



General Purposes Committee

Date:	4 July 2012
Classification:	General Release
Title:	Scheme of Delegations
Report of:	Head of Legal and Democratic Services
Wards Involved:	Not Applicable
Policy Context:	Management of the Council
Financial Summary:	There are no financial implications arising from this report
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1. Executive Summary

- 1.1 Following a review of the Council's organisational model and specifically its management structure the Cabinet Urgency Committee agreed on 21st July 2011 a number of changes to the Strategic Executive Board (SEB) and senior level officers. These changes resulted in the reallocation of a number of functions and duties assigned to the affected senior posts. A revised Scheme of Delegations is therefore required to be reflective of the new organisational model. The proposed new Scheme of Delegations is attached as Appendix 1. The approach to the Scheme accords with the new Scheme agreed by the Council on 21st July 2010.
- 1.2 A separate report will be submitted to the Leader of the Council seeking approval for the revised Scheme of Delegations and also seeking recommendation that it is endorsed by the full Council in respect of non-executive functions.

2. Recommendation

- 2.1 That full council approve the redrafted Scheme of Delegations, attached as Appendix 1.

3. Reason for Decision

- 3.1 Following the review of the Council's management structure and subsequent reallocation of functions the City Council's existing Scheme of Delegations requires updating.

4. Background Information

- 4.1 At its meeting on 9th May 2011 the Cabinet agreed to the establishment of the new post of Strategic Director for Housing, Regeneration and Worklessness. In formally establishing the post the Cabinet agreed that the core delegations which have been made to all Strategic Directors should also be applied to this new post. In addition to the core delegations the post also requires a set of operational responsibilities specific to the role and the proposed delegations are included in the proposed Scheme attached as Appendix 1.

- 4.2 The Cabinet Urgency Committee agreed via the written urgency procedure a number of changes to the Council's management structure and subsequent reallocation of senior officer functions. The changes relevant to the revised Scheme of Delegations are the following:

- The deletion of the Strategic Director for Resources post;
- the re-designation of the Strategic Director for Finance and Performance to the Chief Operating Officer;
- the reallocation of functions relating to HR, Libraries Services (including Registrars) Sports and Leisure and Westminster Adult Education Service (WAES) to the Chief Executive;
- the reallocation of functions relating to ICT and Procurement to the Chief Operating Officer;
- authority delegated to the Chief Executive to approve flexible retirements at SEB level, in consultation with the relevant Cabinet Members;
- The allocation of functions relating to Property Services to the Strategic Director for Housing, Regeneration and Property;
- the deletion of the post of Head of Policy, Planning and Performance;
- the deletion of the post of Head of Commissioning – Customers;
- the deletion of the post of Deputy Chief Executive; and
- the creation of the post of Assistant Chief Executive.

These delegations and changes, as agreed, are reflected in the proposed Scheme attached as Appendix 1.

- 4.3 In addition to the above-mentioned changes the Strategic Director for Built Environment has been allocated responsibility for the Council's functions relating to economic development and regeneration and the BIDS Programme.
- 4.4 The list of Senior Leadership Team (SLT) members (Appendix 1 of the Scheme of Delegations) has also been updated.

5. Proposed Scheme of Delegations

- 5.1 The proposed Scheme of Delegations follows the approach agreed by the Cabinet at its meeting on 28th June 2010, in that it involves an intrinsically less bureaucratic approach than the City Council's Scheme prior to that time. It proceeds on the assumption that ultimate responsibility for the exercise of the City Council's functions, below Member-level, rests with SEB and its individual members. In some cases there would be legal difficulties with a model under which the Strategic Director was not so responsible. This is consistent with a desire to create new streamlined ways of working and reducing bureaucracy whilst maintaining good corporate governance.
- 5.2 The allocation of delegated powers to Strategic Directors is not inconsistent with the strategic role of SEB, or the fact that it is the Delivery Units which are responsible for day-to-day delivery "on the ground". Delegated powers do not have to be exercised by Strategic Directors personally.
- 5.3 The proposed Scheme of Delegations also enables delegated functions to be sub-delegated to a Chief Officer who may then exercise the function him or herself. Although the Strategic Director would retain the power to recall any matter for decision the Chief Officer receiving the delegated function would be responsible for the exercise of that function. The Chief Officer would be able to authorise any member of staff to exercise the function on his or her behalf and each SEB member is required to maintain a list of authorised officers.
- 5.4 As has been the case in a Departmental context in the past, each Strategic Director will wish to authorise other officers to act on his or her behalf in relation to most or all of the powers delegated to them. However, the fact that the powers are delegated to the Strategic Director reflects that the Strategic Director will retain ultimate responsibility for the decision which is taken.
- 5.5 For the avoidance of doubt the Chief Operating Officer is a SEB member and where the Scheme refers to a 'Strategic Director' the Chief Operating Officer is to be included in that group of chief officers.

6. Legal Implications

- 6.1 The power for local authorities to delegate functions to officers is contained in Section 101 of the Local Government Act 1972. The Proposed Scheme of Delegations will ensure that the City Council can correctly and legally exercise their powers and that decisions can be taken by officers on behalf of the City Council.

**If you have any queries about this report or wish to inspect any of the
Background Papers please contact:**

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BACKGROUND PAPERS

- Cabinet Urgency Report: Strategic Executive Board Review - 21 July 2011
- Cabinet Report: Creation of Post of Strategic Director for Housing Regeneration and Worklessness - 9 May 2011
- Cabinet Report: Scheme of Delegations - 28 June 2010

CITY OF WESTMINSTER

Delegated Authority to Officers

Peter G Large LL.B
Head of Legal and Democratic Services
11 July 2012

DELEGATED AUTHORITY TO OFFICERS

OFFICER DELEGATIONS

1. Strategic Directors are authorised to exercise those powers and duties of the Council in relation to the service and activities for which they are responsible which are not reserved to Committees, and to exercise the professional and managerial responsibilities of their posts. They are accountable to the elected members of the Council for the efficient and economic discharge of these responsibilities. Elected members are accountable to the public and are responsible for all major matters which impact upon the public in the course of the Council exercising its powers and duties. Accordingly officers may exercise only the powers delegated to them and these are exercisable only subject to
 - (a) the strategies, policies, and priorities determined by the members of the Council
 - (b) The Council's Financial Regulations, Procurement Code and Human Resources Policies
 - (c) referral to the appropriate body of members for consultation or decision on all matters of public controversy or undecided matters of policy or substantial change from previous practice or which involve difficult or major issues relating to (a) above where custom and practice or initial consultation with elected members indicates that such referral should take place;
 - (d) members with specific functional responsibilities and ward members receiving appropriate information about the exercise of the powers;
 - (e) compliance with the law and all policies, regulations, orders, codes, protocols, and similar documents approved by the Council, Cabinet, the Standards Committee or a Regulatory Committee;
 - (f) consultation with appropriate officers and proper regard to any advice given;
 - (g) other specific delegations in this scheme or similar documents to another officer;
 - (h) decisions by the Chief Executive or the Monitoring Officer on whether officers should exercise any delegated power.
2. In addition to the constraints referred to above, there are limitations upon all delegated powers. In particular there is no delegation to officers of:
 - (a) matters specifically reserved to members by resolution of Council or the Cabinet;
 - (b) approval to exceed the provision in the revenue or capital budgets for their service responsibilities;

- (c) decisions on permanent savings in the budget to achieve the Council's policies;
 - (d) the making of an order for the compulsory acquisition of land;
 - (e) the right to make appointments to posts which are made by the Appointments Sub-Committee;
 - (f) the right to determine a major employee re-organisation.
3. The Chief Executive shall have all the powers delegated to other Strategic Directors and any other Senior Leadership Team (SLT) Member and shall be able to exercise those powers in their place. In the event of any dispute or doubt as to the delegated powers of any other Strategic Director or SLT member, the Chief Executive shall have the power to determine which officer is to exercise the power.
 4. Where any new power or duty, other than a local choice function, is conferred on the Council the exercise of that power or duty will be undertaken by the relevant Strategic Director or other SLT member until such time as the allocation of responsibility has been determined by the Leader or the Council.
 5. Where a function is delegated to a Strategic Director, the Strategic Director may (without prejudice to the ability to authorise any member of staff to exercise the function) sub-delegate the function to any other SLT member who may then exercise the function him or herself. Where any function is sub-delegated in this way the Strategic Director retains the power to recall any matter for decision.
 6. Subject to the above constraints and limitations, officers may exercise all powers within their respective areas of responsibility, and the absence of a specific delegation to an officer shall not be taken as implying an absence of authorisation to act.

DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE, EACH STRATEGIC DIRECTOR AND OTHER MEMBERS OF THE SENIOR LEADERSHIP TEAM

The officers listed in Appendix 1 are the Senior Leadership Team (this list is subject to change).

Any power delegated to the Chief Executive or any other SLT member may also be exercised by any member of staff who has been so authorised by the Chief Executive or SLT member to whom the said power is delegated, or in their absence or non-availability, by the officer having responsibility for the relevant Unit.

The Chief Executive, each Strategic Director and other members of the Senior Leadership Team are delegated the following authority:

1. To exercise the powers conferred on members of the Senior Leadership Team by Standing Orders, Financial Regulations, the Human Resources Policies and the Procurement Code.
2. To serve notices requiring the provision of information relating to ownership and use of property where such information is necessary to enable the Council to discharge or exercise any of its functions and the Council is authorised by statute to require such information.
3. To give officers within their respective departments authority to enter premises where powers of entry are conferred by Act of Parliament for the purposes of fulfilling a function for which the SLT member concerned is the proper officer.
4. To deal with lost and uncollected property.
5. To authenticate documents as a proper officer in accordance with Section 234(1) of the Local Government Act 1972, or with any enactment within the meaning of Section 234(3) of that Act, where such document is required in connection with a function for which the officer concerned is the proper officer, and to authorise members of staff to affix a facsimile stamp bearing his name for the purpose of the said authentication.
6. To appoint, promote and dismiss permanent and temporary staff (save in relation to posts to which appointments are made by the Appointments Sub-Committee) within approved budgets and in accordance with the Council's agreed Human Resources Policies.
7. To remunerate and reward staff within approved budgets and in accordance with the Council's Human Resources Policies, consulting where appropriate with the Director of Human Resources.
8. To exercise the discretionary powers in relation to all staffing matters detailed in the Human Resources Policies.

9. To attend or nominate members of their staff to attend conferences and seminars convened by institutional or professional associations and like bodies, and to authorise the payment of proper expenses incurred in respect of such attendance.
10. To authorise officers of the Council to give evidence on behalf of the Council in Courts or at Inquiries or before Tribunals or Committees.
11. To consult with all relevant bodies on behalf of the Council on a scheme or proposal that has been included in the budget and has received approval by the Cabinet or the Cabinet Member.
12. To respond to consultation documents where the response would not amount to a key decision.
13. To approve, in consultation with the Chief Executive where appropriate, foreign visits by officers, in accordance with Council policy (detailed in the Code of Governance).
14. To approve bids to undertake cross boundary tendering in accordance with agreed policy and criteria.
15. To undertake, in consultation with the Director of Human Resources, minor re-organisations of staff structure (directly affecting a maximum of 25 posts) provided no post subject to Member appointment procedures is affected, there is no increase in cost and the relevant Cabinet Member is advised in advance about forthcoming minor re-organisations.
16. To make staff redundant and incur the payment of appropriate redundancy and severance payments in carrying out minor re-organisations within their departments where the staff directly affected by the re-organisation do not exceed a maximum of 25 posts.
17. To enter into arrangements or do anything else which is considered necessary or expedient in respect of functions delegated to them.

DELEGATED AUTHORITY TO THE CHIEF EXECUTIVE

1. To be the Head of the Paid Service in accordance with the Local Government and Housing Act 1989.
2. To have authority over all other officers so far as is necessary for the efficient management and execution of the Council's affairs, functions or services except:
 - (i) where officers are exercising specific responsibilities imposed on them under statute;
 - (ii) that where the professional judgment or expertise of a Director is involved the officer shall have full opportunity to explain his or her views.
3. Subject to observance of the appropriate procedures and rights of appeal, to decide disciplinary, incapability and salary related matters concerning Strategic Directors.
4. To appoint officers to the Senior Leadership Team.
5. To be responsible for communications, marketing and the Council's lobbying strategy.
6. To exercise the powers of the Council under S. 2 of the Local Government Act 2000 (well-being powers).
7. To prepare the City Plan and other key corporate policies as appropriate, for agreement by the Cabinet and Council.
8. To ensure the facilitation of the Council's Local Strategic Partnership and that this meets Government requirements.
9. To co-ordinate, direct and monitor the Council's initiatives to achieve efficiency and best value in the delivery of its functions.
10. To designate "Authorised Officers" for the purposes of particular statutory functions from time to time and so authorise them to perform the functions of such a person under relevant legislation.
11. To approve the allocation of funds to individual projects to be supported through regeneration programmes such as the single regeneration budget and Neighbourhood Renewal and Neighbourhood Management Programmes.
12. To be responsible for the Council's functions relating to neighbourhoods.
13. To discharge the functions of Electoral Registration Officer.
14. To be responsible for the Council's functions relating to Human Resources.

15. To be responsible for the Council's functions relating to Libraries Services (including Registrars).
16. To be responsible for the Council's functions relating to Sports and Leisure.
17. To be responsible for the Council's functions relating to Westminster Adult Education Service.
18. To approve requests for the flexible retirement scheme submitted by Strategic Directors, in consultation with the relevant Cabinet Members.
19. To exercise the functions of the Council relating to buildings and other real property and human resources. The delegation does not extend to the management of properties allocated to particular Council services for which the relevant SLT member will be responsible.

DELEGATED AUTHORITY TO THE CHIEF OPERATING OFFICER

1. To be responsible for the proper administration of the financial affairs of the Council in accordance with section 151 of the Local Government Act 1972, which responsibility shall include all arrangements concerning financial planning, financial control, banking, accounts, income, insurances, investments, bonds, loans, leasing, borrowing (including methods of borrowing), trust and pension funds (within the scope of the Council's pension fund investment policies that are approved by the Superannuation Committee), the payment of creditors and the payment of salaries, wages, pension scheme benefits and gratuities.
2. To be responsible for the provisions of the Accounts and Audit Regulations 2003 (as amended) in respect of the need to maintain an adequate and effective system of internal audit of the Council's accounting records and of its system of internal control in accordance with proper internal audit practices.
3. To be the Proper Officer of the Council in relation to the following statutory provisions:

Local Government Act 1972

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| (1) | Section 115(2) .. | The officer to whom all money due from every officer employed by the Council shall be paid. |
| (2) | Section 146 .. | The officer to make any statutory declaration in connection with the transfer of securities. |

Local Government (Miscellaneous Provisions) Act 1976

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| (3) | Section 30 .. | The officer to write off overpayment of salary, allowances or pensions which occur as a result of the death of an employee or pensioner. |
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Local Government Finance Act 1988

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| (4) | Section 114-115 .. | The officer responsible for reporting on unlawful expenditure decisions or where expenditure exceeds the resources available. |
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4. To exercise the functions of the Council relating to procurement.
 5. To exercise the functions of the Council relating to information technology.
 6. To develop the Council's Information and Communications Technology (ICT) strategy and manage the provision of ICT services for the Council, including the setting of standards, the management of voice and data networks and e-mails services and related systems.

7. To ensure the provision of a comprehensive ICT service to all parts of the organisation, having due regard to all relevant security issues and the proper contract monitoring of any third party suppliers.

DELEGATED AUTHORITY TO THE STRATEGIC DIRECTOR FOR CHILDREN AND YOUNG PEOPLE

1. To exercise the functions of the Council in the following areas
 - (a) Education services — the Council's functions in its capacity as a local education authority, except those excluded under section 18(3) of the Children Act 2004 (namely certain functions relating to further education, higher education and adult education).
 - (b) Social services — the Council's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children, and the Council's functions for children and young people leaving care.
 - (c) Health services — any health related functions exercised on behalf of an NHS body under section 75 of the National Health Service Act 2006, insofar as they relate to children and young people.
 - (d) Inter-agency co-operation — the Council's functions as set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation as set out below:
 1. Section 10— the duty to make and sustain arrangements to promote co-operation between the Council and its partner organisations to improve the well being of children in the Council's area.
 2. Section 11 — the duty to make arrangements to ensure the Council's functions are discharged having regard to the need to safeguard and promote the welfare of children.
 3. Section 12— any duty to establish, maintain and operate a database of basic information on all children in the authority or, if the duty to create a database or databases is placed on another body, to participate in its operation.
 4. Sections 13, 14, 15 and 16 — the duty to establish a Local Safeguarding Children Board (LSCB) to co-ordinate and ensure the effectiveness of board members' activities for the purpose of safeguarding and promoting the welfare of children in the Council's area.
 5. Section 17— the duty to prepare and publish a Children and Young People's Plan to set out the Council's strategy for discharging their functions in relation to children and young people.
 6. Section 20(8)(d) — subject to consultation and the laying of Regulations, responsibility for co-ordinating statements of proposed action in light of a Joint Area Review report, in consultation with partners. In addition, the Strategic Director will also exercise a key role in monitoring and evaluating implementation of the proposed action.

(e) Other responsibilities

1. Seconding at least one children's social worker and at least one education professional to the Youth Offending Team as required by section 39(5) of the Crime and Disorder Act 1998.
2. The duty to promote the educational achievement of looked after children. This function is set out in the Children Act 1989 (as amended); and
3. The duty to provide the Secretary of State, if s/he so directs, with information on individual children. This function is set out in the Children Act 1989 (as amended).
4. To exercise all functions, powers and duties of a Children's Services Authority under all relevant legislation including, but not limited to, Education, Social Services and Health functions.

DELEGATED AUTHORITY TO STRATEGIC DIRECTOR FOR ADULT AND CARE SERVICES

1. To exercise the functions of the Council with regard to the delivery of those functions in respect of adults as set out in Schedule 1 of the Local Authority Social Services Act 1970 (as amended), other than those functions for which the Strategic Director for Children and Young People is responsible.
2. To safeguard adult learners within Westminster and secure provisions of first steps and personal and community development learning to meet the needs of the community.
3. To arrange for the effective operation of the Council's responsibilities for the assessment, purchase and provision of social care services for adults including people disabilities, older people, people with mental health needs, people with substance misuse problems, adults with learning disabilities (including people with autistic spectrum disorder and a dual diagnosis incorporating mental health needs and learning disability) and people with HIV/AIDS.
4. To implement the Council's statutory functions as follows:
 - to assess the need for, and where necessary provide, services and/or residential accommodation for those suffering from a disability, including a mental disability, pursuant (but not limited) to the National Assistance Act 1948, the Mental Health Act, the Chronically Sick and Disabled Persons Act, the Disabled Persons (Services, Consultation and Representation) Act, the National Health Service and Community Care Act, the Health and Social Care Act and the Mental Capacity Act.
 - To assess, and plan to meet, the needs of carers of vulnerable people in accordance with the provisions of the Carers and Disabled Children Act 2000.
 - To act as the "appropriate adult" within the definition of the Police and Criminal Evidence Act in relation to persons with a mental disorder (which may include a learning disability) who are detained at a police station.
5. To promote the welfare and independence of, and ensure the protection of vulnerable adults through the assessment of needs, the arrangement of services and the provision of facilities and assistance, where appropriate, to meet those needs, for adults and their carers.
6. To lead and direct the continuous improvement of high quality services to the customer in the area of Council funded care and housing support services to adults. These services include:
 - Development of commissioned care and support services (including supported accommodation)
 - Delivery of Assessment/Care management services (including ensuring resource allocations to eligible individuals to buy care and support)

- Performing management and quality assurance (including information, IT and contract monitoring).
7. To represent the Council in joint planning with the Health Service and other agencies.
 8. To exercise all functions, powers and duties of an Adult Services Authority under all relevant legislation including, but not limited to Social Services, safeguarding adults, Deprivation of Liberty, Mental Health services and Health functions.

DELEGATED AUTHORITY TO THE STRATEGIC DIRECTOR FOR BUILT ENVIRONMENT

1. To exercise the functions of the Council relating to highways, transportation, road traffic, town and country planning, building control and arboriculture.
2. In the case of town and country planning, the delegation includes power to determine all applications for planning permission, advertisement consent, Conservation Area Consent, Listed Building Consent, application for the Council's own development and Hazardous Substances consent except where:
 - (a) In the opinion of the Strategic Director the application is of a major controversial or sensitive nature or where in his/her opinion the decision would be contrary to approved planning policies.
 - (b) It is proposed to grant permission, consent or approval and in the opinion of the Strategic Director, this would set a significant precedent or have a significant impact on the environment.
 - (c) It is proposed to grant permission, consent or approval for an application which is the subject of objection on planning (or hazardous substances) grounds. Referral to the Planning Applications Sub-Committee or Planning and City Development Committee will not be required where in the opinion of the Strategic Director:
 1. The objection(s) are not specifically related to the application;
OR
 2. The objection(s) can be met by the imposition of conditions;
OR
 3. The proposal complies with adopted policies or standards.
 - (d) In the opinion of the Strategic Director it would be inappropriate to do so having regard to representations received from one or more elected Members of the Council or to the nature and extent of representations made in response to public consultation.
 - (e) The application is for the Council's Own Development and the Strategic Director is minded to refuse permission or consent, in which case the application shall be referred to the Planning and City Development Committee or a Planning Applications Sub-Committee for determination.
 - (f) The application has been submitted by or on behalf of an elected Member of the Council (or their spouse/partner) or by any officer (or their spouse/partner).
 - (g) An elected Member of the Council has requested that the application be determined by the Planning and City Development Committee or the Planning Applications Sub-Committee.

3. To determine applications under the Planning Acts which, before the expiry of the period allowed for the submission of observations by public advertisement or notice, have been considered by the Planning and City Development Committee or the Planning Sub-Committee, or where either Committee has deferred a decision but has authorised the Strategic Director to make the final decision.
4. To determine applications to discharge conditions imposed on a grant of planning permission, listed building consent, Conservation Area Consent or on permission for the Council's own development except in the latter case where the conditions relate to a listed building or conservation area consent. These will be dealt with by the Planning and City Development Committee or a Planning Applications Sub-Committee unless the Director is of the opinion that no significant issues are raised.
5. To deal with applications where it is found that permission is not required in that they do not constitute development or relate to development.
6. To issue a "screening opinion" (to determine whether a project requires an Environmental Impact Assessment) and/or a "scoping opinion" (on the impacts and issues that the EIA should address) as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 except where:
 - (a) in the opinion of the Strategic Director the proposed project is of a major controversial or sensitive nature
 - (b) in the opinion of the Strategic Director it would be inappropriate to do so having regard to representations received from one or more elected Members of the Council or to the nature and extent of representations made in response to public consultation.
7. To arrange for the effective performance and development of the Council's duties and services and provide advice in relation to environmental matters.

Highways Transportation and Road Traffic

8. To exercise the functions of the Council as highways, transportation and road traffic authority, and in particular:
 - (a) to be responsible for the functions of the Council under the Highways Act 1980
 - (b) to be responsible for the functions of the Council as road traffic authority including its powers under the Road Traffic Regulation Act 1984
 - (c) to be responsible for the Council's functions under the NRSWA 1991
 - (d) To act as traffic manager for the purposes of Section 17(2) of the Traffic Management Act 2004.

Building Control

9. To be responsible for the Council's functions under the Building Act 1984 and the London Building Acts.

Trees

10. To be responsible for the Council's functions with respect to arboriculture.

Business and Regeneration

11. To be responsible for the Council's functions relating to economic development and regeneration.
12. To be responsible for the Council's BIDS Programme.

DELEGATED AUTHORITY TO STRATEGIC DIRECTOR FOR CITY MANAGEMENT

1. To be responsible for the Council's licensing and registration functions generally, including specifically (but not exclusively) functions under the Licensing Act 2003, the Gambling Act 2005 and the City of Westminster Act 1999.
2. To be responsible for the Council's on-street and parking enforcement services.
3. To be responsible for the Council's functions with respect to the regulation of waste management and the cleansing of streets.
4. To take enforcement action on behalf of the Council in relation to waste management, licensing, transportation and highways, trading standards, food hygiene, weights and measures and consumer protection legislation.
5. To be responsible for environmental enforcement activities
6. To be responsible for parks and cemeteries.
7. To be responsible for all matters relating to the Council's functions relating to crime and disorder. To exercise the functions of the Council under the Crime and Disorder Act 1998, save for the secondment of officers to the Youth Offending Team as required by section 39(5).
8. To be responsible for the Council's obligations in respect of Health and Safety at work
9. To be responsible for all of the Council's public conveniences
10. To be responsible for emergency planning and business continuity and undertake executive powers where necessary in the event of a civil emergency.
11. To incur, in exercise of his role as Emergency Controller, un-programmed revenue expenditure in the event of an emergency affecting the Council, or the inhabitants of its area, up to a maximum of £500,000 in dealing with the immediate effects of the emergency, subject to such expenditure being reported at the first opportunity to the Leader.

DELEGATED AUTHORITY TO STRATEGIC DIRECTOR FOR HOUSING, PROPERTY AND REGENERATION

1. To arrange for the effective operation of the Council's responsibilities for housing, including the recommending of strategies for all aspects of housing related activity, relationships with other public sector organisations, social landlords and with the private sector and to commission housing work to CityWest Homes and Westminster Community Homes in accordance with the CityWest Management Agreement and the Council's Procurement Policy.
2. To approve applications for housing and allocate properties in accordance with the Council's established allocations policy.
3. To be responsible for commissioning services relating to the management and maintenance of the council's housing stock, including responsibility for the efficiency and sustainability of the Housing Revenue Account and investment strategies relating to the suitability, condition and sustainability of the City Council's housing stock.
4. To approve changes in charges for housing HRA and HGF rents, service charges, heating and hot water charges, including refunds, reductions and waivers as appropriate.
5. To agree the provision of payment arrangements and options for the recovery of lessees major works.
6. To waive or reduce lessee's contributions towards service charges or cap service contributions, and to proceed with capital funded schemes where there are irrecoverable elements as a consequence of the existence of pre 1987 leases.
7. To authorise the commencement of legal proceedings, including to recover the possession of temporary accommodation, following non-payment of rent or other breach of tenancy conditions.
8. To make arrangements to provide housing advice and support to prevent homelessness including the letting, managing, repairing etc of residential units and associated commercial property; where households are assessed as being homeless in line with current legislation, make arrangements to provide temporary accommodation until permanent housing is secured.
9. To arrange for the use of properties, on a short term lease basis, and other forms of temporary accommodation for use by homeless people.
10. To develop and commission a wide range of housing services for vulnerable adults, in particular those that prevent and alleviate rough sleeping and reduce the impact of associated street activity.
11. To approve and pay and recover monies in the making of mandatory and discretionary housing assistance.

12. To implement and enforce all housing and all environmental health legislation in relation to residential properties, including the service of notices and authorisation of proceedings.
13. To approve the allocation of funds to individual projects to be supported through regeneration programmes.
14. To be responsible for new affordable housing supply including supporting social housing providers to develop social housing and making investment decisions from the Affordable Housing Fund.
15. To be responsible for funding to other housing related programmes e.g. advice services; handyperson schemes.
16. To be responsible for Council initiatives relating to the alleviation of worklessness.
17. To approve the terms for the disposal of land and property where the principle of disposal has already been determined by the Cabinet or relevant Cabinet member, provided that:-
 - (a) in the case of freehold and leasehold transactions sold, the premium does not exceed £500,000; and
 - (b) the case of leases the rental value does not exceed £125,000 p.a.
18. To approve the terms for the freehold purchase and taking of leases and licences of land and property for the Council's own occupation where the principle of acquisition has already been determined by the Cabinet or relevant Cabinet Member provided that the premium rental does not exceed £500,000 and the rental does not exceed £125,000 p.a.
19. To select tenants for land and property (other than dwellings to be let on secure tenancies) subject to consultation with the relevant Cabinet member in any case where any change of policy or special difficulty are anticipated.
20. To deal with all questions of routine property management, including power to:-
 - (a) approve and give effect to licences, tenancies and leases of 25 years or less where the value does not exceed £125,000pa;
 - (b) serve statutory notices relevant to routine property management;
 - (c) authorise and pay discretionary contributions towards trade/loss and/or removal expenses in accordance with good estate management practice;
 - (d) authorise routine acquisition settlements (to include disturbance claims, Home Loss payments, Loss Payments, discretionary payments and compensation) which arise from authorised schemes which have been approved by the Council and for which appropriate budgetary provision has already been made;

- (e) repair, maintain and improve property and other works for which appropriate budgetary provision has been made;
 - (f) enter into deeds of variation or release in respect of all interests where any adjustment to the rental value does not exceed £125,000 p.a. or where any premium does not exceed £500,000;
 - (g) settle dilapidation claims where appropriate budgetary provision exists;
 - (h) give consent in the Council's capacity as landlord to applications by tenants under the terms of any lease;
 - (i) agree rent reviews and sign Rent Review Memoranda; and
 - (j) deal with the surrender and/or renewal or regearing of leases where any adjustment to the rental does not exceed £125,000 p.a. or where any premium does not exceed £500,000.
21. To authorise the submission of compulsory purchase compensation claims to the Lands Tribunal to determine the compensation payable.
 22. To determine the future of surplus land and property for disposal on the open market where the estimated value of the disposal does not exceed £500,000.
 23. To apply for Planning and listed building consents for the Council's corporate property portfolio and, in accordance with the provisions of the Financial Regulations and corporate accounting procedure, deal with appropriations.

DELEGATED AUTHORITY TO HEAD OF LEGAL AND DEMOCRATIC SERVICES

1. To act as Solicitor to the Council and to institute, conduct and, where appropriate, defend and settle criminal and civil legal proceedings and claims concerning the Council's responsibilities and interests except in relation to those covered by the Councils insurance policies.
2. To take any action in order to protect the interests of the Council or of any person or property to whom, or for which, the Council has responsibility or in order to give legal effect to any decision or action properly taken by the Council or a Committee or person on behalf of the Council.
3. To be the Monitoring Officer and the Proper Officer in accordance with the Local Government Acts (except where signified under other officer delegations).
4. To lodge appeals against any adverse finding against the Council in any tribunal or court.
5. To sign any document necessary to give effect to any resolution of the Council, the Cabinet, a Cabinet Member or any Committee or Sub-Committee or SLT member acting within delegated power.
6. To make appointments to outside bodies in accordance with the nominations made by the Party Whips.

Appendix 1

Senior Leadership Team

Chief Executive
Chief Operating Officer
Strategic Director for Children Services
Strategic Director for Adult Services
Strategic Director for Built Environment
Strategic Director for City Management
Strategic Director for Housing, Property and Regeneration
Assistant Chief Executive
2 x Joint Head of Commissioning City Management
Head of Commissioning Development and City Planning
Assistant Director for Joint Commissioning Care and Health
City Commissioner of Transportation
Operational Director, Children, Young People and Families
Operational Director, Adult Social Care
Operational Director, Libraries and Culture
Operational Director, Sports and Leisure
Operational Director, Premises Management
Operational Director, Street Management
Operational Director, Development Planning
Operational Director, City Planning
Director of Schools
Director of Community Learning
Director of Finance, Children's Services
Assistant Director, Adult Services
Director of Adult Services
Head of Adult Social Care
Director of Communications and Strategy
Chief Procurement Officer
Deputy Director Finance Operations
Head of Policy, Innovation and Partnerships
Head of IT
Director of Human Resources
Head of Legal and Democratic Services
Head of Building Operations
Director of Corporate Finance
Deputy Director of Finance Operation
Assistant Director of Finance
Commissioner Events, Filming and Contingencies
Head of Commissioning, Sports, Leisure and Wellbeing
Head of WAES
Director of Public Health
Group Manager Waste and Parks
Head of Government and Public Relations