

MALVERN HILLS DISTRICT COUNCIL

SCHEME OF DELEGATION

Updated June 2009

Scheme of Delegation

Notes:

1. Where any matter is delegated to a particular officer, this scheme of delegation shall be construed as referring to any officer to whom those duties may have been assigned from time to time, whether as a result of any management restructuring or otherwise and howsoever that post may be termed.
2. Every Officer to whom powers or functions are delegated in accordance with this Scheme shall have power to further delegate the exercise of those powers and functions to such other Officers of the Council as the named Officer may from time to time decide.
3. Where legal proceedings are to be authorised, the institution of proceedings will be subject to the Head of Legal & Governance being satisfied with the evidence.
4. Generally, in the exercise of delegated powers, managers shall consult fully on all professional matters, particularly where legal or financial considerations are involved, and where necessary, shall seek and have regard to the advice of the Monitoring Officer and the Section 151 Officer (Responsible Financial Officer).

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Abandoned Vehicles	Refuse Disposal Amenity Act 1978	Removal and disposal of abandoned vehicles.	Head of Customer & Environmental Services	
Advances for House Purchase		Approval of advances for house purchase a) including improvements, additions, repairs, etc. b) Local Average Rates where to be lower than comparable Building Society rates – determination and declaration	Head of Customer & Environmental Services	In accordance with scheme submitted by the Council and approved by the Secretary of State, as amended.
Advertisement Control	Town & Country Planning Act 1990 S.224	a) Service of Discontinuance Notice b) Institution of legal proceedings for contravention of Section 224 Town & Country Planning Act 1990 – advertisements.	Head of Planning & Housing	
Air Pollution	Clean Air Act 1993 Control of Pollution Act 1974 Environmental Protection Act 1990	(a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw, rescind or revoke any licence, registration, permit, authorisation certificate or other approval., (b) Take enforcement proceedings and where necessary authorise legal proceedings, (c) Fix the licence fee in each case, in consultation with Head of Finance & IT, for those licence fees not previously determined by the Council, (d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name), (e) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format, (f) Authorise any person to accompany an appointed officer, (g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified	Head of Customer & Environmental Services	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
		in the authorisations.		
Animal Health	Animal Boarding Establishment Act 1963, Breeding of Dogs Act 1973 & 1991, Breeding & Sale of Dogs (Welfare) Act 1999 Control of Dogs Order 1992 (Enforcement of Collar & Tag Requirements), Dangerous Dogs Act 1991, Dogs (Fouling of Land) Act 1996, Local Government Act 1972 – Section 101 (Service of Notices), 214 (Dogs prohibited from cemeteries) and Byelaws made thereunder, Pet Animals Act 1951, Road Traffic Act 1988 (Control of Dogs on roads – leash orders), Dangerous Wild Animals Act 1976 Riding Establishments	(a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same; Withdraw, rescind or revoke any licence, registration, permit, authorisation certificate or other approval; (b) Take enforcement proceedings and where necessary authorise legal proceedings; (c) Fix the licence fee in each case, in consultation with Head of Finance & IT, for those licence fees not previously determined by the Council; (d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (e) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format; (f) Authorise any person to accompany an appointed officer; (g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; (h) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so. (i) To enter relevant premises and carry out investigations and inspections	Head of Customer & Environmental Services	

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	Acts 1964 & 1970, Zoo Licensing Act 1981. Animal Welfare Act 2006 and any orders or regulations made there under			
Anti-Social Behaviour	Anti-Social Behaviour Act 2003	to give consent on behalf of the Council to requests from the police to issue an authorisation under Section 30 of the Anti-Social Behaviour Act 2003 by which a direction for the dispersal of groups of persons and the removal of persons under 16 years of age to their places of residence may be given	Head of Customer and Environmental Services	In consultation with the relevant portfolio holder and ward member(s)
Anti-Social Behaviour Orders	Crime & Disorder Act 1998	a) Authorisation of proceedings on behalf of the Council for the grant of Anti-Social Behaviour Orders. b) To respond to consultation regarding proposed applications for ASBO's by others.	Head of Community & Economic Development	In consultation with the appropriate Ward Member(s) and Portfolio Holder for Community Safety.
Banking Services – letting of contract		Letting the contract for Banking Services	Head of Finance & IT	In consultation with the Portfolio Holder for Finance
Building Regulations Charges	Building Regulations (Local Authority Charges) Regulations 1998	To continue to implement a local scheme of charges, in accordance with the regulations, having regard to the Local Government Association's Model Scheme current from time to time.	Head of Planning & Housing	
Buildings - Demolition	Building Act 1984 SS. 80 - 82	a) Receipt and issue of notices in connection with the demolition of buildings or any works in connection therewith; b) Carrying out any works in default;	Head of Planning & Housing	

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		c) Prosecution for any breach of requirements.		
Building Regulations	Building Act 1984	a) Determination of applications; b) Dispensations and relaxations; c) Contravention of Building Regulations Sections 35,36,37 – service of notices and prosecution; d) To authorise the carrying out of works in default of compliance.	Head of Planning & Housing	
Burials – Grant of Probate		To apply for grant of probate or Administration (as appropriate), where the Council statutorily buries or cremates a body and there is sufficient in the estate to warrant such action.	Head of Legal & Governance	
Bus Services		Determination of whether objections should be made to proposed bus services.	Head of Planning & Housing	In consultation with local Members. In event of objection being lodged with the Traffic Commissioners, refer to Executive Committee for instructions.
Business Rates – Applications for Relief for non-charitable, non-profit making organisations	Local Government Finance Act 1988	a) To determine applications from non-charitable, non-profit making organisations in accordance with both statutory and Council criteria and to refuse such applications which do not meet the criteria b) To approve up to 100% discretionary rate relief to non charitable/non-profit making organisations	Head of Finance & IT	Should there be any dispute regarding the decision, the application to be referred to the Executive Committee.
Business Rates – Mandatory Relief	Local Government Finance Act 1988	a) To determine applications in respect of mandatory rural rate relief b) To provide 80% mandatory rate relief to charitable organisations	Head of Finance & IT	Should there be any dispute regarding the decision, the application to be referred to the Executive Committee.
Business Rates – Discretionary Relief	Local Government Finance Act 1988	a) To determine applications for Discretionary Rural Rate relief in accordance with the Council's criteria b) To determine a further 20% discretionary relief to organisations in receipt of 80% mandatory relief	Head of Finance & IT	Should there be any dispute regarding the decision, the application to be referred to the Executive Committee.

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Business Rates - Appeals	Local Government Finance Act 1988	To determine appeals against refusal of applications for discretionary or mandatory relief.	Executive Committee	
Business Rates – applications for not for profit sports clubs not registered as a Community Amateur Sports Club		Determination of an applications from a not for profit sports club that does not accord with the requirement to register as a Community Amateur Sports Club and there are stated special circumstances	Head of Finance & IT	In consultation with the Portfolio Holders for Resources and Sport and Recreation. If an applicant is not satisfied with the decision it will be referred back to Executive Committee for final determination.
Byelaws	Byelaws	Proceedings for enforcement or infringement	Head of Legal & Governance	
Capital Funds – release of capital funds set aside for property maintenance and e-government		Release of capital funds set aside for property maintenance and e government, subject to a robust business case being made	Head of Finance & IT	In consultation with the Finance Portfolio Holder
Caravan Sites	Caravan Sites and Control of Development Act 1960	a) To issue licences for new caravan sites and for the renewal and transfer of caravan sites. b) To take enforcement action under the Town & Country Planning Act 1971 for failure to apply for a site licence c) To commence enforcement proceedings where a caravan is used for human habitation on a site	Head of Planning & Housing	In consultation with the Portfolio Holder for Planning and Housing

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		where a valid licence exists but where the site is being used in breach of licence conditions.		
Car Parking	Malvern Hills District Council (Off Street Parking Places) (Consolidation Order) (Amendment No. 3) Order 1993	Recovery of Fixed Penalty charges	Head of Customer & Environmental Services	
Christmas Car Parking		Approval and advertising of free Christmas parking on the 4 consecutive Fridays and Saturdays before Christmas.	Head of Customer & Environmental Services	In consultation with relevant Portfolio Holder
Commons – Broadheath Common		Day to day management delegated to Broadheath Parish Council in accordance with the Management Agreement	Broadheath Parish Council	
Commons Byelaws	Commons Byelaws	To prosecute breaches of Commons Byelaws	Head of Legal & Governance	
Commons - Kempsey, Normoor, Stonehall, Ashmoor and Kerswell Green Commons		Day to day management delegated to Kempsey Parish Council in accordance with the Management Agreement	Kempsey Parish Council	
Complaints Procedure (Local)- Compensation arising from		Authorisation of payment of compensation by way of local settlement arising from a complaint against the Council, up to a maximum of £500	Heads of Service	In consultation with the relevant Portfolio Holder
Concessionary Travel Scheme		Grant and renewal of bus passes for elderly and disabled persons under the Council's Concessionary Travel Scheme	Head of Customer & Environmental Services	In consultation with the Head of Community & Economic Development for policy considerations.
Contaminated Land	Environmental Protection Act 1990, Environment Act 1995,	(a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw,	Head of Customer & Environmental Services	

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	Environment and Safety Information Act 1988 (Public Registers)	<p>rescind or revoke any licence, registration, permit, authorisation certificate or other approval;</p> <p>(b) Take enforcement proceedings and where necessary authorise legal proceedings;</p> <p>(c) Fix the licence fee in each case, in consultation with Head of Finance & IT, for those licence fees not previously determined by the Council;</p> <p>(d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name);</p> <p>(e) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format;</p> <p>(f) Authorise any person to accompany an appointed officer;</p> <p>(g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations;</p> <p>(h) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so.</p>		
<p>Corporate Property - Industrial Units – Spring Court, Malvern - Incentives</p>		<p>Approval of grant of incentives in specific instances, subject to the following criteria:</p> <p>a) incentives only to be granted to new businesses. Existing companies moving from other premises or existing tenants at Spring Court would not be eligible;</p> <p>b) the incentive to be by way of a rent free period, a discounted rental, deferred rental or a combination of these;</p> <p>c) the maximum incentive to be equivalent of two thirds of the annual rent.</p>	Head of Legal & Governance	In consultation with the Head of Community & Economic Development and the Portfolio Holder.

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Council Tax, and National Non-Domestic Rate	Local Government Finance Act 1992 and Regulations, Orders and Rules made under that Act	<p>a) All matters relating to billing and collection of Council Tax and NNDR under legislation in force at that time</p> <p>b) To write off individual Council Tax and NNDR liabilities of £1,000 or less which are deemed to be irrecoverable, and liabilities of £1,001 to £20,000.</p> <p>c) The write-off of individual Council Tax or Business Rate debts of over £20,000</p>	<p>South Worcestershire Shared Services Partnership Joint Committee / Head of Revenues & Benefits Shared Service</p> <p>Head of Finance & IT</p> <p>Executive Committee</p>	<p>In accordance with the provisions of the South Worcestershire Shared Services Partnership Agreement</p> <p>Write-offs of £1,001 to £20,000, in consultation with the appropriate Portfolio Holder.</p>
Council Tax base	Local Government Finance Act 1992 (as amended)	Calculation and approval of the Council Tax base	Head of Finance & IT	In consultation with relevant Portfolio Holder
Council Tax – Discretionary Discount		To consider and determine applications for Council Tax discretionary discount on the basis of restricted use of accommodation	Head of Finance & IT	In consultation with Finance Portfolio Holder and the Portfolio Holder responsible for Revenues and Benefits
Covenants – Former Council-owned Land		Amendments and/or release of covenants (freehold or leasehold)	Head of Legal & Governance	
Dangerous Buildings	Building Act 1984 Sections 77 & 78	To take any action under these provisions in respect of buildings considered to be dangerous including carrying out any works and recovery of expenses	Head of Planning & Housing	

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Data Protection Act	Data Protection Act 1984 & 2000	Dealing with all matters relating to the Council's compliance with the Act.	Head of Legal & Governance	
Defective Drainage	Land Drainage Act 1991, Public Health Act 1961, Environmental Protection Act 1990, Building Act 1984	(a) Take enforcement proceedings and where necessary authorise legal proceedings; (b) Fix the licence fee in each case, in consultation with Head of Finance & IT, for those licence fees not previously determined by the Council; (c) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (d) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format; (e) Authorise any person to accompany an appointed officer; (f) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; (g) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so.	Head of Customer & Environmental Services	
Dilapidated Buildings	Building Act 1984 Section 79	To take any action under this provision in respect of ruinous and dilapidated buildings or neglected sites including carrying out works in default, recovery of expenses and prosecution for breaches.	Head of Planning & Housing	
Disabled Persons Relief		To deal with all matters relating to Disabled Persons Relief	Head of Planning and Housing	
Early Retirement/ Redundancy		Acceptance or refusal of early retirement/voluntary redundancy applications, in accordance with	Senior Management Team	Applications in respect of employees earning in excess

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Applications		redundancy policy or generally.		of £30K pa to be reported to Executive Committee for approval or refusal.
Easements		Granting or refusal of easements over Council-owned land and acceptance of terms offered in respect of easements requested by the Council over land not in its ownership	Head of Legal and Governance	In consultation with the appropriate Portfolio Holder and the Ward Member(s)
Electoral Matters		To take all necessary action to ensure that proper arrangements are in place for the conduct of Local and Parliamentary Elections	Chief Executive and Head of Legal & Governance	
Enhancement of the Locality		Authority to handle approaches and suggestions by local residents for the purchase of items to enhance the locality (eg. Sculptures).	Head of Finance & IT	In consultation with the relevant Portfolio Holder.
Fees and Charges		To approve annual increases in Council Fees and Charges	Head of Finance & IT	In consultation with the Finance Portfolio Holder and other Portfolio Holders as appropriate to the circumstances
Freedom of Information	Freedom of Information Act 2002	(a) Approval of Publication Scheme (b) Determination of applications for release of information	Head of Legal & Governance	
Fly Posting	Town & Country Planning Act 1990 s.225	Authorisation of action to remove or obliterate placards and posters displayed in contravention of Advertisement Controls	Head of Planning & Housing	
Food Safety	Food and Environmental Protection Act 1985, Food Act 1984, Food Safety Act 1990 (as amended) a) any orders or regulations	(a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw, rescind or revoke any licence, registration, permit, authorisation certificate or other approval; (b) Take enforcement proceedings and where necessary authorise legal proceedings;	Head of Customer & Environmental Services	

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	<p>made there under or relating to any of the foregoing or having effect by virtue of the European Communities Act 1972 and b) any modification or re-enactment to the foregoing,</p> <p>Local Government (Miscellaneous Provisions) Act 1982 – Section 4 to 7 (<i>Closing orders for take-away food shops</i>),</p> <p>Natural Mineral Water Regulations 1985,</p> <p>Game Act 1831,</p> <p>Local Government Act 1984,</p> <p>Game Licences Act 1860</p>	<ul style="list-style-type: none"> (c) Fix the licence fee in each case, in consultation with Director of Finance & IT, for those licence fees not previously determined by the Council; (d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (e) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format; (f) Authorise any person to accompany an appointed officer; (g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; (h) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so. 		
Footpaths	<p>Highways Act 1980</p> <p>Town & Country Planning Act 1990</p>	<ul style="list-style-type: none"> a) To make public path and railway crossing orders; b) Confirmation of unopposed Orders, under planning legislation, for the extinguishment and diversion of public footpaths and bridleways. 	Head of Planning & housing	
Gambling	Gambling Act 2005	To grant, renew and vary Gambling Act licenses	Head of Customer & Environmental Services	Refusal or objections to the licence to be heard by the Licensing Sub Committee.

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Hackney Carriage and Private Hire – Licensing Administration	Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976	(a) Granting and Renewal of Licences; (b) Authority to temporarily suspend licences pending consideration by the Licensing and Appeals Committee; (c) To refuse any application where an applicant refuses to give his/her permission for the Council to undertake DVLA or other checks in relation to his/her application;	Head of Customer & Environmental Services	Where the Head of Service has any doubt as to whether a licence should be granted, for instance, because of an applicant's criminal convictions, the matter be referred to the Licensing and Appeals Committee for determination.
Hackney Carriage – Table of Fares	Town Police Clauses Act 1847, Local Government (Miscellaneous Provisions) Act 1976	To consider and determine requests for minor amendments to the Table of Fares for Hackney Carriages, subject to those amendments not increasing the overall level of fares.	Head of Customer & Environmental Services	In consultation with the Portfolio Holder.
Hackney Carriage and Private Hire - Enforcement		Taxi Enforcement – To act in all matters relating to taxi enforcement including; The identification of vehicles for ad-hoc inspection. The service of notices suspending licences where vehicles are found to be unfit or where the vehicle owner/proprietor fails to deliver a vehicle for inspection	Head of Customer & Environmental Services	
Hackney Carriage and Private Hire – Refusal of Licences		Referral, revocation or suspension of licences	Licensing & Appeals Committee	
Hackney Carriage and Private Hire – Horse Drawn Vehicles		Authority to: a) approve or renew applications for horse-drawn Hackney Carriage vehicle and/or driver licences, subject to appropriate conditions; and b) suspend or revoke any such licences, upon such terms (if any) as may be appropriate.	Head of Customer & Environmental Services	
Hackney Carriage and Private Hire – granting and renewing licences		Authorisation to grant or renew Taxi Drivers or Private Hire Operators Licences in cases where the applicant has no more than six penalty points on their DVLA driving licence (and the applicant satisfactorily meets	Head of Customer & Environmental Services	

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		all the other criteria)		
Hazardous Substances	The Planning (Hazardous Substances) Act 1990 and Regulations 1992	<ul style="list-style-type: none"> a) To determine applications for hazardous substances consent; b) To appoint officers from within the existing establishment to enforce the provisions of the Act and Regulations; c) To authorise legal proceedings for offences. 	Head of Customer & Environmental Services	
Health & Safety At Work	Activity Centre (Young Persons Safety) Act 1995, Factories Act 1961, Health & Safety at Work etc. Act 1974, Offices, Shops and Railway Premises Act 1963, Sunday Trading Act 1994, Scrap Metal Dealers Act 1964, Radioactive Substances Act 1993	<ul style="list-style-type: none"> (a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw, rescind or revoke and licence, registration, permit, authorisation certificate or other approval; (b) Take enforcement proceedings and where necessary authorise legal proceedings; (c) Fix the licence fee in each case, in consultation with Director of Finance & IT, for those licence fees not previously determined by the Council; (d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (e) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format, (f) Authorise any person to accompany an appointed officer; (g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; (h) Make applications to the Health & Safety 	Head of Customer & Environmental Services	

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		<p>Commission where in cases where assignment or transfer of enforcement allocation is necessary;</p> <p>(i) Give notice under the Health and Safety (Enforcing Authority) Regulations 1989 on such persons who may be affected by a transfer or assignment of enforcement allocation.</p>		
High hedges	Anti-social behaviour Act 2003 Part 8	Enforcement powers to deal with high hedge disputes	Head of Customer & Environmental Services	
Highways – Abatement of Certain Nuisances to Users	Highways Act 1980 – Sections 164 and 165	To take action under Sections 164 and 165 of the Highways Act 1980, including taking action in default and the recovery of any costs of doing so.	Head of Customer & Environmental Services	
Hire of Meetings Accommodation		Letting meetings accommodation to outside users in accordance with the conditions of use and the charging scheme relating to the premises, including the application of approved concessionary charges, authority to make a nil charge where the user is renting or leasing other accommodation within the same building and authority to agree an appropriate charge where, in exceptional circumstances, Council-owned audio-visual and other equipment is hired out.	Head of Finance & IT	
Homelessness	Housing Act 1996 - Section 202	To review decisions made in connection with homelessness applications	Head of Planning and Housing	
Homelessness	Housing Act 1996 – Part VII	To institute legal proceedings in the case of offences under Part III of the Act.	Head of Planning and Housing	
Homelessness	Housing Act 1996– Part VII	a) With regard to the provision of emergency accommodation for the homeless, to waive the repayment of part or all debts incurred by homeless applicants where they are either:	Head of Planning and Housing	

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		(i) in receipt of state benefit which does not cover the full bed and breakfast charges; (ii) in employment but with insufficient wages for payment of the full bed and breakfast charge together with any other necessary living expenses. b) To deal with cases of statutory homelessness where there is an inescapable duty to house (permanently or temporarily); c) To deal with cases arising under the Act to house (permanently or temporarily, or from property and fitness action) where there is a duty or obligation to house under legislation.		
Home Loss Payments	Land Compensation Act 1973	Home loss payments where persons are displaced from their home by compulsory acquisition or by any other act of the Council	Head of Planning and Housing	
Housing – Repair Notices	Housing Act 1985	To carry out default works on expiry of time limit of Repair Notice. Service of Repairs Notice	Head of Planning and Housing	In consultation with the appropriate Portfolio Holder. Recovery of expenses in accordance with Section 10 of the Housing Act.
Housing Capital Programme		To allow flexibility within the agreed Housing Capital Programme, if necessary.	Head of Planning and Housing	In consultation with the appropriate Portfolio Holder.

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Housing Repair Grants	Housing Grants, Construction and Regeneration Act 1996	Authority to administer grants as follows: a) Determination of applications for: (i) mandatory disabled facilities grants; (ii) disabled facilities grants (discretionary element); (iii) renovation grants which result in the provision of additional accommodation for renting; (iv) Home Repair Assistance for the elderly and vulnerable, in accordance with the Council's agreed policies; b) Authorise all payments in respect of approved grants; c) To initiate action to recover the appropriate proportion of the grant in the event that a breach of grant conditions arises; d) Discretion in implementation of the agreed policies.	Head of Planning and Housing	
Housing - Unfit Properties - Demolition and Closing Orders	Housing Act 1985 – Section 264	To receive reports or other information concerning unfit houses and to issue Notices of Time and Place; To hear those entitled to be heard at the 'Time'; To allow additional time (over 21 days) for the submission of a list of works offered to be carried out; To cancel undertakings, Demolition and Closing Orders and to make substitutions of Closing Orders for Demolition Orders, as the statute permits.	Head of Planning and Housing	
Imported Food Control	The Products of Animal Origin (Import & Export) Regulations 996 The Products of Animal Origin (Third Country Imports)(England)	To administer and enforce the Council's responsibilities.	Head of Customer & Environmental Services	

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	Regulations 2002 (as amended) made under The European Communities Act 1972.			
Indemnification of Employees – Prosecution for Assault		In appropriate cases, against reasonable legal costs incurred in bringing a prosecution arising from an assault upon employees.	Head of Legal & Governance	In consultation with the appropriate Portfolio Holder.
Infectious Diseases	Public Health (Control of Disease) Act 1984 Local Government (Miscellaneous Provisions) Act 1982 Section 1-17 (skin piercing)	<ul style="list-style-type: none"> (a) Take enforcement proceedings and where necessary authorise legal proceedings; (b) Sign and issue notices and authorise or require any steps to be taken (and authorise others to do so in their own name); (c) Authorise any person to accompany an appointed officer; (d) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; (e) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so; (f) To appoint the Director of Public Health and the Consultant in Communicable Disease Control, South Worcestershire Primary Care Trust as Proper Officers for the purposes of this legislation; (g) To appoint, in consultation with the Consultant in Communicable Disease Control, any other qualified medical practitioner on the Herefordshire and Worcestershire Health Doctor rota to act as Proper Officer. 	Head of Customer & Environmental Services	
Institution of		Authorisation of proceedings for recovery of claims	Appropriate Head	

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Proceedings		arising from damage	of Service	
Instruction of Counsel		Instruction of Counsel where satisfied that it is in the best interest of the Council	Head of Legal & Governance	
Land Bank		Short Term Lettings of land held for future requirements.	Head of Legal & Governance	
Land Purchases		Authority to decide in each instance whether or not to finance the purchase of land from capital receipts.	Head of Finance & IT	
Legal Proceedings		Issue, prosecution or defence of any legal proceedings on the Council's behalf.	Head of Legal & Governance	
Licences		Grant and renewal of: House to House Collection Licences Small Lotteries Licences Authority for the Police to commence proceedings for taking game without a licence	Head of Finance & IT	

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<p><u>Licensing</u></p> <p>Licensing Applications</p>	<p>Licensing Act 2003</p>	<p>Determination of the following applications within the scope of the Licensing Act 2003:</p> <ul style="list-style-type: none"> a) Applications for personal license PROVIDED that <ul style="list-style-type: none"> ➤ no police objections made; and ➤ there are no unspent convictions; b) Applications for premises license/club premises certificate PROVIDED that no relevant representations received, subject to consultation with local ward members; c) Application for provisional statement PROVIDED that no relevant representations received, subject to consultation with local ward members; d) Application to vary premises license/club premises certificate PROVIDED that no relevant representations received, subject to consultation with local ward members; e) Application to vary designated premises supervisor PROVIDED that no police objections made; f) Request to be removed as designated premises supervisor; g) Application for transfer of premises licence PROVIDED that no police objections made; 	<p>Head of Customer & Environmental Services</p>	<p>Refusal or objections to the licence to be heard by the Licensing Sub Committee.</p>

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Sex Shops	Hypnotism Act 1952, Local Government (Miscellaneous Provisions) Act 1982 Section 2 (Sex Shops),	<ul style="list-style-type: none"> h) Application for Interim Authorities PROVIDED that no police objections made; i) Decision on whether a complaint is irrelevant, frivolous or vexatious; j) Decision when a local authority is a consultee and not the lead authority PROVIDED that the decision is not to object, subject to consultation with local ward members; <p>Determination of temporary event notice PROVIDED that no police objections made;</p>		
Litter	Environmental Protection Act 1990	<ul style="list-style-type: none"> a) Prosecution of offences of dropping litter under s. 87 b) Issue of street litter control notices under s.93 	Head of Customer & Environmental Services	
Lost Property	Local Government (Miscellaneous Provisions) Act 1982 Section 41	Disposal of property remaining uncollected (at discretion of the Head of Service, proportion of any sum realised on the disposal to be paid to person who found the property).	All Heads of Service	

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Markets – Malvern		Decisions on future changes to the Farmers' Markets	Head of Finance & IT	In consultation with the appropriate Portfolio Holder.
Membership of Functional Organisations		To determine membership of functional organisations	Chief Executive and all Heads of Service	
Mortgaged Premises		Recovery of Possession	Head of Legal & Governance	Only where three instalments of mortgage remain unpaid.
Motor Salvage Operators	Vehicle Crimes Act 2001 Motor Salvage Operators Regulations 2002	To determine and issue registrations under The Motor Salvage Operators Regulations. To refuse or revoke the same.	Head of Customer & Environmental Services Licensing and Appeals Committee	
Noise and Nuisance Control	Environment Act 1995, Mines & Quarries Act 1954 Public Health Act 1961, Noise and Statutory Nuisance Act 1993, Crime & Disorder Act 1998, Criminal Justice & Public Order Act 1994, Environmental Protection Act 1990, Rag Flock and Other Filling Materials Act 1951 and 1981	(a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw, rescind or revoke any licence, registration, permit, authorisation certificate or other approval; (b) Take enforcement proceedings and where necessary authorise legal proceedings; (c) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (d) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format; (e) Authorise any person to accompany an appointed officer; (f) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations.	Head of Customer & Environmental Services	
Ombudsman	Local Government Act	To authorise payment of compensation by way of local	Head of Legal &	(a) In consultation with

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Complaints – payment of compensation arising from local settlement	2000	settlement arising from an Ombudsman complaint	Governance acting as Monitoring Officer	appropriate Head of Service (where the complaint was originally made) and the relevant Portfolio Holder (b) Up to a maximum of £500
Parish Councils – Inquire – Appointments by District Council	Local Government Act 1972	Make any necessary order for the appointment of persons to fill all or any of the vacancies in the office of parish councillor temporarily where a Parish Council is unable to act.	Head of Legal & Governance	In consultation with the appropriate ward members.
Parks - Football Pitches		Administration, maintenance and matters relating to the provision.	Head of Customer & Environmental Services	
Party Walls	Party Wall Etc. Act 1996	Appointing Officer in accordance with Section 10 (8) of the Party Wall Etc. Act 1996	Building Control Manager	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Pest Control	Prevention of Damage by Pests Act 1949, Wildlife and Countryside Act 1981, Pesticides (Fees and Enforcement) Act 1989, Food and Environmental Protection Act 1985.	<ul style="list-style-type: none"> (a) Take enforcement proceedings and where necessary authorise legal proceedings; (b) Fix the licence fee in each case, in consultation with the Head of Financial Services, for those licence fees not previously determined by the Council; (c) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (d) Authorise employees to procure, acquire or purchase any samples, specimens, data or information in whatever format; (e) Authorise any person to accompany an appointed officer; (f) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations; 	Head of Customer & Environmental Services	
		<ul style="list-style-type: none"> (g) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so. (h) Make applications for licences under S.16 of the Wildlife and Countryside Act 1981 (protected species). 		
Planning Appeals		Agreement to written representation procedure, Informal Hearing or Public Inquiry	Head of Planning & Housing	Agreement to a Public Inquiry to be in consultation with the Head of Legal Services.
Planning and Similar Applications	Town & Country Planning Act 1990 (as amended)	Determination of all applications within the scope of the Town & Country Planning Act 1990 (as amended).	Head of Planning & Housing	– The delegation shall not apply to the following

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
				<p>applications</p> <ul style="list-style-type: none"> - - Applications (or Regulation 3 or 4 applications) submitted by the Council. - Applications submitted by any Elected Member of the Council. - Applications submitted by a senior member of MHDC staff – i.e. the Chief Executive, Director, Head of Service, or Service Manager, or a member of staff of Planning Services. - An application which is a material departure from the Development Plan, and the officer recommendation is for approval. - The following applications will also be reported to the appropriate Development

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
				<p>Control Committee and not determined as delegated decisions:</p> <ul style="list-style-type: none"> - Applications to be reported to committee at the request of the local member where:- - The local ward member(s) has been sent a copy of the summary report on the application, where there is a conflict of view between the officer recommendation and local or technical views, and has required, within the stated time period, that the application is to be reported to an Area Development Control Committee giving reasons for the request, taking into account relevant policy and other material planning considerations.; - Any 5 Members have notified the Development Control Manager or case

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
				officer (in writing or by e-mail), within 21 days of the application being validated, that it must be reported to an Area DC Committee for decision.
Section 106 Agreements - Approving schemes as part of developer contributions ??	Town & Country Planning Act 1990 – Section 106	Approval of any details required to be submitted to the Council for approval under the terms of any Planning Obligation, s.106 agreement or unilateral undertaking or approval of expenditure of any monies paid to the Council under the terms of any such delegation	Head of Planning and Housing	Subject to the terms of the Planning Obligation
Planning etc Applications – referral of decisions from Area Development Control Committee		Referral of decisions from Area Development Control Committees to Planning Committee for further consideration where the decision is contrary to officer recommendation; and appears to be either (a) substantially in conflict with local or national planning policy; or (b) has District wide significance; or (c) clarification is sought as to the conditions to be attached or the reasons for refusal.	Head of Planning & Housing	
Planning Applications - Declining to determine applications	Town & Country Planning Act 1990 – Section 70A	Declining to determine applications under the provisions of Section 70A of the Act.	Head of Planning & Housing	In consultation with the appropriate Portfolio Holder.
Planning – Approval of Materials		Approval and rejection of materials, or variations or changes in them, submitted as a result of conditional planning permission	Head of Planning & Housing	
Planning - Environmental Assessment	Town & Country Planning (Environmental Impact Assessment)	To make decisions on screening, scoping and related matters as provided for in the Town & Country Planning (Environmental Impact Assessment) Regulations 1999	Head of Planning & Housing	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
	Regulations 1999			
Planning - Environmental Assessment	Town & Country Planning (Assessment of Environmental Effects) Regulations 1985	<ul style="list-style-type: none"> a) Deal with requests made to the Council for a preliminary opinion as to whether or not an Environmental Assessment is required in accordance with Regulation 5 of the Regulations; b) Require the submission of an Environmental Statement where considered appropriate in accordance with Regulation 9 of the Regulations. c) Follow any other procedures laid down by the Secretary of State in the Regulations. 	Head of Planning & Housing	
Planning - Injunction		To apply for an injunction to prevent a breach of planning control or secure compliance with planning control or where prosecution in the Magistrates' Court has failed to secure compliance with an enforcement notice.	Head of Legal & Governance	In consultation with the Head of Planning & Housing
Planning and Listed Buildings - Building Preservation Notices	Planning (Listed Building and Conservation Areas) Act 1990	To serve Building Preservation Notices.	Head of Planning & Housing	In consultation with the Portfolio Holders with responsibilities for planning services and finance, with appropriate notification to the local Ward Members.
Planning & Listed Buildings - Enforcement		To carry out works in default of compliance with planning and/or Listed Buildings enforcement action up to a maximum estimated cost of £5,000 in each case and recovery of default expense be pursued wherever reasonably practical	Head of Planning & Housing	
Planning & Listed Buildings - Enforcement	Town & Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990	<p>The serving of the following Notices and Orders under the Town & Country Planning Act 1990 and Listed Buildings</p> <ul style="list-style-type: none"> a) Enforcement Notices; b) "Stop" Notices; c) Breach of Condition Notices; d) Requisition for Information. 	Head of Planning & Housing	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
		Institution of legal proceedings in event of non-compliance	Head of Planning & Housing and Head of Legal & Governance	
Planning - Listed Buildings		To deal with all matters relating to Listed Building Notices	Head of Planning & Housing	
Planning - Listed Buildings		To deal with all matters relating to Listed Building Grants (except the allocation of budgets to individual schemes and approval of any discretionary grants).	Head of Planning & Housing	
Planning - Listed Buildings	Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 54 & 55	To arrange the carrying out of any works considered urgently necessary for the preservation of any unoccupied listed building (or part listed building) and to serve notice of the proposed works on the owner of the building, in accordance with Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and recovery of expenses under Section 55 of the Act be pursued wherever reasonably practicable	Head of Planning & Housing	
Planning - Pastoral Measure Notices of Enquiry	Pastoral Measure 1983	Respond to notices of enquiries from the Church Commissioners or Diocesan Pastoral Committees	Head of Planning & Housing	In consultation with the local Ward member(s). In cases of disagreement, the matter be referred to the relevant Area Planning Committee.
Planning - Powers of Entry	Town & Country Planning Act 1990 – Sections 324 & 325	Written authorisation and the necessary notice for Officers of the Department to exercise any of the statutory powers of entry.	Head of Planning & Housing	
Planning – Public Speaking at Area Planning Committee Meetings		To implement any minor changes to the scheme, adopted by Council on 24/06/03, arising from feedback from the public or as a result of experience.	Head of Planning & Housing (Added to Scheme of Delegation 27/06/03)	In consultation with the Head Governance & Democracy and the Planning Chairmen's Group.
Priory Park		a) Use by outside organisations – authority to grant permission for such use; b) Matters relating to Swan Pool	Head of Customer & Environmental Services	a) in consultation with the appropriate Portfolio Holder.

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
		c) Requests for floral displays		.
Property - General		a) Renewal of Leases b) Approval or refusal of consent for assignment or under letting c) Grant of short term leases not exceeding 7 years d) Grant of wayleaves and easements e) Sale of freehold reversion to long leases (where unexpired term of lease exceeds 21 years) f) Amendment and/or release of covenants (freehold or leasehold) g) Notice to quit for renewal of lease or where possession required h) Enforcement of lease terms and action for breach i) Approval or refusal of consent to Tenants Improvement applications j) Submission of Planning Applications (to enhance value and marketability prior to disposal or lease).	Head of Legal & Governance	e) In consultation with the appropriate Portfolio Holder.
Property – Minor Disposals		Minor property disposals where the value is less than £5,000 and the land or buildings have no strategic importance.	Head of Legal & Governance	In consultation with the Portfolio Holder.
Protection from Eviction	Protection from Eviction Act 1977	To institute proceedings in the case of offences under this Act.	Head of Planning & Housing	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Public Health	National Assistance Act 1948 – s.47 National Assistance (Amendment) Act 1951 Public Health Act 1961	(a) To make application for an order for the removal of any person to a suitable place; (b) To appoint the Director of Public Health and the Consultant in Communicable Disease Control, South Worcestershire Primary Care Trust as Proper Officers for the purposes of this legislation; (c) To appoint, in consultation with the Consultant in Communicable Disease Control, any other qualified medical practitioner on the Herefordshire and Worcestershire Health Doctor rota to act as Proper Officer;	Head of Customer & Environmental Services	
Purchase Notices		To give notice to reject (but not accept) any Purchase Notices served against the Council.	Head of Legal & Governance	
Regulation Of Investigatory Powers	Regulation Of Investigatory Powers Act 2000	a) Minor amendments to the Council's RIPA Policy and Procedures document; b) Authorised Officers under the Act	Head of Legal & Governance	
Rent (Agriculture) Act 1976	Rent (Agriculture) Act 1976	a) To decide whether alternative accommodation offered by the applicant is 'suitable' as defined in the Act; b) To decide whether to request the services of an Agricultural Dwelling House Advisory Committee; c) Homelessness – to deal with cases under the Act (or from property and fitness action) where there is a statutory duty or obligation under legislation; d) To institute legal proceedings brought under the Act.	Head of Planning & Housing	
Rent Deposit Scheme		To establish and administer a Rent Deposit Scheme. Discretion to offer an increased guarantee of up to	Head of Planning & Housing	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
		£350 in exceptional circumstances		
Requisitions for Information	Town & Country Planning Act 1990 – Sections 329 & 330 Local Government (Miscellaneous Provisions) Act 1976 s. 16 and all other powers so enabling	Service of Requisitions for Information in accordance with any statutory provisions Institution of proceedings for failure to comply therewith	All Heads of Service	
Revocation of Planning Permission		Revocation of Planning Permission on waiving of compensation	Head of Planning & Housing	
Rights of Entry for Council Officers	Various	To authorise existing employees to exercise rights of entry under all legislation relevant to the work of the Directorate.	All Heads of Service	
Sale of Surplus or Obsolete Equipment to Employees		Sale of surplus or obsolete equipment to employees	Appropriate Head of Service	Subject to tendering procedure.
Employees - Establishment Budget and Personnel Matters		Responsibility for managing the establishment budget and personnel matters..	Senior Management Team	To have regard to the current approach to filling vacancies and the Management Team's decision in respect of Job Evaluation (pending Corporate JE).
Smoke free premises, places and vehicles	Health Act 2006 Part I Chapter 1 and any orders or regulations made there under	To carry out inspections and investigations and take enforcement action	Head of Customer & Environmental Services	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Street Collections		To issue Street Collection Licences to applicants in accordance with policy; To issue additional permits in special circumstances, for example, where the collection is in respect of an event travelling through the District such as a 'bed-push', John O'Groats to Lands End walks etc.	Head of Finance & IT	In consultation with Ward Members and appropriate Portfolio Holders
Street Collections		Issue or refusal of permits in respect of applications for collections during the Christmas period, grant or refusal of permits for other collections (eg. Sponsored events) in accordance with policy.	Head of Finance & IT	
Street Naming and Numbering	Public Health Act 1925 – Section 17	Lodging objections to street name	Head of Customer & Environmental Services	In consultation with the Portfolio Holder, appropriate Ward Member and Parish Council
Street Naming and Numbering	Town Improvement Clauses Act 1847 – Section 64	Making street numbering (but not re-numbering) orders	Head of Customer & Environmental Services	
Sundry Debtors	Local Government Finance Act 1992	To write off sundry debts of £1,000 or less which are deemed to be irrecoverable.	Head of Finance & IT	In consultation with the appropriate Portfolio holder.
Telephone Kiosks		Responding to consultation on re-siting	Head of Planning & Housing	Subject to prior consultation with Parish Councils.
Temporary Road Closure Orders		a) To determine applications for temporary road closures for special events; b) Discretion to reduce or waive the standard fee for charitable events (for instance, where the applicant is a small charity or where the event is unlikely to generate income); c) Discretion to waive or reduce the standard fee in all other cases if there are special circumstances.	Head of Finance & IT	In consultation with the appropriate Portfolio Holder and local Ward Member(s).
Town Scheme Grants		All matters relating to these grants.	Head of Planning & Housing	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
Traffic Management		Responses to County Council proposals	Head of Planning & Housing	Refer to Committee if conflict with Ward Councillor(s).
Transport Operators' Licences		Lodging of objections to the granting of an Operator's Licence.	Head of Planning & Housing	Appropriate Ward Members to be consulted regarding any new applications or extensions of licences.
Transport Policies and Programme		Response to consultations on content of County Council's TPP submissions.	Head of Planning & Housing	In consultation with the appropriate Portfolio Holder.
Travellers - Removal of Travellers from Council Land and Commons		Employment of firms specialising in the removal of itinerants. Commencement of Proceedings for Possession.	Head of Customer & Environmental Services and Head of Legal & Governance	In consultation with the appropriate Portfolio Holder
Tree Preservation	Town & Country Planning Act 1990	a) Making of Tree Preservation Orders; b) Confirmation of Tree Preservation Orders; c) Institution of legal proceedings for offences relating to trees in Conservation Areas and/or subject to Tree Preservation Orders; d) Approval or refusal of felling of trees – - within the scope of a Tree Preservation Order; - in Conservation Areas provided the matter is not significant public interest or controversial; e) Felling Licence applications, comments to the Forestry Commission; f) Woodland Grants Scheme, comments to Forestry Commission.	Head of Planning & Housing	Confirmation of TPOs to be reported to committee, where:- <ul style="list-style-type: none"> • The local ward member(s) has been sent a copy of the summary report on the TPO, where objections have been made to the making of that TPO, and has required, within the stated time period, that the matter is to be reported to an Area Development Control Committee; • The local ward member

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
				has notified the Landscape Officer (in writing or by e-mail) , within 21 days of the TPO first being made, that it must be reported to an Area Development Control Committee for consideration.
Trees - Dangerous Trees	Local Government (Miscellaneous Provisions) Act 1976	<ul style="list-style-type: none"> a) Service of notices under Section 23 in respect of dangerous trees; b) To authorise entry onto land and works in default if notice not complied with. 	Head of Planning & Housing	
Utility Bills - payment	Local Government (Miscellaneous Provisions) Act 1976 S.33	Failure of property owner to pay water, gas or electricity account – at request of occupier make arrangements for supply to be restored – make payment and take steps for recovery.	Head of Planning & Housing	
Water Sampling	Water Act 1989 Water Industry Act 1991	<ul style="list-style-type: none"> (a) Determine and issue licences, registrations, permits, authorisations certificates and other approvals and to refuse the same. Withdraw, rescind or revoke any licence, registration, permit, authorisation certificate or other approval; (b) Take enforcement proceedings and where necessary authorise legal proceedings; (c) Fix the licence fee in each case, in consultation with Director of Finance & IT, for those licence fees not previously determined by the Council; (d) Sign and issue notices and authorise any works in default (and authorise others to do so in their own name); (e) Authorise employees to procure, acquire or purchase any samples, specimens, data or 	Head of Customer & Environmental Services	

SUBJECT	ACT/LEGISLATION	POWERS DELEGATED	DELEGATED TO	RESTRICTIONS
		<p>information in whatever format;</p> <p>(f) Authorise any person to accompany an appointed officer;</p> <p>(g) Appoint any other persons, not being employees within the establishment, to act as authorised officers and carry out such duties as are specified in the authorisations;</p> <p>(h) Waive any charges or fees in cases of demonstrable financial hardship or where there is an overriding social reason to do so.</p>		

Proper Officer Designations

Act and Section	Proper Officer Functions	Proper Officer
Local Government Act 1972		
13(3)	Parish Trustee	Head of Legal & Governance
83(1) to (4)	Witnesses and receipt of declarations of acceptance of office	Chief Executive
84	Receipt of declaration of resignation from office	Head of Legal & Governance
88(2)	Convening of meeting of Council to fill casual vacancy in the office of Chairman	Head of Legal & Governance
89(1)(b)	Receipt of notice from 2 local government electors requesting an election be held in the case of a casual vacancy	Head of Legal & Governance
115(2)	Receipt of money due from officers	Head of Finance & IT
146(1)(a) & (b)	Declarations and certificates with regard to securities	Head of Finance & IT
151	Responsible Financial Officer	Head of Finance & IT
191	Functions with respect to	Head of Planning & Housing

Act and Section	Proper Officer Functions	Proper Officer
	Ordnance Survey	
210(6) & (7)	Charity functions of holders of Offices with existing authorities transferred to holders of equivalent office with new authorities or, if there is no such office, to proper officers	Head of Legal & Governance
212(1) & (2)	Proper Officer to act as local registrar for Land Charges Act 1975 ("Proper Officer" for this section is defined by Section 19 of that Act)	Head of Finance & IT
225(1)	Deposit of Documents	Head of Legal & Governance
229(5)	Certification of photographic copies of documents	Head of Legal & Governance
234(1) & (2)	Authentication of documents	Head of Legal & Governance
236(9)	To send copies of byelaws for Parish Records	Head of Legal & Governance
236(10)	To send copies of byelaws to the County Council	Head of Legal & Governance
238	Certification of byelaws	Head of Legal & Governance
Schedule 12		
Para. 4(2)(b)	Signature of summonses to	Head of Legal & Governance

Act and Section	Proper Officer Functions	Proper Officer
	Council meetings	
Para. 4(3)	Receipt of notices regarding address to which summons to meetings is to be sent	Head of Legal & Governance
Para. 25(7)	Certification of resolutions	Head of Legal & Governance
Schedule 16 Para. 28	Receipt of deposit of lists of protected buildings (Section 54(4) of the Town and Country Planning Act 1971)	Head of Planning & Housing
<u>Local Government Act 1972</u> <u>Part VA Ss. 100A - 100K</u>	Access to meeting s and Documents. For the purposes of the Act, with the exception of the compilation and making available background papers	Head of Legal & Governance
	Compilation and making available of background papers	Chief and Senior Officers to whose report those papers relate
<u>National Assistance Act 1948</u>		
47	Removal to suitable premises of persons in need of care and attention	Head of Planning & Housing Director of Public Health and Consultant in Communicable Disease Control
<u>National Assistance Amendment Act 1951</u>		
1	Removal to suitable premises of persons in need of care and	Head of Planning & Housing Director of Public Health and

Act and Section	Proper Officer Functions	Proper Officer
	attention	Consultant in Communicable Disease Control
<u>Byelaws</u>	Safety at Fairgrounds	Head of Customer & Environmental Services
<u>Public Health (Control of Diseases) Act 1984</u>		
Sections : 20; 21; 28, 29; 30; 32, 36; 37; 38; 40; 41; 42; 43;46, 48.	Control of the spreading of disease	Director of Public Health and Consultant in Communicable Disease Control, South Worcestershire Primary Care Trust (or persons appointed in accordance with scheme of delegation)
Section 11, 25, 34, 35, 39, 50, 61	Cases of Notifiable Disease and food poisoning to be reported	Head of Customer & Environmental Services
<u>Public Health (Control of Diseases) Act 1984 cont'd</u>		
Sections : 16, 18; 22, 23, 24; 25, 26, 31; 51, 59	Control of the spreading of disease/food poisoning	Director of Public Health and Consultant in Communicable Disease Control, South Worcestershire Primary Care Trust (or persons appointed in accordance with scheme of delegation)
<u>Representation Of the People Act 1983</u>		
S.8	Electoral Registration Officer	Chief Executive
S.35	Returning Officer	Chief Executive

Act and Section	Proper Officer Functions	Proper Officer
<u>Local Government & Housing Act 1989</u>		
Section 4	Head of Paid Service	Chief Executive
Section 5	Monitoring Officer	Head of Legal & Governance
<u>Local Government Act 2000</u>		
Section 81	Establish and maintain a register of Members' interests	Monitoring Officer
<u>The Local Authorities (Model Code of Conduct) Order 2007</u>	Receipt of notifications of Members' financial and other interests and Gifts and Hospitality	Monitoring Officer