Planning	2/031 DC	To authorise officers of the council to enter on to land in accordance with the terms of the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Planning	2/033 DC	To advertise applications which, if approved, would be contrary to the provisions of the development plan, as required by the Town and Country Planning (Development Plans and Consultation) Directions 1992.	
Head of Planning	2/034 DC	To formulate responses to consultations from other local planning authorities and statutory undertakers.	
Head of Planning	2/035 DC	To issue, serve and where applicable, waive, relax or withdraw enforcement notices, special enforcement notices, stop notices, temporary stop notices, completion notices and notices requiring proper maintenance of land under the Town and Country Planning Act 1990.	
Head of Planning	2/036 DC	To issue and serve and where applicable, waive, relax or withdraw listed building and conservation area enforcement notices, building preservation notices and urgent works notices under the Planning (Listed Buildings and Conservation Areas) Act 1990.	
Head of Planning	2/037 DC	To contest any appeal and the execution of works in default where action has been taken under the Town and Country Planning Act 1990 or the Planning (Listed Buildings and Conservation Areas) Act 1990 under Delegations 2/012 or 2/013 above.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Planning	2/038 DC	To exercise all powers, functions and responsibilities relating to the preservation of trees under sections 197 to 214D of the Town and Country Planning Act 1990 with the exception of a Tree Preservation Order to which an objection has been made and not withdrawn.	
Head of Planning	2/039 DC	To issue requests for information under Section 330 of the Town and Country Planning Act 1990 and the Local Government (Miscellaneous Provisions) Act 1982 (ownership etc. of property) and to take any necessary action in respect of failure to return the information.	
Director of Property and Infrastructure	2/043 AD/REG	To grant permission for the provision of services, amenities, recreation and refreshment facilities on the highway, and related powers, under Sections 115E, 115F and 115K of the Highways Act 1980.	

Director of Property & Infrastructure	2/044A AD/REG	Duty under Section 115G of the Highways Act 1980 to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980.	
	2/044B AD/REG	Power under Section 139 of the Highways Act 1980 (c 66). to permit deposit of builder's skip on highway.	
	2/044C AD/REG	Power under Section 142 of the Highways Act 1980 to license planting, retention and maintenance of trees etc. in part of highway.	
	2/044D AD/REG	Power under Section 147 of the Highways Act 1980 to authorise erection of stiles etc. on footpaths or bridleways.	
	2/044E AD/REG	Power under Section 169 of the Highways Act 1980 to license works in relation to buildings etc which obstruct the highway.	
	2/044F AD/REG	Power under Section 171 of the Highways Act 1980 to consent to temporary deposits or excavations in streets.	
	2/044G AD/REG	Power under Section 172 of the Highways Act 1980 to dispense with obligation to erect hoarding or fence.	
	2/044H AD/REG	Power under Section 178 of the Highways Act 1980 to restrict the placing of rails, beams etc. over highway.	
	2/044J AD/REG	Power under Section 179 of the Highways Act 1980 to consent to construction of cellars etc. under street.	
	2/044K AD/REG	Power under Section 180 of the Highways Act 1980 to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
	2/044L AD/REG	Power under Section 50 of the New Roads and Street Works Act 1991 to grant a street works licence.	
Service Director, Customer and Organisational Development	2/045 AD/REG	To approve terms for the retirement of employees on grounds of permanent ill health within the requirements of the Local Government Pension Scheme and the council's agreed practice.	Subject to obtaining medical advice.
Service Director, Customer and Organisational Development	2/046 AD/REG	To approve extensions of sick pay by up to 3 months.	After consulting the relevant Service Director or Director with Statutory responsibilities
Service Director, Customer and Organisational Development	2/047 AD/REG	To approve payments in lieu of notice where it is inappropriate to require an employee to work her/his notice period.	After consulting the relevant Service Director and the Director of Finance, Revenues and Benefits.
Service Director, Citizen Engagement & Legal Services	2/048 AD/REG	To take such action as is necessary either to add or to remove the name of any person from either the list of Experienced Members or Lay Members able to sit on the Luton Independent Education Admission Appeal Panel or from the list of Members able to sit on the Luton Independent Education Exclusion Review Panel.	
Service Director, Citizen Engagement & Legal Services	2/049 AD/REG	To appoint persons from the relevant list of members to sit on an individual Luton Independent Education Admission Appeal Panel or on an individual Luton Independent Education Exclusion Review Panel.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Service Director, Citizen Engagement & Legal Services	2/050 ALL	To appoint appropriately qualified persons to act as the clerk to the Luton Independent Admission Appeal Panel and to the Luton independent Exclusion Review Panel whether in either case relating to an appeal or review in respect of a maintained school or otherwise.	
Monitoring Officer	2/051 FC	To make minor or consequential amendments to the council's constitution necessary in the interests of clarity, the avoidance of duplication or inconsistency or to bring the documents into line with legislative requirements.	
Monitoring Officer	2/052 FC	To change or amend the constitution pursuant to a resolution of the Full Council authorising him/her to make such changes or changes of a kind specified in the Resolution.	
Monitoring Officer	2/053 FC	To change or amend the constitution to ensure compliance with the law or in the interests of clarity.	
Monitoring Officer	2/054 FC	To change or amend one part of the constitution in consequence of a change or amendment to another part of the constitution.	
Monitoring Officer	2/055 FC	To change or amend the constitution as a matter of record or to reflect a factual or legislative change.	
Monitoring Officer	2/056 FC	To change or amend Part 19 of the constitution to reflect a change in the Management Structure approved by the council or a change in any job title(s) approved by the Full Council or a committee acting under delegated powers.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Monitoring Officer	2/057 FC	To amend Part 5 C of the constitution (the Scheme of Delegation to Officers (Non-Executive Functions)).	Subject to the Monitoring Officer having notified the leaders of the political groups on the council of the proposed change(s) and to all the political group leaders having indicated their support for the proposed change or to no political group leader objecting to the proposed change within 20 working days of the notification.
Principal Solicitors	2/058 ALL	To prosecute for offences both under statute and at common law and institute proceedings.	In respect of Non-Executive Functions.
Principal Solicitors	2/059 ALL	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 Non-Executive Functions.
Principal Solicitors	2/060 ALL	To prepare and issue all notices relevant to the powers contained in 2/030 DC, 2/035 DC, 2/036 DC and 2/039 DC as well as order to deal with matters relating to the preservation of trees contained in 2/038 DC.	Provided that written instructions of the Head of Planning have been received.
Head of Legal Services	2/060A ALL	To exercise any power delegated to the Principal Solicitors	
Service Director, Children's Operations.	2/068 REG	To approve the employment of children.	

<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,  Head of Public Protection,  Head of Neighbourhood Delivery	2/069 REG	To grant, renew, suspend or revoke Hackney Carriage Drivers' Licences and Hackney Carriage Vehicle Licences or to grant, renew, suspend or revoke Private Hire Drivers' Licences, Private Hire Vehicle Licences and Private Hire Operators' Licences.	1) Delegation 2/069 is subject to compliance with the council's Standard Conditions in relation to the grant and renewal of Hackney Carriage Drivers' Licences and Hackney Carriage Vehicle Licences and in relation to the grant and renewal of Private Hire Drivers' Licences, Private Hire Vehicles' Licences and Private Hire Operators' Licences, together in each case with the council's Convictions Policy.  2) Where the Service Manager, Strategic Regulatory Manager (Operational, Compliance and Support) or any other officer to whom any like power is delegated under this Scheme of Delegation or otherwise is unable to make a decision upon a review within 3 months (s)he shall consult with the chair of the Administration and Regulation Committee as to the future conduct of the review.
Head of Public Protection	2/072 LIC	Under the Licensing Act 2003 to refuse personal licences where refusal is mandatory and otherwise to grant them.	A personal licence may only be granted where no objection notice is given by the Police.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Public Protection	2/073 LIC	Under the Licensing Act 2003, power to grant and to vary premises licences and club premises certificates and to issue provisional statements.	Delegation 2/073 only applies where no relevant representations are made.
Head of Public Protection	2/074 LIC	Under the Licensing Act 2003 power to vary a premises licence to specify a new premises supervisor.	Where no Police objection is made.
Head of Public Protection	2/075 LIC	Under the Licensing Act 2003 to grant or reject applications for transfer of premises licences where such grant or rejection is mandatory.	
Head of Public Protection	2/076 LIC	Under the Licensing Act 2003 to decide whether a representation made is irrelevant, frivolous or vexatious.	
Head of Public Protection	2/077 LIC	Under the Licensing Act 2003 to issue to relevant premises users counter notices when permitted limits have been exceeded for Temporary Event Notices.	
Head of Public Protection	2/078 LIC	Under the Licensing Act 2003 to reject any ground for review of a premises licence or club premises certificate if satisfied that the ground is not relevant to one or more of the licensing objectives, the ground is frivolous or vexatious or the ground is a repetition.	After consulting with the Chair and Vice Chair of the Licensing Committee.
Head of Public Protection	2/079 LIC	Under the Licensing Act 2003, to take all necessary action in respect of the exercise of the council's functions with regard to enforcement.	Where no representations under Section 161 of the Gambling Act 2005 are received or where any such representations have been withdrawn.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Public Protection	2/080 LIC	Under the Gambling Act 2005, power to grant applications for premises licences, for variation or transfer of premises licences, and for Provisional Statements.	Where no representations under Section 161 of the Gambling Act 2005 are received or where any such representations have been withdrawn.
Head of Public Protection	2/081 LIC	Under the Gambling Act 2005, power to grant applications for club gaming and club machine permits.	
Head of Public Protection	2/082 LIC	Under the Gambling Act 2005 authority to grant applications for family entertainment centre gaming machine permits, licensed premises gaming machine permits, and prize gaming permits.	
Head of Public Protection	2/083 LIC	Under the Gambling Act 2005 authority to grant applications for the grant or renewal of permits for amusement with prizes gaming machines, commercial amusement with prizes or low stake gaming on alcohol premises under the Gaming Act 1968 as amended by the Licensing Act 2003.	
Head of Public Protection	2/084 LIC	Under the Gambling Act 2005 to set fees where appropriate.	
Head of Public Protection	2/085 LIC	Under the Gambling Act 2005 authority to grant applications for other permits.	
Head of Public Protection	2/086 LIC	Under the Gambling Act 2005 to cancel licensed premises gaming machine permits.	
Head of Public Protection	2/087 LIC	Under the Gambling Act 2005 to serve counter-notices in response to temporary use notices where the maximum permitted period is exceeded.	

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Public Protection	2/088 REG	To approve premises as approved premises for the solemnisation of civil marriages under Section 26(1)(bb) of the Marriage Act 1949 (as amended by the Marriage Act 1994) and The Marriages (Approved Premises) Regulations 1995.	
Head of Public Protection	2/089 REG	To have all the powers of the Proper Officer under the Registration Service Act 1953 and all other relevant enactments with respect to the Registration of Births, Marriages and Deaths.	
Head of Public Protection	2/090 LIC	<p>Under the Gambling Act 2005 to reject applications for the review of premises licences where the grounds on which the review is sought:-</p> <ol style="list-style-type: none"> <li>1) do not raise an issue relevant to the principles to be applied under section 153 Gambling Act 2005</li> <li>2) are frivolous</li> <li>3) are vexatious</li> <li>4) will certainly not cause the Licensing Authority to wish to revoke or suspend the premises licence or to exclude, remove or amend an exclusion or to add, remove or amend a condition</li> <li>5) are substantially the same as grounds specified in an earlier application for review or</li> <li>6) are substantially the same as representations made in relation to the application for the premises licence</li> </ol>	After consulting the Chair and Vice Chair of the Licensing Committee.

<b>Officer</b>	<b>Reference Number</b>	<b>Power delegated</b>	<b>Conditions or qualifications to which delegation is subject</b>
Head of Public Protection	2/091 LIC	To grant, vary, refuse, revoke or add condition to a Site or Collector's Licence under the Scrap Metal Dealers Act 2013.	Delegation 2/091 is subject to there being no representations made.
Head of Public Protection	2/092 LIC	To ensure the details of all grants, variations, refusals and revocations of Scrap Metal Licences are transmitted to the Environment Agency for entry on the National Register.	
Transport Manager	2/093 REG	Under Section 60 of the Local Government (Miscellaneous Provisions) Act 1976 to suspend a Hackney Carriage or Private Hire Vehicle Licence where a vehicle so licensed fails to satisfy the council's technical requirements and, in the opinion of the Transport Manager, is not fit for use as a Hackney Carriage or Private Hire vehicle.	
Director of Finance, Revenues and Benefits	2/094 FC	Authority to approve and return to Central Government the annual National Non Domestic Rates Return (NNDR1 form).	Delegation is subject to prior consultation with the Portfolio Holder for Finance.
Head of Revenues and Benefits	2/095 AUD GOV	The issuance of Administrative Penalties and Civil Penalties under the Council Tax Reduction Scheme (Detection of Fraud and Enforcement)(England) Regulations 2013 as an alternative to prosecution.	
Chief Executive	2/096 AD REG	To appoint Deputy Electoral Registration Officers under Section 52 (2) of the Representation of the People Act 1983	