

# Somerset West and Taunton Council

## Scheme of Delegation to Officers

### **PART A**

#### **1.0 Introduction**

- 1.1 This document contains the specific delegations to Officers, setting out how the Council has delegated powers to Officers and how Officers are to use those powers.
- 1.2 This Council's approach to decision making is to ensure that its system of delegation enables decisions to be taken at the most appropriate level closest to those who will be affected by the decision in question. Under this system of delegation, the vast majority of the Council's decisions and actions will fall into the category of operational day to day decisions taken by its Officers.
- 1.3 In summary, with the exception of matters that are specifically reserved to Councillors by law or in the Council's Constitution, such as adopting strategic policy and taking certain types of regulatory decisions, all of the other functions of the Council are delegated to Officers.

#### **2.0 Principles**

- 2.1 This scheme of delegation is based on the following principles:
- Decisions need to be taken as near to the point of service delivery as possible;
  - Managers and staff need to be empowered but accountable and responsible;
  - Delegated powers must be exercised in accordance with the Council's Constitution, any legislative responsibilities and/or relevant Council policies and procedures;
  - Managers and staff must have authority to act in line with their levels of responsibility within the organisation;
  - All existing and newly appointed managers and staff must be advised in writing of their personal levels of delegated authority by their Director (this can be by provision of copies of the relevant documentation);
  - Directors must ensure that this Scheme is fully implemented, monitored and reviewed, and any changes required are reported to the Monitoring Officer.

#### **3.0 Scope**

- 3.1 This Scheme is additional to any delegations to Officers contained in the Council's Constitution. This scheme is not part of the Council's Constitution.
- 3.2 It applies to all services and Officers within the Council without exception.

## **4.0 Officer Management Structure**

- 4.1 The Council's Services are delivered through different departments, known as "Function Areas" – each under the control of an Officer who is known as a Director.
- 4.2 Directors are responsible for all of the Services within their area and they report to the Chief Executive. The Chief Executive is ultimately responsible for the operational management of the Council, its Officers, and for the delivery of all the Council's Services within the budget and policy framework set by Members.
- 4.3 The Chief Executive and the Directors form the Senior Leadership Team.
- 4.4 The way the Council structures its Services changes from time to time to reflect changes in Service delivery and best practice. The Council Constitution includes the Council's Management Structure and the Council's website will show relevant contacts for different services.

## **5.0 Cascade of Powers**

- 5.1 Officers' powers have been delegated by means of a standing cascade. That means that, except as set out in the specific delegations at Part B of this Scheme, specific powers are not set out.
- 5.2 Instead, there is a standing delegation of all necessary powers from the Council and the Executive (and their Committees) to the Chief Executive and the Directors. The cascade continues down to Assistant Directors, Operational Managers, Business Partners and relevant Officers in each Service.
- 5.3 In each case the powers delegated are the full range and extent of powers vested in the Council as necessary in order to discharge functions, implement decisions, and undertake the efficient operational management of the Services in the Function Area that the Directors are responsible for.
- 5.4 This includes the power to do anything ancillary or incidental to, arising from, or necessary to give effect to or facilitate the exercise of powers and the discharge of functions delegated to Officers.
- 5.5 For the avoidance of doubt, the list of specific delegations at Part B is not exhaustive. The fact that if:
  - (a) The delegation of a specific function; or,
  - (b) Delegation to a specific Officer (or post),

Is not included at Part B, it does not preclude an Officer from exercising that function, since the standing cascade will operate to allow the Officer to do so (within the limits set out in this Scheme and in the Constitution).

5.6 In the event of the delegated officer being off sick the next available person up the chain will determine who picks the delegation up in their absence.

## **6.0 Use of Delegated Powers**

6.1 It is for the Chief Executive and Directors, to determine, record and keep under review the extent to which Officers in their Functions Area are authorised to exercise delegated powers in their name. They shall do this by ensuring that there is clarity in setting out their Functions Area and team structures and defining the respective roles of their Officers.

6.2 It is the responsibility of each Officer in the chain of delegations to ensure that powers are being exercised at the more appropriate level by suitably competent and qualified Officers. They shall at all times have due regard for the nature, subject matter, and likely impact of any decision and liaise closely with those above them in the chain of delegations, including relevant Councillors, especially where a matter has potentially significant strategic, policy or operational implications.

6.3 Any ambiguity that may arise as to whether or not a particular Officer is, by reference to the terms of their appointment, job or role description, or their position in the organisation, authorised in respect of any particular function is to be resolved by reference back up through the chain of delegations to Directors or ultimately the Chief Executive, who shall, where necessary, give written confirmation of the allocation of any given responsibility.

6.4 Where the duly empowered Officer is unavailable or unable to act and the designated deputy is not available, subject to any specific arrangements that may have been put in place, a suitably qualified and competent Officer who is most proximate to the absent Officer in the chain of delegations (the proximate Officer is to be identified by following the chain upwards within the relevant Function Area continuing to the Director or Chief Executive) is empowered to act in place of that Officer.

## **7.0 Limitations**

7.1 Officers are not empowered to make decisions in respect of matters that are specifically reserved to Councillors or which amount to the adoption or implementation of new policy.

7.2 Officers are only empowered to act in respect of matters which fall within their Functions Area, suite of responsibilities and sphere of competence.

7.3 Before taking decisions, Officers must be satisfied that they can demonstrate, through appropriate records, that they are duly authorised to act and that they have undertaken all appropriate consultation.

7.4 Officers may enter into contracts and incur expenditure but must do so within financial limits and procedures set out in the Finance Procedure Rules and Contract Procedure Rules.

7.5 Officers must at all times observe and abide by the principles and controls governing decision making set out in Section 2 above.

Note:

Where the delegation is 'Case Manager', this means the 'relevant Case Manager practising in that area business operations, with the requisite knowledge, experience and where relevant qualifications to be undertaking that duty.'

## **8.0 Notices, Authorisations, Determinations, Orders, Licenses, Agreements and Consents**

8.1 For the avoidance of doubt the delegation of authority through the Officer structure includes the power to take all action necessary in connection with or ancillary to the following, subject always to powers reserved for exercise by the Council, Executive and Executive Member, and any Committees established by the Council and to the framework set out in the Financial Procedure Rules and Contract Procedure Rules in the Council's Constitution:

- (a) The authorisation of Officers as may be required by statute (whether as Proper Officers or otherwise) to undertake certain roles, or to exercise or discharge any powers, duties or functions including investigatory or regulatory functions and affecting entry to land or premises;
- (b) The issuing, service, variation, or withdrawal of any notice, direction, determination, requisition, ultimatum or demand;
- (c) The making, confirmation, variation or withdrawal of any order or regulation;
- (d) The formation, variation or termination of any contract or agreement;
- (e) The grant, variation withdrawal or termination of any permission, authorisation, licence or consent

## **9.0 Ambiguity in the decision-making framework**

9.1 In circumstances where a decision needs to be made and the decision making framework (as found in this Scheme of Delegation and the Council's Constitution) is unclear or silent as to which Officer may make the decision; the Chief Executive (acting in their capacity as the Head of Paid Service), on advice from the Monitoring Officer, may make the decision.

## **10.0 Responsibility for general HR Functions**

10.1 The appointment, discipline and dismissal of Senior Officers (as defined in the Officer Employment Procedure Rules) is a matter for the Chief Executive and/or Councillors, as set out in the Constitution.

10.2 The power to deal with all other employment matters is delegated to the Head of Paid Service.

10.3 The Head of Paid Service hereby delegates to the Directors, Assistance Directors, Operational Managers and Business Partners, all powers

necessary to carry out HR functions in respect of the staff that they manage (for example the powers to appoint, dismiss and make decisions relating to staff sickness), such powers to be used only in accordance with Council policies and procedures.

## PART B

<b>Head of Paid Service – Chief Executive Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
Deputise for the role of Head of Paid Service and Chief Executive	Deputy Chief Executives & Directors of: Internal Operations Housing and Communities Development and Place External Operations and Climate Change
<b>Staff Management</b> To undertake the day to day management and operation of all staff in accordance with the policies and procedures laid down by the Council, including incurring expenditure within the approved budgetary provision	Senior Leadership Team, Assistant Directors, Operational Managers and People Business Partners
<b>Elections</b> All powers necessary to discharge the statutory duties of the Returning Officer and Electoral Registration Officer	Deputies as appointed by the Head of Paid Service (in their role of Returning Officer and Electoral Registration Officer)

<b>Deputy Chief Executive &amp; Director of Development and Place</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>Development and Place</b> Deputise for the Director of Development and Place</p>	Assistant Directors for Major & Special Projects and Strategic Place and Planning
<p><b>Development and Place</b> Deputise for the Assistant Director for Major and Special Projects</p>	Development and Place Programme Managers
<p><b>Development and Place</b> Deputise for the Assistant Director for Strategic Place and Planning</p>	Service Managers: Planning Policy and Implementation, Economic Development, Growth and Inclusion, Development Management
<p><b>Development Management and Planning Enforcement</b> All powers necessary to ensure the efficient day to day operation of the Council's Development Management and Enforcement Functions in consultation with the Chair of the Planning Committee:</p> <ul style="list-style-type: none"> <li>• To take enforcement action (including instructions to serve breach of condition notices/Planning Contravention Notices/ Enforcement notices/Stop Notices/Default Powers) in consultation with the Chairman of the Planning Committee and the appropriate ward member(s)</li> <li>• Action to secure the removal or obliteration of placards or posters displayed in contravention of advertisement regulations including the service of notices <i>Town and Country Planning 1990 Section 225 and the Town and Country Planning (Control of Advertisements) Regulations 1992</i></li> <li>• serve Planning Contravention Notices where it appears that a contravention of planning control has taken place.</li> <li>• To issue Stop Notices, Enforcement Notices, Enforcement Orders and Advert Removal Notices</li> </ul>	Assistant Director, Strategic Place and Planning, Service Manager - Development Management and Development Management Team Leaders, Principal Planning Officer (DM)

<ul style="list-style-type: none"> <li>• To issue Breach of Condition Notices and Notices under Section 215 of the Town and Country Planning Act 1990 in consultation with the Legal Services Manager.</li> <li>• In cases of urgency and subject to consultation with the Chair of the Planning Committee to arrange for the serving of, temporary stop notices, Urgent Works Notices, Repairs Notices and Directions under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and directions relating to unlisted buildings in conservation areas.</li> <li>• To apply for injunctions in appropriate cases where there are any breaches of planning and/or building control, Tree Preservation Orders, or Listed Building and Conservation legislation where it is felt that contravention of planning and/or building control has taken place, and to give any undertakings in damages in such cases.</li> <li>• To determine whether or not it is expedient to take enforcement action where a breach of planning control has occurred</li> </ul>	
<p><b>Planning Administration</b> All powers necessary to ensure the efficient day to day operation of the Council's Planning Functions. Including:</p> <p>To take all actions as necessary with regard to the receipt, validation, consultation and administration of all application types.</p> <p>To take all actions as necessary with regard to the administration and submission of the Councils case, including any review, alteration, amendment or withdrawal of that case, following the appeal of a planning decision that has been made under delegated powers</p> <p><b>Planning</b></p> <ul style="list-style-type: none"> <li>▪ To authorise officers to undertake negotiations in respect of planning obligations/Section 106</li> </ul>	<p>Assistant Director, Strategic Place and Planning, Service Manager - Development Management and Development Management Team Leaders, Principal Planning Officer (DM) Planning Support Manager</p> <p>Assistant Director, Strategic Place and</p>



<p>Agreements in accordance with the current agreed framework and procedure</p> <ul style="list-style-type: none"> <li>▪ To make Tree Preservation Orders where there is perceived an urgent need to do so, following consultation with the Chair of the Planning Committee and the appropriate ward member(s) - Town and Country Planning Act 1990, Sections 198 – 201 and to determine applications for consent for the cutting down, topping or lopping of trees applications under the Hedgerow Protection legislation and exercise the powers and duties relating to high hedges under the Anti Social Behaviour Act 2003.</li> <li>▪ To revoke a Tree Preservation Order where there is perceived a need to do so, in accordance with the regulations – The Town and Country Planning (Tree Preservation) (England) Regulations 2012</li> <li>▪ To formulate and transmit representations on behalf of the authority - <i>Pastoral Measure 1968</i></li> <li>▪ To determine all householder planning applications except those applications reserved to Planning Committee or delegated under s101 of the Local Government Act 1972 to to determine under the Council's Constitution.</li> <li>▪ All applications for planning permission, listed building consent, conservation area consent, tree works consent, advertisement consent and all other matters of determination, formal approval or comment of the Council as local planning authority under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning Act 2008 and associated legislation should be determined under delegated powers other than those matters and applications reserved to Planning Committee to determine under the Council's Constitution.</li> <li>▪ Applications will be delegated to Service Manager- Development Management or the relevant Team Leader to refuse if section 106 agreements are not signed within 6 months of resolution to grant planning permission.</li> <li>▪ To serve building preservation notices in case of emergencies - <i>Planning (Listed Buildings and Conservation Areas) Act 1990 Section 3</i></li> <li>▪ Service of article 3(2) directions requiring re-submission of reserved matters in support of an outline planning application - <i>Town and Country</i></li> </ul>	<p>Planning, Service Manager - Development Management and Development Management Team Leaders , Principal Planning Officer (DM) Placemaking Team Leader, Strategic Lead NSIP</p>
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*Planning (General Development Procedure)  
Order 1992*

To determine submissions as to whether prior approval is required in relation to any of the forms of permitted development for which a prior approval process is required as set out in government regulations (as may be subsequently amended) and in relation to all of the matters which, as specified in the appropriate regulations, those approvals are to be made.

- (a) Determination of notifications for agricultural and forestry schemes / demolition of buildings
- (b) To respond / determine notifications relating to development by telecommunications system operators

*Town and Country Planning (General Permitted Development) Order 1995*

- (a) To determine applications to hold motor rallies over footpaths and bridleways following consultation with the appropriate ward member(s)
- To provide “screening” and “scoping” opinions in relation to Environmental Impact Assessment development *under the*

*Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999*

- Following consultation with the Chairman of the Planning Committee and any appropriate ward member(s) to serve Enforcement Notices / Stop Notices / Default Powers /Section 215 Notices
- To serve Breach of Condition Notices, Planning Contravention Notices, and Section 330 Notices - *Town and Country Planning Act 1990*
- (a) To approve or refuse applications for certificates of lawfulness of development *Sections 191 and 192*
- (b) To serve notices requiring the provision of details in land / premises *Section 330*
- (c) The service of notice in regard to the proper maintenance of land *Section 215*

*Town and Country Planning Act 1990*

To enter into Planning Performance and Extension of Time Agreements

The consideration, approval and payment of grants in respect of works to Listed Buildings, Heritage Assets at Risk, Undesignated Heritage Assets and with regard to Conservation Areas.

<p>To exercise the Council's planning powers for control of demolition.</p> <p>To approve or reject plans submitted as non-material amendments to planning applications previously submitted and approved, subject to consultation with the local Member(s) concerned in accordance with the Council's procedure.</p>	
<p><b>Land Charges</b>  All powers necessary to ensure the efficient day to day operation of the Council's Land Charges Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ To negotiate and enter into Service Level Agreements relating to Land Charges</li> <li>▪ To propose to the Section 151 Officer for his/her approval, the fee levels for land charges and in so doing ensure that no costs fall to the council tax payers as a whole - <i>Local Land Charges Act 1975 Sections 8, 9</i></li> </ul>	<p>Planning Support Manager  Senior Land Charges Officer</p>
<p><b>Promoting Business and Economic Growth</b>  All powers necessary to ensure the efficient day to day operation of the Council's Business and Economic Growth Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ Includes – Tourism, Marketing the area, Supporting local business networks, Economic development</li> </ul>	<p>Assistant Director Strategic Place and Planning  Service Manager - Economic Development</p>
<p><b>Marketing the Area</b>  All powers necessary to ensure the efficient day to day operation of the Council's Functions relating to Marketing</p>	<p>Assistant Director Strategic Place and Planning  Service Manager - Economic Development</p>
<p><b>Programmes and Projects</b>  All powers necessary to ensure the efficient day to day operation of the Council's Programmes and Projects.  Including:</p> <ul style="list-style-type: none"> <li>▪ Regeneration Programme - approval and delivery</li> <li>▪ Heritage at Risk Programme – approval and delivery</li> </ul>	<p>Development and Place Programme Manager/s</p>

<p><b>Place</b>  All powers necessary to ensure the efficient day to day operation of the Council's 'Place' Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ Strategy</li> <li>▪ Partnerships</li> </ul>	Assistant Director Strategic Place and Planning Service Manager – Planning Policy and Implementation
<p><b>Local Plan</b>  All powers necessary for the production and implementation of the Local Plan and Neighbourhood Plans</p>	Assistant Director Strategic Place and Planning Service Manager – Planning Policy and Implementation

<b>Deputy Chief Executive &amp; Director of Internal Operations</b>	
<b>Function</b>	<b>Delegated to:</b>
<b>Internal Operations</b> Deputise for the Director of Internal Operations	Assistant Directors: Customer Finance (S151 Officer) Corporate
<b>Internal Operations</b> Deputise for the Assistant Director for Customer	Grade K managers, Customer Services Manager, Benefits Specialists, Business Intelligence Manager, Strategy Specialist
<b>Internal Operations</b> Deputise for the Assistant Director for Finance (S151 Officer)	Deputy Section 151 Officer
<b>Internal Operations</b> Deputise for the Assistant Director for Corporate	ICT Manager, Strategic People Lead, Governance Manager
<b>Customer Service</b> All powers necessary to ensure the efficient day to day operation of the Council's Customer service's Function	Customer Services Manager
<b>Business Rates</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions relating to Business Rates. Including: <ul style="list-style-type: none"> <li>▪ To determine applications for Business Rates relief in pursuance of statutory schemes and in accordance with criteria agreed by the Cabinet.</li> <li>▪ To make refunds of over-payments of non-domestic rates</li> <li>▪ To administer mandatory relief from Business Rates for charities</li> </ul>	Relevant Specialist/Case Manager Lead/Case Manager
<b>Council Tax</b> All powers necessary to ensure the efficient day to day operation of the Council's relating to Council Tax. Including: <ul style="list-style-type: none"> <li>▪ To make refunds of over-payments of Council Tax</li> </ul>	Relevant Specialist/Case Manager Lead/Case Manager

<ul style="list-style-type: none"> <li>▪ To deal with and sign proposals, objections and agreements in respect of the valuation list and appeal against any of the Council's rating assessments in the valuation list</li> </ul>	
<p><b>Debt Management</b> All powers necessary to ensure the efficient day to day operation of the Council's Debt Management. Including:</p> <ul style="list-style-type: none"> <li>▪ To write off debts which are considered as irrecoverable, to a value of £1,000 (Specialist/Senior Case Manager) or £100 (Case Manager)</li> </ul>	<p>Relevant Specialist/Case Manager Lead/Case Manager</p>
<p><b>Benefits</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to benefits. Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications for Housing and Council Tax Benefit in accordance with the regulations and Council policy</li> </ul>	<p>Relevant Specialist/Case Manager</p>
<p><b>People</b> All powers necessary to ensure the efficient day to day operation of the Council's 'People' Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Strategy</li> <li>▪ Partnerships</li> </ul>	<p>Strategic People Lead</p>
<p><b>Legal Services</b> All powers necessary to ensure the efficient day to day operation of the Council's Legal Services</p>	<p>SHAPE Legal Services under the Partnership Agreement</p>
<p><b>Internal Audit</b> All powers necessary to ensure the efficient day to day operation of the Council's Internal Audit Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To manage the internal audit function and to determine where it is appropriate for reports to be referred to elected Members</li> </ul>	<p>Governance Manager</p>
<p><b>External Audit</b> All powers necessary to ensure the efficient day to day relationship with the External Auditors. Including:</p>	<p>Section 151 Officer</p>

<ul style="list-style-type: none"> <li>▪ To manage the external audit relationship and to determine where it is appropriate for reports to be referred to elected Members</li> </ul>	
<p><b>Procurement</b> All powers necessary to ensure the efficient day to day operation of the Council's Procurement Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To undertake the Assistant Director – Finance (S151 Officer)'s duties as specified in the Contract Procedure Rules (except those duties relating to the authorisation of exemptions)</li> </ul>	Procurement Manager, Specialist – Strategic Procurement
<p><b>Data Protection</b> All powers necessary to ensure the efficient day to day operation of the Council's Data Protection Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To be the Council's Data Protection Officer - <i>Local Government Act 1972, Section 101</i></li> </ul>	Governance Manager
<p><b>Risk Management</b> All powers necessary to ensure the efficient day to day operation of the Council's Risk Management Function</p>	Governance Manager
<p><b>RIPA – Senior Responsible Officer</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to the Regulation of Investigatory Powers Act 2000</p>	Governance Manager
<p><b>PSMA (Public Sector Mapping Agreement)</b> All powers necessary to ensure the efficient day to day operation of the Council's PSMA Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To maintain the LLPG (Local Land and Property Gazetteer) and provide regular updates to the NLPG (National Land and Property Gazetteer).</li> <li>▪ To be the (Public Sector Mapping Agreement) Principal Contact-LLPG (GeoPlace) and Ordnance Survey mapping</li> </ul>	Business Intelligence Manager
<p><b>Freedom of Information/EIR</b> All powers necessary to ensure the efficient day to day operation of the Council's Freedom of Information/EIR Functions.</p>	Customer Services Manager, Governance Manager

<p><b>Complaints</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Complaints</p>	<p>Customer Services Manager, Governance Manager</p>
<p><b>Constitutional Issues</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Constitutional Issues</p>	<p>Monitoring Officer, Deputy Monitoring officer</p>
<p><b>Democratic Support</b> All powers necessary to ensure the efficient day to day operation of the Council's Democratic Function</p>	<p>Governance Manager, Governance and Democratic Specialist/s</p>
<p><b>Civic Support</b> (including Chair/Mayor Support) All powers necessary to ensure the efficient day to day operation of the Council's Civic Support Functions</p>	<p>Civic and Engagement Specialist</p>
<p><b>Locality Liaison</b> All powers necessary to ensure the efficient day to day operation of the Council's Locality Liaison Functions. Including:  <ul style="list-style-type: none"> <li>▪ Including liaison with Parish, Town Councils and Communities</li> </ul> </p>	<p>Town and Parish Liaison &amp; Scrutiny Officer, Community Resilience Manager, Locality Manager/s, Locality Engagement Lead/s</p>
<p><b>Electoral Registration/Management</b> All powers necessary to ensure the efficient day to day operation of Elections. Including:  <ul style="list-style-type: none"> <li>▪ Power to assign officers in relation to requisitions of the Registration Officer - <i>Section 52(4) of the Representation of the People Act 1983</i></li> </ul> </p>	<p>Governance Manager, Governance and Democratic Specialist/s</p>
<p><b>Programme Management Authority Support to the Organisation</b> All powers necessary to ensure the efficient day to day operation of Programme Management Authority Support.</p>	<p>Business Intelligence Manager, Corporate Performance PMO</p>
<p><b>Business Intelligence</b> All powers necessary to ensure the efficient day to day operation of the Council's Functions in relation to Business Intelligence. Including:  <ul style="list-style-type: none"> <li>▪ To authorise appropriate Officers to certify that computer evidence to be used in Magistrates</li> </ul> </p>	<p>Business Intelligence Manager</p>



<p>Court is correct and that the computer was working satisfactorily at a particular time</p>	
<p><b>HR/Personnel</b>  All powers necessary to ensure the efficient day to day operation of the Council's Strategic HR and Personnel Units and the development of the Council's HR Strategies and Policies.  Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications under the assisted car purchase scheme</li> <li>▪ To compile and maintain the lists of essential and casual car users</li>   <li>▪ Health &amp; wellbeing responsibility associated with leave</li> <li>▪ Supporting appointments</li> <li>▪ Induction</li> </ul>	<p>People Business Partner</p> <p>People Business Partner, HR Specialist, People Manager/s</p>
<p><b>Equalities</b> (across the Organisation)  All powers necessary to ensure the efficient day to day operation of matters relating to the Council's Equalities duties and Functions  Including:</p> <ul style="list-style-type: none"> <li>▪ To take all necessary steps to ensure equality of opportunity for access to all services provided by the Council and also in respect of Council staff, including the preparation and maintenance of the relevant policy</li> </ul>	<p>Strategy Specialist/  Community Resilience Manager</p>
<p><b>Finance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Finance and Procurement services</p>	<p>Assistant Director – Finance (Section 151 Officer)</p>
<p><b>IT</b>  All powers necessary to ensure the efficient day to day operation of the Council's IT Functions</p>	<p>ICT Manager</p>
<p><b>IT Strategy</b>  To ensure the Council has arrangements in place to deliver and implement a robust IT Strategy setting out how the Councils technology supports its vision and corporate objectives (across both infrastructure and applications).</p>	<p>ICT Manager</p>
<p><b>Applications</b>  To ensure the Council has effective, affordable, and clear management, maintenance and administration arrangements in place, and</p>	<p>ICT Manager, IT Specialist - Applications</p>

<p>succession / replacement plans in place across all technology applications – in line with the IT Strategy ambitions.</p>	
<p><b>Infrastructure and Security</b>  To ensure the Council has effective, affordable, and clear management, maintenance, and administration arrangements in place, and succession / replacement plans across all technology infrastructure – in line with the IT Strategy. This includes business continuity and DR arrangements, and infrastructure and data security.</p>	<p>ICT Manager,  IT Specialist - Infrastructure</p>
<p><b>Media and Communications</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Media and Communications Functions.  Including:  ▪ Sign off Press releases  ▪ Respond to media enquiries</p>	<p>Communications and Engagement Specialist/s,  Communication and Engagement Case Manager/s</p>
<p><b>Website</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Functions in relation to Websites.  Including:  ▪ Operational Management</p>	<p>Communication and Engagement Case Manager/s,  Case Manager - Website</p>
<p><b>Branding/Design</b>  All powers necessary to ensure the efficient day to day operation of the Council Functions in relation to Branding/Design</p>	<p>Communications and Engagement Specialist/s</p>
<p><b>Payroll</b>  ▪ To ensure the Council has arrangements in place to pay staff and manage associated tax and pension matters.</p>	<p>Strategic People Lead,  Case Manager - Payroll</p>
<p><b>Street Naming and Numbering</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Street Naming and Numbering Functions.  Including:  ▪ To control the naming of streets and numbering of building - <i>Public Health Act 1925, Section 17-19</i>  ▪ The provision and maintenance of street name plates – <i>Public Health Act 1925, Section 19</i></p>	<p>Relevant Specialist/Case Manager, Locality Champion</p>
<p><b>Commercial and Contract Procurement</b></p>	<p>Commercial Manager,</p>

<p>All powers necessary to ensure the efficient day to day operation of the Council's Commercial Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Letting Contracts &amp; Commissioning</li> <li>▪ Letting any other contracts as necessary in accordance with the Contract Procedure Rules</li> </ul>	<p>Procurement Specialist, Programme Manager/s, Development Specialist</p>
<p><b>Health and Safety (as employer)</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Health and Safety functions as an employer.</p>	<p>Operational Managers in consultation with Health and Safety Specialist</p>

<b>Deputy Chief Executive &amp; Director of External Operations and Climate Change</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>External Operations</b> Deputise for the Director of External Operations and Climate Change</p>	<p>Assistant Directors: AD Climate Change, Regulatory Services, and Asset Management. and AD Commercial Services</p>
<p><b>External Operations</b> Deputise for the Assistant Director for Climate Change, Regulatory Services and Asset Management</p>	<p>Service Lead Environmental Health and Licensing, Service Lead Assets Programme Manager, Programme Manager (Climate Change), Programme Manager Coastal Protection</p>
<p><b>External Operations</b> Deputise for the Assistant Director for Commercial Services</p>	<p>Specialist Street Scene, Service Lead Emergency Planning/Resilience, Service Lead Major Contracts, Service Lead Crematorium and Cemeteries</p>
<p><b>Environmental Health</b> All powers necessary to ensure the efficient day to day operation of the Council's Environmental Health Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ Authority in relation to the enforcement of and prosecution of Homes in Multiple Occupation (HMO) and person(s) having control or managing such an HMO pursuant to <i>the Housing (Management of Homes in Multiple Occupation) Regulations 1990 and Housing Act 2004</i></li> <li>▪ To undertake any actions required relating to water-courses, ditches, ponds etc - Public Health Act 1936, Part XI Sections 259-266</li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Clean Air Act 1993</i></li> <li>▪ The power of entry to premises in respect of which applications for registration are received</li> </ul>	<p>Relevant Specialist/Case Manager</p>

<p>in connection with acupuncture, tattooing, ear piercing and electrolysis</p> <ul style="list-style-type: none"> <li>▪ Apply the Licensing provisions of the Game Act 1831 and Game Licences Act 1860 - <i>Deer Act 1991</i></li> <li>▪ Relevant provisions including to deal with all matters arising in <i>Sections 79 – 82 - Environmental Protection Act 1990</i></li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Prevention of Damage By Pests Act 1949</i></li> <li>▪ Authorised to deal with any matter covered within the legislation - <i>Private Water Supplies Regulations 1991</i></li> <li>▪ All actions relating to filthy and verminous premises or articles and verminous persons. - <i>Public Health Act 1936 Part II Sections 34 –37, 79-82</i></li> <li>▪ To serve notices relating to nuisances in connection with water-courses, ditches, ponds etc - <i>Public Health Act 1936 Part XI Sections 259-266</i></li> <li>▪ To take any appropriate action - <i>Public Health (Control of Diseases) Act 1984 Section</i></li> <li>▪ <i>To take decisions in order to meet the Council’s duties under the Public Health (Ships) Regulations 1970 Regulation 4</i></li> <li>▪ To take any appropriate action- <i>Water Industry Act 1991</i></li> <li>▪ To issue Enforcement Fixed Penalty Notices under <i>The Health Protection (Coronavirus Restrictions) (England) (Amendment) (No.4) Regulations 2020</i></li> </ul>	
<p><b>Health and Safety (external)</b> All powers necessary to ensure the efficient day to day operation of the Council’s Health and Safety Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To appoint an Inspector under s19(1) of the Health and Safety at Work Etc. Act 1974 (HSWA) in order that the Inspector may then issue proceedings for an offence under any of the relevant statutory provisions of HSWA.</li> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to External Health and Safety</li> </ul>	<p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager in consultation with SHAPE Legal Services</p> <p>Relevant Specialist/Case Manager</p>

<ul style="list-style-type: none"> <li>▪ Carry out duties in accordance with statutory guidance issues under HSC Section 18 Mandatory Guidance Implement duties in accordance with regulations made under the Health and Safety at Work etc Act 1974</li> <li>▪ Authorise individual officers under the smoke free legislation and regulations made thereunder to carry out specified duties Health Act 2006, The smoke-free (premises and enforcement) regulations, The smoke-free (signs) regulations, The smoke-free (exemptions and vehicles) regulations, The smoke-free (penalties and discounted amounts) regulations, and The smoke-free (vehicle operators and penalty notices) regulations.</li> </ul>	
<p><b>Food Safety</b> All powers necessary to ensure the efficient day to day operation of the Council's Food Safety Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Food Safety</li> <li>▪ To take any appropriate action - <i>Food Hygiene (Docks, Carrier, etc) Regulations 1960</i></li> <li>▪ To take any appropriate action - <i>Imported Food Regulations 1997</i></li> <li>▪ To authorise the District Councils of Sedgemoor, Mendip and South Somerset together with the Unitary Authorities in the former County of Avon to discharge within the district of Somerset West and Taunton the functions conferred upon Somerset West and Taunton, relating to the detainment, examination and seizure of food under the <i>Food Safety Act 1990</i> and of meat under the <i>Meat (Sterilisation) Regulations 1969</i> on the understanding that the seizing Authority in each case would deal with any resulting claims for compensation; that such Officers, who are the duly authorised Officers of the aforesaid Authorities, within the meaning of <i>Regulation (EC) 882/2004</i>, from time to time be and duly authorised Officers for similar purposes within the district of Somerset West and Taunton; to extend these arrangements to other specific local authorities within England and Wales and</li> </ul>	<p>Relevant Specialist/Case Manager</p>

<p>be empowered to authorise the duly authorised Officers of such Authorities to act within the district of Somerset West and Taunton - <i>Local Government Act 1972 Section 101 &amp; Regulation (EC) 882/2004</i></p> <ul style="list-style-type: none"> <li>▪ To take any appropriate action in relation to the Council's functions under the following legislation:  <i>The Meat (Sterilisation and Staining) Regulations 1982</i>  <i>Milk and Dairies (General) Regulations 1959</i>  <i>Milk (Special Designation) Regulations 1977</i></li> <li>▪ Undertake duties under Food Law made under the European Communities Act 1972 with due regard to centrally issued Food Law Code of Practice (England), practice guidance and relevant regulations <i>such as the Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Undertake duties in pursuance of Food Law requirements  <i>The Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Carry out inspection of 'approved' premises; issue approvals in accordance with guidance; carry out sampling - <i>Regulation 853/2004</i></li> <li>▪ Register food premises - <i>Regulation 852/2004 and The Food Hygiene (England) Regulations 2006.</i></li> <li>▪ Carry out relevant duties - <i>Various regulations made under Food Law: Regulations 178/2004, 852/2004, 853/2004, The Food Hygiene (England) Regulations 2006 &amp; Official Feed and Food Control (England) Regulations 2006</i></li> <li>▪ <i>Carry out inspections of food premises and apply provisions – The Food Hygiene (England) Regulations 2006 and Regulation 852/2004</i></li> </ul>	
<p><b>Licensing</b>  All powers necessary to ensure the efficient day to day operation of the Council's Licensing Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Licensing</li> <li>▪ To waive the required fee in regard to applications from charitable/non-profit making organisations to operate loudspeakers in streets and roads within the district</li> </ul>	Relevant Specialist /Case Manager

<ul style="list-style-type: none"> <li>▪ To determine new applications and renewals of street trading licences</li> <li>▪ To issue licences - <i>Animal Boarding Establishments Act 1963 Section 1</i></li> <li>▪ To take any appropriate action - <i>Animal Health Act 1981 and the Animal Health and Welfare Act 1984</i></li> <li>▪ To grant caravan site licences - <i>Caravan sites and Control of Development Act 1960</i></li> <li>▪ The power to licence dangerous and wild animals - <i>Dangerous and Wild Animals Act 1976</i></li> <li>▪ The issue of licences to deal in game - <i>Game Act 1831</i></li> <li>▪ To issue licences for guard dog kennels - <i>Guard Dogs Act 1975 Sections 3 and 6</i></li> <li>▪ To grant licences and inspect premises - <i>Riding Establishments Acts 1964 and 1970 Section 1</i></li> <li>▪ To grant licence renewals - <i>Zoo Licensing Act 1981 sections 6,7</i></li> <li>▪ The granting of permits for the provision of amusements with prizes - <i>Gaming Act 1968 Section 34</i></li> <li>▪ Undertake duties in pursuance of the Licensing Act 2003 as detailed in the Statement of Licensing Policy</li> <li>▪ To register societies wishing to undertake lotteries etc <i>Lotteries and Amusements Act 1976, Section 5 and Schedule 1</i></li> <li>▪ The determination of house to house and street collections in accordance with Council policy - <i>House to House Collections Act 1939 and the Police, Factories (Miscellaneous Provisions Act) 1916</i></li> <li>▪ To issue and transfer Hackney Carriage and Private Hire Vehicle Licences;</li> <li>▪ To issue Hackney Carriage and Private Hire Vehicles Driver Licences <i>Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976</i></li> <li>▪ To issue Private Hire Vehicles Operators Licences</li> </ul>	
<p><b>Dog Control and Monitoring</b>  All powers necessary to ensure the efficient day to day operation of the Council's Dog Control Contract Monitoring  Including:</p>	<p>Relevant Specialist/Case Manager</p>



<ul style="list-style-type: none"> <li>▪ Authorised to exercise powers regarding the seizure of dogs - <i>Dangerous Dogs Act 1991 Section 5</i></li> <li>▪ Issue of fixed penalty notices - <i>Dogs (Fouling of Land) Act 1996 Section 4</i></li> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to the service areas stated;</li> <li>▪ Power to ensure owners make their animals wear collars and identification - <i>Control of Dogs Order 1992</i></li> <li>▪ Power to seize dogs not wearing collars and means of identification – <i>Control of Dogs Order 1992</i></li> </ul>	
<p><b>Pollution Control</b> All powers necessary to ensure the efficient day to day operation of the Council’s Pollution Control Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Pollution Control</li> <li>▪ To carry out duties relating to pollution control to include inspection and granting of permits for installations, statutory nuisances, contaminated land and air quality - <i>Environmental Protection Act 1990/Environment Act 1995</i> and regulations made thereunder</li> <li>▪ All duties and functions relating to the role of district Oil Pollution Officer</li> </ul>	Relevant Specialist/Case Manager
<p><b>Car Parking</b> All powers necessary to ensure the efficient day to day operation of the Council’s Car Park Functions. Including:</p> <ul style="list-style-type: none"> <li>▪ To determine applications for free parking for late night Christmas shopping</li> <li>▪ To determine applications to use the Council’s car parks</li> </ul>	Relevant Specialist/Case Manager
<p><b>Community Leisure</b> All powers necessary to ensure the efficient day to day operation of the Council’s Community Leisure Functions</p>	Relevant Specialist/Case Manager
<p><b>Harbours</b></p>	Assistant Director Climate Change,

<p>All powers necessary to ensure the efficient day to day operation of the Council's Harbour Authority Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ The day to day Management of Minehead and Watchet harbours - including the allocation of moorings, marine pilotage</li> </ul>	<p>Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Coastal Protection/Flood Risk</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Coastal Protection and Flood Risk Functions</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To deal with all matters relating to coast protection</li> </ul>	<p>Assistant Director Climate Change, Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Land Drainage</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Land Drainage Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Including to serve notices on matters relating to land drainage – <i>Land Drainage Act 1991– Section 25</i></li> </ul>	<p>Assistant Director Climate Change, Regulatory Services and Asset Management, Programme Manager Coastal Protection</p>
<p><b>Grounds Maintenance</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Grounds Maintenance Functions</p>	<p>Localities Operational Lead/s</p>
<p><b>Bereavement Services</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Bereavement Services</p>	<p>Locality Manager/s</p>
<p><b>Hinkley Point</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Functions in respect of Hinkley Point</p>	<p>Locality Manager/s</p>
<p><b>Waste and Recycling</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Waste and Recycling Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Litter Act 1983</li> </ul>	<p>Operational Manager in conjunction with the external provider</p>
<p><b>Street Cleansing</b></p>	<p>Operational Manager in conjunction with the external provider</p>

<p>All powers necessary to ensure the efficient day to day operation of the Council's Street Cleansing Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ To take any actions required –Refuse Disposal (Amenity) Act 1978</li> </ul>	
<p><b>Clienting/Contract Management</b></p> <p>All powers necessary to ensure the efficient day to day operation of the Council's Clienting and Contract Management</p>	Clienting Specialist
<p><b>Building Control</b></p> <p>All powers necessary to ensure that efficient day to day operation/provision of the Council's functions in relation to Building Control.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ <u>Building Act 1984</u> <ul style="list-style-type: none"> <li>(a) To determine applications for the relaxation of building regulations <i>Section 8</i></li> <li>(b) To determine plans submitted under building regulations <i>Section 16</i></li> <li>(c) To reject plans in respect of building over sewers <i>Section 18</i></li> <li>(d) To determine plans, including the imposition of conditions, for construction of a building using short-lived materials provided that it does not conflict with any planning permissions needed under Part III of the Town and Country Planning Act 1990 <i>Section 19</i></li> <li>(e) To reject plans for buildings or extensions which show unsatisfactory drains <i>Section 21</i></li> <li>(f) To reject plans for buildings or extensions unless adequate exits are shown <i>Section 24</i></li> <li>(g) To reject plans for houses which do not detail a satisfactory water supply <i>Section 25</i></li> <li>(h) To accept by letter revisions to approvals under the building regulations <i>Section 31</i></li> <li>(i) To inform applicants that owner's plans are of no effect after three years has passed since they were submitted <i>Section 32</i></li> <li>(j) Powers to require removal or alteration of work in contravention of the building regulations <i>Section 36</i></li> <li>(k) Supervision of plans and work by approved inspectors <i>Sections 47,48,49,51,52,53</i></li> <li>(l) Matters relating to the repair of drains and the disconnection of drains <i>Sections 61,62</i></li> </ul> </li> </ul>	Operational Manager in conjunction with the external provider

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| <p>(m) To take appropriate action regarding ingress and egress and passages or gangways. <i>Section 71</i></p> <p>(n) To take appropriate action regarding means of escape from fire in certain buildings which have floors in excess of six metres above ground level<br/><i>Section 72</i></p> <p>(o) Service of notice requiring a person to raise the height of a chimney <i>Section 73</i></p> <p>(p) Service of notice to control demolition operations, including demolition operations affecting adjacent properties <i>Sections 80, 81 and 82</i></p> <p>(q) The authentication of consents and refusals issued on behalf of the Council <i>Section 93</i></p> <p>(r) Powers of entry to premises to ascertain contravention of the Act or any Building Regulations or ascertain any action required by the Authority<br/><i>Section 95</i></p> <ul style="list-style-type: none"> <li>▪ <u>Building Act 1984</u><br/>To make application to the court for an order in respect of dangerous or dilapidated buildings or structures including those dangerous to persons in the street. Service of notice and emergency action in respect of dangerous and dilapidated buildings and structures. <i>Building Act 1984 Sections 76,77,78 and 79J</i></li> <li>▪ <u>Highways Act 1980</u><br/>To determine all matters pertaining to retaining walls near highways - Highways Act 1980 Section 167</li> <li>▪ <u>Party Wall Act 1996</u><br/>To take appropriate action in relation to disputes regarding Council owned property</li> <li>▪ <u>Public Health Amendments Act 1890</u><br/>To take appropriate action to ensure the safety of platforms etc erected or used on public occasions - Public Health Amendments Act 1890, Section 37, as amended</li> </ul> <p><u>Building Act 1984</u></p> <ul style="list-style-type: none"> <li>▪ Relating to drainage of buildings <i>Sections 59-63</i></li> </ul> |  |
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<p>To take appropriate action relating to sanitation facilities <i>Sections 64-67</i>  Provision of water supply in occupied houses <i>Section 69</i>  Provision of food storage accommodation in houses <i>Section 70</i>  Cellars and rooms below sub soil water level <i>Section 74</i>  Defective premises <i>Section 76</i>  Paving and drainage of yards and passages <i>Section 84</i>  Authentication of documents and serving of notices <i>Sections 92-94</i>  Powers to enter premises <i>Sections 95 – 96</i>  Obstruction <i>Section 112</i></p>	
<p><b>Private Sector Housing</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Private Sector Housing Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ To take any action or make any decision regarding the implementation of operational issues or day to day management in regard to Private Sector Housing</li> </ul>	<p>Relevant Specialist or Case Manager</p>
<p><b>Asset Management</b>  Scope of delegation: All assets – land and property relating to General Fund assets</p> <ul style="list-style-type: none"> <li>▪ Strategic</li> <li>▪ Estate management</li> <li>▪ Data – Commissioning</li> <li>▪ Letting of council land</li> <li>▪ Harbours – (maintenance, safety, enforcement).</li> </ul> <p>All powers necessary to ensure the efficient day to day operation of the Council’s Asset Management Functions.  Including:</p> <ul style="list-style-type: none"> <li>▪ In relation to land to deal with any review of fees for leases, licences, agreements, permissions etc</li> <li>▪ To approve and act upon the Council’s valuers’ reports in respect of properties included in a compulsory purchase order</li> <li>▪ To give the requisite written notice(s), to seek deemed permission on behalf of the Council for the development of land by the Authority or the</li> </ul>	<p>Assistant Director for Climate Change, Regulatory Services and Asset Management, Asset Manager</p>

<p>development of land vested in the authority - <i>Local Government Act 1972</i></p> <ul style="list-style-type: none"> <li>▪ To determine any requests to use Council-owned land</li> <li>▪ To deal with applications for wayleaves etc from public utilities</li> <li>▪ To deal with applications for gate licences</li> </ul>	
<p><b>Health and Safety (Property and Asset Management)</b> All powers necessary to ensure the efficient day to day operation of the Council's landlord compliance and Health and Safety responsibilities in relation to the Council's Property and Asset Management Functions.</p>	<p>Assistant Director for Climate Change, Regulatory Services and Asset Management, Asset Manager</p>

<b>Deputy Chief Executive &amp; Director of Housing and Communities</b>	
<b>Function</b>	<b>Delegated to:</b>
<b>Housing</b> Deputise for the Director of Housing and Communities	Assistant Directors: Housing and Communities, Housing Property, and Development and Regeneration, Housing Performance Manager
<b>Housing</b> Deputise for the Assistant Director for Housing and Communities	Homelessness Commissioning & Support Lead, Community Resilience Manager, Housing Landlord Specialist
<b>Housing</b> Deputise for the Assistant Director for Housing Property	Maintenance Manager, Compliance Manager, Housing Asset Manager, Capital Works Manager
<b>Housing</b> Deputise for the Assistant Director for Development and Regeneration	Lead Specialist (New Business and Enabling), Development Manager Specialist(s), Construction and Development Manager
<b>Housing</b> Deputise for the Housing Performance Manager	Case Management Lead Housing Performance, Performance, Risk Case Management Lead
<b>Housing Options and Homelessness</b> All powers necessary to ensure the efficient day to day operation of the Council's Housing Options and Homelessness functions including: <ul style="list-style-type: none"> <li>▪ To make decisions under Part 7 of the Housing Act 1996 (as amended)</li> <li>▪ To consider and determine homeless applications (applications for</li> <li>▪ homelessness assistance under Part 7 of the Housing Act 1996</li> </ul>	Homelessness Commissioning & Support Lead, Lead Specialists Homelessness

<ul style="list-style-type: none"> <li>▪ To consider and determine reviews of homeless application decisions under Part 7 of the Housing Act 1996</li> <li>▪ To arrange interim and temporary accommodation placements for homeless households, in accordance with statutory duties under Part 7 of the Housing Act 1996</li> <li>▪ To serve notices and take the necessary legal action to evict homeless households from interim and temporary accommodation following discharge of statutory duties under Part 7 of the Housing Act 1996</li> <li>▪ To administer a private rented sector access scheme where such a scheme will assist with the prevention or relief of homelessness</li> <li>▪ To enter into nomination agreements with registered providers landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ To issue one-off incentive payments to private sector landlords, within budget limits where such a payment will result in the prevention or relief of homelessness</li> <li>▪ To issue advance rent payments to private sector landlords, within budget limits</li> <li>▪ To issue deposit payments and deposit guarantees to private sector landlords, within budget limits</li> <li>▪ To enter into lease agreements with private sector landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ To enter into management agreements of up to 5 years with private sector landlords, and make decisions regarding the renewal, variation, transfer or revocation of such agreements</li> <li>▪ Authority to obtain advice on applications from Agricultural Dwelling House Advisory Committees and allocate accommodation as appropriate - <i>Rent (Agriculture) Act 1976</i></li> </ul>	
<p><b>Lettings/Homefinder Somerset</b>  All powers necessary to ensure the efficient day to day operation of the Council’s Lettings/Homefinder functions including:</p> <ul style="list-style-type: none"> <li>▪ Work with housing organisations to operate the Homefinder Somerset – Choice Based Lettings system</li> </ul>	Homelessness Commissioning & Support Lead, Lead Specialists Homelessness



<ul style="list-style-type: none"> <li>▪ Attend and contribute to the success of the Homefinder Somerset Board</li> <li>▪ To make decisions under Part 6 of the Housing Act 1996 (as amended)</li> <li>▪ To consider and determine housing register applications for social housing under Part 6 of the Housing Act 1996</li> <li>▪ To consider and determine reviews of housing register application decisions under Part 6 of the Housing Act 1996</li> <li>▪ To advertise available social housing accommodation held by Somerset West and Taunton Council</li> <li>▪ To advertise available housing accommodation held by registered providers landlords</li> </ul>	
<p><b>Rough Sleeping Pathway</b>  All powers necessary to ensure the efficient day to day operation of the Council's Rough Sleeping Pathway functions including:</p> <ul style="list-style-type: none"> <li>▪ Provision of comprehensive inreach and outreach services to identify those who are rough sleeping or at risk of rough sleeping</li> <li>▪ Respond to referrals made from members of the public or Streetlink concerning individuals believed to be rough sleeping in the district</li> <li>▪ Fund and facilitate the reconnection of individuals assessed as having no local connection with their home authority where safe and reasonable to do so</li> <li>▪ Carry out a full needs assessment of individuals admitted to the rough sleeping pathway leading to the development of a person centered support plan</li> <li>▪ Support all individuals on the Rough Sleeping Pathway to achieve their pathway objectives</li> <li>▪ Administer personalised budget funds in a way which supports the objectives of both the Pathway and the individual</li> </ul>	Homelessness Commissioning & Support Lead, Lead Specialists Homelessness
<p><b>Housing Landlord</b>  All powers necessary to ensure the efficient day to day operation of the Council's Housing Landlord Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ Authority to co-operate with housing associations, wherever possible, in order to</li> </ul>	Relevant Specialist/Case Manager

<p>provide and maintain accommodation for those in housing need</p> <ul style="list-style-type: none"> <li>■ Performing several 'core' housing management functions. These include: <ul style="list-style-type: none"> <li>▫ Allocating and letting properties to new tenants;</li> <li>▫ Collecting rent and service charges and dealing with arrears;</li> <li>▫ Managing estates and individual tenancies;</li> <li>▫ Tackling anti-social behaviour;</li> <li>▫ Involving tenants in designing, improving and scrutinising their services;</li> <li>▫ Providing support services to people residing on our sheltered housing and extra care housing schemes;</li> <li>▫ Providing money and debt advice;</li> <li>▫ Helping people to work and training;</li> <li>▫ Supporting voluntary services or maintaining amenities that benefit the local community.</li> </ul> </li>   <li>■ Subject to the provisions of the Contract Procedure Rules and Financial Procedure Rules; to purchase goods and services relating to housing and to authorise the payment of accounts within the approved budget</li>   <li>■ Authorised to deal with matters arising under <i>The Housing Act 1985 as amended by the Housing Act 1996</i> as follows <ul style="list-style-type: none"> <li>(a) To serve notice <i>Sections 189; 190; 194; 270; 286; 335; 338;</i></li> <li>(b) To execute works in default <i>Section 193</i></li> <li>(c) To execute works in default and recover expenses <i>Sections 271; 272; 375</i></li> <li>(d) To serve notice(s) and execute works <i>Section 273</i></li> <li>(e) To agree with person in control to execute works at the latter's expense <i>Section 225</i></li> <li>(f) To serve Notice (s) re time and place, hold meeting and accept or reject undertaking <i>Section 264</i></li> <li>(g) To make Demolition or Closing order <i>Section 265</i></li> <li>(h) To make closing Order <i>Section 266</i></li> <li>(i) To serve copy of Order on person having control etc <i>Section 268</i></li> </ul> </li> </ul>	<p>Relevant Specialist/Case Manager in consultation with the Senior Leadership Team</p>
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<p>(j) To determine extension of time limit for demolition and serve Notice(s) <i>Sections 274 – 275</i></p> <p>(k) To determine Order <i>Section 278</i></p> <p>(l) To revoke Closing Order and make Demolition Order and undertake subsequent administrative requirements <i>Section 279</i></p> <p>(m) To grant or refuse licence <i>Section 330</i></p> <p>(n) To require production of rent book <i>Section 336</i></p> <p>(o) To make Schemes <i>Section 346</i></p> <p>(p) To serve Notice, extend time limit and withdraw Notice <i>Section 352</i></p> <p>(q) To fix limits of occupation and give direction applying limits and to serve Notice(s) <i>Sections 354-355</i></p> <p>(r) To serve Notice(s) requiring information <i>Section 356</i></p> <p>(s) To revoke direction <i>Section 357</i></p> <p>(t) To serve Notice requiring works <i>Section 372</i></p> <p>(u) To give owner notice of proceedings taken <i>Section 378</i></p> <p>(v) To make Order, serve Notice, enforce, administer, make suitable provision compensate and recover expenses <i>Section 379</i></p> <p>(w) To apply revocation procedures <i>Section s 392; 394</i></p> <p>(x) To make periodic housing inspections and keep records <i>Section 605</i></p> <p>(y) To inspect and make reports <i>Section 606</i>  <i>The Housing Act 1985 as amended by the Housing Act 1996</i></p>	
<p><b>Housing Capital Programme</b>  All powers necessary to ensure the efficient day to day operation of Functions relating to the Council's Housing Capital Programme</p>	<p>Capital Works Manager</p>
<p><b>Housing Repairs and Maintenance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Housing Repairs and Maintenance Functions. Including Landlord Safety Compliance Functions.</p>	<p>Maintenance Manager,  Compliance Manager</p>
<p><b>Housing Property Compliance</b>  All powers necessary to ensure the efficient day to day operation of the Council's Housing Property Compliance Functions.</p>	<p>Compliance Manager  and Case Management  Leads</p> <p>Somerset West and  Taunton Council as the</p>

<p>Authorised to deal with matters arising under the proposed <i>Building Safety Bill</i> (Note: subject to any changes following Royal Assent) as follows:</p> <p>(a) Accountable Person (legally responsible for the safety of higher-risk buildings).</p> <p>(b) Building Safety Manager (to assist with the day-to-day management of fire and structural safety in the building, proactively engage with residents, provide them with key building information and develop a Resident Engagement Strategy).</p>	<p>corporate entity holding either a legal estate in possession of the common parts of the building or a relevant repairing obligation in respect of the common parts.</p> <p>Compliance Manager</p>
<p><b>Community Engagement</b> All power necessary to ensure the efficient day to day operation of the Council's Community Engagement Functions</p>	<p>Community Resilience Manager, Engagement Lead/s</p>
<p><b>Community Safety</b> All powers necessary to ensure the efficient day to day operation of the Council's Community Safety Functions</p>	<p>Community Resilience Manager, Relevant Case Managers, Locality Manager/s</p>
<p><b>Anti-social Behaviour</b> All powers necessary to ensure the efficient day to day operation of the Council's Anti-social behaviour function in respect of Council housing properties and the District generally. Including:</p> <ul style="list-style-type: none"> <li>• To take all necessary steps to manage and control antisocial behaviour within the District.</li> <li>• To investigate and undertake any action required relating to anti-social behaviour within the Council properties and surrounding areas.</li> <li>• Authorised to deal with any matter covered within the <i>Anti-social Behaviour Crime and Policing Act 2014</i> which is applicable to Local Authorities.</li> <li>• Authorised to make applications to the Court with the assistance of Legal for an injunction in respect of <i>Part 1 of the Anti-social Behaviour Crime and Policing Act 2014</i> and</li> </ul>	<p>Assistant Director(s), Relevant Specialist/Case Manager within the ASB team</p>

be responsible for supervising compliance in accordance with *Part 1 section 3 of the Anti-social Behaviour Crime and Policing Act 2014*

- Authorised to take appropriate action in respect of any breach of an injunction under *Part 1 of the Anti-social Behaviour Crime and Policing Act 2014* which includes but is not limited to issuing at Court proceedings.
- Authorised to issue and serve Community Protection written warnings in accordance with *Part 4 Chapter 1 section 43(5) of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to issue and serve Community Protection Notices as provided for under *Part 4 Chapter 1 section 43- 45, 47 and 53 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to issue and serve fixed penalty notices in accordance with section *Part 4 Chapter 1 section 52 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to take appropriate action in respect of any breach of a Community Protection Written Warning, Community Protection Notice and or Fixed Penalty Notice issued under *Part 4 Chapter 1 of the Anti-social Behaviour Crime and Policing Act 2014* which includes but is not limited to issuing at Court proceedings.
- Authorised to make applications to the Court with the assistance of Legal for a Closure Order in accordance with *Part 4 Chapter 3 sections 80 -83 of the Anti-social Behaviour Crime and Policing Act 2014*
- Authorised to serve a Closure Notice in accordance with *Part 4 Chapter 3 section 76 -79 of the Anti-social Behaviour Crime and Policing Act 2014* following issue by the Chief Executive.
- Authorised to serve and enforce a Closure Order obtained by the Court under the provisions of *Part 4 Chapter 3 sections 80, 81 and 85 of the Anti-social behaviour Crime and Policing Act 2014*.

Authorised to take action and/make decisions in respect of recovery of possession of dwelling houses on Anti-social behaviour grounds in

<p>accordance with <i>Part 5 of the Anti-social behaviour Crime and Policing Act 2014</i>.</p>	
<p><b>Grants</b>  All powers necessary to ensure the efficient day to day operation of the Council's Community and Voluntary Grants Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ <i>Housing Grant, Construction and Regeneration Act 1996</i> <ul style="list-style-type: none"> <li>(a) To determine applications received for housing renovation grants, disabled facilities grants, common parts grants, and houses in multiple occupation (HMO) grants, in accordance with the Council's policy</li> <li>(b) The authority to allow improvement grant applicants recipients a further six months after the initial twelve-month period within which to complete grant aided work on being satisfied that there were extenuating circumstances</li> <li>(c) The authority to grant improvement grant recipients any further extension of time where such extension did not exceed a period of three months</li> <li>(d) The authority to cancel any grant approval where work has not started within twelve months of the approval date</li> </ul> </li> </ul>	<p>Relevant Specialist/Case Manager</p>
<p><b>Safeguarding</b>  All powers necessary to ensure that efficient day to day operation of the Council's Safeguarding Functions</p>	<p>Assistant Director Housing &amp; Communities (Corporate Safeguarding Lead)</p>
<p><b>Housing Asset Management</b>  Scope of delegation: All assets – land and property relating to Housing (HRA) assets</p> <ul style="list-style-type: none"> <li>▪ Strategic</li> <li>▪ Estate management</li> </ul> <p>All powers necessary to ensure the efficient day to day operation of the Council's HRA Asset Management Functions.</p> <p>Including:</p> <ul style="list-style-type: none"> <li>▪ In relation to land to deal with any review of fees for leases, licences, agreements, permissions etc</li> </ul>	<p>Assistant Director Housing Property, Housing Asset Manager</p>

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| <ul style="list-style-type: none"> <li>▪ To approve and act upon the Council's valuers' reports in respect of properties included in a compulsory purchase order</li> <li>▪ To give the requisite written notice(s), to seek deemed permission on behalf of the Council for the development of land by the Authority or the development of land vested in the authority - <i>Local Government Act 1972</i></li> <li>▪ To determine any requests to use Council-owned land</li> <li>▪ To deal with applications for wayleaves etc from public utilities</li> <li>▪ To deal with applications for gate licences</li> <li>▪ Sales of SWT properties under the Right to Buy scheme.</li> <li>▪ Issuing a Certificate of Compliance and/or a Deed of Covenant – former Right to Buy properties.</li> <li>▪ Issuing a Certificate of Pre-Emption – former Right to Buy properties.</li> <li>▪ Deed of Postponement – properties sold under the RTB scheme where the discount charge is still valid.</li> <li>▪ Removal of Restriction or Charge or Notice registered in favour of SWT at HM Land Registry; -</li> <li>▪ Purchasing properties previously owned by SWT, e.g., sold under the RTB scheme but now being sold back to SWT.</li> </ul> |  |
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<b>Statutory Officer – Monitoring Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>Deputy Monitoring Officer Role</b> All powers necessary to fulfil the statutory duties of the Monitoring Officer</p>	Appointed Deputy Monitoring Officer(s)
<p><b>Legal Proceedings General</b></p> <ul style="list-style-type: none"> <li>▪ The power to institute, defend or participate in legal proceedings where such action is necessary to give effect to decisions of the Council or to protect the Council's interests</li> <li>▪ To authorise individual officers to act on behalf of the Authority in the enforcement of legislation</li> </ul>	<p>SHAPE Legal Services under the Partnership Agreement</p> <p>Deputy Monitoring Officer(s)</p>
<p><b>Legal Proceedings – Specific Actions within Function/Service Areas</b> The authority to take the following specific actions, in relation to their Service, is delegated to officers as follows:</p> <ul style="list-style-type: none"> <li>▪ Income Management and Debt Recovery – To institute proceedings for the recovery of Council Tax arrears and National Non-Domestic Rates arrears. All other sundry debts are a matter for SHAPE Legal Services</li> <li>▪ Building Control - To make application to the court for an order in respect of dangerous or dilapidated buildings or structures including those dangerous to persons in the street - Building Act 1984</li> <li>▪ Environmental Health - To institute legal proceedings where Abatement Notices are served under <i>Section 80</i> and in the opinion of the Environmental Health Specialist – Environmental Protection, the circumstances involve a risk to public health. - <i>Environmental Protection Act 1990</i></li> <li>▪ Car Parking - To start proceedings to recover car parking debts</li> <li>▪ Housing Landlord - <ul style="list-style-type: none"> <li>• To bring proceedings under: <i>Housing Act 1985 Sections 198; 264; 270; 277; 327; 331; 332; 333 335; 336; 338; 341; 345;</i></li> </ul> </li> </ul>	<p>Assistant Director for Customer, Income &amp; Revenues Specialist, Section 151 Officer, Deputy S151 Officer,</p> <p>Operational Manager</p> <p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager</p> <p>Relevant Specialist/Case Manager in consultation</p>



<p>354; 355; 356; 358; 359; 364; 368; 369; 376; 396</p> <ul style="list-style-type: none"> <li>• To take prosecution proceedings under the <i>Protection from Eviction Act 1977</i></li> </ul> <p>▪ Planning - Following authorisation by the Planning Committee:</p> <ul style="list-style-type: none"> <li>• To bring prosecution / injunction proceedings where appropriate, under the <i>Town and Country Planning Act 1990 and the Planning and Compensation Act 1991</i></li> <li>• The institution of proceedings against fly-posters - <i>Town and Country Planning 1990 Section 225 and the Town and Country Planning (Control of Advertisements) Regulations 1992</i></li> <li>• To bring prosecution /injunction proceedings where appropriate - <i>Town and Country Planning Act 1990, the Planning and Compensation Act 1991 and The Planning (Listed Buildings and Conservation Areas) Act 1990</i></li> <li>• To institute of proceedings in regard to the proper maintenance of land <i>Section 215 Town and Country Planning Act 1990</i></li> <li>• To institute of proceedings in regard to non-payment of Community Infrastructure Levy – <i>Community Infrastructure Levy Regulations 2010 &amp; 2019</i></li> </ul>	<p>with senior Leadership Team</p> <p>Relevant Specialist/Case Manager</p> <p>SHAPE Legal Services under the Partnership Agreement</p>
<p><b>Common Seal of the Council</b> Authority to attest the fixing of the Common Seal</p>	<p>Chief Executive, Any Director, Any Assistant Director, Deputy Monitoring Officer(s)</p>
<p><b>Authentication of Documents</b> Authority to sign documents as part of legal proceedings on behalf of the Council</p>	<p>SHAPE Legal Services</p>

<b>Statutory Officer – Section 151 Officer</b>	
<b>Function</b>	<b>Delegated to:</b>
<p><b>Deputy Section 151 Officer Role</b> All powers necessary to fulfil the statutory duties of the Section 151 Officer role</p>	Deputy Section 151 Officer
<p><b>Treasury Management</b> (Investments and borrowing) All powers necessary to ensure the efficient day to day operation of the Council's Treasury Management. Including:</p> <ul style="list-style-type: none"> <li>▪ To arrange any borrowing or premature repayment of long-term loan debt if it is necessary and in the interests of council taxpayers</li> <li>▪ To implement, manage and negotiate all matters relating to the Council's treasury management policy in regard to borrowing, investment or financing, in accordance with CIPFA's (Chartered Institute of Public Finance and Accountancy) Code for Treasury Management for Local Authorities and Prudential Code</li> </ul>	Finance Business Partner
<p><b>Financial Accounting and Tax</b></p> <ul style="list-style-type: none"> <li>▪ To ensure the Council has arrangements in place to meet financial reporting and tax compliance requirements.</li> </ul>	Deputy S151 Officer, Corporate Finance Manager (Interim)
<p><b>Insurance</b> To ensure the Council has sufficient insurance arrangements in place to effectively manage risk, including:</p> <ul style="list-style-type: none"> <li>▪ Payment of small claims up to £250 which are not relevant for referral to the Council's Insurers</li> <li>▪ To negotiate insurance policies to meet the Council's risk profile</li> <li>▪ To negotiate and settle insurance claims</li> </ul>	Deputy S151 Officer, Corporate Finance Manager (Interim)