

Directorate Scheme of Delegations: Children & Education

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to Executive Directors.

This is the Children and Education Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director, Children and Education in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the Council's Constitution, including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director, Children and Education or via changes to the Council and Mayoral Schemes of Delegation.

This Scheme of Delegation will need to be read in conjunction with the Finance Scheme of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated from the Constitution to the Executive Director

Executive functions (part 3.4.B.5 of the Constitution)

'Executive' power rests with the Mayor. They delegate executive power to officers via the Mayoral Scheme of Delegation, which is part of the Constitution. The executive functions delegated to the Executive Director, Children and Education can be found in paragraph 5.2 of the Mayor's Scheme of Delegations.

Non-executive functions (part 3.2. of the Constitution)

'Non-executive' power rests with Full Council. The delegations to officers can be found at Part 3.2C of the Constitution.

Local Choice functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. Those functions delegated to the Executive Director Children and Education can be found in the table at Part 3.3 of the Constitution.

Part 2: Delegations to Officers from the Executive Director

Governance	Post holder authorised to carry out function
Individual performance meetings will be set up in each directorate / division. The relevant director: HR Business Partner and a relevant quality assurance officer (where appropriate) will attend to monitor individual performance (absence management included) measures and actions taken; exception reports will be provided to Executive Director Meetings for senior team scrutiny.	Director Children and Families Services Director Education & Skills
Where an officer has identified a serious issue which could potentially present significant reputational risk to the council, the officer identifying the risk must inform their Director and the Director inform the Executive Director for discussion on next steps, which may include <ul style="list-style-type: none"> - Informing the relevant Lead Member - Informing the Head of Paid Service - Informing the Mayor / head of Mayors office 	All officers

2. Children and Families Services

This scheme of delegation is to be used in conjunction with and to support the Placement and Legal Panel processes.

- *For a child who is 'accommodated' under a section 20 voluntary arrangement ('a looked after child'), the local authority does not have parental responsibility for the child – parental responsibility remains with the parents. However, the authority must*

March 2023

comply with the duties set out in the 1989 Act and with the relevant Regulations. Given the legal context we should work in partnership with parents.

- *Although a Care Order gives the local authority parental responsibility for the child, any person who is a parent or guardian, Special Guardian, or a step parent who has acquired PR through Court Order or agreement also retains their parental responsibility and may continue to exercise it to the extent that their actions are not incompatible with the Care Order (as set out in section 2(8) and section 33(3)(b) of the 1989 Act).*

Function	Post holder authorised to carry out function
Legal Decisions	
Decision to initiate family court proceedings	Legal Panel, following approval to submit by Head of Service
Decisions to issue proceedings in the Court of Protection Signing of applications to court Signing of care plans to court	Legal Panel Service Manager oversight but signed by Team Manager /Practice Lead/Consultant Social Worker and above
Court directed placements	Approved in retrospect via notification to Permanency Panel within one week.
Decision to apply for discharge of care order	Team Manager/Practice Lead/ Consultant Social Worker and above following CIC Review and appropriate consultation with Head of Service and approval at Legal Panel
Planned accommodation under Section 20 Children Act 1989	Head of Service and then ratification at Legal Panel
Unplanned Section 20 accommodation	Head of Service
Application for an Emergency Protection Order	Head of Service
Application for a Child Assessment Order	Legal Panel, following approval to submit by Head of Service
Approval for Secure - Accommodation	Director Children, Families and Safer Communities (must have Secretary of State's agreement if the child is under13 years)
Decision to use secure accommodation without the authorisation of a court (up to 72 hours in aggregate over a 28 day period).	Director Children, Families and Safer Communities (must have Secretary of State's agreement if the child is under13 years).
Decision to end period in Secure Accommodation whilst Court Order is in place.	Director of Children, Families Safer Communities
Decision to place a child on a Care Order or an Interim Care Order at home with parents or person with parental responsibility.	- Head of Service

Application to the Court for authority to refuse contact with a child in care under Section 34(4) Children Act 1989	Area Manager and above
<i>NB Decisions in respect of children who are the subject of Court Proceedings (Civil or Criminal) are not delegated within the department as they remain within the jurisdiction of the Court. Children on a Care Order are those who are on a Care Order</i>	
Functions related to children in need and in need of protection	
Decisions on outcome of referrals and assessments	Consultant Social Worker / Practice Lead / Local Area Designated Officer / Team Manager and above
Responsibility to assess case	Social Worker to assess and-Consultant Social Worker/Team Manager to sign off
Responsibility to call a child's care planning or review meeting	Consultant Social Worker / Practice Lead/ Local Area Designated Officer / Team Manager and above
Chairing of child's care planning (CIN) meeting / Chairing a non CLA review meeting	Consultant Social Worker / Practice Lead / Local Area Designated Officer / Team Manager and above
Decision to close a case or transfer a case to another team	Consultant Social Worker / Practice Lead / Team Manager and above
<p>Section 17 Payments</p> <p>Cash payments may be made to the families of Children in need under Section 17 of the Children Act 1989, limited to emergency/exceptional situations, which are not covered by national income maintenance arrangements:</p> <p>a) Up to £20 per case per annum b) Up to £200 per case per annum c) Up to £2,000 per case per annum d) To make preventative aid payments up to the appropriate foster rate, inclusive of allowances, for a period of 12 months in any one case</p>	Consultant Social Worker / Practice Lead / Team Manager and above
Functions related to child protection	
Authority to exercise all the duties and functions of the Authority under Parts IV and V of the Children Act 1989, sections 31-52 (including section 47 – local authority's duty to investigate) and all other enabling powers with regard to the care, supervision and protection of children and young people, including determining applications for Residence Orders under Section 8 Children Act 1989. This includes:	
Decision to hold Child Protection strategy meeting.	Consultant Social Worker/Practice Lead/Team Manager and above or Deputy Team Manager within First Assessment Service.
Initiate Section 47 Child Protection enquiries including direct work with the family.	Team Manager and above
Conclude Section 47 enquiries.	Team Manager and above
Decision to convene an Initial Child Protection Conference.	Team Manager and above
Decision to hold Review Child Protection Conference out of timescales	Area Manager Head of Service must be

	informed
Chairing of Child Protection Conferences	Child Protection Conference Chair/Head of Service
Cessation of Child Protection Plans	Child Protection Conference recommends. Area Manager /Head of Service case management decision
Risk decision re: DBS Checks	Area Manager /Head of Service
Consent decisions relating to children in care	
<i>Note: the views of child, anybody with PR, carer and Independent Reviewing Officer must always be considered in making consent decisions.</i>	
Authority to exercise all the duties and functions of the Authority with regard to children and young people under Sections 22 to 24D of the Children Act 1989 and all other enabling powers (maintenance, advice, etc.) including making any decisions reasonably necessary for their health and well-being.	Social Worker and above
Authorisation to place a child outside the area of the responsible authority but within the neighbouring authorities.	Area Manager/Through Care Service Manager and above
Authorisation to place a child outside the area of the responsible authority and where that placement is a distant one.	DCS (in line with statutory requirements)
Authorisation of Placement of Children in Care with Parents etc.	Area Manager in consultation with Head of Service with Court approval if care proceedings are ongoing.
Sign Passport Applications as person with parental responsibility.	Team Manager and above
Consent to holidays or trips abroad in school holidays lasting under a month.	Team Manager and above
Consent for a child who is subject to a Care Order to leave the jurisdiction of the Court for more than a month.	Area Manager with written consent of all persons with PR, or leave of the Court.
Consent to seek agreement for a child who is subject to an interim care order or the subject of court proceedings on no order, to leave the jurisdiction of the Court.	Court decision
Consent to support a young person on a Care Order changing their name.	Area Manager/Through Care Service Manager with written consent of all persons with PR or leave of the Court to change surname.
Consent to join the Armed Forces.	Area Manager/Through Care Service Manager and above
Consent to marriage of 16- or 17-year-old on a Care Order.	Director Children, Families and Safer Communities
Consent for 16- or 17-year-old on a Care Order to live independently.	Team Manager and above
Authorisation to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are being placed for adoption	Agency Decision Maker for Adoption
Authorisation to cease being looked after for children (aged	Area Manager/Through

March 2023

0-15 who have been in care over 20 days) who are going home or going to live with family or friends.	Care Service Manager and above
Authorisation of the support plan where a child is to cease being looked after for children (aged 0-15 who have been in care over 20 days) who are subject to special guardianship or child arrangement orders.	Area Manager/Through Care Service Manager and above
Authorisation to cease being looked after for young people aged 16 & 17	DCS in line with statutory requirements
Young person continues to be accommodated after their 18th birthday where in residential provision.	Head of Service
Young person remains in an extended foster placement or a formal 'Staying Put' arrangement.	Head of Service via placement panel
Consent to routine planned health assessments or treatment for looked after children where the Local Authority has parental responsibility.	Delegated to foster carer or children's home as part of Placement Plan.
Consent to common (age-related) health remedies including non-prescription drugs such as ibuprofen and paracetamol.	Delegated to foster carer or children's home as part of Placement Plan.
Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order where the parent agrees	Delegated to foster carer or children's home as part of Placement Plan.
Consent to health assessments, treatment or other interventions including general anaesthetic for a child on a care order where the parent disagrees	Head of Service Director Children, Families and Safer Communities must be informed
Consent to health assessments, treatment or other interventions including general anaesthetic for a child accommodated by the Local Authority which does not have parental responsibility.	Parent or other person with parental responsibility (reasonable effort to secure their agreement is required, However the interests of the child are paramount (see below where parent opposes). In urgent cases seek legal advice if consent is unreasonably withheld. If the child is competent their consent will be sought by health professionals.
Consent to medical interventions to deal with life threatening situations.	Delegated to foster carer or children's home as part of Placement Plan and medics for emergency scenarios.
Where there is a high risk associated with medical treatment or procedure and this is a planned intervention	Head of Service - If the child is competent to do so their consent will be sought by health professionals.
Consent to medical interventions to deal with life threatening situations or where there is a high risk associated with the treatment or procedure where the parent or other persons with parental responsibility oppose the intervention.	Director Children, Families and Safer Communities
Acting as a parent for children subject to care orders for the purposes of sectioning under the Mental Health Act 1983 & 2007	Area Manager or Through Care Service Manager who will seek the views of the nearest relative.

Engagement in potentially hazardous leisure or sports activity.	Delegated to foster carer or children's home as part of Placement Plan. Consent from parents much be sought, and Head of Service advised.
Decisions about staying with friends overnight.	Delegated to foster carer or children's home as part of Placement Plan.
Decisions about contact arrangements.	Consultant Social Worker / Practice Lead (in consultation with IRO) or delegated to foster carer or children's home as part of Placement Plan.
Decisions about looked after children under 16 subject to a care order having non-intimate body piercing.	Delegated to foster carer or children's home as part of Placement Plan.
Agreement that long term fostering is the plan for the child.	Consultant Social Worker / Practice Lead in consultation with IRO Ratification of s20 at Legal Panel
Agreement that foster placements are permanent placements for looked after children.	Agency Decision Maker Fostering via Permanency Panel
Decision to consent to looked after children's photographs being used in external publications	Consent from the person with PR, Service Manager and the child.
Decisions re DBS disclosures on Family and Friends, Foster Carers and SGO carers	Area Manager or Through Care Service Manager
Consent to use publicity for child missing from care	Agreed via Missing Procedures by Consultant Social Worker / Practice Lead with Police must alert Area Manager, Director to brief Executive Director Children and Education, Members and Media Team
Delay outside stat. time for LAC REVIEWS	Service Manager Director Children, Families and Safer Communities must be informed
Authorise Care Plans and Pathway Plans	Practice Lead / Consultant Social Worker
Fostering and adoption agency decisions	
Fostering Agency Decision Maker	Service Manager – Placement Services Through Care Service Manager – Service Manager DCSS
Approval of new Foster Carers	Fostering Agency Decision Maker
Approval of Foster Carers following first annual review	Fostering Agency Decision Maker
Continued approval of foster carers following subsequent reviews (unless referred to Fostering Panel)	Fostering Agency Decision Maker

March 2023

Authorise emergency placements out of the foster carers terms of approval	Fostering Team Manager
Permanent change of approval	Fostering Agency Decision Maker
Temporary Approval of Foster carers (Regulation 24)	Fostering Agency Decision Maker
Approving adopters as Foster to Adopt carers	Adoption West – Regional Adoption Agency
Termination of Foster Carers Approval	Fostering Agency Decision Maker
Adoption Agency Decision Maker	Head of Service – Permanency and Specialist Services
Approval of new Adopters	Adoption West – Regional Adoption Agency
Approval of the plan for a child to be adopted	Adoption Agency Decision Maker
Approval of a match between a child and adopters	Adoption Agency Decision Maker
Revocation of the plan for a child to be adopted	Adoption Agency Decision Maker
Decision to pay an adoption allowance or lump sum payment	Adoption Business Manager/Area Manager
Review of adopters' approval (unless review at panel)	Adoption West – Regional Adoption Agency
Revocation of adopters' approval	Adoption Agency Decision Maker
Placement Decisions	
Agreement to search for Independent Children's Home/In-house Children's Home	Head of Service Permanency & Specialist Services
Agreement to place in Independent Children's Home	Director Children, Families and Safer Communities
Agreement to place with Independent Fostering Agency	Head of Service – Permanency & Specialist Services
Parent and child assessment placement.	Head of Service Permanency & Specialist Services
Specialist leaving care accommodation (ESA)	Head of Service Permanency & Specialist Services
B&B/Emergency accommodation	Head of Service Permanency & Specialist Services / Head of Services Safeguarding & Quality Assurance Director Children, Families and Safer Communities must be informed
Authorisation to place a child under 16 in an unregistered children's home	Executive Director Children and Education (DCS)
Disabled Children	
Agreement to provide a short breaks personal budget for disabled child	Service Manager - DCSS (Band 6 or above)

	Case Discussion Forum (up to Band 5) Team Manager Families in Focus/Personal Budgets (up to Band 4)
Agreement to request overnight short-break service for a disabled child	Head of Permanency & Specialist Services Service / Service Manager Disabled Children's Service
Agreement to provide Inclusive Play Provision funding to enable settings to meet needs of a specific child	Team Manager, Families in Focus / Service Manager Disabled Children's Service
Notifications	
Death of a child in care <ul style="list-style-type: none"> - If 'out of hours' EDT will inform the Director or DCS (Executive Director Children and Education) if Director unavailable: each will ensure the other is informed - Inform parents - Director will notify the lead member & Executive Director Children and Education (DCS) - Director will notify the relevant Head of Service - Team Manager - Head of Service - Director of Education and Skills (director will inform the child's education setting and Education Psychology service to provide support) will notify Ofsted/QA 	Director Children, Families and Safer Communities Safeguarding and Quality Assurance Manager
<ul style="list-style-type: none"> - Social Work England Disciplinary / suspension notifications - Concerns regarding safety to practice (ex-staff members) 	Director Children, Families and Safer Communities Executive Director Children and Education must be informed
Ofsted notifications <ul style="list-style-type: none"> - Serious incident(s) - Child Safeguarding Practice Reviews – decision to commission - Child Safeguarding Practice Reviews – publication date 	Director Children, Families and Safer Communities Executive Director Children and Education must be informed Director Children, Families and Safer Communities following discussion at Keeping Bristol Safe Partnership Board
General administration	
Complaints Complaints are to be managed in accordance with the Department's Complaints Procedure, in consultation with the Complaints Manager Stage 1: review Stage 2: an investigation with an independent person overseeing it. Stage 3: a review panel with an independent chair	See Complaints Procedure Team Manager/ Senior Practitioner Head of Service Director Children, Families

Complaints against Children & Young People's Social Care Services: Complaints are to be managed in accordance with Children's Act 1989 Representations Procedure (England) Regulations 2006, in consultation with the Complaints and Representations Officer	and Safer Communities
Education Decisions regarding Children in Care Should be discussed at Personal Education Plan Meetings (PEPs) wherever possible	
Agreement on school placement for those entering the school system. – Social Worker should apply to nearest good or better OFSTED rated school where accessible or discuss with the Virtual School Head	Social Worker in Collaboration with the Head of the Virtual School
Consultation on Early Years Placement (Childminder, Nursery or Children's' Centre Placement) should have good or better OFSTED unless none such is accessible, then to be discussed with the Virtual School Head	Social Worker in collaboration with / Head of the Virtual School/Head of Learning City
Agreement on school placement for those pupils in transition between key stages where the current school is unable to continue to educate the child (e.g. Between Primary and Secondary School)	Social Worker Virtual School Year group lead/ Head of the Virtual School
Agreement to change a child's school, e.g. due to a care placement move, new to care	Team Manager (Social Care) Virtual School lead/ Head of the Virtual School
Any Planned school move for a pupil in KS4 cannot be agreed without specific permission from Virtual School Head and Service Director	Head of the Virtual School/ Director Education & Skills on behalf of DCS
LAC Pupil Premium Spend – At the PEP meeting to be approved/ Quality Assured by the Virtual School Head	Head of the Virtual School
Exceptional Permission for Absence in Term time (half a day or more) - Only if Short, unavoidable, and rare.	Head of the Virtual School and Head of Permanency and Specialist Services for approval
Permission for a reduced/ reintegration/transition timetable (any timetable that is less than the statutory required hours (include) - School to submit paperwork to the VSH	Head of the Virtual School
Repeating a school year or placing child in year group not their chronological age.	Agreement required from Education Psychologist & Head of the Virtual School
Exclusions from School – Risk of Permanent Exclusion from School see flowchart	School Headteacher Head of the Virtual School
Safer City	
Ensure BCC meets duties and responsibilities for Community Safety and Crime and Disorder (Legislative)	Director Children, Families and Safer Communities Head of Service Permanency, Specialist Services and Safer Communities Safer Communities Manager
Ensure Bristol meets duties for preventing extremism through Prevent and Channel programs	Director Children, Families and Safer Communities Head of Service Permanency, Specialist Services and Safer

	Communities Safer Communities Manager
Possession action and injunctions against BCC tenants (Housing Act 1985)	Head of Housing Management and Estates Safer Communities Manager Deputy Manager, Safer Communities ASB Officers
Ex. Parte injunctions against BCC tenants (Housing Act 1985)	Head of Housing Management and Estates Safer Communities Manager Deputy Manager, Safer Communities ASB Officers
ASB Tools and powers (ASB and Policing Act 2014) - Fixed Penalty Notices - Community Protection Notices	Director Children, Families and Safer Communities Head of Service Permanency, Specialist Services and Safer Communities Safer Communities Manager Deputy Manager, Safer Communities ASB Officers
Modern Slavery	
Duty to notify Home Office of suspected case of modern slavery Duty to co-operate with anti-slavery commissioner	Safer Communities Manager Safer Communities Manager

3. Education and Skills

Function	Post holder authorised to carry out function
Schools Finance	
Education Provision In consultation with schools and partners, develop and implement an Integrated Education and Capital Strategy, consulting with the Learning City Partnership, at the discretion of the director, distributing capital funding to schemes on the basis of need and in accordance with any regulations regarding the use of funding grants.	Executive Director, Children and Education Director, Education & Skills Major Projects Manager (Place)
Schools Forum In accordance with s47A of the 2002 Education Act, establish and maintain a Schools Forum to advise and agree proposals as prescribed in regulations, on the constitution of the forum and the distribution of money between schools and how much should be sent on certain LA-wide functions.	Director Education & Skills Director Finance
Fair Funding Formula	Director Education & Skills

In consultation with schools and Schools Forum, to determine each school's budget share through the development and implementation of a local Fair Funding Formula, subject to any statutory requirements, including reference to the Schools Regulations 2012.	Finance Business Partner – Children and Education
Schools Budget Setting Set school budgets in accordance with regulations, including those relating to minimum school budgets and 'passporting' targets.	Finance Business Partner – Children and Education
Schools Budget Submission to Secretary of State In accordance with paragraph 66 of schedule 7 to the Local Government Act 2003 submit to the Secretary of State the proposed Schools Budget as required	Director Finance Finance Business Partner – Children and Education
Budget Statements To manage the delegation of budget shares to schools, produce a financial statement before the beginning of each financial year ('the budget statement') and after the end of each financial year ('the outturn statement') in accordance with s.52 of the 1998 Act and other related regulations	Director Finance Finance Business Partner – Children and Education
Audit dates to Secretary of State In accordance with the Consistent Financial Reporting (England) Regulations) 2003 to report to the Secretary of State each schools' audit date by the August following the end of the financial year.	Chief Internal Auditor
Notice of Concern	Director Education & Skills and above
Staffing and Finance In accordance with S.35(7) of the Education Act 2002 the arrangement for staffing of schools without delegated budgets shall be determined by the LA.	Director Education & Skills
Suspension of Delegation of Budget	Executive Director Children and Education Finance Business Partner – Children and Education
School Admissions	
Admissions arrangements for maintained schools Subject to the Education (Determination of Admissions Arrangements) (England) Regulations 1999 as amended by the Education (Determination of Admissions Arrangements) (Amendment) (England) Regulations 2002 relating to maintained schools: a) Consult annually about admissions arrangements with governing bodies of admissions authorities of schools. b) Where there are within year variations to (except in a case where their proposed variations fall within any descriptions of variations prescribed – see Education (Variations of Admissions Arrangements) (England) Regulations 2002) refer the proposed variations to the adjudicator and notify the bodies whom it consulted of the proposed variations. Where the LA is the admissions authority for the school, to consult with the governing body before making a reference to the adjudicator. c) When determining admissions arrangements for schools for which the authority is the admissions authority,	Head of Learning City

<p>include determination of the number of pupils in each relevant age group that it is intended to admit to the school in that year, taking into consideration the current capacity of the school and its indicated admission number.</p> <p>d) Where the authority determines an admission number for a relevant age group which is lower than the school's indicated admission number, the authority must undertake additional publication (reg.9 of the 1999 Regulations) of a statutory notice.</p> <p>e) Adoption of the Annual Admissions Policy</p>	
<p>Admissions arrangements for nursery schools and early years settings To determine the admissions policy for Local Authority nursery schools and classes and disseminate to schools</p>	Head of Learning City
<p>Direction to admit a child to a named school To exercise on behalf of the Authority the power under section 98 of the 1998 Education Act to give direction to a governing body that a child be admitted to a named school within the Authority's area.</p>	Director Education & Skills
<p>Coordinated admissions schemes To comply with any requirements made by the Secretary of State to implement a scheme for co-ordinated arrangements for admissions in accordance with section 202 Education Act, Education (co-ordination of Admissions Arrangements) (Primary Schools) (England) Regulations 2002 as amended by the Education (Co-ordination of Admissions Arrangements) (Primary Schools) (England) (Amendment) Regulations 2003, and the Education (co-ordination of Admissions Arrangements) (Secondary Schools) (England) Regulations 2002.</p>	Head of Learning City
<p>Individual pupils and admissions appeals panels To administer arrangements for the admission of individual pupils to primary and secondary schools, including designated areas and other relevant factors and to present the case on behalf of the Authority to admission appeals panels.</p>	School Admissions Lead
<p>Functions related to school governance</p>	
<p>Determination of school term dates In the case of Local Authority, Voluntary Controlled and Special Schools, including residential schools, to determine school term dates after appropriate consultation.</p>	Director Education & Skills
<p>Changing the character of a school To authorise commencement of consultation process to change the character of a school prior to formal report to Cabinet. (Education and Inspection Act 2006)</p>	Director Education & Skills
<p>Instruments of governance: To approve instruments of governance for schools.</p>	Director Education & Skills
<p>Additional governors: To appoint additional governors to schools in special measures</p>	Director Education & Skills
<p>Exercising any human resources, personnel or staffing</p>	Director Education & Skills

functions in relation to schools maintained by the Local Authority that are not exercised by school governing bodies in line with the Education Act 1996 and s.142 of the Education Act 2002.	
<p>Maintained settings - Selection of Headteachers and other teaching staff</p> <p>To provide advice to schools at all proceedings relating to the selection of a headteacher, and of other teaching staff where required.</p>	Head of Learning City and above
<p>Maintained settings - Dismissals and appeals:</p> <p>To implement decisions for governing bodies of schools relating to the determination of potential dismissals and any subsequent appeals against such dismissals, which are within the Authority's powers to determine.</p>	Director Education & Skills
<p>Voluntary Aided and Foundation schools - Representations regarding appointment of Headteacher or Deputy Headteacher:</p> <p>Where the governing bodies of voluntary aided or foundation schools notifies the LEA of the intention to appoint a person to the post of headteacher or deputy headteacher the chief education officer will make written representation within 14 days if the applicant is not suitable for appointment.</p>	Director Education & Skills Head of Learning City
Functions related to school attendance	
<p>Education out of school</p> <p>To exercise the powers and duties of the Authority as set out in Section 19 of the 1996 Education Act in respect of making arrangements for the provision of suitable education at school or otherwise for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made.</p>	Head of Inclusive City
<p>Enforcement action relating to non-attendance</p> <p>To authorise any proceedings necessary to enforce any enactment relating to the non-attendance of pupils at school, or education other than at school with reference to the Education Act 1996 and the Anti-social Behaviour Act 2003.</p>	School Improvement Attendance Officers (Educational Welfare)
Functions related to school curriculum	
<p>Requirements for the curriculum</p> <p>Under s.79 of the Education Act 2002, to ensure that every school it maintains (including nursery schools and nursery education funded through the LEA) meets the general requirements for the curriculum in particular the National Curriculum (which now includes the Foundation Stage) and religious worship.</p>	Director Education & Skills
<p>Monitoring delivery of the curriculum</p> <p>To monitor the way in which the assessments and foundation stage profiles are being conducted by teachers to ensure consistency and proper implementation of the statutory provisions (The Education (National Curriculum) (Foundation Stage Profile Assessment Arrangements) (England) Order 2003).</p>	Director Education & Skills Early Years – Leads /Managers Head of Learning City
<p>Complaints relating to the curriculum</p> <p>In accordance with arrangements approved by the Secretary of State under the Education Act 1996 (s.409) to investigate complaints concerning alleged failures of</p>	Director Education & Skills Head of Learning City

schools to comply with the National Curriculum, including requirements for religious education and collective worship and the arrangements for statutory assessment and moderation of the National Curriculum.	
<p>Curriculum experiments In accordance with s.90 of the 2002 Education Act, to determine whether applications be made to the Secretary of State to direct than an LA maintained school be authorised to conduct curriculum experiments outside the National Curriculum.</p>	Director Education & Skills
<p>Provision of information to the Secretary of State To provide on behalf of the Authority any information which the Secretary of State may by regulation require, including through the Education (School Performance Information) (England) Regulations 2001 and the Education (Pupil Information) (England) Regulations 2000.</p>	Director Education & Skills
Functions related to Home to School Travel	
<p>School Transport Policy To approve the home to school transport policy following consultation as appropriate, and to administer home to school transport.</p>	Director, Education & Skills
<p>Transport arrangements To ensure that appropriate transport arrangements are made in accordance with the Authority's policies.</p>	Director, Education & Skills – Head of Accessible City
<p>Transport for Further Education students To determine applications for assistance towards travelling expenses from further education students over the age of 21 who apply on grounds of hardship within the Council's approved scheme.</p>	Director, Education & Skills Head of Accessible City
Functions related to Special Educational Needs	
<p>Statutory assessments To arrange for children to be assessed in accordance with the requirements of the Education Act 1996 and the SEN and Disability Act 2001, to determine the special educational provision which should be made for them and to maintain and review statements of special educational need in accordance with any regulations concerning these.</p>	Head of Accessible City/SEND Service Manager
<p>Statutory appeals tribunals To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs.</p>	SEND Service Manager
<p>Codes of Practice To ensure that the requirements of any statutory Codes of Practice, relevant to SEN, or other regulations are complied with.</p>	SEND Service Manager

Directorate Scheme of Delegations: Adults and Communities

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to Executive Directors.

This is the Adults and Communities Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director, Adults and Communities in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the Council's Constitution, including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director, Adults and Communities or via changes to the Council and Mayoral Schemes of Delegation.

This Scheme of Delegation will need to be read in conjunction with the Finance Scheme of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated from the Constitution to the Executive Director

Executive functions (part 3.4.B.5 of the Constitution)

'Executive' power rests with the Mayor. They delegate executive power to officers via the Mayoral Scheme of Delegation, which is part of the Constitution. The executive functions delegated to the Executive Director, Adults and Communities can be found in paragraph 5.2 of the Mayor's Scheme of Delegations.

Non-executive functions (part 3.2. of the Constitution)

'Non-executive' power rests with Full Council. The delegations to officers can be found at Part 3.2C of the Constitution.

Local Choice functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. Those functions delegated to the Executive Director – Adults and Communities can be found in the table at Part 3.3 of the Constitution.

Part 2: Delegations to Officers from the Executive Director

Governance	Post holder authorised to carry out function
Individual performance meetings will be set up in each directorate / division. The relevant director: HR Business Partner and a relevant quality assurance officer (where appropriate) will attend to monitor individual performance (absence management included) measures and actions taken; exception reports will be provided to Executive Director Meetings for senior team scrutiny.	Director Adult Social Care Director of Public Health
The Head of Quality Assurance and the Principal Social Worker in Adult Social Care will have a direct link to any Executive Director/Head of Paid Service to facilitate a non-confrontational discussion which can enable sharing of key information when it relates to organisational Directors.	Principal Social Worker Adults
Where an officer has identified a serious issue which could potentially present significant reputational risk to the council, the officer identifying the risk must inform their Director and the Director inform the Executive Director for discussion on next steps, which may include <ul style="list-style-type: none"> - Informing the relevant Lead Member - Informing the Head of Paid Service - Informing the Mayor / head of Mayors office 	All officers

1. Adult Social Care

Function	Post holder authorised to carry out function
Functions related to Finance	
<p>Residential and Non-Residential Finance</p> <ul style="list-style-type: none"> - Write off of non-Residential Charges shall be in accordance with <u>Appendix 1 of the Corporate Debt Management Policy</u> - Power to register property charges by declaration or agreement in securing the eventual collection of debts owed to the City Council. - Power to enter into legally enforceable agreements for the repayment of loans and other debts due to the City Council, with or without the payment of interest, in accordance with established practice and in consultation with the Chief Accountant, Deputy s151 Officer - Power to administer statutory duty to provide care and protection of personal property. - Financial Assessments: <ul style="list-style-type: none"> • Power to vary from the prescribed allowance for personal requirements in special circumstances. • Authority to agree negotiated settlements, in liaison with the Executive Director, for disputed assessed charges. 	<p>Payments and Charging Finance Manager</p> <p>Head of Service</p> <p>Team Manager</p> <p>Head of Service</p> <p>Head of Service</p>
<p>Service Users Finances These shall be administered in accordance with Health & Social Care's written criteria. Specific authorisations include:</p> <ul style="list-style-type: none"> a) Authorisation to act as Agent or Appointee for service user. b) Authorisation for an Application and to act as Deputy to the Office of the Public Guardian for the appointment of a Deputy for a service user. c) Authorisations falling outside of the written criteria. 	<p>Client and Carer Services / COFSS Panel</p> <p>Client and Carer Services / COFSS Panel</p> <p>Director Adult Social Care</p>
<p>Section 17 Payments Cash payments may be made to the families of Children in need under Section 17 of the Children Act 1989, limited to emergency/exceptional situations, which are not covered by national income maintenance arrangements:</p> <ul style="list-style-type: none"> a) Up to £20 per case per annum b) Up to £200 per case per annum c) Up to £2,000 per case per annum 	<p>Head of Service/Deputy Director Adult Social Care</p> <ul style="list-style-type: none"> a) Senior practitioner and above b) Team manager and above c) Head of Service and above

d) To make preventative aid payments up to the appropriate foster rate, inclusive of allowances, for a period of 12 months in any one case	d) Team Manager and above
Approval of Care Homes / Home Care Packages:	
Cases presented to Case Discussion Forum may receive 'in-principle' agreement subject to funding authorisation from a manager at the appropriate level.	
Approval for supported placement – Residential, Nursing Home or Supported Living on contract framework via DPS:	
a) Up to £500 per week	a) Senior Practitioner and above
b) Up to £1000 per week and any care home placement	b) Service Manager and above
c) Up to £1500	c) Head of Service and above
d) Over £1500	d) Deputy Director/ Director Adult Social Care
Issue contract to home for supported residential or nursing care	Director Adult Social Care
Approval for placement in Local Authority Homes or Day Centres outside Bristol (at contract price and with contract)	Team Manager and above
Sign off new community care / support packages (including DPs).	
a) Up to £500 per week	a) Senior Practitioner and above
b) Up to £1000 per week	b) Service Manager and above
c) Up to £1500	c) Head of Service and above
d) Over £1500	d) Deputy Director/ Director Adult Social Care
Sign off incremental increases to community care / support packages (including DPs).	
a) Total cost of package £500 or less	a) Senior Practitioner and above
b) Total cost of package £1000 or less	b) Service Manager and above
c) Total cost of package £1500 or less	c) Head of Service & above
d) Total package cost over £1500	d) Deputy Director/ Director Adult Social Care
Implementation of the City Council's Adult Social Care Charging Policy, including:	Deputy Director (Commissioning)
- Accurate payments in line with authorised Care Package Line Items.	
- Financial assessment in line with the Care and Support Statutory Guidance as amended [last amended 24 February 2017], leading to accurate charges being levied.	
Financial protection in line with the Mental Capacity Act in line with direction from the Court of Protection.	
Entering into contracts with Registered Providers for the provision of accommodation for service users where the rent is covered by housing benefit and the cost to the council is limited to the care package (dealt with	Director: Adult Social Care and Deputy Director (Commissioning)

separately in the scheme) and indemnifying the Registered Provider against void costs	
General Administration	
<p>Complaints Complaints are to be managed in accordance with the Department's Complaints Procedure, in consultation with the Complaints Manager</p> <p>a) Initial response b) Review c) Final sign off</p>	<p>See Complaints Procedure</p> <p>Senior Practitioner and above Head of Service and above Head of Service and above</p>
Functions related to adults / older people	
Functions that relate to the Children and Family Act 2014 and Care Act 2014 re young people moving from Children's to adult services	Preparing for Adulthood team manager
Chairing case conferences / strategy meetings and authority to decide on Care Plan etc.	Senior Practitioner and above
Approval for holiday sponsorship (private and voluntary placements)	Head of Service and above
Guardianship - Submission	Team Manager/AMHP /Principal Social Worker
To approve guardianship applications made under the provisions of the Mental Health Act 1983.	Team Manager/AMHP/Principal Social Worker
Authorisation of Approved Mental Health Professional under MH Act: <i>(On completion and passing AMHP training)</i>	AMHP/Principal Social Worker
Approval and re-approval of Approved Mental Health Professional: <i>(The AMHP has to attend approval/re-approval and complete a portfolio)</i>	AMHP/Principal Social Worker/ Director of Adult Social Care
Authorisation of small claims by service user or employee in the course of their duties (see ex-gratia claims)	Team Manager and above
Financial responsibility being sought from another Authority	Senior Practitioner and above
Visual Impairment Registration	Social Worker and above
<p>Equipment can be ordered through Integrated Community Equipment Service (ICES) only by authorised users.</p> <p>a) Authorisation levels for catalogue (stock) items and non-Catalogue items up to £170.01 b) Catalogue items up to £500 c) Catalogue items up to £600 d) Non catalogue up to £600 e) Catalogue items up to £999.99 f) Non catalogue up to £999.99 g) For beds, mattresses, hoists, mobility aids and any other equipment classed as "Health" items. h) Non catalogue items considered by a joint panel £1000 and over</p>	<p>a) Occupational Therapy Assistant b) Occupational Therapist c) Senior Practitioner d) Senior Practitioner e) Team Manager f) Team Manager g) CCG authorization h) Major equipment panel</p>
<p>Death of a vulnerable adult in receipt of care services – change to: unexpected death where there is a concern</p> <ul style="list-style-type: none"> - Notifying the Executive Director Adults and Communities's - Notifying the lead member 	<p>Director Adult Social Care and Executive Director Adults and Communities</p> <p>Deputy Director Adult Social Care</p>

March 2023

<ul style="list-style-type: none"> - Notifying the Head of Service - Notifying the Service Manager - Notifying the Team Manager - Notifying the Independent Chair of the Keeping Bristol Safe Partnership Board 	
Sign off - off framework placements and provision	Director Adult Social Care

2. Communities and Public Health

Function	Post authorised to carry out function
General administration	
Authority to exercise all functions relating to Public Health in accordance with approved policies and procedures	Director of Public Health Consultants in Public Health
Complaints are to be managed in accordance with the Council's Complaints Procedure, in consultation with the Complaints Manager Initial response Review Final sign off	Director of Public Health Consultants in Public Health Head of Service Communities, Head of Service, Public Health
Finance & Procurement	
Statutory responsibility and accountability (on behalf of the Council) for the proper deployment of the Public Health Grant.	Director of Public Health
To manage the Communities and Public Health general fund budget, complete monthly forecasting and reports.	Director of Public Health Public Health Business Manager Finance business partner
Produce at the end of each financial year ('the outturn statement') in accordance with the Public Health Grant Allocation.	Finance Business Partner Director of Public Health
Authorise the final end of year return to DLUHC and DHSC	Director of Public Health Section 151 officer
Set team budgets and commissioning plans in accordance with the conditions of the Public Health grant and in line with Public Health Priorities, Health and Wellbeing indicators and the City Plan.	Director of Public Health Consultants in Public Health Head of Service, Public Health Head of Service Communities
Procurement and contract management of Communities and Public Health services, via implementation of the council's Procurement Rules	Consultants in Public Health Public Health Principals and Specialists Head of Service, Public Health Head of Service, Communities Public Health Business Manager Director of Public Health
Health and Wellbeing	
Co-ordination of the work of the Health and Wellbeing Board	Director of Public Health Head of Service, Public Health Consultant in Public Health Democratic services

Co-ordination and delivery of the Joint Health and Wellbeing Strategy as a key function of the Health and Wellbeing Board	Consultant in Public Health Public Health Specialist Director of Public Health Head of Service, Public Health
Co-ordination and development of the Joint Strategic Needs Assessment as a key function of the Health and Wellbeing Board	Consultant in Public Health Public Health Principal – Health Intelligence Director of Public Health
Health Protection	
Ensure effective Health Protection arrangements are in place across the City	Director of Public Health
Provide oversight and mutual aid to the management of health protection issues and incidents as part of the specialist Public Health System in England in collaboration with UKHSA	Director of Public Health Consultants in Public Health Designated Public Health Principals
Provide public health expert support to incidents and emergencies as designated within national and local emergency planning and response arrangements in collaboration with UKHSA	Director of Public Health Consultants in Public Health Designated Public Health Specialists
NHS Core Offer	
Ensure the public health team delivers the Core Offer of support to the Bristol North Somerset & South Gloucestershire Integrated Care System. Ensure the annual action plan for the Core Offer is agreed and implemented.	Consultants in Public Health Designated Public Health Principals and Specialists in Public Health Director of Public Health
Clinical Governance	
Ensure that public health has a Clinical Governance process in place to manage clinical and other incidents arising from commissioned and delivered services. This will include a clear reporting system and governance pathway for resolution / learning from incidents.	Designated Consultant in Public Health Director of Public Health Head of Service, Public Health

Part 3 Regulatory Functions

This section contains all the regulatory functions within the Public Protection Team - Environmental Health element of the Adults and Communities Directorate and includes both executive and non-executive delegations. It must be read in conjunction with the limitations set out in Appendix 1.

For the avoidance of doubt, where legislation is not specified or identified, authorisation extends to all other legislation of a like kind under which the Council is authorised to exercise any of its functions.

A. Function: Animal Welfare Legislation and Relevant Licensing

Authorised Functions contained in this paragraph are those arising under legislation governing animal licensing and animal welfare, including the Animal Welfare Act 2006, the Veterinary Medicines Regulations 2006, the Animal Health Act 1981, the Animal Health and Welfare Act 1984, the Animal Boarding Establishments Act 1963, the Breeding of Dogs Act 1973 and 1991, the Breeding and Sale of Dogs (Welfare) Act 1999, the Performing Animals (Regulation) Act 1925, the Slaughterhouses Act 1974, the Dangerous Wild Animals Act 1976, the Pet Animals Act 1951, the Riding Establishments Act 1964 and 1970; The Dogs Act 1906; The Dangerous Dogs Act 1991; The Zoo Licensing Act 1981; and all other legislation of a like kind.

Postholders authorised to carry out function subject to limitations in Appendix

March 2023

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

B. Function: Animal Welfare Legislation and Relevant Licensing

Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

C. Function: Food Safety Legislation and Relevant Licensing Provisions

i. Authorised functions contained in this paragraph include those arising under The Food Safety Act 1990, The General Food Regulations 2004, The Food Safety and Hygiene (England) Regulations 2013, The Official Feed and Food Controls (England) Regulations 2009, The Trade in Animals and Related Product Regulations 2011 and other legislation governing food and food hygiene, including all legislation which confers duties or powers upon the Council in its capacity as Food Authority as described under Section 5 of the Food Safety Act 1990 and in its capacity as enforcement authority for such legislation.

ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor, and Agency Environmental Health Officer.

D. Function: Agriculture Standards and Relevant Registration Provisions

i. Authorised functions contained in this paragraph are those arising under the Agriculture Act 1970 and legislation governing the importation, manufacture, storage and marketing of animal feed materials, animal feeding stuffs and related materials and fertilizers, and include all legislation which confers duties or powers upon the Council in its capacity as enforcement authority in accordance with Section 67 of the Agriculture Act 1970 or competent body in accordance with Regulation 3 of The Official Feed and Food Controls (England) Regulations 2007 and Regulation 4 of The Feed (Hygiene and Enforcement) (England) Regulations 2005. This officer is appointed as an inspector pursuant to section 67(3)(a) of the Act.

ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

E. Function: Food and Environmental Protection Act 1985 as amended (Part I)

Appointed by virtue of an authorisation issued by the Secretary of State to act as an investigation and enforcement officer under provisions specified by the Secretary of State.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

F. Function: Food and Environmental Protection Act 1985 as amended (Part III)

Authority to exercise the duties and powers contained in this part of the Act, and any delegated legislation made there under, concerning the control of pesticides etc.

This authority should be extended to all officers under HSWA74, although it may be extended to other officers authorised under a range of Acts.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

G. Function: Health and Safety at Work

i. Appointed in exercise of the power conferred upon the council by Section 19(1) of the Health and Safety at Work etc. Act 1974 to act as an inspector for the purposes of the Act.

ii. Para. 8a To sign, on behalf of the authority, authorisations of persons to accompany appointed inspectors in the exercise of their functions under the Act.

iii. Para. 8b To approve, on behalf of the authority, transfer and assignments of premises between Bristol City Council and the Health and Safety Executive in accordance with Regulations 5 and 6 of The Health and Safety (Enforcing Authority) Regulations 1998.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer

H. Function: Safety at Sports Grounds

Authorised Functions contained in this paragraph are those arising under the Safety of Sports Grounds Act 1975, the Fire Safety and Safety at Places of Sport Act 1987, the Fire Safety (Regulatory Reform) Order 2005.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

I. Function: Public Health legislation, Health Protection Regulations and Relevant Licensing or Registration

i. Public Health (Control of Disease) Act 1984 (as amended including as amended by the Health and Social Care Act 2008) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010, International Health Regulations 2005 and Health Act 2006.

ii.* Appointment of proper officers of the local authority

The local authority appoints a proper officer for the purpose of receiving and forwarding information about notifications within their area. In the majority of cases, local authorities have decided to appoint a consultant in communicable disease control/health protection based within the local UKHSA office as their proper officers.

iii. Appointment in exercise of the power conferred upon the council by section 7 of the Sunbeds (Regulation) Act 2010 to act as an "authorised officer" for the purposes of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer, Senior Contaminated Land Officer

Director of Public Health; Consultant in Public Health for Health Protection; UKHSA

March 2023

Consultants in Communicable Disease Control/Consultants in Health Protection appointed by BCC as proper officers

J. Function: Petroleum Licensing Authority

Authorised Functions contained in this paragraph are those arising under legislation governing petroleum licensing, including the Petroleum (Consolidation) Regulations 2014 and other legislation of a like kind.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer

K. Function: Pest Control

Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to pest control, disinfection disinfestations and public health, including but not limited to those contained in the Prevention of Damage by Pest Act 1949, Public Health Acts 1936 & 1961, The Environmental Protection Act 1990 (as amended), The Clean Neighbourhoods and Environment Act 2005.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer Senior Pest Control Officer; Pest Control Officer.

L. Function: Dog Warden

i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to dog wardens, stray dogs, dog fouling, dangerous dogs, including but not limited to those contained in the Dogs Act 1871, Dogs Act 1906, Road Traffic Act 1988, Animal Health Act 1981, Environmental Protection Act 1990 (as amended), Dangerous Dogs Act 1991, The Clean Neighbourhoods and Environment Act 2005, The Animal Welfare Act 2006, and other legislation of a like kind.

ii. Paragraph 13a Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the said Act.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

M. Function: Port Health Authority Functions

i. Authorised functions contained in this paragraph comprise functions assigned to the Council as Port Health Authority under Paragraph 4 of SI 2010/1214, together with all other functions, rights and liabilities of the Council as Port Health Authority conferred by or under any other legislation.

ii. This officer is appointed, pursuant to Regulation 12(2) of The Trade in Animals and Related Products Regulations 2011 as an official veterinary surgeon.

iii. This officer is appointed, pursuant to Regulation 12(4) of The Trade in Animals and Related Products Regulations 2011 as an official fish inspector.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer.

Senior Contaminated Land Officer.

Director of Public Health; Consultant in Public Health for Health Protection
UKHSA Consultants in Communicable Disease Control/Consultants in Health
Protection appointed by BCC as proper officers.

**N. Function: Environmental Protection, Nuisance, Clean Neighbourhoods,
Building safety and Relevant Licensing or Registration**

Authorised functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to any of the following: waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, and accumulations which are detrimental to the amenity of an area, Community Protection Notices, including but not limited to those contained in the Control of Pollution Act 1974, Refuse Disposal (Amenity) Act 1978, Highways Act 1980, Building Act 1984, the Town and Country Planning Act 1990, the Environmental Protection Act 1990 (as amended), the Clean Air Act 1993, Criminal Justice & Public Order Act 1994, the Noise Act 1996 (as amended), the Pollution Prevention and Control Act 1999, the Clean Neighbourhoods and Environment Act 2005, the Environmental Permitting (England and Wales) Regulations 2010 (as amended), Anti-social Behaviour, Crime and Policing Act 2014. All other legislation of a like kind under which the Council is authorised to exercise any of its functions.

Postholders authorised to carry out function subject to limitations in Appendix

Public Protection Manager, Lead Officer Health & Safety, Lead Officer Port Health, Lead Officer Food and Infectious Disease Control, Lead Officer Food, Lead Officer Pollution Control, Environmental Health Officer, Senior Environmental Health Officer, Senior Enforcement Officer, Contractor and Agency Environmental Health Officer. Senior Contaminated Land Officer, Senior Public Protection Officer

Appendix 1

Schedule of Posts and Limitations of Regulatory Functions

Post	Limitation
Public Protection Manager	A, D, E, F, G
Lead Officer Food and Infectious disease control, Lead Officer Port Health, Lead Officer Pollution Control, Lead Officer Health and Safety, Lead Officer Food	A, D, E, F, G
Environmental Health Officer	A, B, D, E, F, G
Senior Enforcement Officer	A, B, D, E, F, G
Environmental Health Officer	A, B, D, E, F, G
Senior Environmental Health Officer	A, B, D, E, F, G
Consultants in Communicable Disease	A, B
Veterinarian	A, B, E, F, G
Senior Pest Control Officer	A
Pest Control Officer	A, B
Technician Pest Control Officer	A, B
Senior Contaminated Land Officer,	A, B, D, P, G
Senior Public Protection Officer	A, B, D, P, G
Student Environmental Health Officer	A, B, J, K, P
Contractor- Environmental Health Officer	A, B, E, F, G, J.

Limitations

Institution of Proceedings & Disposal.

March 2023

- (A) This authorisation shall not extend to the institution of proceedings, save in respect of proceedings instituted by inspectors under Health & Safety Work, etc. Act 1974, where the power to institute proceedings shall be subject to prior consultation with the Council's Head of Legal Services or his duly authorised representative.
- (B) This authorisation shall not extend to the giving of Home Office cautions, such as Simple Cautions.

Environmental Protection, Clean Neighbourhoods etc

- (C) Save with the prior express permission of the Council's Executive Director: Growth and Regeneration, this authorisation shall not extend to the exercise of any power of the Council in its capacity as the Local Planning Authority other than enforcement action arising under Sections 215 & 330 of the Town and Country Planning Act 1990.

Food Safety, Agriculture and Port Health.

- (D) This authorisation shall not extend to the undertaking of any Food Hygiene activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained to satisfy the provisions of the Food Law Code of Practice.
- (E) This authorisation shall not extend to the undertaking of any Food Standards activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained having regard to the Guidelines contained in the Food Law Code of Practice.
- (F) This authorisation shall not extend to the undertaking of any Feed Law activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, experienced, and competent having regard to the Guidelines contained in the Feed Law Code of Practice.

Health & Safety.

- (G) This appointment shall not extend to sections 21, 22, 25 and 39 of the Health & Safety at Work etc. Act 1974, unless they are suitably qualified having regard to HSE guidance
- (H) This appointment is limited to the powers specified in section 20 (2) (a) (c) (d) (f) (g) (l) and (k) of the Health and Safety at Work etc Act 1974 for the express purposes of taking environmental, chemical or physical samples, as well as the making of any such scientific examination (including taking measurements, photographs, examining documentation, and the like) as may be required by a fully authorised Health and Safety inspector in the course of their investigations.

Trainee Officers & Contractors.

- (I) The exercise of any powers conferred upon the Officer by virtue of this Scheme shall only be exercisable when under the supervision or direction of a fully authorised and competent colleague.
- (J) This authorisation shall not extend to the service of any notices for which a failure to comply may result in an offence or the taking of any other legal action by the council, except under the supervision or direction of a fully authorised and competent colleague.

Coronavirus Regulations

March 2023

(K) This authorisation shall not extend to the issuing of directions in accordance with The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

Directorate Scheme of Delegations: Growth and Regeneration Directorate

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to the Executive Directors.

This is the Growth and Regeneration Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Executive Director of Growth and Regeneration, in Part 1
- ii) Describes how the Executive Director has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the Council's Constitution, including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Executive Director will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Executive Director and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although Executive Directors can delegate functions they remain responsible for and accountable to the council for the exercise of their delegated powers. On occasions they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Executive Director, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Executive Director for Growth and Regeneration or via changes to the Council and Mayoral Schemes of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated under the Constitution to the Executive Director of Growth and Regeneration

Executive functions (part 3.4.B.5 of the Constitution)

'Executive' power rests with the Mayor. He or she delegates executive power to officers via the Mayoral Scheme of Delegation, which is part of the constitution. The following executive functions are delegated to the Executive Director of Growth and Regeneration:

- Economy of Place
- Management of Place
- Housing & Landlord Services
- Property, Assets and Infrastructure

Local Choice executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been deemed executive functions and have been delegated to the Executive Director of Growth and Regeneration

- Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1.
- The determination of an appeal against any decision made by or on behalf of the authority.
- The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.
- The making of agreements for the execution of highways works
- The obtaining of particulars of persons interested in land under section 16 of the Local Government (Misc. Provisions) Act 1976.
- The making of agreements with other local authorities for the placing of staff at the disposal of those other authorities.
- Any function relating to contaminated land (unless activity is enforcement)
- The discharge of any function relating to the control of pollution or the management of air quality (unless activity is enforcement)

Non-executive functions (part 3.2. of the Constitution)

'Non-executive' power rests with Full Council. Full Council can delegate non-executive powers to council committees and to officers through the constitution. The following non-executive powers are delegated to the Executive Director of Growth and Regeneration:

- All the non-executive functions which are the responsibility of the **Development Control Committees** (these are listed in 3.2.B of the Constitution, and the delegations set out in detail in Part 2, below), except for the determination of any application where a member of the council for a ward containing the site of the application requests the matter be determined by a Development Control Committee.
- Some of the non-executive functions which are the responsibility of the **Public Rights of Way and Greens Committee** (specifically, all those set out in list B of the terms of reference, listed in 3.2.B of the constitution). The delegations are set out in Part 2 below.

- All the non-executive functions which are the responsibility of the **Public Safety and Protection (PSP) Committee** (these are listed in 3.2.B of the Constitution, and the delegations set out in detail in Part 2, below),
- All the non-executive functions which are the responsibility of the **Licensing Committee** (these are listed in 3.2.B of the Constitution, and the delegations set out in detail in Part 2, below), except for the power to institute proceedings (s. 346 Gambling Act 2005).

Local Choice non-executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been deemed non-executive functions and have been delegated to the Executive Director of Growth and Regeneration

- Enforcement activity relating to the discharge of any function relating to the control of pollution or the management of air quality (unless activity is enforcement)
- The service of an abatement notice in respect of a statutory nuisance
- The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area
- The inspection of the authority's area to detect any statutory nuisance
- The investigation of any complaint as to the existence of a statutory nuisance.

Part 2: Delegations to Officers from the Executive Director

Executive Functions

1. Economy of Place

A. Function: Economic Development including (but not exclusively):

- i. European Funding Management, Delivery, and resource procurement
- ii. Managed workspace provision and management
- iii. Economic development strategy and policy
- iv. Inward investment and business retention
- v. Business Support
- vi. Business Engagement
- vii. Destination management and tourism
- viii. Sector development
- ix. High Streets and Local Centres development
- x. City Centre development

Post holder authorised to carry out function: Economic Development Manager

B. Function: the delivery of BTQEZ

Post holder authorised to carry out function: Director: Economy of Place and EZ Programme Director

C. Function: To make all day-to-day management decisions relating to the Council's functions as they relate to Markets and Docks Estate

Post holder authorised to carry out function: Director: Economy of Place

- D. Function:** City Transport
Post holder authorised to carry out function: Head of City Transport
- E. Function:** Transport Development Management
- i. To make act on behalf of Highway and Transport Authority on transport matters as a statutory consultee on planning applications
 - ii. To be responsible for making and administering highway agreements related to planning matters
 - iii. To supervise highway works and issue Certificates in respect of the Highways Act 1980.
- Post holder authorised to carry out function:** Head of City Transport
- F. Function:** Gating Orders
- i. To prepare and advertise a Draft Order proposing closure of highway for 28 days consultation.
 - ii. Decision to authorise the making of Gating Order to allow the closure of highway (to be reviewed annually).
- Post holder authorised to carry out function:** Head of City Transport
- G. Function:** Flood Risk Management
- i. Discharging of the duties placed on Bristol City Council as the Lead Local Flood Authority as defined in the Flood and Water Management Act 2010.
- Post holder authorised to carry out function:** Head of City Transport
- H. Function:** Flood Risk Management
- i. Discharging of duties placed on Bristol City Council as defined in the Land Drainage Act 1991.
- Post holder authorised to carry out function:** Flood Risk and Data Manager
- I. Function:** Concessionary Bus Travel
- i. To determine applications for passes which provide entitlement to concessionary bus travel
- Post holder authorised to carry out function:** Information and Engagement Group Manager
- J. Function:** Traffic Regulation and Management Orders
- i. Authority to prepare, consult upon and advertise permanent orders and statutory notices
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance and Head of City Transport
- K. Function:** Traffic Regulation and Management Orders
- i. Prepare consult and design any traffic regulation or management scheme which is included in any Traffic Management Work Programme or is intended to facilitate the carrying out of any new development
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance and Head of City Transport
- L. Function:** Traffic Regulation and Management Orders
- i. To authorise the variation of the effect of any Experimental Traffic Regulation Order made pursuant to Ri below
- Post holder authorised to carry out function:** Head of City Transport

M. Function: Traffic Regulation and Management Orders

- i. To advertise, consult, notify and otherwise carry out all statutory procedures (including the making of any required Experimental Traffic Regulation Order) in respect of any scheme for which the preparatory work has been carried out.

Post holder authorised to carry out function: Head of City Transport and Director: Economy of Place

N. Function: Traffic Regulation and Management Orders

- i. Where a Permanent Traffic Regulation Order is required in respect of the scheme and the Director does not wish to discuss any objections with the Executive Director or no objections are received to the proposal to make the order, **decision to make and seal the order;** and
- ii. Where an Experimental Traffic Regulation Order has been made and the Director does not wish to discuss any objections with the Executive Director or no objections have been received in response to it, **decision to:**
- iii. Make and seal a further Order modifying the provisions of the Order pursuant to (c) above; and
- iv. Make and seal a Permanent Order continuing indefinitely the provisions of the Experimental Order.

Post holder authorised to carry out function: Director: Economy of Place

O. Function: Traffic Regulation and Management Orders

- i. Decision to carry out all necessary notification and other statutory procedures in respect of the installation of any pedestrian crossing.

Post holder authorised to carry out function: Director: Economy of Place

P. Function: Traffic Regulation Orders for Parking Restrictions

- i. Authority to prepare detailed designs in respect of any traffic regulation order that is required as a result of reviewing existing parking restrictions within the Civil Enforcement Area and Special Enforcement Area as required under the Road Traffic Act 1991.
- ii. Where any traffic regulation order or parts of an order advertised is unopposed, and it appears to the Service Director Transport expedient to introduce all or some of those parts immediately and before the introduction of the remainder of the proposal, **decision to authorise the sealing of an Order in respect of those parts.**

Post holder authorised to carry out function: Head of City Transport

Q. Function: Minor changes to the Controlled Parking Zone

- i. Authority to implement minor changes to the extent and operation of the Controlling Parking Zone.

Post holder authorised to carry out function: Head of City Transport and Head of Traffic and Highways Maintenance

R. Function: Minor changes to the Controlled Parking Zone

- i. **Where** an order or notice pursuant to the Road Traffic Regulation Act 1984 or otherwise is necessary to implement a minor change, **decision to carry out statutory advertisement, consultation and notification and all other measures required prior to making the order or notice and, where a Traffic Regulation Order is required in respect of the minor**

change and no substantial objections are received to the proposal, to make and seal the order.

Post holder authorised to carry out function: Director: Economy of Place

S. Function: Stopping Up Orders

- i. To make comments to the relevant Government Office in respect of highway closures under the Town and Country Planning Act 1990.

Post holder authorised to carry out function: Head of City Transport

T. Function: Speed Limits

- i. To initiate Speed Limit Orders together with the advertisement and sealing of these orders if no substantial objections are received.

Post holder authorised to carry out function: Head of City Transport

U. Function: Sustainable Transport, including:

- i. Passenger Transport
- ii. Infrastructure
- iii. Engagement and Support Services
- iv. Public Transport

Post holder authorised to carry out function: Head of City Transport

V. Function: Bus and Coach Stops & Stands, Taxi Ranks

- i. To exercise powers for installation, maintenance, re-siting and removal including poles and flags, shelters, raised platforms, road markings, information displays, CCTV and litter bins.
- ii. Determining service allocations.

Post holder authorised to carry out function: Sustainable Transport Projects & Infrastructure Manager

W. Function: Traffic Regulation Conditions

- i. To make an application to the Traffic Commissioner for the imposition of conditions on local bus services where required to regulate their routes and/or stopping place / locations / times / duration.

Post holder authorised to carry out function: Head of City Transport

X. Function: Development Management

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; Development Management Team Managers and Principal Development Management Officers

Y. Function: Authority for the making of comments on planning applications situated within the boundary of neighbouring local planning authorities

Post holder authorised to carry out function: DM Team Managers and Strategic City Planning Manager

Z. Function: Building Regulations and Standards, including:

- i. Statutory building control service
- ii. Enforcement of the building regulations
- iii. Control of demolitions
- iv. Appointee of 3rd Party Wall surveyor under the Party Wall Act 1996

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; Building Control Managers and Building Control Team

Managers

- AA. **Function:** Control of Dangerous Structures - to exercise powers contained Section 78(1) of the Building Act 1984 (Dangerous Buildings – emergency measures).
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers, Principal Structural Engineer, Dangerous Structure call out team. (Designated Proper Officers).
- BB. **Function:** To authorise proceedings for contravention of Section 37 of the Public Health Act 1890 ('Safety of Platforms, &c. erected or used on public occasions')
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers. (Designated Proper Officers).
- CC. **Function:** Authentication of documents, etc. Building Act 1984 – Section 93
Post holder authorised to carry out function: Building Control Manager, Building Control Team Managers, Principal Structural Engineer, Dangerous Structure call out team. (Designated Proper Officers).
- DD. **Function:** To issue requisitions for information pursuant to the provisions of Section 16 of the Local Government (Miscellaneous Provisions) Act 1976
Post holder authorised to carry out function: Building Control Manager and Building Control Team Managers. (Designated Authorised Officers)
- EE. **Function:** Sustainable City and Climate Change
Post holder authorised to carry out function: Sustainable City and Climate Change Manager, Sustainable Team Manager and Climate Change Team Manager
- FF. **Function:** Strategic Planning, including:
- i. Neighbourhood Planning
 - ii. Strategic Planning at sub regional and local level
 - iii. Maintenance of statutory local development plan, excluding matters relating to the adoption of the Site Allocations and Development Management Policies Local Plan and other Development Plan Documents, which require approval by Full Council, in accordance with the Article 4.01 of the Council's Constitution
- Post holder authorised to carry out function:** Strategic City Planning Manager, Local Plan Team Manager
- GG. **Function:** The making of a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 as amended
Post holder authorised to carry out function: Director: Economy of Place
- HH. **Function:** Community Infrastructure Levy and Planning Obligations
Post holder authorised to carry out function: Director: Economy of Place; Planning Obligations Manager
- II. **Function:** Designation of the boundary of a Neighbourhood Planning Area (NPA)
Post holder authorised to carry out function: Strategic City Planning

Manager

JJ. **Function:** Designation of the 'Qualifying Body' to act as Neighbourhood (Planning) Forum for a determined NPA

Post holder authorised to carry out function: Strategic City Planning Manager

KK. **Function:** Residual planning functions that are the responsibility of the executive such as preparation of supplementary planning guidance, designation of conservation areas, areas of archaeological interest and nature reserves and making compulsory purchase orders.

Post holder authorised to carry out function: Director: Economy of Place

2. Management of Place

A. **Function:** Traffic and Highways

Post holder authorised to carry out function: Head of Traffic and Highways Maintenance and Head of City Transport

B. **Function:** Adoption of private streets after execution of street works.

i. To serve statutory notices in accordance with s.228 of the Highways Act 1980.

Post holder authorised to carry out function: Highway Maintenance Group Manager

C. **Function:** Parking, Bus Lane, Moving Traffic and Clean Air Zone Enforcement
To carry out all necessary work with regard to de-criminalised parking, bus lane, moving traffic and clean air zone enforcement within the Civil Enforcement Area and Special Enforcement Area under the provisions of the Road Traffic Regulation Act 1984 the Traffic Management Act 2004, the Transport Act 2000 and any other enactment to include the following:

- i. To deal with all matters relating to the issuing and processing of Penalty Charge Notices, including determining representations made against the Notices, cancellation of Penalty Charge Notices and all subsequent actions regarding non-payment of notices.
- ii. To deal with all matters relating to the processing of appeals against the issue of Penalty Charge Notices that have been made to the Traffic Penalty Tribunal, including where necessary, not to contest appeals and cancellation of Penalty Charge notices.

Post holder authorised to carry out function: Head of Traffic and Highways Maintenance; Parking Manager; PCN Appeals & Moving Traffic Enforcement Manager and Senior PCN Appeals Team Officer (BG11 only).

D. **Function:** Parking Facilities

- i. To determine requests for the use of off-street car parks and on-street parking where restrictions are in place under a traffic regulation order, and to grant or refuse permission to individuals or organisations for their use.

Post holder authorised to carry out function: Head of Traffic and Highways Maintenance; Parking Manager; Parking Services Infrastructure Team Manager

- E. Function:** Disabled Persons Parking Badges (Blue Badge Scheme)
- i. To determine applications for and to issue Blue Badges, and to withdraw the facilities offered under the Blue Badge Scheme if there is evidence of on-going misuse, (even if the badge is not issued by the authority).
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance; Parking Manager; Parking Services Business and Permit Manager
- F. Function:** Issuing of Parking Permits
- i. To carry out all necessary work relating to the issue of parking permits within designated controlled parking zones (permitted parking areas and residents' parking schemes) within the Civil Enforcement Area and Special Enforcement area.
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance; Parking Manager; Parking Services Business and Permit Manager
- G. Function:** Off-Street Parking Orders
- i. To include land within an appropriate parking order and designate land as an off-street parking place.
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance; Parking Manager; Parking Services Infrastructure Team Manager
- H. Function:** Advisory Disabled Parking Bays
- i. To administer and process (including approval or refusal of) all applications for disabled persons parking bays and white line advisory markings.
- Post holder authorised to carry out function:** Head of Traffic and Highways Maintenance; Head of City Transport; Parking Manager; Parking Services Infrastructure Team Manager; Group Manager Road Safety and Local Engineering
- I. Function:** Erection of Traffic Signs
- i. To deal with all matters relating to the erection, alteration, maintenance and removal of traffic signs, signals and road markings.
- Post holder authorised to carry out function:** Network Operations Team Manager; Highways Maintenance Manager; Head of City Transport
- J. Function:** Temporary Traffic Orders / Notices
- i. To carry out all preparatory work for the making of Temporary Traffic Regulation Orders and Notices under the Road Traffic Regulation Act 1984 or otherwise and to determine and levy charges.
- Post holder authorised to carry out function:** Director: Management of Place; Networks Operation Team Manager
- K. Function:** Temporary Traffic Orders / Notices
- i. Decision to authorise the making and sealing of Temporary Traffic Regulation Orders and Notices under the Road Traffic Regulation Act 1984 or otherwise.
- Post holder authorised to carry out function:** Director: Management of Place; Networks Operation Team Manager

L. Function: Temporary Traffic Orders / Notices

- i. To make and execute Temporary Traffic Notices under the Road Traffic Regulation Act 1984.

Post holder authorised to carry out function: Networks Operation Team Manager; Network Management lead officers and Emergency Highways Officers

M. Function: Street Fairs – Temporary Road Closure

- i. To approve applications for temporary road closures under Section 21 of the Town Police Clauses Act 1847 if no substantial objections arise from the consultative process.

Post holder authorised to carry out function: Network Operations Team Manager

N. Function: Stopping Up and Diversion Orders

- i. To confirm any public footpath, bridleway or road used as a public path or byway stopping up or diversion orders where no substantial objections have been received or where the objections made have been withdrawn.

Post holder authorised to carry out function: Head of Traffic; Network Operations Team Manager

O. Function: Creation / Diversion or Extinguishment

- i. To exercise powers to effect the creation, diversion, extinguishment or stopping-up of adopted highways and footpaths which are directly associated with planning applications determined under delegated authority.

Post holder authorised to carry out function: Director: Management of Place

P. Function: Adoption of Highways

- i. To be responsible for issuing Certificates under the Highways Act 1980 in respect of the adoption of highways.

Post holder authorised to carry out function: Head of City Transport; Transport Development Management Manager

Q. Function: Adoption of Highways

- i. Duty to keep register of adopted highways.

Post holder authorised to carry out function: Head of Traffic and Highways; Maintenance Assets and Contracts Manager

R. Function: Street Naming and Numbering

- i. To serve statutory notices, the naming of streets and numbering of properties under any duty or power contained in the following Acts:
 - a. Public Health Act 1925
 - b. Towns Improvement Clauses Act 1847

Post holder authorised to carry out function: Head of Traffic and Highways; Maintenance Assets and Contracts Manager

S. Function: Designation of Principal Roads

- i. To review, revise and make applications for Principal Road status for those routes which are considered appropriate.

Post holder authorised to carry out function: Head of Traffic and Highways; Maintenance Assets and Contracts Manager

T. Function: Goods Vehicles Operators' Licences

- i. To make representations about, negotiate improvements or submit objections to any licence application where considered necessary. Present evidence at any subsequent public inquiry.

Post holder authorised to carry out function: Director: Management of Place

U. Function: Duty to serve notice of proposed action in relation to obstruction (section 115E of the Act).

Post holder authorised to carry out function: Network Operations Manager

V. Function: Functions relating to the making good of damage and the removal of obstructions (section 135B of the Act).

Post holder authorised to carry out function: Network Operations Manager

W. Function: Powers relating to the removal of things so deposited on highways as to be a nuisance (section 149 of the Act).

Post holder authorised to carry out function: Network Operations Manager

X. Function: Powers to remove structures from the highway (s.143 of the Highways Act)

Post holder authorised to carry out function: Highways Maintenance Manager (Designated Proper Officer).

Y. Function: Management and Maintenance of Parks and Green Spaces including trees, allotments and small holdings, children's play and associated youth facilities, outdoor sports pitches, buildings and facilities.

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Parks Services Manager; Area Parks Managers; Parks Development Manager; Parks Assets and Projects Manager; Landscape Works and Play Manager; Trees and Woodlands Manager; Allotments and Smallholdings Manager; and Allotments Officer

Z. Function: Management and Maintenance of Cemeteries and Crematoria

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Parks Commercial Manager; Business Unit Manager - Cemeteries and Crematoria

AA. Function: Management and Maintenance of Blaise Nursery

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Parks Commercial Manager; Business Unit Manager - Nursery

BB. Function: Management of catering, cafes and concessions in Parks and Green Spaces

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Business Development Parks Commercial Manager; Business Unit Manager - Catering

CC. Function: Tree management in parks, green spaces and other council land

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Parks Services Manager; Area Parks Managers; Parks Assets and Projects Manager; Trees and Woodlands Manager; and Tree Officer

DD. Function: Harbour

i. City Docks and Port Authority functions

Functions include those where legislation confers duties or powers upon the Council in its capacity to act as Port Authority for the Bristol City Docks, including the following acts and all other legislation of a like kind:

- Bristol Docks Acts and Orders 1848 to 1998,
- Harbours Docks and Piers Clauses Act 1847,
- The Bristol City Docks Harbour Revision Order 1998

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment; Harbour Master and Markets and Estates Manager (if it relates to Docks Estate) or, Head of Commercial Services

EE. Function: Harbour

i. Management and Maintenance of Harbours Estate, building, facilities, open space, events, and commercial property.

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment and Markets and Estates Manager

FF. Function: Harbour

i. To issue licences for "works" within the provisions of the City Docks Harbour Revision Order 1988.

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment and Harbour Master.

GG. Function: Harbour

i. To licence Pilots and Hobbler

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment and Harbour Master.

HH. Function: Harbour

i. To be the Duty Holder under the provisions of the Port Marine Safety Code.

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment and Harbour Master.

II. Function: Harbour

i. Power for the enforcement of Local Harbour Byelaws.

Post holder authorised to carry out function: Head of Service for Natural and Marine Environment and Harbour Master.

JJ. Function: Harbour

i. Power to licence pleasure boats, live aboard boats and pleasure vessels Section 94 of the Public Health Acts Amendment Act 1907 (c.53).

Post holder authorised to carry out function: Director Management of Place, Head of Service for Natural and Marine Environment and Harbour Master.

KK. **Function:** Civil Contingencies (Emergency Preparedness & Resilience Team)

Post holder authorised to carry out function: Head of Service, City Management & Response and Emergency Preparedness, Risk, Resilience & Continuity Manager

LL. **Function:** Bristol Operations Centre (BOC)

Post holder authorised to carry out function: Head of Service, City Management & Response and BOC Manager

MM. **Function:** Culture including (but not exclusively):

- a. bidding for small scale funding Bids
- b. Awarding of small scale arts grants
- c. Support of the cultural sector
- d. Operational running of our Cultural Venues
- e. Events in the city
- f. The SLA Service Delivery for Bristol Beacon

Post holder authorised to carry out function: Head of Culture and Creative Industries

NN. **Function:** To make all day-to-day management decisions relating to the Council's functions as they relate to Events and Conferences (at Bristol Museum and Art Gallery, M-Shed and the Create Centre).

Post holder authorised to carry out function: Head of Transformation – Culture and Creative Industries Service

OO. **Function:** Libraries including (but not exclusively):

- i. Management and maintenance of Libraries
- ii. Maintenance and purchasing of materials for reference and loan
- iii. Statutory responsibility for providing a library service
- iv. Partner of Libraries West 7 authority consortium

Post holder authorised to carry out function: Head of Libraries, Libraries Management Team

3. Housing and Landlord Services

Housing Services

A. **Function:** Estate Services

- i. Incorporating Estate Management (tenancy management), lettings, Estates and Sites management (Caretaking), Rent management, Services to Older People (STOP) and all aspects of right to buy and leaseholder management

Post holder authorised to carry out function: Head of Estate Services, Housing Managers (Estate Management, Rent and Financial Inclusion, Services to Older People, Estates and Sites (Caretaking)), Lettings Manager, Estate Management, Rent and Financial Inclusion, Services to Older People, Caretaking, Right to Buy and Leasehold Team Leaders

B. **Function:** Business Innovation

Post holder authorised to carry out function: Business Innovation Manager, Senior Project Manager, Policy & Practice Manager, Project

Managers, Service Improvement Team Manager, Housing Systems Team Leader

C. Function: Planned Maintenance

Post holder authorised to carry out function: Head of Service, Planned Maintenance, Planning and Commissioning Manager, Cyclical and planned maintenance Manager, M&E and heating Manager, Major Projects Manager, Planned programmes supervisors, Asset Review Manager

D. Function: Responsive Repairs

Post holder authorised to carry out function: Head of Service, Responsive Repairs, Trade Managers, Responsive Repairs Managers, Responsive Repairs supervisors

E. Function: Regulatory Reform (Fire Safety) Order 2005

- i. For ensuring that the council's premises comply with the duties imposed by the Order.

Post holder authorised to carry out function: Director Homes and Landlord Services

Private Housing and Accessible Homes

This section contains all the Private Housing and Accessible Homes functions within Growth and Regeneration Directorate and includes both Executive and non-Executive delegations. It must be read in conjunction with the Limitations set out in the Private Housing and Accessible Homes Service Authorisations document.

A. Function: Private Sector Housing and Accessible Homes

- i. Includes licensing of private rented properties and all private housing related enforcement including public health matters, empty properties, tenancy relations, Consumer protection legislation (including those duties & powers arising in its capacity as the weights & Measures Authority including those under the Consumer rights Act 2015) in so far as they relate to the regulation of the housing market including, but not limited to, Estate Agency, Landlords, Property agents, auctioneers, and any person engaged in the sale, rent, supply of property, housing renewal functions and the management of gypsy and travellers sites.
- ii. Assessments under the Care Act 2014, Housing, Grants Construction and Regeneration Act 1996 for the installation of aids, adaptations and Technology Enabled Care (TEC) to Homes. This includes the following non-executive powers:
 - a. Power to require proper maintenance of land (section 215(1) of the Town and Country Planning Act 1990)
 - b. Service of abatement notice for Statutory Nuisance.
 - c. The inspection of the authority's area to detect any statutory nuisance.
 - d. The investigation of any complaint as to the existence of a statutory nuisance 3
 - e. Power to issue licences authorising the use of land as a caravan site ("site licences") (Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c.62)).
 - f. The obtaining of information under section 330 of the Town and

Country Planning Act 1990 as to interests in land.

- iii. Detailed information on all powers and delegations is provided in the Private Housing and Accessible Homes Service Authorisations document

Post holder authorised to carry out function: Private Housing and Accessible Homes Manager, Private Housing Managers, Accessible Homes and TEC Manager, Private Housing Team Leader, Senior Environmental Health Housing Officers, Environmental Health Housing Officers (Level 1 and 2), Trading Standards Officer, Private Housing Caseworkers, Gypsy and Roma Traveller Coordinator and the Gypsy Sites and Community Liaison Officer, Technical, Occupational Therapy and TEC Supervisors, Occupational Therapists, Occupational Therapy Aids and Project Coordinators *Or equivalent post

- B. **Function:** Private Housing and Accessible Homes, Empty property work Section 17 Housing Act 1985 Agreement to the making and implementation of CPO's

Post holder authorised to carry out function: Properties or land valued at under £250k – Director of Housing and Landlord Services; Properties or land valued at between £250k and £499k – Executive Director Growth and Regeneration; Where a property or land is valued at £500k or above is to be compulsory purchased this is a key Decision and a report will be submitted to Cabinet for authorisation to proceed.

Housing Options

- A. **Function:** Decisions made under the Housing Act 1996

- i. Homelessness acceptances, (Part 7, Housing Act 1996)
- ii. Interim accommodation, (Part 7, Section 188, Housing Act 1996)
- iii. Suitability of temporary accommodation, (Part 7, Section 202, Housing Act 1996)
- iv. Suitability of a permanent offer of accommodation, (Part 7, Housing Act 1996)

Post holder authorised to carry out function: Housing Advisor (BG10)

- B. **Function:** Decisions made under the Housing Act 1996

- i. Storage of possessions, (Part 7, Section 212, Housing Act 1996)
- ii. Extend interim accommodation pending review

Post holder authorised to carry out function: Team Leader, Homelessness Prevention Team (BG12)

- C. **Function:** Decisions made under the Housing Act 1996

- i. Review of negative decision, (Part 7, Section 202, Housing Act 1996)

Post holder authorised to carry out function: Specialist Advisor (BG11)

- D. **Function:** Decisions made under the Housing Act 1996

- i. End family hostel or satellite temporary accommodation (BCC in-house)

Post holder authorised to carry out function: Team Leader (BG12)

- E. **Function:** Decisions made under the Housing Act 1996

- i. Homechoice banding - lower priority housing applications (bands 3 and 4), (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Homechoice Advisors (BG8)

F. **Function:** Decisions made under the Housing Act 1996

- i. Homechoice banding – higher priority housing applications (bands 1 and 2), (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Team Leaders (BG11)

G. **Function:** Decisions made under the Housing Act 1996

- i. Homechoice banding – applicants with health needs (bands 1 and 3), (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Health and Housing Assessors (BG10)

H. **Function:** Decisions made under the Housing Act 1996

- i. Banding reviews, (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Specialist Advisors (BG11), Specialist and Health Team Leader (BG12)

I. **Function:** Decisions made under the Housing Act 1996

- i. Banding and allocations that are exceptions to Homechoice policy, (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Housing Supply Team Manager (BG14)

J. **Function:** Decisions made under the Housing Act 1996

- i. Homechoice – not eligible, (Part 6, Housing Act 1996)

Post holder authorised to carry out function: Homechoice Advisors (BG8) and Team Leaders (BG11)

K. **Function:** Other decisions – policy and resources

- i. Priority levels for homeless households on the Housing Support register

Post holder authorised to carry out function: Housing Advisors HSR Coordinator (BG9)

L. **Function:** Other decisions – policy and resources

- i. Priority Move On Scheme applications

Post holder authorised to carry out function: Team Leader, Accommodation Services (BG12)

M. **Function:** Other decisions – policy and resources

- i. Payments to private sector landlords – deposit bonds and financial incentives

Post holder authorised to carry out function: Team Leader, Lettings Negotiation (BG12)

N. **Function:** Other decisions – policy and resources

- i. Tenancy rescue payments

Post holder authorised to carry out function: Team Manager, Housing Supply (BG14)

Housing Delivery

A. **Function:** Housing Delivery

Post holder authorised to carry out function: Project Lead Project 1000;

Housing Strategy and Enabling Manager and Construction and Development Manager

4. Property, Assets and Infrastructure

A. **Function:** Major Projects including (but not exclusively):

- i. Bristol Beacon Capital Project
- ii. Avonmouth and Severnside Enterprise Area (ASEA)

Post holder authorised to carry out function: Director: Property, Assets and Infrastructure

B. **Function:** Educational Capital

Post holder authorised to carry out function: Director: Property, Assets and Infrastructure and Executive Director: People and Director: Educational Improvement Place

Energy

Energy Service Managers are delegated by the Director: Property, Assets and Infrastructure to manage the proper use of the operational, budgetary, staffing and other resources of the Energy Service as outlined below

C. **Function:** Energy

- i. Functions relating to signing and management of works, funding, loans, carbon purchases or services contracts for work carried out by the energy service

Post holder authorised to carry out function: Works funding, loans, purchases or services of more than £100,000 to £250,000 - Director: Property, Assets and Infrastructure

Works, funding, loans, purchases or services up to £100,000 – Head of Energy Services provided a detailed investment appraisal (where appropriate) have been carried out and agreed with colleagues from Resources Directorate.

D. **Function:** Energy

- i. Functions relating to the delivery of domestic energy efficiency schemes

Post holder authorised to carry out function: Individual work packages with installers of energy measures – Programme Manager (Operations)

Final write off of debts as a result of non-payment of customers up to a maximum of £5,000 - Programme Manager Operations

Compensation claims of up to:

- £100 – Installations Project Manager,
- up to £5,000 – Programme Manager Operations

Deposit refunds of

- up to £500 – Customer Care Team Manager
- up to £2,000 - Programme Manager (Operations)
- up to £5,000 – Head of Energy Services

All debt / compensation & deposit payments to be reported at the Service's monthly financial review meeting and monitored cumulatively.

E. Function: Energy

- i. Functions relating to the installation of energy infrastructure, energy efficiency or Renewable Energy measures

Post holder authorised to carry out function: Individual work packages of works up to £100,000 – the appropriate Programme Manager
Variations to work packages up to £5,000 – the appropriate Programme Manager

F. Function: Energy

- i. Functions relating to the installation of Heat Networks

Post holder authorised to carry out function: Individual work packages including building connection agreements up to £100,000 – Programme Manager (Infrastructure)
Variations to work packages up to £5,000 – Programme Manager (Infrastructure)

G. Function: Neighbourhood Enforcement and Street Scene

- i. Clean Streets, Enforcement Concession, Community Toilet Scheme, collecting charges for chargeable domestic waste, bulky waste.

Post holder authorised to carry out function: Neighbourhood Enforcement and Street Scene Manager; Street Scene Team Leader; Project Development Officer and Project Support Officer

H. Function: Neighbourhood Enforcement and Street Scene

- i. Neighbourhood Enforcement including waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, accumulations which are detrimental to the amenity of an area, highways obstructions & unauthorised works or damage to highways.

Post holder authorised to carry out function: See Regulatory enforcements delegations below.

I. Function: Facilities Management

- i. Functions relating to Facilities Management

Post holder authorised to carry out function: Head of Facilities Management

J. Function: Facilities Management

- i. To authorise changes under maintenance contracts

Post holder authorised to carry out function: Head of Facilities Management

K. Function: Facilities Management

- i. To make all day-to-day management decisions relating to the Council's functions as they relate to Cash in Transit

Post holder authorised to carry out function: Head of Facilities Management

L. Function: Facilities Management

- i. To make all day-to-day management decisions relating to the Council's functions as they relate to Fleet Services

Post holder authorised to carry out function: Head of Facilities Management

M. Function: Facilities Management

- i. To make all day-to-day management decisions relating to the Council's functions as they relate to Events and Conferences (including the Create Centre)

Post holder authorised to carry out function: Head of Facilities Management

Property Scheme of Delegations

The Director: Property, Assets, and Infrastructure, will undertake the role of 'corporate landlord'.

In this scheme the term 'land' means real estate of whatever nature including land, buildings, or structures, plus any rights over, under or through the land.

Property Transactions

In the course of its day-to-day business, the Council enters into a variety of land agreements and performs a number of transactions, including those listed below:

1. Freehold acquisitions, disposals, including agreements for the exchange of assets; (will be authorised by Service Manager and / or above)
2. Leasehold acquisitions and disposals, including disposals by way of a short tenancy as defined by S123 of the Local Government Act 1972; (will be authorised by Service Manager and /or above)
3. Agreeing terms for the completion of all rent reviews, renewals of leases, the granting and renewals of licences including referrals to court or, for independent determination;
4. Undertaking transactions including agreeing compensation, issuing notices, entering into deeds of variation or rectification and the giving and withholding of consents under the Landlord and Tenant Act 1954 and other relevant Legislation e.g., Section 146 of the Law of Property Act 1925;
5. Agreeing terms for the sale of freehold reversions under the Leasehold Reform Act 1967 and sale of rent charges;
6. Taking action to safeguard Council land and buildings including taking entry into tenant's premises for the purpose of executing emergency works;
7. Entering into planning agreements as landowner;
8. Release of covenants;
9. Taking and granting easements, way leaves and rights of way;
10. Options Agreements; (will be authorised by Service Manager and / or above)
11. Lease surrenders and exit agreements (including dilapidations);
12. Changes under maintenance contracts i.e., only where there is an existing condition of contract (and in accordance with Corporate Procurement Rules);

13. Appointing agents and procuring consultants and contractors in accordance with Corporate Procurement Rules and Finance Regulations
14. To write-off rent arrears in respect of any single lease / tenancy. Not exceeding the greater of 2-years rent or, £10,000 (will be authorised by Service Manager and / or above);
15. Issuing instructions to the Legal Team to take possession proceedings against lessees, tenants or licensees for breach of covenant including taking actual possession;
16. Authorising applications in landowner capacity for consent or change of use under the Town and Country Planning Act 1990;
17. Authorising the transfer of land between consenting executives and the associated appropriation of statutory purpose;
18. Advertising proposals to appropriate and / or dispose of public open space land, subject to any objections being subsequently reported to the appropriate executive.
19. Authorising the transfer of purpose for holding land (and the associated appropriation) to defend against possible T&VG's and to prevent objections to developments being anything other than a compensatable matter (rather than being able to prevent developments taking place) and
20. Compulsory acquisitions and land compensation claims (will be authorised by Service Manager and / or above).

Conditions

1. All Key decisions will be taken by Cabinet. The Council's constitution defines a Key decision as one that is likely to:
 - a) result in expenditure or savings of £500,000 or more (this excludes the sale of land) or,
 - b) be significant in terms of its effect on communities living or working in an area comprising two or more wards.
2. The reporting of transactions will be in accordance with the requirements of 'Key' and 'Officer Executive' Decisions. This could be quarterly if volume is significant.
3. Officers will brief the relevant Cabinet Member on the following before making delegated decisions:
 - a) decisions that are not Key decisions but are otherwise significant (e.g., because they are controversial, or of particular interest to the public and / or councillors);
 - b) the medium-term corporate property disposal plan (updated quarterly).
4. Whenever any of the Property transactions above (Nos. 1-19) have a direct positive or neutral financial consequence for the Council and are in compliance with S123 of the Local Government Act 1972 (and any subsequent variations)

namely a disposal of land for the 'best consideration that can reasonably be obtained', authorisation will be at the discretion of the Service Manager or Head of Property, at BG14 (and above) with the minimum qualification of MRICS, unless otherwise stated.

5. Whenever any of the Property transactions above (Nos. 1-19) have a direct negative financial consequence for the Council, whereby less than 'best consideration is to be obtained' (thereby creating an undervalue, subsidy, compensation or rent reduction) approval will be required to authorise such property transactions prior to completion, as below.
6. In the case of Property transaction No. 20. All acquisitions of property through compulsory acquisition will require Cabinet authority. Following approval by Cabinet, the level and payment of compensation and other costs within the Cabinet approved budget for compulsory acquisition will require Service Manager or Head of Property approval.

Amount (capitalised)	Approval required
Up to £25,000	Property Service Manager with the minimum qualification of MRICS
In excess of £25,000 but less than £100,000	Head of Property with the minimum qualification of MRICS
£100,000 but less than £250,000	Director: Property, Assets and Infrastructure in consultation with Service Manager or Head of Property with the minimum qualification of MRICS
£250,000 but less than £500k	Director: Property, Assets and Infrastructure in consultation with Service Manager or Head of Property with the minimum qualification of MRICS and with approval of the Section 151 Officer and relevant Cabinet Member(s)
£500,000 and above, but not more than £1m	Cabinet. Post Cabinet approval of the Key decision - the requisition or payments can only be authorised by: Executive Director (following consultation with the Budget Holder)
Over £1m	Cabinet. Post Cabinet approval of the Key decision - the requisition or payments can only be authorised by: Section 151 Officer, in consultation with the Director: Property, Assets and Infrastructure

Amount (capitalised)	Approval required
Over £2m	Cabinet. Post Cabinet approval of the Key decision - the requisition or payments can only be authorised by: Section 151 Officer, in consultation with the Director: Property, Assets and Infrastructure. Once Council authority is obtained the Secretary of State's approval to be obtained before implementation.

In the event for example, that sales at undervalue give rise to a state aid or other issue, all issues will be resolved or resolution actions agreed before delegation is sought. All risks to proceeding to transact will be stated in the valuation and delegated authority request so the prospective signatory will be advised of the risks and be able to consider before signing or, not.

Notes

1. Best consideration will be as defined by S123 of the Local Government Act 1972 (and any subsequent variations).
2. All transactions will be accompanied by a signed and countersigned valuation in accordance with RICS best practice.
3. In all cases of a request for authority to act under delegated powers, the form will be signed by separate parties therefore; the requester shall not be the decision-maker.

All expenditure will be in accordance with the Financial Regulations.

4. Where property is acquired for the purpose of investment, the role of the Cabinet Member with responsibility for Property shall be discharged in consultation with the Cabinet Member with responsibility for Finance and written delegated authority will be obtained from the Councils Chief Finance Officer.
5. Any moveable assets located within properties proposed for sale, that would be included as part of the sale (e.g. paintings) will be subject to separate consideration and in accordance with paragraph seven of the Finance Scheme of Delegations
6. Under Section 123 of the Local Government Act 1972, local authorities (LA) have powers to dispose of land and buildings (including the sale of freeholds, granting and assigning of leases and the granting of easements) for the best consideration reasonably obtainable. A Discount (Undervalue) of up to £2m may be agreed, under the General Disposal Consent (England) 2003, subject to the LA being satisfied that the disposal will secure the promotion or improvement of the economic, social or environmental well-being.
7. If the undervalue exceeds £2m Government approval will be required.

8. Additionally, certain types of disposal may require Statutory consent e.g., Education sites, playing fields and allotments.
9. Once land and buildings have been declared surplus to requirements, the Head of Property or Director with responsibility for Property will arrange for the disposal of these assets in accordance with the Council's property strategy.
10. The proceeds from the sale of all land and buildings (subject to certain statutory limitations) will not be earmarked for use by a specific service but will be pooled and applied to finance future capital investment or, for any other purpose permitted by Regulation (which may if approved, include investment / re-investing into investment property).

Non-Executive Functions

Delegated Officers

The Executive Director, Growth and Regeneration has authorised the delegated officers identified in schedule 2 to exercise non-executive functions set out in the Terms of Reference of the Public Rights of Way and Greens and Development Control Committees including, but not restricted to:

- imposing any condition, limitation or restriction on an approval, consent, licence, permission, or registration.
- determining whether and in what manner to enforce a failure to comply with an approval, consent, licence, permission or registration.
- amending, modifying, varying, or revoking an approval, consent, licence, permission or registration.

1. Economy of Place

A. Function: Planning

- i. Power to determine application for planning permission.
Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8)

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

B. Function: Planning

- i. Power to determine applications to develop land without compliance with conditions previously attached.
Section 73(A) of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

C. Function: Planning

- i. Power to grant planning permission for development already carried out.
Section 73(A) of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

D. Function: Planning

- i. Power to decline to determine application for planning permission
Section 70A of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

E. Function: Planning

- i. Duties relating to the making of determinations of planning applications. Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure Order 1995 (S.I. 1995/419 and directions made there under).

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

F. Function: Planning

- i. Power to determine application for planning permission made by a local authority, alone or jointly with another person.
Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

G. Function: Planning

- i. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights. Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and country Planning (General Permitted Development) Order 1995

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator. Team Leader, Admin & Business Support

H. Function: Planning

- i. Power to enter into agreement regulating development or use of land.
Section 106 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

I. Function: Planning

- i. Power to issue a certificate of existing or proposed lawful use or development.
Section 191(4) and 192(2) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

J. Function: Planning

- i. Power to serve a completion notice
Section 94(2) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

K. Function: Planning

- i. Power to grant consent for the display of advertisements
Section 220 the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992

Post holder authorised to carry out function: DM Team Managers, Principal DM officers and Team Coordinator

L. Function: Planning

- i. Power to authorise entry onto land.
Section 196A of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

M. Function: Planning

- i. Power to require the discontinuance of a use of land.
Section 102 of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

N. Function: Planning

- i. Power to serve a planning contravention notice, breach of condition notice or stop notice
Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

O. Function: Planning

- i. Power to issue a temporary stop notice
Section 171 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

P. Function: Planning

- i. Power to issue an enforcement notice
Section 172 of the Town and Country Planning 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

Q. Function: Planning

- i. Power to apply for an injunction restraining a breach of planning control
Section 187B of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

R. Function: Planning

- i. Power to determine applications for hazardous substances consent, and related powers
Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c.10).

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

S. Function: Planning

- i. Duty to determine conditions of which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject
Paragraph 2(6)(a) of Schedule 2 of the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 of the Environment Act 1995 (c.25) and paragraph 6(5) of Schedule 14 to that Act.

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; and DM Team Managers

T. Function: Planning

- i. Power to require proper maintenance of land.
Section 215(1) of the Town and Country Planning Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM officers

U. Function: Planning

- i. Power to determine application for listed building consent, and related powers.
Sections 16(1) and (217, 27(2) and 33(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

V. Function: Planning

- i. Power to issue Certificate of Lawful works to listed buildings
The Planning (Listed Buildings and Conservation Areas) Act 1990: sections 26H and 26I, as inserted by section 61 of the Enterprise and Regulatory Reform Act 2013. The Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

W. Function: Planning

- i. Duties relating to applications for listed building consent and certificates of lawful works
Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Town and Country Planning (Listed Buildings in Conservation Areas) Regulations 1990 and paragraphs 8, 15 and 22 of Dept. of the Environment Circular 14/97

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers, Urban Design Team Manager and Principal Historic Environment Officer

X. Function: Planning

- i. Power to serve a building preservation notice, and related powers
Sections 3(1) and 4(1) of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

Post holder authorised to carry out function: Head of Development

Management and Urban Design Team Manager

Y. Function: Planning

- i. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area
Section 38 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

Z. Function: Planning

- i. Powers to acquire a listed building in need of repair and to serve a repairs notice
Section 47 and 48 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990.

Post holder authorised to carry out function: Director: Economy of Place

AA. Function: Planning

- i. Power to apply for an injunction in relation to a listed building
Section 44A of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

BB. Function: Planning

- i. Power to execute urgent works to unoccupied listed buildings
Section 54 of the Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990

Post holder authorised to carry out function: Chief Planner / Head of Planning Services;

CC. Function: Planning

- i. Power to authorise stopping up or diversion of footpath, bridleway or restricted byway
Section 257 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

DD. Function: Planning

- i. Powers relating to the protection of important hedgerows
Hedgerows Regulations 1997 (S.I. 1997/1160)

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

EE. Function: Planning

- i. Powers relating to the preservation of trees.
Sections 197 to 214D of Town & Country Planning Act 1990

Post holder authorised to carry out function: Chief Planner / Head of Planning Services; t, DM Team Managers,

FF. Function: Planning

- i. Powers relating to complaints about high hedges.
Part 8 of the Anti-social behaviour Act 2003

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

GG. Function: Planning

- i. Power to include modifications in other orders.
Section 53A of the Wildlife and Countryside Act 1981.

Post holder authorised to carry out function: DM Team Managers, Principal DM Officers and Network Operations Team Manager

HH. Function: Planning

- i. Power to revoke or modify planning permission
Section 97 of the Town and Country Planning Act 1990

Post holder authorised to carry out function: Director: Economy of Place

II. Function: Planning

- i. The making of Local Development Orders under Article 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

Post holder authorised to carry out function: Chief Planner / Head of Planning Services

JJ. Function: Planning

- i. Power to exercise functions relating to Nationally Significant Infrastructure Projects and Development Consent Orders as contained in the Planning Act 2008.

Post holder authorised to carry out function: DM Team Managers and Principal DM Officers

KK. Function: Economy of Place

- ii. Powers relating to the preservation of trees.
The Town and Country Planning (Tree Preservation) (England) Regulations 2012

Post holder authorised to carry out function: Chief Planner / Head of Planning Services;

2. Transport

A. Function: Power to grant a street works license (section 50 of the New Roads and Street Works Act 1991 (c.22)).

Post holder authorised to carry out function: Network Operations Team Manager

B. Function: Power to permit deposit of builder's skip on highway (section 139 of the Highways Act 1980 (c.66) ("the Act")).

Post holder authorised to carry out function: Network Operations Team Manager

C. Function: Duty to publish notice in respect of proposal to grant permission under section 115E of the Act (section 115E of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

- D. **Function:** Power to license planning, retention and maintenance of trees etc. in part of highway (Section 142 of the Act).
Post holder authorised to carry out function: Highways Maintenance Manager
- E. **Function:** Power to authorise erection of stiles etc. on footpaths or bridleways (section 147 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- F. **Function:** Power to license works in relation to buildings etc. which obstruct the highway (Section 169 of the Act).
Post holder authorised to carry out function: Highways Maintenance Manager, Structures Team Manager
- G. **Function:** Power to consent to temporary deposits or excavations in streets (section 171 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager, Highways Maintenance Manager
- H. **Function:** Power to dispense with obligation to erect hoarding or fence (section 172 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- I. **Function:** Power to restrict the placing of rails, beams etc over highways (section 178 of the Act).
Post holder authorised to carry out function: Highways Maintenance Manager, Structures Team Manager
- J. **Function:** Power to consent to construction of cellars etc. under street (section 179 of the Act).
Post holder authorised to carry out function: Highways Maintenance Manager, Structures Team Manager
- K. **Function:** Power to consent to the making of openings into cellars etc. under streets and pavement lights and ventilators (section 180 of the Act).
Post holder authorised to carry out function: Highways Maintenance Manager, Structures Team Manager
- L. **Function:** Power to create footpath, bridleway or restricted byway by agreement (section 25 of the Act (C.66)).
Post holder authorised to carry out function: Network Operations Team Manager
- M. **Function:** Power to stop up footpaths, bridleways and restricted byways (section 118 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- N. **Function:** Power to determine application for public path extinguishment order (sections 118ZA and 118C(2) of the Act).
Post holder authorised to carry out function: Network Operations Team

Manager

- O. **Function:** Power to make a rail crossing extinguishment order (section 118A of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- P. **Function:** Power to make special extinguishment order (section 118B of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- Q. **Function:** Power to divert footpaths, bridleways and restricted byways (section 119 of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- R. **Function:** Power to make a public path diversion order (sections 119ZA and 119C(4) of the Act)
Post holder authorised to carry out function: Network Operations Team Manager
- S. **Function:** Power to make a rail crossing diversion order (section 119A of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- T. **Function:** Power to make a special diversion order (section 119B of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- U. **Function:** Power to require applicant for order to enter into agreement (section 119C(3) of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- V. **Function:** Power to make an SSSI diversion order (section 119D of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- W. **Function:** Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Act (section 121B of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- X. **Function:** Power to decline to determine certain applications (section 121C of the Act).
Post holder authorised to carry out function: Network Operations Team Manager
- Y. **Function:** Duty to assert and protect the rights of the public to use and enjoyment of highways (section 130 of the Act).
Post holder authorised to carry out function: Network Operations Team

Manager

Z. **Function:** Duty to serve notice of proposed action in relation to obstruction (section 115E of the Act).

Post holder authorised to carry out function: Network Operations Team Manager, Structures Team Manager

AA. **Function:** Power to apply for variation of order under section 130B of the Act (section 130B(7) of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

BB. **Function:** Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway (section 135 of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

CC. **Function:** Power to temporarily divert footpath, bridleway or restricted byway (section 135A of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

DD. **Function:** Functions relating to the making good of damage and the removal of obstructions (section 135B of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

EE. **Function:** Powers relating to the removal of things so deposited on highways as to be a nuisance (section 149 of the Act).

Post holder authorised to carry out function: Network Operations Team Manager

FF. **Function:** Power to extinguish certain public rights of way (section 32 of the Acquisition of Land Act 1981 (c.67)).

Post holder authorised to carry out function: Network Operations Team Manager

GG. **Function:** Power to designate footpath as cycle track (section 3 of the Cycle Tracks Act 1984 (c.38)).

Post holder authorised to carry out function: Network Operations Team Manager

HH. **Function:** Power to make limestone pavement order (section 34(2) of the Wildlife and Countryside Act 1981 (c.69)).

Post holder authorised to carry out function: Network Operations Team Manager

II. **Function:** Power to make Modification Orders under section 53(2)(b) of the Wildlife and Countryside Act 1981 following a legal event that has already occurred under section 53 (3)(a) of the same Act).

Post holder authorised to carry out function: Network Operations Team Manager

JJ. Function: Power to discharge and acquire from other authorities, functions relating to Definitive Map Modification Orders and Public Path Orders (section 101 of the Local Government Act 1972).

Post holder authorised to carry out function: Network Operations Team Manager

3. Regulatory functions

This section contains all the regulatory functions within Growth and Regeneration Directorate and includes both Executive and non-Executive delegations. It must be read in conjunction with the Limitations set out in Appendix 1.

For the avoidance of doubt, where legislation is not specified or identified, authorisation extends to all other legislation of a like kind under which the Council is authorised to exercise any of its functions.

A. **Function:** Consumer Protection Legislation

- i. Authorised Functions contained in this paragraph are those arising under Consumer Protection legislation and includes powers arising under the Explosives Acts which can be enforced by local authority officers, together with the Council's powers relating to age restricted sales and all legislation which confers duties and powers upon the Council in its capacity as Weights and Measures Authority as defined under Section 69 of the Weights and Measures Act 1985, including the Consumer Rights Act 2015.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Senior Investigator; Investigator; Intelligence Officer- Lettings Lead Enforcement Authority; Investigator- Lettings Lead Enforcement Authority; Senior Manager, Powys under S113 LGA agreement. Operations Manager, Powys under S113 LGA agreement; Investigators, Powys under S113 LGA agreement; Investigation Support Officers, Powys under S113 agreement.

B. **Function:** Animal Welfare Legislation and Relevant Licensing

- i. Authorised Functions contained in this paragraph are those arising under legislation governing animal licensing and animal welfare, including the Animal Welfare Act 2006, the Veterinary Medicines Regulations 2006, the Animal Health Act 1981, the Animal Health and Welfare Act 1984, the Animal Boarding Establishments Act 1963, the Breeding of Dogs Act 1973 and 1991, the Breeding and Sale of Dogs (Welfare) Act 1999, the Performing Animals (Regulation) Act 1925, the Slaughterhouses Act 1974, the Dangerous Wild Animals Act 1976, the Pet Animals Act 1951, the Riding Establishments Act 1964 and 1970; The Dogs Act 1906; The Dangerous Dogs Act 1991; The Zoo Licensing Act 1981; and all other legislation of a like kind.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Team Leader,

Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer

C. Function: Animal Welfare Legislation and Relevant Licensing

- i. Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the of the said Act.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Team Leader, Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer;

D. Function: Food Safety Legislation and Relevant Licensing Provisions

- i. Authorised functions contained in this paragraph include those arising under The Food Safety Act 1990, The General Food Regulations 2004, The Food Safety and Hygiene (England) Regulations 2013, The Official Feed and Food Controls (England) Regulations 2009, The Trade in Animals and Related Product Regulations 2011 and other legislation governing food and food hygiene, including all legislation which confers duties or powers upon the Council in its capacity as Food Authority as described under Section 5 of the Food Safety Act 1990 and in its capacity as enforcement authority for such legislation.
- ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; North Somerset Officers for duration of Bristol International Balloon Fiesta as determined in S113 agreement between Bristol City Council & North Somerset Council.

E. Function: Agriculture Standards and Relevant Registration Provisions

- i. Authorised functions contained in this paragraph are those arising under the Agriculture Act 1970 and legislation governing the importation, manufacture, storage and marketing of animal feed materials, animal feeding stuffs and related materials and fertilizers, and include all legislation which confers duties or powers upon the Council in its capacity as enforcement authority in accordance with Section 67 of the Agriculture Act 1970 or competent body in accordance with Regulation 3 of The Official Feed and Food Controls (England) Regulations 2007 and Regulation 4 of The Feed (Hygiene and Enforcement) (England) Regulations 2005. This officer is appointed as an inspector pursuant to section 67(3)(a) of the Act.
- ii. This officer is appointed pursuant to Regulation 12 of Transmissible Spongiform Encephalopathies (No2) Regulations 2006 to act as an inspector for the purposes of these regulations.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team

Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Senior Investigator; Investigator; Trading Standards Manager North Somerset Council subject to S113 LGA agreement.

F. Function: Health and Safety at Work

- i. Appointed in exercise of the power conferred upon the council by Section 19(1) of the Health and Safety at Work etc. Act 1974 to act as an inspector for the purposes of the Act.
- ii. Parag. 8a To sign, on behalf of the authority, authorisations of persons to accompany appointed inspectors in the exercise of their functions under the Act.
- iii. Parag. 8b To approve, on behalf of the authority, transfer and assignments of premises between Bristol City Council and the Health and Safety Executive in accordance with Regulations 5 and 6 of The Health and Safety (Enforcing Authority) Regulations 1998.

Post holder authorised to carry out function - subject to limitations in Appendix 1:

Senior Trading Standards Officer; Trading Standards Officer; North Somerset Officers for duration of Bristol International Balloon Fiesta and other major events taking place at Ashton Court and surrounding area as specified in S113 agreement between Bristol City Council & North Somerset Council.

G. Function: Public Health legislation, Health Protection Regulations and Relevant Licensing or Registration

- i. Public Health (Control of Disease) Act 1984 (as amended including as amended by the Health and Social Care Act 2008) together with the Health Protection (Local Authority Powers) Regulations 2010 and the Health Protection (Part 2A Orders) Regulations 2010, International Health Regulations 2005 and Health Act 2006.
- ii. * Appointment of proper officers of the local authority
 - i. The local authority appoints a proper officer for the purpose of receiving and forwarding information about notifications within their area. In the majority of cases, local authorities have decided to appoint a consultant in communicable disease control/health protection based within the local Public Health England (PHE) office as their proper officers.
- iii. Appointment in exercise of the power conferred upon the council by section 7 of the Sunbeds (Regulation) Act 2010 to act as an "authorised officer" for the purposes of the said Act.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Licensing Team Leader; Senior Licensing Officer; Licensing Officer.

H. Function: Pest Control

- i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to pest control, disinfection disinfestations and public health, including but not limited to those contained in the Prevention of Damage by Pest Act 1949, Public Health Acts 1936 & 1961, The Environmental

Protection Act 1990 (as amended), The Clean Neighbourhoods and Environment Act 2005.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer.

I. Function: Dog Warden

- i. Authorised Functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to dog wardens, stray dogs, dog fouling, dangerous dogs, including but not limited to those contained in the Dogs Act 1871, Dogs Act 1906, Road Traffic Act 1988, Animal Health Act 1981, Environmental Protection Act 1990 (as amended), Dangerous Dogs Act 1991, The Clean Neighbourhoods and Environment Act 2005, The Animal Welfare Act 2006, and other legislation of a like kind.
- ii. Paragraph 13a Appointment in exercise of the power conferred upon the council by S51 of the Animal Welfare Act 2006 to act as an inspector for the purposes of the said Act.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Team Leader; Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer;

J. Function: Port Health Authority Functions

- i. Authorised functions contained in this paragraph comprise functions assigned to the Council as Port Health Authority under Paragraph 4 of SI 2010/1214, together with all other functions, rights and liabilities of the Council as Port Health Authority conferred by or under any other legislation.
- ii. This officer is appointed, pursuant to Regulation 12(2) of The Trade in Animals and Related Products Regulations 2011 as an official veterinary surgeon.
- iii. This officer is appointed, pursuant to Regulation 12(4) of The Trade in Animals and Related Products Regulations 2011 as an official fish inspector.

Post holder authorised to carry out function - subject to limitations in Appendix 1:

Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator

K. Function: Scrap Metal

- i. Authorised function contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to licensing and regulation of persons engaged scrap metal dealing including but not limited to those contained in the Scrap Metal Dealers Act 2013.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Senior Investigator; Investigator; Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Licensing Team Leader; Senior Licensing Officer; Licensing Officer

L. Function: Licensing Functions incl Taxi Licensing & Regulation

- i. Authorised functions contained in the paragraph are those arising under legislation which confers functions upon the Council with respect to the Licensing and regulation of those engaged with Hackney Carriages, Private Hire Vehicles, Private Hire Operators including but not limited to provisions contained in the Local Government (Miscellaneous Provisions) Act 1976 and Town Police clauses Act 1847.
- ii. All functional responsibilities in respect of Street Trading activities and Sexual Entertainment Venue activities administered under the provisions of the Local Government Miscellaneous Provisions Act 1982), Charity Street Collections under the provisions of the Police Factories Etc (Miscellaneous Provisions) Act 1916, and collections from houses or premises under the House to House Collections Act 1939.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Trading Standards & Licensing Manager; Trading Standards Team Leader; Senior Trading Standards Officer; Trading Standards Officer; Animal Health Officer; Trainee Trading Standards Officer; Fair Trading Officer; Trading Standards Investigator/Financial Investigator; Licensing Team Leader; Senior Licensing Officer; Licensing Officer; Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Fleet Manager; Fleet Technical Operations Manager, Operations Manager Fleet Workshops, Workshop Co-ordinator

M. Function: Parks Byelaws

- i. Authority to exercise the duties and powers contained in Bristol City Council's Parks Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906 and sections 12 and 15 of the Open Spaces Act 1906 with respect to pleasure grounds, public walks and open spaces. To include authority to:
 - i. Designate routes for the purpose of byelaws 12 and 13; (ii) designate areas for the purpose of byelaws 9, 22 and 25; (iii) issue consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.
- ii. Remove from the ground any person offending against any of the byelaws.

Post holder authorised to carry out function - subject to limitations in

Appendix 1: Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Area Manager- Parks; Contract Manager- Parks; Operational Co-coordinators- Parks

N. Function: Environmental Protection, Nuisance, Clean Neighbourhoods, Building safety, Highways Enforcement and Relevant Licensing or Registration

- i. Authorised functions contained in this paragraph are those arising under legislation which confers functions upon the Council with respect to any of the following: waste disposal, statutory nuisance, pollution (including but not limited to noise, air, land and water pollution), buildings not secured against unauthorised entry, accumulations which are detrimental to the amenity of an area, Community Protection Notices, highways obstructions & unauthorised works or damage to highways including but not limited to those contained in the Control of Pollution Act 1974, Refuse Disposal (Amenity) Act 1978, Highways Act 1980, Building Act 1984, the Town and Country Planning Act 1990, the Environmental Protection Act 1990 (as amended), the Clean Air Act 1993, Criminal Justice & Public Order Act 1994, the Noise Act 1996 (as amended), the Pollution Prevention and Control Act 1999, the Clean Neighbourhoods and Environment Act 2005, the Environmental Permitting (England and Wales) Regulations 2010 (as amended), Anti-social Behaviour, Crime and Policing Act 2014. All other legislation of a like kind under which the Council is authorised to exercise any of its functions.

Post holder authorised to carry out function - subject to limitations in Appendix 1:

Neighbourhood Enforcement and Street Scene Manager; Team Leader Neighbourhood Enforcement Team; Senior Neighbourhood Enforcement Officer; Neighbourhood Enforcement Officer; Waste Enforcement Officer

O. Function: Lead Enforcement Authority- Tenants Fees Act 2019

- i. All general and enforcement responsibilities duties of the Lead enforcement authority as conferred by the Tenants Fees Act 2019.

Post holder authorised to carry out function - subject to limitations in Appendix 1: Trading Standards & Licensing Manager; Intelligence Officer- Lettings Lead Enforcement Authority; Investigator- Lettings Lead Enforcement Authority; Senior Manager, Powys under S113 LGA agreement; Operations Manager, Powys under S113 LGA agreement; Investigators, Powys under S113 LGA agreement; Investigation Support Officers, Powys under S113 agreement.

P. Function: Psychoactive Substances Act 2016

- i. Issuing of Prohibition Orders

Post holder authorised to carry out function subject to limitations in

Appendix 1: Trading Standards & Licensing Manager, Neighbourhood Enforcement and Street Scene Manager

Appendix 1

Schedule of Posts and Limitations of Regulatory Functions

Post	Limitation
Neighbourhood Enforcement and Street Scene Manager	A, D, L, M, P
Team Leader Neighbourhood Enforcement	A, B, D, L, M, P
Senior Neighbourhood Enforcement Officer	A, B, D, L, M, P
Neighbourhood Enforcement Officer	A, B, D, L, M,

Post	Limitation
Waste Enforcement Officer	A, B, D, L
Trading Standards & Licensing Manager	A, F, G, P
Director Management of Place	A, F, G
Team Leader Trading Standards	A, C, F, G,
Senior Trading Standards Officers	A, B, H, I,
Trading Standards Officer	A, B, F, G, H, I,
Fair Trading Officer	A, B, C
Animal Health Officer	A, B, C, F, G,
Trainee Trading Standards Officer	A, B, C, F, G, J,
Trading Standards Investigator/Financial Investigator	A, B, C, F, G,
Senior Investigator	A, C
Investigator	A, B, C
Investigator- Lettings Lead Enforcement Authority	A, B, C, F, G
Intelligence Officer- Lettings Lead Enforcement Authority	A, B, C, F, G
Senior Manager, Powys	A, C, F, G
Operations Manager, Powys	A, B, C, F, G
Investigators, Powys	A, B, C, F, G
Investigation Support Officers, Powys	A, B, C, F, G
Licensing Team Leader	A,
Senior Licensing Officer	A, B, L
Licensing Officer	A, B, L

Limitations

Institution of Proceedings & Disposal.

- (A) This authorisation shall not extend to the institution of proceedings, save in respect of proceedings instituted by inspectors under Health & Safety Work, etc. Act 1974, where the power to institute proceedings shall be subject to prior consultation with the Council's Head of Legal Services or his duly authorised representative.
- (B) This authorisation shall not extend to the giving of Home Office cautions, such as Simple Cautions.

Weights & Measures.

- (C) This authorisation shall not extend to the exercise of any function contained in the Weights and Measures Act 1985.

Environmental Protection, Clean Neighbourhoods etc

- (D) Save with the prior express permission of the Council's Executive Director: Growth and Regeneration, this authorisation shall not extend to the exercise of any power of the Council in its capacity as the Local Planning Authority other than enforcement action arising under Sections 215 & 330 of the Town and Country Planning Act 1990.

Food Safety, Agriculture and Port Health.

- (E) This authorisation shall not extend to the undertaking of any Food Hygiene activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained to satisfy the provisions of the Food Law Code of Practice.
- (F) This authorisation shall not extend to the undertaking of any Food Standards activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, competent and appropriately trained having regard to the Guidelines contained in the Food Law Code of Practice.
- (G) This authorisation shall not extend to the undertaking of any Feed Law activities which the Authorised Officer has not satisfied the Council that s/he is suitably qualified, experienced and competent having regard to the Guidelines contained in the Feed Law Code of Practice.

Health & Safety.

- (H) This appointment shall not extend to sections 21, 22, 25 and 39 of the Health & Safety at Work etc. Act 1974, unless they are suitably qualified having regard to HSE guidance
- (I) This appointment is limited to the powers specified in section 20 (2) (a) (c) (d) (f) (g) (l) and (k) of the Health and Safety at Work etc Act 1974 for the express purposes of taking environmental, chemical or physical samples, as well as the making of any such scientific examination (including taking measurements, photographs, examining documentation, and the like) as may be required by a fully authorised Health and Safety inspector in the course of their investigations.

Trainee Officers & Contractors.

- (J) The exercise of any powers conferred upon the Officer by virtue of this Scheme shall only be exercisable when under the supervision or direction of a fully authorised and competent colleague.
- (K) This authorisation shall not extend to the service of any notices for which a failure to comply may result in an offence or the taking of any other legal action by the council, except under the supervision or direction of a fully authorised and competent colleague.

Neighbourhood Enforcement Officers.

- (L) Authorisation shall not extend beyond provisions relating to the Health Act 2006 and smoking legislation made thereunder.

Parks Byelaws

- (M) This authorisation shall not extend to (i) designating routes for the purpose of byelaws 12 and 13; (ii) designating areas for the purpose of byelaws 9, 22 and 25; (iii) issuing consents in respect of byelaws 5, 6, 8, 9, 16, 18, 19, 26, 27, 28 and 29.

- (N) This authorisation shall not extend to removal from the ground of any person offending against any of the byelaws.
- (O) Authorisations under Paragraph 16 shall not extended provisions relating to the service of notices in relation to S43-58 of the Anti-Social Behaviour, Crime & Policing Act 2014.

Authorised by:

John Smith, Interim Executive Director Growth and Regeneration

Dated: 10 September 2023

Directorate Scheme of Delegations: Resources

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to the Chief Executive and to the Executive Directors.

This is the Resources Directorate Scheme of Delegation to officers. It:

- i) Summarises the powers and functions delegated to the Chief Executive, in Part 1
- ii) Describes how the Chief Executive has delegated these powers and functions to officers in their Directorate to exercise on their behalf, in Part 2.

This scheme is subject to the Council's Constitution, including the Council and Mayoral Schemes of Delegation and the Procurement Rules, the Financial Regulations and Standing Orders.

The Chief Executive will delegate to the post that's most appropriate for the exercise of the function. Any direct line manager between the Chief Executive and the post delegated the function is also entitled to perform that function, unless otherwise stated in the scheme.

In the event of a civil emergency or a business continuity disruption, all authorities relevant to the management of the incident are delegated to named duty officers, officers attending multi-agency coordination group meetings or officers chairing an Incident Management Team, as appropriate.

Although the Chief Executive can delegate functions they remain responsible for and accountable to the Council for the exercise of their delegated powers, on occasion they may still decide to take decisions themselves. Officers may decide to refer delegated powers back to the Chief Executive, the Mayor or Full Council. The Mayor and Full Council can also decide to reserve a particular decision to themselves.

This Scheme of Delegation will remain in force until it is amended or revoked by the Chief Executive or via changes to the Council and Mayoral Schemes of Delegation.

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

Part 1: Functions delegated under the Constitution to the Chief Executive

Executive functions (part 3.4.B.5 of the Constitution)

'Executive' power rests with the Mayor. The Mayor delegates executive power to officers via the Mayoral Scheme of Delegation, which is part of the constitution. The following executive functions are delegated to the Chief Executive.

Any function of the executive falling within the portfolio of the Chief Executive including functions relating to:

- (a) Finance management and Procurement;
- (b) Workforce and Change;
- (c) Legal and Democratic Services;
- (d) Policy, Strategy and Digital ;

Some executive functions are delegated directly to other officers within the Resources Directorate who remain responsible for and accountable to the Council for the exercise of his / her delegated powers:

- (a) Director: Legal and Democratic Services - to do all things necessary to perform legal services and ensuring that all decisions taken by the Council are lawful.
- (b) Director: Finance - to do all things necessary or expedient in the performance of financial services and ensuring that the Council takes sound financial decisions and has adequate risk management and insurance arrangements, having due regard to any relevant Council policy or Government guidance.

The Director: Legal and Democratic Services also performs the role of Senior Information Risk Owner (SIRO), which is part of their job description. This isn't a formal delegation as it is not a statutory post, but has been included for ease of reference.

Local Choice executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been decided to be executive functions and have been delegated to the Chief Executive.

- The appointment of review boards under regulations under subsection (4) of section 34 (determination of claims and reviews) of the Social Security Act 1998

Non-executive functions (part 3.2.C of the Constitution)

'Non-executive' power rests with Full Council. Full Council can delegate non-executive powers to officers via the constitution. The following non-executive powers are delegated to the Chief Executive:

- Some of the non-executive functions which are the responsibility of the **Public Rights of Way and Greens Committee** (specifically, all those set out in list A of the terms of reference, listed in 3.2.B of the constitution). The delegations are set out in Part 2 below.
- A set of miscellaneous functions listed in 3.2.C.6 of the Constitution, in relation to:
 - Marriages and registration
 - Elections
 - Pensions and FinanceThey are listed in detail in Part 2 below.

Local Choice non-executive functions (part 3.3 of the Constitution)

In national legislation, 'Local Choice' functions can be either executive or non-executive decisions. The Constitution sets out which they are in Bristol City Council. The following Local Choice functions have been decided to be non-executive functions and have been delegated to the Chief Executive.

Part 2: Delegations to Officers from the Chief Executive

Executive Functions

1. Finance

Note that there is a separate council-wide finance scheme of delegations, available on the Bristol City Council website, which details financial delegations to managers of all Directorates within the Council. All references to the Director Finance include the functions of the Chief Finance Officer (S151 Officer).

- A. Function:** Responsibility for ensuring adherence to the Accounts and Audit Regulations in respect of the need to maintain sound systems of internal controls, adequate accounting records, supporting records and systems, and effective internal audit, taking into account public sector internal auditing standards or guidance. Effective and prudent oversight of the Pension Fund and its administration. **Post holder authorised to carry out function:** Director of Finance
- B. Function:** Insurance - Responsible for assessing the level of self-insurance, arranging necessary insurance covers and reviewing the adequacy of covers in ensuring the council's best interest is served. Handling insurance claims for and against the council
Post holder authorised to carry out function: Director of Finance. On a day-to-day basis this is delegated to the Senior Risk and Insurance Officer.
- C. Function:** Procurement and Contract Management - Responsible for the management of all procurement policies and procedures, authorise extensions and variations to a contract awarded under the Public Contracts Regulations 2015, the Concession Contracts Regulations 2016 or the Utilities Contracts Regulations 2016 and authorise such other person or directorate as he or she may direct, to do so.
Post holder authorised to carry out function: Director of Finance. On a day-to-day basis this is delegated to the Head of Procurement and Contract Management

2. Legal and Democratic Services

- A. Function:** Democratic Services and Scrutiny
Post holder authorised to carry out function: Head of Democratic Engagement
- B. Function:** Electoral services, Register office, Coroners, Mortuary

Date of update: June 2023

Post holder authorised to carry out function: Statutory Registration Manager

C. Function: Legal Services

Post holder authorised to carry out function: Head of Legal Services

D. Function: Information Assurance, Data Protection, Customer Relations and Modern Records Office

Post holder authorised to carry out function: Head of Information Assurance

E. Function: Shareholder Liaison Services

Post holder authorised to carry out function: Shareholder Liaison Manager

F. Function: Executive Office and Mayor's Office

Post holder authorised to carry out function: Head of Executive Office

G. Function: Business Support Services

Post holder authorised to carry out function: Head of Business Support Services

Note that the following information details functions which the constitution delegates directly to the Director, Legal and Democratic Services

H. Function: To prepare, negotiate and execute documents and otherwise take any action required to give effect to all resolutions and / or decisions of the full council, the executive, a committee or delegated officer.

Post holder authorised to carry out function: Head of Service, Legal Services / Team leaders, legal team

I. Function: To institute, defend or act in respect of legal proceedings or other determinations involving the council including power to settle and compromise such matters where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests. This is with the exception of settlement agreements relating to employment claims in which proceedings have been issued, which will remain the responsibility of the Director – Legal and Democratic Services.

Post holder authorised to carry out function: Head of Service, Legal Services / Team leaders, legal team / To such named officers outside Legal Services who the Director specifically authorises (list of individuals held by Business Manager, Legal Team).

J. Function: To take decisions to institute prosecutions on behalf of the authority

Post holder authorised to carry out function: Head of Service, Legal Services / Team leaders, legal team (in relation only to Fixed Penalty Notices, educational non-attendance and microchipping of dogs).

K. Function: To make and serve notices and other instruments where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests.

Post holder authorised to carry out function: Head of Service, Legal Services / Team leaders, legal team / To such named officers outside Legal Services who the Director specifically authorises (list of individuals held by Director, Legal and Democratic Services).

L. Function: Where any document is necessary to any legal procedure or proceedings on behalf of the council, it will be signed by the Director, Legal and Democratic Services, or other person authorised by them, unless any enactment

Date of update: June 2023

otherwise authorises or requires, or the full Council has given requisite authority to some other person.

Post holder authorised to carry out function: Head of Service, Legal Services

M. Function: Witnessing the Affixing of the City Council's Seal

Post holder authorised to carry out function: See list of individuals authorised to witness the affixing of the City Council's Seal, held by the Business Manager, Legal Team.

N. Function: To appear on behalf of the City Council, in proceedings before a magistrate's court and to conduct any such proceedings.

Post holder authorised to carry out function: See list of individuals authorised, held by the Business Manager, Legal Team.

O. Function: To address a Judge in Chambers in any civil proceedings in which BCC is a party and where the officer is acting under the supervision of a Lawyer

Post holder authorised to carry out function: See list of individuals authorised, held by the Business Manager, Legal Team.

P. Function: To address the county court in an action brought by the Council for either or both of the following—

(a) the recovery of possession of a house / dwelling belonging to the authority;

(b) the recovery of any rent, damages or other sum claimed by the authority in respect of the occupation by any person of such a house / dwelling

Post holder authorised to carry out function: See list of authorised individuals, held by the Business Manager, Legal Team.

O. Function: To make all day-to-day management decisions relating to the Council's functions as they relate to corporate complaints and FOI.

Post holder authorised to carry out function: Head of Information Assurance

P. Function: Have responsibility for all aspects of Information Assurance (including Information Governance, Information Management and Information Security) including assurance/governance and service delivery approach.

Post holder authorised to carry out function: Head of Information Assurance

Q. Function: To approve approach in relation to Information Assurance for all Council operations including Transformation and Change projects and developing new working models/delivery approaches.

Post holder authorised to carry out function: Head of Information Assurance

R. Function: To own the Council's Information Assurance Risk Framework, to dictate the mitigation activities necessary to meet Information Assurance policy and standards.

Post holder authorised to carry out function: Head of Information Assurance

S. Function: To approve technical controls proposed and used by Digital Transformation team (IT) in relation to minimising Information Security risks, with escalation to the SIRO where appropriate.

Post holder authorised to carry out function: Head of Information Assurance

T. Function: To own the relationship with external parties pertaining to Information Assurance to include, but not limited to, the Information Commissioners Office.

Post holder authorised to carry out function: Head of Information Assurance

U. Function: Functions relating to the development and approval of policies which

Date of update: June 2023

utilise technical controls for Information Management and/or Information Security
Post holder authorised to carry out function: Head of Information Assurance

3. Workforce and Change

Note that there is a separate council-wide HR Scheme of Delegations, available on the Bristol City Council website, which details HR Delegations from the Head of Paid Service to the Director :Workforce and Change and managers of all Directorates across the Council.

A. Function: Functions related to HR ;

Post holder authorised to carry out function: Head of HR

B. Function: Functions relating to portfolio, programmes and projects ; PMO

Post holder authorised to carry out function: Head of Portfolio, Programmes and Projects

C. Function: Functions relating to Health, Safety and Wellbeing

Post holder authorised to carry out function: Head of Health, Safety and Wellbeing

D. Function: Functions relating to employee engagement and internal communications

Post holder authorised to carry out function: Head of Portfolio, Programmes and Projects

E. Function: Functions relating to Learning and Development, Organisational Development

Post holder authorised to carry out function: Head of HR

5. Policy, Strategy and Digital

Date of update: June 2023

- A. Function:** Functions related to Policy, Strategy and External Communications, including Consultation and Engagement
Post holder authorised to carry out function: Director: Policy, Strategy and Digital or Head of Policy, Strategy and Communications
- B. Function:** The making and approval of corporate policy and strategy documents, save for those constitutionally reserved to Full Council or other Committees, those with otherwise specified Schemes of Delegation (including specific statutory or regulatory decision-making pathways), or those requiring a Key Decision.
Post holder Authorized to carry out function: Director: Policy, Strategy and Digital or Head of Policy, Strategy and Communications
- C. Function:** Functions related to Insight, Performance, and Intelligence
Post holder authorised to carry out function: Director: Policy, Strategy and Digital or Head of Insight, Performance and Intelligence
- D. Function:** Originating and approving public media statements in line with the council's Media Relations Protocol.
Post holder authorised to carry out function: Director: Policy, Strategy and Digital or Head of Policy, Strategy and Communications or Service Manager: Public Relations
- E. Function:** Functions related to international work including Twinning
Post holder authorised to carry out function: Director: Policy, Strategy and Digital or Head of International Affairs
- F. Function:** Functions related to Equalities, Diversity and Inclusion
Post holder authorised to carry out function: Director: Policy, Strategy and Digital, or Head of Equality and Inclusion
- G. Function:** Functions related to the One City Approach and City Office
Post holder authorised to carry out function: Director: Policy, Strategy and Digital, or Head of City Office
- H. Function:** Functions relating to the governance and assurance of all internal and external IT solutions/systems
Post holder authorised to carry out function: Director of Policy, Strategy and Digital, or Head of IT Operations or Head of Digital Strategy and Transformation
- I. Function:** Functions relating to the delivery of Operational IT
Post holder authorised to carry out function: Director of Policy, Strategy and Digital, or Head of IT Operations
- J. Function:** Functions relating to the delivery of Digital and non-Digital services to citizens via the Customer Contact Centre
Post holder authorised to carry out function: Director of Policy, Strategy and Digital or Head of Citizen Services
- K. Function:** Functions relating to the governance/assurance of technical delivery and strategy pertaining to Digital, including digital services, digital innovation and digital strategy

Date of update: June 2023

Post holder authorised to carry out function: Director of Policy, Strategy and Digital or Head of Digital Strategy and Transformation

L. Function: Functions relating to IT and digital Enterprise Architecture, Solutions Architecture & Design

Post holder authorised to carry out function: Director of Policy, Strategy and Digital or Head of Digital Strategy and Transformation

M. Function: To make all day-to-day management decisions relating to the Council's functions as they relate to customer services contact centres.

Post holder authorised to carry out function: Head of Citizen Services / Contact Centre Manager / Citizen Service Points Manager

N. Function: To make all day-to-day management decisions relating to the Council's functions as they relate to face-to-face Citizen Service Points.

Post holder authorised to carry out function: Head of Citizen Services / Citizen Service Points Manager / Contact Centre Manager

O. Function: To make all day-to-day management decisions relating to the Council's functions as they relate to the Translation and Interpreting Service.

Post holder authorised to carry out function: Head of Citizen Services / Performance and Citizen Engagement Manager

6. Non-Executive Functions

1. Finance

A. Function: Functions relating to local government pensions etc. (Regulations under section 7, 12 or 24 of the Superannuation Act 1972). (*Constitution ref: 3.2.C.6(q)*)

Post holder authorised to carry out function: Director, Finance

B. Function: Functions under the Fireman's Pension Scheme relating to pensions, etc., as respects persons employed by the fire and rescue authorities pursuant to Section 1 of the Fire and Rescue Services Act 2004 (Sections 34 and 36 of the Fire and Rescue Services Act 1972). (*Constitution ref: 3.2.C.6(r)*)

Post holder authorised to carry out function: Director, Finance

C. Function: Duty to make arrangements for proper administration of financial affairs, ensuring that the Council secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency, effectiveness and equity, and operates within required financial policies and procedures in ensuring appropriate use of public money. (Section 151 of the Local Government Act 1972) and (*Constitution ref: 3.2.C.6(s)*)

Post holder authorised to carry out function: Director, Finance

D. Function: Internal Audit - Responsible for the organisation's internal audit service, including drawing up the internal audit plan, giving the annual audit opinion, counter-fraud and promoting good corporate governance.

Post holder authorised to carry out function: Chief Internal Auditor or deputy

Date of update: June 2023

Chief Internal Auditor or other officers to which responsibility is further delegated within the Internal Audit Team.

Benefits

- E. Function:** Administration of Housing Benefits
Post holder authorised to carry out function: Head of Revenues and Benefits
- F. Function:** Administration of Council Tax Reduction
Post holder authorised to carry out function: Head of Revenues and Benefits
- G. Function:** Administration of Discretionary Housing Payments
Post holder authorised to carry out function: Head of Revenues and Benefits
- H. Function:** Administration of Local Crisis and Prevention Fund
Post holder authorised to carry out function: Head of Revenues and Benefits

Revenues

- I. Function:** Administration of :
- Council Tax
 - Business rates
 - BIDS (Business improvement districts)

In accordance with:

- Local Government Finance Acts and associated legislation.
- Local policies, including but not limited to
- Discretionary Rate relief (not for profit/voluntary organisations)
- S44a Partly occupied relief
- Empty and Second Homes Premiums

Post holder authorised to carry out function: Head of Revenues and Benefits/ Revenues Support Manager / Council Tax Group Leader / Council Tax Officer / Business Rates Group Leader / Business Rate Officer / Valuation & Inspection Group leader / Valuation Officer / Visiting Officer / Debt Management Group Leader / Debt Management officer / Systems and Information Group Leader / Information Officer / Information Support Officer / Senior Systems Control Officer / Systems Control Officer

- J. Function:** Administration (Recovery) of Overpaid Housing Benefit
Post holder authorised to carry out function: Head of Revenues and Benefits / Debt Management Group Leader / Debt Management officer / Revenues Support Manager / Revenues Group Leaders

- K. Function:** The adoption and implementation of national policies and relief schemes relating directly to business rates or council tax.
Post holder authorised to carry out function: Head of Revenues and Benefits

Revenues Service – Recovery and write off

- L. Function:** The Director Legal and Democratic Services has delegated powers to officers:
- (a) to institute, defend or act in respect of legal proceedings or other determinations involving the council including power to settle and compromise such matters where necessary to give effect to a resolution and / or decision of the council or where necessary to protect the council's interests
 - (b) to make and serve notices and other instruments where necessary to give effect to a resolution and/or decision of the council or where necessary to protect the council's interests
- Post holder authorised to carry out function:** A list of individual officer names is held by the Service Director, Legal and Democratic Services
- M. Function:** The write off/on of council tax, non-domestic rate, BID levies and overpaid housing benefit in accordance with the "Internal Code of Practice for Write Off" which has been signed off by the Director of Finance.
- Post holder authorised to carry out function:** Head of Revenues / Revenues Support Manager / Council Tax Group Leader / Council Tax Officer / Business Rates Group Leader / Business Rate Officer / Debt Management Group Leader / Debt Management Officer / Valuation and Inspection Group Leader
- N. Function:** Implementation of the City Council's Procurement Regulations, including:
- Protection of the City Council's position with regard to the Public Contracts Regulations 2015 (as amended).
 - Compliance with Procurement Regulations, including appropriate financial thresholds.
- Post holder authorised to carry out function:** Head of Procurement and Contract Management

2. Legal and Democratic Services

In the Constitution the following functions are delegated to the Chief Executive.

Marriages and Registration (Constitution ref: 3.2.C.6)

- A. Function:** Power to approve premises for the solemnisation of marriages (S.46A of the Marriage Act 1949 (c.76) & the Marriages (Approved Premises) Regs 1995 (S.I. 1995/510).
- Post holder authorised to carry out function:** Director, Legal and Democratic Services

Elections (Constitution ref: 3.2.C.6)

- B. Function:** Power to assign officers in relation to requisitions of the registration officer (section 52(4) of the Representation of the People Act 1983)
- Post holder authorised to carry out function:** Director, Legal and Democratic Services
- C. Function:** Duty to divide constituency into polling districts (Sections 18A and 18E of Schedule A1 to the Representation of the People Act 1983)
- Post holder authorised to carry out function:** Director, Legal and Democratic Services

- D. Function:** Power to divide electoral divisions into polling districts at local government elections (Section 31 of the Representation of the People Act)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- E. Function:** Power in respect of holding of elections (Section 39(4) of the Representation of People Act 1983)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- F. Function:** Power to pay expenses properly incurred by electoral registration officers (Section 54 of the Representation of the People Act 1983)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- G. Function:** Power to fill vacancies in the event of insufficient nominations (Section 21 of the Representation of the People Act 1985)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- H. Function:** Duty to declare vacancy in office in certain cases (Section 86 of the Local Government Act 1972)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- I. Function:** Duty to give public notice of a casual vacancy (Section 87 of the Local Government Act 1972)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- J. Function:** Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of People Act 2000 (Section 10 of the Representation of the People Act 2000)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- K. Function:** Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of People Act 2000 (Section 10 of the Representation of the People Act 2000)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- L. Function:** Duties relating to publicity (Sections 35, 41 and 52 of the 2007 Act)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- M. Function:** Duties relating to notice to Electoral Commission (Sections 36 and 42 of the 2007 Act)
Post holder authorised to carry out function: Director, Legal and Democratic Services
- N. Function:** Power to alter years of ordinary elections of parish councillors

Date of update: June 2023

(Section 53 of the 2007 Act)

Post holder authorised to carry out function: Director, Legal and Democratic Services

O. Function: Functions relating to change of name of electoral area (serving notice) (Section 59 of the 2007 Act)

Post holder authorised to carry out function: Director, Legal and Democratic Services

Public Rights of Way and Greens

(These comprise List A of the Public Rights of Way and Greens Committee terms of reference)

P. Function: Functions relating to the registration of common land and town or village greens (part 1 Commons Act 2006 and the Commons Registration (England) Regulations 2008)

Post holder authorised to carry out function: Director, Legal and Democratic Services

Q. Function: Power to register variation of rights of common (Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471))

Post holder authorised to carry out function: Director, Legal and Democratic Services

R. Function: Power to apply for an enforcement order against unlawful works on common land (Section 41 Commons Act 2006);

Post holder authorised to carry out function: Director, Legal and Democratic Services

S. Function: Power to protect unclaimed common land and unclaimed town and village greens against unlawful interference (Section 45(2)(a) Commons Act 2006);

Post holder authorised to carry out function: Director, Legal and Democratic Services

T. Function: Power to institute proceedings for offences in respect of unclaimed registered common land or unclaimed town or village greens (Section 45(2)(b) of the Commons Act 2006)

Post holder authorised to carry out function: Director, Legal and Democratic Services

HR Scheme of Delegation

Introduction

Guidance for managers and staff on how to use Schemes of Delegation is available on the intranet.

In the Constitution, the Mayor and Full Council delegate certain powers and functions to the Head of Paid Service and Executive Directors. HR functions are delegated to the Head of Paid Service.

This HR Scheme of Delegation lays out how these HR functions are then delegated onwards to officers across the council.

HR FUNCTIONS delegated by the Head of Paid Service:

	Delegated Function	Decision-maker
1	Approval of HR and Health & Safety policies and procedures	Head of Paid Service
2	Application of HR and Health & Safety policies and procedures	Line manager
3	Appointment of employees, secondees and casual workers	
4	Appointment of contingent workers where the total cost is within the budget for the position	
5	Approval of extensions of contingent workers where the total cost is within the budget for the position	
6	Approval of changes to working hours/days	
7	Approval of overtime (up to BG15)	
8	Approval of leave with or without pay	
9	Approval of expenses and travel claims	
10	Approval of time off for trade union duties	
11	Approval of paid compassionate leave in excess of 3 days	
12	Approval of the carry-over of annual leave	
13	Changing the purpose and outcome of jobs and submitting for job re-evaluation	
14	Approval of changes in reporting line of positions	
15	Determination of employee grievances	
16	Suspension of employees	
17	Dismissal of employees on grounds of capability / conduct / Some Other Substantial Reason	

18	Appointment of contingent workers where the total cost is above the budget for the position	Director
19	Approval of extensions of contingent workers where the total cost is within the budget for the position	
20	Approval of settlement agreements	
21	Approval of new positions (posts)	Finance and HR Business Partners
22	Approval of flexible retirements	
23	Approval of early retirements on grounds of efficiency	
24	Approval of advertising a vacancy	HR Business Partner
25	Approval of extensions of secondments beyond 18 months	
26	Approval of extensions of fixed term contracts	
27	Approval of conversion of contracts to permanent	
28	Approval of additional increments	
29	Approval of market pay supplements (including extensions)	
30	Dismissal of employees on grounds of redundancy	
31	Grading of Single Status posts	Job Evaluation Panel or trained job evaluator in accordance with Job Evaluation Scheme
32	Allocation of corporate trade union facility time	Head of HR
33	Grading of posts subject to other national agreements (eg, Agenda for Change, Soulbury, Youth and Community)	
34	Employer discretions under the official pension schemes	

Note: as set out in the Council's Constitution HR matters for those employed on terms and conditions of the Joint Negotiating Committee for Local Authority Chief Executives and the Joint Negotiating Committee for Chief Officers of Local Authorities are reserved to the Full Council, HR Committee, the Independent Panel, the Investigating and Disciplinary Panel, the Selection Committee as appropriate.



Bristol City Council

Finance Scheme of Delegation

Version	Purpose/Change	Author / Review Date
V0.1	<ul style="list-style-type: none">Updated in conjunction with changes to the Financial Regulations	Denise Murray June 2018
V0.2	<ul style="list-style-type: none">Concomitant with Financial Regulations review	Denise Murray December 2019
V1.0	<ul style="list-style-type: none">Scope and purpose of the scheme expanded, and classes of transactions excluded stated.Changes in management structures and changes to job titles.Capital reflect actual practiceChanges to write off arrangements to reflect the corporate debt management policy.Hyperlinks to "additional procedures" reinstated.Define "Following consultation with" and evidenced required	Denise Murray February 2023

Document status:

Draft

Final

Document owner:

Denise Murray, Director of Finance/S151 Officer

Introduction

In the Constitution, the Mayor and Full Council delegate certain powers and functions to the Executive Directors. Officer Schemes of Delegation then explain how these powers are delegated onwards to officers across the council

The Policy and Budget Framework Procedure Rules apply to in-year changes or amendments to the budget, the Financial Regulations provide the framework for managing the council's financial affairs and the Finance Scheme of Delegation details the power that officers have to make financial decisions. As a collective, they aim to ensure that the council conducts its financial affairs in a way that complies with specific statutory provisions and best practice and that an effective internal controls framework is maintained.

This Finance Scheme of Delegation outlines officer delegation; details the power that council officers have to make decisions on spending and other finance issues across the council and sets out the approved financial limits within which authorised officers may conduct the council's business. The Scheme includes general limits on spending money for both revenue and capital expenditure, asset disposals, maladministration or compensation, insurance claims, virement, emergency and urgent payments and supplementary estimates.

In the event that the authorised officer is unable to take a decision then the decision can be taken by the relevant line manager up to and including the Executive Director.

Guidance for managers and staff on financial management or how to use Schemes of Delegation is available on the intranet.

The council's subsidiaries and schools are excluded from this policy as each has their own scheme of financial delegation aligned with the associated regulations.

Finance functions delegated to officers

No	Delegated Function	Limitation	Authorised officer
1	<p>General Expenditure</p> <p>Power to incur expenditure within the approved budget, provided it is within the relevant area of responsibility, legally incurred, within council policy, and procured in accordance with the council's procurement procedures.</p> <p>This covers all revenue and capital expenditure including the award of contracts for supplies, works and services.</p> <p>These financial delegation levels are built into the workflow approval process in the financial system and inherit through the</p>	up to £500	Self-approved by requesting officer
		In excess of £500, but not more than £25,000	Budget Holder (or officer with authority delegated by the Budget Holder)
		In excess of £25,000, but not more than £100,000	Heads of Service
		In excess of £100,000, but not more than £250,000	Director (following consultation* with the relevant Executive Director)
		In excess of £250,000, but less than £500,000	Executive Director with approval of the Section 151 Officer** and relevant Cabinet Member(s) with delegated financial authority.

No	Delegated Function	Limitation	Authorised officer
	officer's position	£500,000 and above, but not more than £1m	Cabinet approval needed. Post Cabinet approval of the key decision - the requisition or payments can only be authorised by: Director / Executive Director
Over £1m		Cabinet approval needed. Post Cabinet approval of the key decision - the requisition or payments can only be authorised by: Section 151 Officer	
2.	<p>Re-profiling (including acceleration) of capital payment between financial years</p> <p>If the overall project funding and / or prudential borrowing level is not increased, approval must be sought in line with the limits set out.</p> <p>Where the funding is increased see section 3 below</p>	Less than £500,000	Executive Director (following consultation with Section 151 Officer (or officer with authority delegated by the Section 151 Officer to ensure that there are no adverse implications on capital financing resources) and relevant Cabinet Member(s), and subsequently reported in the Finance Monitoring Report to Cabinet; unless the amount being re- profiled is greater than 25% of the project or block approval, in which case the £500,000 and above level of approval is required.
£500,000 and above	Cabinet (following Executive Director consultation with the Section 151 Officer and Cabinet Member(s) as above.		
3	<p>Adding schemes to the Capital Programme or increasing the level of capital expenditure on an existing scheme</p> <p>Schemes will in the main be added to, or removed from, the</p>	Less than £500,000	Executive Director with approval of the Section 151 Officer** (or officer with authority delegated by the Section 151 Officer) and relevant Cabinet Member(s) with Cabinet approval via Finance Monitoring Report.

No	Delegated Function	Limitation	Authorised officer
	<p>Capital Programme as part of the annual budget setting process.</p> <p>Requests outside of this process to change the Capital Programme by adding or removing schemes, or by allocating additional items to an approved scheme, must be approved by a supplementary process.</p> <p>Where the funding is associated to a new external funding bid see section 4 below.</p> <p>Where the funding includes prudential borrowing in excess of the borrowing level agreed in the budget, regardless of value, this must be approved by a report to council.</p>	<p>£500,000 and above</p>	<p>Cabinet (following Executive Director consultation with the Section 151 Officer and relevant Cabinet Member(s)).</p>
			<p>Full Council approval is needed to increase affordability indicators</p>
<p>4</p>	<p>Submission of plans and bids to government / external bodies</p> <p>Plans / bids submitted for external funding must go through the council's governance process and in accordance with the Grant bid and claim protocol, with any associated match funding identified prior to submission</p>	<p>Expenditure of the funds must follow the General Expenditure delegations at 1</p>	<p>Financial data / analysis must be approved by the Business Partner (Finance) and the Section 151 Officer where specified</p> <p>The Section 151 Officer and Executive Directors must, as appropriate, satisfy audit requirements in respect of external funding claims</p>
	<p>Direct allocation (without a submission of a bid) of specific grant funding from government departments for core activity.</p> <p>Request to change the council's revenue or capital budget by adding additional funding must be approved by a supplementary process</p>	<p>Expenditure of the funds must follow the General Expenditure delegations at 1</p>	<p>Director with approval of the Section 151 Officer** and relevant Cabinet Member(s)</p> <p>Cabinet approval via Finance Monitoring Report</p>
<p>5</p>	<p>Asset Leasing</p>		<p>All proposed leasing arrangements to be appraised and approved by Corporate Finance</p>

No	Delegated Function	Limitation	Authorised officer
6	<p>Treasury Management</p> <p>The Section 151 Officer is responsible for treasury management and no other employees, unless named in the officer delegation, must borrow or invest council monies, make loans to or acquire interest in companies, joint ventures or other enterprises</p>		The Section 151 Officer or officer with delegated authority
7	<p>Disposal of Assets</p> <p>Disposal of council assets other than:</p> <ul style="list-style-type: none"> • Land and Property - see Scheme of delegation Growth and Regeneration for further information • Schools – this is covered by the Scheme for financing schools and Financial regulations for schools with delegated budgets <p>Consult as outlined and proceed in line with delegations and any associated disposal guidance or original grant conditions</p>	<p>Up to 5,000</p> <p>In excess of £5,000 but not more than £100,000</p> <p>In excess of £100,000, but not more than £250,000</p> <p>In excess of £250,000, but less than £500,000</p> <p>£500,000 and above</p>	<p>Head of Service</p> <p>Head of Service Property / Culture</p> <p>Director; following consultation with the Head of Service Property / Culture and relevant cabinet member</p> <p>Executive Director; following consultation with the Director, Head of Service, relevant cabinet member and the Section 151 Officer</p> <p>Cabinet (following consultation with Cabinet Member, Executive Director and the Section 151 Officer)</p>
8	<p>Power to make payments or provide other benefits in cases of maladministration or compensation</p>	<p>up to £500</p> <p>In excess of £500, but less than £5,000</p> <p>In excess of £5,000, but less than £10,000</p>	<p>Heads of Service (following consultation with the Budget Holder)</p> <p>Director (following consultation with the Budget Holder)</p> <p>Executive Director (following consultation with the Budget Holder)</p>
9	<p>Fees and Charges</p> <p>All new fees and amendments to existing charges will be reviewed annually and subject to formal approval in accordance with the</p>	<p>All changes</p>	<p>Cabinet (following consultation with the relevant Cabinet Member, Executive Director and Section 151 Officer)</p>

No	Delegated Function	Limitation	Authorised officer
	<p>Budget and Policy Framework.</p> <p>Any request to change fees and charges outside of this process must be subject to a separate Cabinet report.</p> <p>Officers do not have the power to make changes to policies relating to fees and charges or give concessions to fees and charges</p>		
10	Write Off of Income		The Debt Write Off Policy and authorisation levels is outlined within the Corporate Debt Management Policy
11	<p>Budget Virements</p> <p>Authorisation levels for virements: within or from a directorates revenue and capital budgets; within approved policy headings:</p> <p>No virements are possible:</p> <ul style="list-style-type: none"> - from capital to revenue budgets - from staffing budgets to supplies and services budgets - If the proposed virement, together with the total of previous virements within the same financial year, would result in an aggregate increase or decrease in the original 'net' budget for any directorate of more than 25% or £500,000. <p>A virement that is likely to impact on the level of service activity of another budget holder can only be implemented with the agreement of the relevant budget holder(s).</p> <p>The Section 151 Officer (or officer with delegated authority) may also approve budget adjustments of unlimited value where they are purely technical in nature (eg not impacting upon the service provided or on</p>	<p>Up to £25,000</p> <p>In excess of £25,000 but not more than £100,000</p> <p>In excess of £100,000 but not more than £500,000</p> <p>£500,000 and over</p>	<p>Heads of Service / (following consultation with the Budget Holder)</p> <p>Director (following consultation with the Budget Holder)</p> <p>Executive Director with approval of the S151 Officer and relevant Cabinet member(s))</p> <p>Cabinet approval</p>

No	Delegated Function	Limitation	Authorised officer
	income generated)		
12	<p>Settling insurance claims / related works</p> <p>The settling of insurance claims against the council not covered by our insurance and in compliance with all relevant insurance terms and conditions, will be subject to approval as follows</p>	<p>Up to £500</p> <p>In excess of £500, but not more than £25,000</p> <p>In excess of £25,000 but not more than £100,000</p> <p>In excess of £100,000, but less than £250,000</p> <p>In excess of £250,000, but less than £500,000</p> <p>£500,000 and above</p>	<p>Principal Risk and Insurance Officer</p> <p>Risk and Insurance Senior Officer</p> <p>Head of Strategic Finance (in consultation with Risk and Insurance Senior Officer)</p> <p>Section 151 Officer (in consultation with Risk and Insurance Senior Officer)</p> <p>Executive Director with approval of the Section 151 Officer and relevant executive member(s) with delegated authority.</p> <p>Cabinet (following consultation with relevant executive member(s) with delegated authority, Executive Director and Section 151 Officer)</p>
13	<p>Emergency / Urgent Payments</p> <p>Emergency / urgent payments in this instance are those made in extenuating circumstance, arising</p>	<p>Up to £250,000</p> <p>In excess of £250,000, but not more than £2m</p>	<p>Executive Director, following consultation with the relevant cabinet member</p> <p>Head of Paid Service or Section 151 Officer following</p>

No	Delegated Function	Limitation	Authorised officer
	<p>as a consequence of unforeseen circumstances (eg a natural disaster, a civil emergency or a court order, etc) and where budget provision has not been made and the payment cannot be covered within the relevant service's existing budget.</p> <p>A full report (see opposite for further detail) will be produced to the relevant forum (threshold permitting) explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.</p>		<p>consultation with the Mayor or Deputy Mayor with responsibility for City Economy, Finance and Performance (two of the three named roles).</p> <p>The following report formats should be used:</p> <ul style="list-style-type: none"> • Officer Executive Decision (OED) for values below £500k, service resources are available and non-key decisions. • Finance urgent key decision where draw down from corporate or general reserves and/or a key decision is required which must be published within a cabinet report.
14	<p>Supplementary Estimates</p> <p>The withdrawal of funds from reserves to provide additional funding to meet service budget requirements is referred to as a supplementary estimate</p>	<p>up to £1m</p> <hr/> <p>In excess of £1m</p>	<p>Mayor</p> <hr/> <p>Individual estimates exceeding this limit shall be referred to Council for determination</p>
		<p>Funded from the approved policy level of minimum general reserves</p>	<p>Supplementary revenue estimate which are to be funded wholly or in part from the approved policy level of general reserves, regardless of value, must be approved by Council</p>
<p>Changes to the delegated limits / values above may only be made with the approval of the council's S151 Officer</p>			

* Following consultation with (= after discussion and agreement with someone), with agreement evidenced in written form.

** The officer appointed under section 151 of the Local Government Act 1972 (Section 151 Officer / Chief Finance Officer) in the council is the Service Director: Finance