

"A" Delegated powers



City of

NOTTINGHAM

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

DELEGATIONS OF POWERS TO OFFICERS

City Secretary's Department
The Guildhall
Nottingham
NG1 4BT
☎: 915 4559

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Nottingham City Council

LIST OF DELEGATIONS OF POWERS TO OFFICERS

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Section 1 (coloured)	Powers delegated to individual Officers - subjects listed in alphabetical order.
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Please note:

- This document is not itself the authority for actions under delegated powers, but simply a record of the Committee decisions giving that authority. Alterations and updates of powers must be authorised by Council or Committee.
- In October 1998, the City Council ratified all the powers on this print of the List (including minor variations of some), and formally rescinded any others which might exist.
- The List is now held on the City Secretary's Computer system. If you need the most up-to-date entries, automated searches of the information, or prints of specific Powers or groups of Powers, please telephone Dave Smith at The Guildhall, on Extension 54559.

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NOTTINGHAM CITY COUNCIL

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Power No: 1 RTB - voluntary sales

Power to Deputy Chief Executive & City Secretary

Where cases fall within paragraphs 6, 8 and 11 of Schedule 5 of the Housing Act 1985 but otherwise satisfy the requirements of the Right to Buy scheme, in consultation with the City Treasurer, Director of Design and Property Services and the Director of Housing, to take the necessary action to sell, pursuant to the general consent for the Disposal of Part V Housing Act 1981, as amended, on terms equivalent to the Right to Buy Scheme (subject to a right for the Council to repurchase the property being reserved for 21 years) and to make mortgage advances pursuant to Section 438 of the Housing Act 1985.

Granted on 04/02/86 by Housing (Finance) Sub Committee, Minute no. 100

Power No: 2 Renovation grants and improvement notices

Power to Director of Housing

Except where in the opinion of the Director of Housing the case was unusual, to approve or reject applications for grants under the Housing Grants Construction and Regeneration Act 1996.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 3 Home insulation grants

Power to Director of Housing

To approve or reject applications for home insulation grants.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 4 Gas and Electricity Charges

Power to Director of Housing

To set appropriate charges for the supply of gas and electricity in blocks of Council flats and other buildings in multiple occupation.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 5 Tenancy nomination rights

Power to Director of Housing

To negotiate suitable tenancy nomination rights with Housing Associations.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 6 Homeless Persons' property

Power to Director of Housing

In special circumstances, to amend or add to the conditions, approved by the Housing Committee, on which the Council will safeguard the property of a homeless person under the Housing Act 1996.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 7 Secure Tenancies

Power to Director of Housing

(1) In relation to secure tenancies, to:

- (a) select one person to succeed as tenant where two or more persons qualify to do so;
- (b) consent or refuse consent to a tenant making alterations or improvements to a dwelling;
- (c) consent or refuse consent to an application by a tenant to sub-let part of a dwelling;
- (d) to approve "like to like" transfers of tenancies where satisfied of the existence of a genuine need for accommodation close to a place of employment or near relative for family support.

(2) To deal with all matters arising under the Secure Tenancies (Right to Repair) Regulations 1985.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 8 Ex gratia payments

Power to Director of Housing

To make ex gratia payments up to £50 in appropriate cases.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 9 Decoration Voucher Scheme

Power to Director of Housing

To deal with all matters arising under the Decoration Voucher Scheme.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 10 Allocation of tenancies

Power to Director of Housing

To allocate tenancies in accordance with Council policy for the time being.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 11 Lecturing Fees

Power to All Chief Officers

To grant paid leave to employees who give lectures concerned with their professional discipline, and to permit employees to retain the fees they receive, subject to the employee's involvement being relatively infrequent

Granted on 06/08/74 by Personnel Sub Committee, Minute no. 76

Power No: 12 Determination of unintentional homelessness

Power to Director of Housing

To determine that a person was unintentionally homeless within the meaning of the Housing Act 1996 and to discharge the Council's duties to that person under that Act.

Granted on 06/03/86 by Housing Committee, Minute no. 205

Power No: 14 Mortgages I

Power to Deputy Chief Executive & City Secretary

1. To consent or refuse consent to applications for second mortgages on premises of which the Council was the first mortgagee.

2. To discharge mortgages on repayment of the sum owed to the Council.

Granted on 06/03/86 by Housing (Finance) Sub Committee, Minute no. 205

Power No: 15 RTB - admission

Power to Deputy Chief Executive & City Secretary

To issue notices under Section 124 of the Housing Act 1985 admitting the right to buy.

Granted on 06/03/86 by Housing (Finance) Sub Committee, Minute no. 205

Power No: 16 RTB - mortgage offers

Power to Deputy Chief Executive & City Secretary

In consultation with the City Treasurer, to issue mortgage offers.

Granted on 06/03/86 by Housing (Finance) Sub Committee, Minute no. 205

Power No: 17 RTB - specially adapted houses

Power to Deputy Chief Executive & City Secretary

In relation to dwellings suitable for occupation by persons of a pensionable age, to apply to the Secretary of State for exemption in cases determined by the Director of Housing.

Granted on 06/03/86 by Housing (Finance) Sub Committee, Minute no. 205

Power No: 18 RTB - notices to complete

Power to Deputy Chief Executive & City Secretary

To serve prior and final notices to complete.

Granted on 06/03/86 by Housing (Finance) Sub Committee, Minute no. 205

Power No: 24 Sealing Deeds

Power to Deputy Chief Executive & City Secretary & Assistants

To authenticate (with the Assistant City Secretaries having a similar power) with the Lord Mayor or Deputy Lord Mayor, documents authorised under the seal of the Council.

Note: This power was originally granted to the Deputy Chief Executive & City Secretary and Assistants. The Chief Executive authorised the change on the re-structuring which took place on 1st September 1991.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 26 Amendments to Parliamentary Bills

Power to Deputy Chief Executive & City Secretary

To agree, in consultation with the Chair and Vice-Chair, amendments to any parliamentary bill promoted by the City Council.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 27 Authorised agreements

Power to Deputy Chief Executive & City Secretary

To approve the details of, and enter into agreements authorised by the City Council.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 28 Guildhall training and other facilities

Power to Chief Executive

To arrange for the hiring of training facilities and other accommodation at the Guildhall.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 30 Rates - recovery

Power to City Treasurer

To institute legal proceedings for the recovery of outstanding rates and execute, through a bailiff, orders for recovery.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 35 District Heating - disconnections

Power to City Treasurer

After consultation with the Chair of the Policy and Resources Committee and the Council's representatives on the Eastcroft District Heating Consumers' Committee, to take any necessary action in appropriate cases to cut off the supply of heat to any premises connected to the district heating scheme.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 41 Claims - settlements

Power to City Treasurer

In consultation with such other chief officers as may be concerned, to settle claims with the City Council's insurers.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 42 Claims - payments

Power to City Treasurer

To agree claims on the City Council's insurance fund and to pay such claims from the fund.

Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 43 Computer - reciprocal standby arrangements
Power to Deputy Chief Executive & City Secretary

To agree reciprocal standby arrangements with other computer users.
Granted on 18/03/86 by Policy & Resources Committee, Minute no. 669

Power No: 44 Statutory Notices - Clean Air, Pollution, Sanitation, etc
Power to Director of Environmental Services

To serve statutory notices under the following legislation:
the appropriate provisions of the Clean Air Acts 1956/68;
the appropriate provisions of the Prevention of Damage by Pests Act 1949;
the appropriate provisions of the Control of Pollution Act 1974 (and to issue consents);
the appropriate provisions of the Local Government (Miscellaneous Provisions) Act 1976 as to sanitary appliances,
supply of services to premises and removal of obstructions from private sewers;
the Nottinghamshire County Council Act 1985 as to repairs to service apparatus and walls and defective electrical installations;
the appropriate provisions of the Public Health and Local Acts to secure the repair of property or to remedy nuisances;
the Local Government (Miscellaneous Provisions) Act 1982 as to safety of unoccupied houses;
the Public Health Act 1961 as to private drains etc.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 45 Building Act 1984 - Part III powers
Power to Director of Environmental Services

To serve notices and grant or refuse consents and exercise all related statutory powers under part III of the Building Act 1984 as to drainage, provision of sanitary conveniences, buildings and yards and passages.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 46 Statutory Notices etc II
Power to Director of Environmental Services

- a) To serve statutory notices and carry out works under part VI of the Housing Act 1985 to secure the repair of property.
- b) To serve statutory notices and exercise the powers as to underground rooms in part IX of the Housing Act 1985.
- c) To serve notices and exercise all related powers in respect of overcrowded dwellings under part X of the Housing Act 1985.
- d) In relation to the provisions as to houses in multiple occupation in part XI of the Housing Act 1985 to exercise the following powers:
(with the Deputy Chief Executive & City Secretary) to make and revoke directions as to the permitted number of occupants;
to serve notices requesting information as to occupancy;
to serve and revoke overcrowding notices;
to serve notices and exercise all powers as to means of escape from fire;
(with the Deputy Chief Executive & City Secretary) to make direction orders applying the HMO regulations and serve associated notices;
- e) to serve notices under part XII of the Housing Act 1985 relating to common lodging houses;
- f) to serve notices and exercise powers in relation to entry and inspection of premises and works in default in respect to the aforementioned legislation.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 47 Licences and Registrations I

Power to Director of Environmental Services

To grant, renew and transfer licences or registrations under the following legislation:
the Food Act 1984.

The Milk Dairies (General) Regulations 1959 and the Milk and Dairies (Special Designation) Regulations 1963/1972
the Breeding of Dogs Act 1973

Riding Establishments Act 1964/70

the Pet Animals Act 1951

The Animal Boarding Establishments Act 1963

The Theatres Act 1968

The Cinemas Act 1985

The Slaughterhouse Act 1974 (as to registration of slaughtermen and premises)

Local Government (Miscellaneous Provisions) Act 1982, as to acupuncture, tattooing, ear piercing and electrolysis and
sale of food by hawkers

Nottinghamshire County Council Act 1985 as to establishments for massage

Dangerous Wild Animal Act 1976- Performing Animal (Regulations) Acts 1925

Slaughter of Poultry Act 1967

Factories Act 1961

Rag and Flock and Other Filling Material Act 1951

Clean Air Acts 1956/68, as to height of chimneys

Part XII of the Housing Act 1985 as to registration of common lodging house keepers

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 50 Supply of services

Power to Director of Environmental Services

To make arrangements for supply of services to premises under the Local Government (Miscellaneous Provisions) Act 1976.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 51 Powers of Medical Officers

Power to Medical Officers for Environmental Health

The Medical Officer for Environmental Health (and those designated as alternative medical officers for environmental health) are authorised:

- (1) to issue notices under the Public Health (Infectious Diseases) Regulations 1968 and 1985;
- (2) to act in respect of the control of notifiable diseases and food poisoning;
- (3) to act under the appropriate provisions of the National Assistance Acts 1948 and 1951.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 52 Cemeteries and Crematoria

Power to Director of Environmental Services

To manage the Council's cemeteries and crematoria and to administer and enforce the cemetery and crematoria rules and regulations.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 54 Statutory Notices etc

Power to Deputy Chief Executive & City Secretary

To serve statutory notices under the following legislation:

the Local Government (Miscellaneous Provisions) Act 1976 as to requisitions for information as to ownership;

Refuse Disposal (Amenity) Act 1978 as to abandoned vehicles;

Public Health Act 1936 as to notice of intention to construct sewers;

Public Utility Street Works Act 1950 as to sewerage works.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 55 HIMO orders and notices

Power to Deputy Chief Executive & City Secretary

- a) (With the Director of Environmental Services) to make directions as to occupancy, direction orders applying HIMO regulations and to serve associated notices under part XI of the Housing Act 1985.
- b) To make and vary directions as to occupancy and orders in connection with the standards of management in houses in multiple occupation and to serve associated notices under part XI of the Housing Act 1985.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 61 Street Trading Licences

Power to Director of Design & Property Services

To renew (in consultation with the Director of Environmental Services) street trading licences previously granted, with the same conditions or restrictions attached as to the original licences, subject to payment of the prescribed fee.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 65 Sewer Adoptions

Power to Deputy Chief Executive & City Secretary

To conclude agreements as to adoptions of sewers under the Water Industry Act 1991.

Granted on 20/03/86 by Environment Committee, Minute no. 251

Power No: 68 Annual and other events

Power to Director of Leisure & Community Services

To organise and determine the programme for the content of (in conjunction with other persons or bodies where appropriate) the following annual events: concerts, exhibitions, performances and other events that are approved from time to time by the Leisure Services Committee.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 71 Copyright licences

Power to Director of Leisure & Community Services

To grant licences to reproduce photographically or otherwise artistic works of which the Council is the copyright owner.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 73 Grant applications

Power to Director of Leisure & Community Services

Except in cases which he considers to be unusual, to reject applications for grants made by cultural and community organisations on grounds of ineligibility or patent lack of merit.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 75 Premises and facilities

Power to Director of Leisure & Community Services

- (1) To manage premises and facilities in accordance with Council policy for the time being;
- (2) Except in cases which the Director of Leisure & Community Services considers to be unusual or significant, and for the purposes of the promotion and development of leisure activities within the City
 - (a) to make facilities or premises exclusively available for particular individuals or organisations;
 - (b) to waive prescribed charges and fees (either in whole or part) for the use of facilities or premises;
 - (c) to make grants to individuals or organisations.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 76 Ad hoc fees

Power to Director of Leisure & Community Services

Except in cases which the Director of Leisure & Community Services considers significant, to set appropriate charges or fees for unusual activities utilising facilities or premises where there is no prescribed charge or fee.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 78 Gifts and donations

Power to Director of Leisure & Community Services

To accept donations of money and, except in cases which he considers to be unusual, to accept or reject appropriate items of property.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 80 Lottery prizes

Power to Director of Leisure & Community Services

To donate up to four sets of swimming lessons per year as prizes in lotteries organised by charities.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 81 Floral displays

Power to Director of Leisure & Community Services

Subject to the cost being recharged to the organiser, to provide floral displays for conferences.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 82 Service tenancies

Power to Director of Leisure & Community Services

Except in cases which the Director of Leisure & Community Services considers unusual, in relation to residential accommodation managed by the Director of Leisure & Community Services:

- (a) to allocate tenancies, or permit occupation, of such accommodation with reference to the need for that accommodation to be occupied by an employee of the Council for the better performance of his or her duties.
- (b) to set suitable terms and conditions for occupation subject, in relation to rent, in accordance with the principles approved by the Personnel and Customer Care Committee.

Granted on 27/03/86 by Leisure Services Committee, Minute no. 294

Power No: 84 Housing Benefit Scheme

Power to City Treasurer

The administration of the statutory housing benefit scheme as enhanced by the City Council, including:

- (a) the determination of those matters in respect of which the Council have a discretion (including the restriction of rent on which benefits are calculated and the payment of benefit direct to landlords);
- (b) the review of determinations following the submission of written representations by claimants.

Granted on 10/04/86 by Housing (Finance) Sub Committee, Minute no. 252

Power No: 86 Statutory Notices - Dustbins, Cleansing, HMOs

Power to Director of Environmental Services

To serve statutory notices to secure the provisions of dustbins.

To serve notices and exercise all other powers to secure the cleansing of filthy or verminous premises or articles.

In relation to the provisions as to houses in multiple occupation in part XI of the Housing Act 1985 to exercise the following powers:

- (i) (with the Deputy Chief Executive & City Secretary) to make vary and revoke directions as to the permitted number of occupants;
- (ii) to serve, vary and revoke overcrowding notices;
- (iii) (with the Deputy Chief Executive & City Secretary) to make orders, serve notices and exercise all other powers in connection with standards of management required by regulations;
- (iv) to serve notices requiring the execution of works and to exercise all other powers to render premises fit for the number of occupants.

Granted on 18/09/86 by Environment Committee, Minute no. 77

Power No: 87 Licences and Registrations II

Power to Director of Environmental Services

To grant, renew and transfer licences or registrations under the Nottinghamshire County Council Act 1985 as to establishments for massage and special treatment.

Granted on 18/09/86 by Environment Committee, Minute no. 77

Power No: 91 Building Regulations

Power to Director of Development & Deputies

1. To pass and reject plans deposited under the building regulations, and to pass or reject Building Notices and certificates under those regulations.
2. To accept or reject notices given under the Building (Approved Inspectors etc) Regulations 1985
3. To grant or refuse applications for relaxations of the Building Regulations where, after appropriate consultations, no objection has been received.
4. To issue notices to remove or alter work not complying with the Building Regulations.

Granted on 15/01/87 by Planning Committee, Minute no. 261

Power No: 92 Determination of "Development"

Power to Solicitor to the Council

To determine whether operations on land or a change of use of land constitute or involve development of the land and, if so, whether planning permission is required.

Note: This power was originally granted to the Deputy Chief Executive & City Secretary and Deputies. The Chief Executive authorised the transfer to the Assistant City Secretary (Legal & Committee Services) as a result of the restructuring which took place on 1st September 1991.

Granted on 15/01/87 by Planning Committee, Minute no. 261

Power No: 98 Building Act 1984 - Section 81 Notices

Power to Solicitor to the Council

To serve notices under section 81 of the Building Act 1984 after consulting the Director of Development and Director of Environmental Services.

Note: This power was originally granted to the Deputy Chief Executive & City Secretary and Assistants. The Chief Executive authorised the transfer to the Assistant City Secretary (Legal & Committee Services) as a result of the restructuring which took place on 1st September 1991.

Granted on 15/01/87 by Planning Committee, Minute no. 261

Power No: 100 Management of employees

Power to All Chief Officers

The recruitment, management and discipline (including dismissal) of all employees in their department or office below the level of deputy or second-tier assistant chief officer, in accordance with the relevant national and local schemes and conditions of service and subject to:

- (a) the conditions specified in any approved scheme; and
- (b) the approved budget provision not being exceeded.

Granted on 04/03/87 by Policy & Resources (Pers) Sub Committee, Minute no. 137

Power No: 101 Payments for promotions

Power to Director of Leisure & Community Services

To approve payments for promotions in advance, subject to consultation with the Chair or Vice-Chair.

Granted on 26/03/87 by Leisure Services Committee, Minute no. 275

Power No: 103 RTB - notices

Power to Deputy Chief Executive & City Secretary

Issue notices under Sections 125, 146 and Schedule 8 of the Housing Act 1985.

Granted on 09/07/87 by Housing (Finance) Sub Committee, Minute no. 37

Power No: 104 RTB - shared purchases

Power to Deputy Chief Executive & City Secretary

Issue consents under Section 123(2)(b) of the Housing Act 1985 for the right to buy to be shared by members of the applicant's family.

Granted on 09/07/87 by Housing (Finance) Sub Committee, Minute no. 37

Power No: 105 RTB - late mortgage applications

Power to Deputy Chief Executive & City Secretary

To extend the period for submitting mortgage applications under Section 134 of the Housing Act 1985.

Granted on 09/07/87 by Housing (Finance) Sub Committee, Minute no. 37

Power No: 106 RTB - Discount repayment charge postponement

Power to Deputy Chief Executive & City Secretary

To postpone land charges securing the repayment of discounts in respect of properties purchased under the Right to Buy Scheme and being sold within the three year period, where adequate security in the property already existed.

Granted on 08/10/87 by Housing (Finance) Sub Committee, Minute no. 60

Power No: 107 Variations to housing contracts

Power to Director of Design & Property Services

- (1) To approve variations to housing contracts of up to 0.75% of the contract sum.
- (2) To vary housing improvement contracts, by adding further dwellings which subsequently became available, subject to consultation with the Chair and Vice-Chair of the Committee and to a report being submitted to the next meeting of the Housing Committee.

Granted on 04/02/88 by Housing Committee, Minute no. 251

Power No: 108 Weatherproofing gable walls

Power to Director of Design & Property Services

To conclude contracts for the weatherproofing of gable walls with the lowest tenderer up to the limit specified in financial regulation 33(5)(c) if the owner:

- (i) had agreed to the work being performed; and
- (ii) had agreed to be responsible for maintaining the gable walls following completion of the work; and
- (iii) where the premises were non-residential or mixed residential/commercial property, had agreed to pay 50% or 25% of the costs of the work respectively.

Granted on 04/02/88 by Housing Committee, Minute no. 251

Power No: 110 Improvements to individual dwellings

Power to Director of Design & Property Services

Jointly with the Director of Housing, to place orders at the Director of Design and Property Services' discretion with contractors participating in the "term contract" schemes for the improvement of individual dwellings, subject to reporting subsequently to this committee.

Granted on 04/02/88 by Housing Committee, Minute no. 251

Power No: 112 Mortgages II

Power to Deputy Chief Executive & City Secretary

In consultation with the City Treasurer and the Director of Design and Property Services, to issue mortgage offers in accordance with Council policy for the time being.

Granted on 04/02/88 by Housing (Finance) Sub Committee, Minute no. 100

Power No: 117 Allotments - documentation and proceedings

Power to Deputy Chief Executive & City Secretary

In relation to allotments:

- (a) at the request of the Director of Leisure and Community Services to issue notices to quit where there has been a breach of the conditions of tenancy;
- (b) to bring and conduct proceedings for possession in the County Court;
- (c) to apply for warrants for possession following the making of a possession order.

Granted on 10/02/88 by Community Development Committee, Minute no. 139

Power No: 118 Allotments and play areas

Power to Director of Design & Property Services

To manage play areas in accordance with the Council's policy for the time being.
Note: there is a similar power for the Director of Leisure and Community Services.

Granted on 10/02/88 by Community Development Committee, Minute no. 139

Power No: 120 Urgent Matters

Power to Chief Executive & Deputy

To deal with any matter not otherwise delegated to an officer, and in respect of which a decision was required before the next meeting of the appropriate committee or committees, after consultation with the chair or vice-chair of those committees, provided that the Deputy Chief Executive should only exercise such power on occasions when the Chief Executive was not available.

Granted on 16/02/88 by Policy & Resources Committee, Minute no. 598

Power No: 121 Vacant Posts

Power to Chief Executive

Authorisation for the Chief Executive, in consultation with the Chair, to give or withhold approval to the filling of vacant posts.

Granted on 16/02/88 by Policy & Resources Committee, Minute no. 598

Power No: 122 Old Market Square - use

Power to Director of Environmental Services

To determine applications for the use of the Old Market Square (excluding the forecourt area) for displays, events and demonstrations by non-commercial organisations.

Granted on 19/11/91 by Policy & Resources Committee, Minute no. 423

Power No: 124 Dangerous Buildings, etc - Building Act 1984 (Part III)

Power to Director of Design & Property Services

To serve notices under part III of the Building Act 1984 as to dangerous, defective, ruinous and dilapidated buildings and neglected sites and as to buildings intended for demolition, and to take all such necessary action under such provisions to ensure public safety (powers exercised concurrently with the Director of Environmental Services).
Note: this power was originally granted to the Chief Environmental Health Officer, with concurrent power to the City Engineer, the changes were authorised by the Environment Committee on 24.10.1991.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 125 Sewer adoptions

Power to Director of Environmental Services

To negotiate agreements as to adoptions of sewers under the Public Health Act 1936.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 126 Public Health Act - Section 24 Notices

Power to Director of Environmental Services

To serve notices under Section 24 of the Public Health Act 1936 and to approve statements of works and to apportion expenses for work carried out under Section 24 Public Health Act 1936 (exercised in consultation with the Deputy Chief Executive & City Secretary).

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 127 Dangerous Buildings, etc - Building Act 1984 (Part III)

Power to Director of Environmental Services

To serve notices under part III of the Building Act 1984 as to dangerous, defective, ruinous and dilapidated buildings and neglected sites and as to buildings intended for demolition, and to take all such necessary action under such provisions to ensure public safety (power exercised concurrently with the Director of Design and Property Services).
Note: this power was originally granted to the Chief Environmental Health Officer, with concurrent power to the City Engineer, the changes were authorised by the Environment Committee on 24.10.1991.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 128 Public Health Act Section 15 Notices

Power to Director of Environmental Services

To serve notices under Section 15 Public Health Act 1936.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 130 Highways --Advance Payments Code Notices

Power to Director of Environmental Services

To issue notices under the advance payments code contained in the Highways Act 1980, requiring payments to be made by owners of new buildings in respect of street works.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 131 Highways - adoption agreements

Power to Director of Environmental Services

To negotiate agreements as to adoptions of highways under Section 38 of the Highways Act 1980 and to authorise the Deputy Chief Executive & City Secretary to conclude such agreements.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 132 Highways - skips

Power to Director of Environmental Services

To deal with applications for permissions to deposit builders' skips on highways under Section 139 of the Highways Act 1980.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 133 Street Works Code Notices

Power to Director of Environmental Services

To issue notices under the street works code contained in the New Roads and Street Works Act 1991.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 134 Street Adoptions

Power to Director of Environmental Services

To adopt streets as public highways following developments.

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 136 Market Licensing

Power to Director of Design & Property Services

To exercise the granting and termination of licences to hold stalls at the City Council's markets (other than Victoria market and Sneinton Wholesale market).

Granted on 18/02/88 by Environment Committee, Minute no. 235

Power No: 140 Allotments and play areas

Power to Director of Leisure & Community Services

To manage allotments and play areas in accordance with the Council's policy for the time being.

Note: there is a similar power for the Director of Design and Property Services.

Granted on 19/02/88 by Community Development Committee, Minute no. 139

Power No: 142 Property - S.146 notices

Power to Deputy Chief Executive & City Secretary

To serve notices under section 146, Law of Property Act 1925, concerning breaches of leases.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 143 Property - forfeiture

Power to Deputy Chief Executive & City Secretary

To authorise the forfeiture of any lease for breach of covenant.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 144 Commercial property - terminations

Power to Deputy Chief Executive & City Secretary

To authorise notices for reasons other than rent review or breach of covenant, e.g. where demolition or reconstruction is required.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 146 Leasehold Reform Act 1967 - enfranchisement

Power to Director of Design & Property Services

1. To authorise the admission or rejection of the right to enfranchise or renew a lease under the Leasehold Reform Act 1967.

2. To settle the purchase price of any admitted claim under the Leasehold Reform Act 1967.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 148 Commercial property - assignments and sublets

Power to Director of Design & Property Services

To approve assignments and underlettings of leases of property other than housing revenue account dwellings.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 150 Licences wayleaves and easements

Power to Director of Design & Property Services

To authorise the grant, after consultation with the appropriate chief officer, of wayleaves, easements and licences over property.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 151 Workshop Licences

Power to Director of Development

To authorise the granting and termination of licences to occupy accommodation at the Enterprise Workshops, Lenton Business Centre and the Fashion Enterprise managed workshops.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 154 Mortgage repossessions

Power to Director of Design & Property Services

To accept, subject to contract, offers for the purchase from the Council of properties repossessed from defaulting mortgagors.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 155 Recovery of possession

Power to Director of Design & Property Services

To authorise the recovery of possession of land and other property from trespassers.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 156 Consent to Plans

Power to Director of Design & Property Services

To approve plans and give consent for planning and other applications where the Council's consent is required as owner or covenantee.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 158 Liquor licences

Power to Director of Design & Property Services

To hold licences for the sale of intoxicating liquor and act in connection with their transfer.

Granted on 22/02/88 by Policy & Resources (Land) Sub Committee, Minute no. 150

Power No: 160 Environmental Assessments

Power to Director of Development

To determine the need for environmental assessments under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988, after consultation with the Chair and Vice-Chair.

Granted on 14/07/88 by Planning Committee, Minute no. 100

Power No: 163 Car Boot Sales

Power to Director of Design & Property Services

To determine applications for car boot sales in accordance with the guidelines and conditions adopted by the committee on 20 October 1988, and in consultation with the Director of Environmental Services.

Granted on 22/12/88 by Environment Committee, Minute no. 176

Power No: 164 Taxis - adverts

Power to Director of Environmental Services

To determine applications for advertisements on hackney carriage and private hire vehicles in accordance with the guidelines and conditions adopted by the Licensing sub-committee on 2 September 1987.

Note: This power was transferred from the Deputy Chief Executive & City Secretary by a decision of the Environment Committee dated 22.7.1993, Minute No 94.

Granted on 04/01/89 by Environment (Licensing) Sub Committee, Minute no. 59

Power No: 167 Appointment of consultants

Power to Director of Environmental Services

To appoint consultants from the appropriate professional bodies' registers of practices, in support of in-house resources, as necessary.

Granted on 20/01/89 by Policy & Resources Committee, Minute no. 83

Power No: 168 Appointment of consultants

Power to Director of Design & Property Services

To appoint consultants from the appropriate bodies' registers of practices, in support of in-house resources, as necessary.

Granted on 20/01/89 by Policy & Resources Committee, Minute no. 83

Power No: 172 Licences and Registrations III

Power to Director of Environmental Services

To grant, renew and transfer licences or registrations under the Poultry Meat (Hygiene) Regulations 1976

Granted on 18/05/89 by Environment Committee, Minute no. 10

Power No: 174 Pastoral Measure 1983 - consultations

Power to Director of Development

To comment on all consultations under the Pastoral Measure 1983.

Granted on 12/10/89 by Planning Committee, Minute no.

Power No: 175 Commercial Property

Power to Director of Design & Property Services

To accept the surrender of existing Leases, following consultation with the Chair and Vice Chair, where new Leases are to be granted from the surrender date at a rent below £15000 per annum.

Granted on 23/10/89 by Employment & Economic Development (Land) Sub Committee, Minute no. 10

Power No: 176 Poll Tax & Non-Domestic Rate - various matters
Power to City Treasurer

To deal with the following matters in connection with the poll tax and non-domestic rate:

- (a) to impose and quash penalties on behalf of the City Council in accordance with schedule 3 of the Local Government Finance Act 1988 and, where appropriate, to represent the City Council at any resulting valuation and community charge tribunal hearing in that connection;
- (b) to serve demands and reminder notices, and to enter into non-statutory arrangements for payments in respect of the personal and standard charges and non-domestic rates;
- (c) to act on the City Council's behalf in relation to any regulations made in accordance with the Local Government Finance Act 1988, and in particular to:
 - (i) apply for certificates from the Valuation Officer in cases where a property was only partly occupied; and
 - (ii) serve completion notices in respect of newly completed properties or altered buildings specifying the date when it could reasonably be expected to be completed;
- (d) to serve demands in respect of the collective charge and to request inspection of and require copies of collective charge records and information required to make estimates;
- (e) to initiate and carry out whatever steps are necessary in accordance with any regulations made under the Local Government Finance Act 1988 having regard, where appropriate, to a code of practice to be approved by committee.

Granted on 21/11/89 by Policy & Resources Committee, Minute no. 524

Power No: 177 Personnel matters for DSOs
Power to Director of Building Works

1. With effect from 5 December 1989, the Directors in Charge, Nottingham City Contract Works and Nottingham City Building Works be granted delegated authority to determine all matters relating to the management of their workforce including, though not restricted to, the following:
 - recruitment (using pink form procedure for second and third tier appointments), regulation and rationalisation of the workforce numbers to meet the requirements of the current and forecast workload;
 - special working hours;
 - working arrangements and practices;
 - operation, within the principles established by the Personnel and Customer Care Committee, of bonus schemes; [Exercise of all the above functions is subject to consultation with the Trade Unions.]
 - identification and satisfaction of training needs in liaison with the Central Training Section where appropriate.
2. The delegation of powers as detailed in 1. above be exercised by the Directors reporting to the Contracts Sub-Committee, subject to the following conditions:
 - (i) that the grading of any new job requiring the exercise of discretion (i.e. not covered by national prescription or through the local joint job evaluation procedure) be determined by the Personnel and Customer Care Committee;
 - (ii) that the handling of any redundancies be approved by the Personnel and Customer Care Committee.

Granted on 04/12/89 by Personnel & Customer Care Committee, Minute no. 172

Power No: 178 Personnel matters for DSOs
Power to Director of Contract Works

1. With effect from 5 December 1989, the Directors in Charge, Nottingham City Contract Works and Nottingham City Building Works be granted delegated authority to determine all matters relating to the management of their workforce including, though not restricted to, the following:
 - recruitment (using pink form procedure for second and third tier appointments), regulation and rationalisation of the workforce numbers to meet the requirements of the current and forecast workload;
 - special working hours;
 - working arrangements and practices;
 - operation, within the principles established by the Personnel and Customer Care Committee, of bonus schemes; [Exercise of all the above functions is subject to consultation with the Trade Unions.]
 - identification and satisfaction of training needs in liaison with the Central Training Section where appropriate.

2. The delegation of powers as detailed in 1. above be exercised by the Directors through the Contracts sub-committee, subject to the following conditions:
 - (i) that the grading of any new job requiring the exercise of discretion (i.e. not covered by national prescription or through the local joint job evaluation procedure) be determined by the Personnel and Customer Care Committee;
 - (ii) that the handling of any redundancies be approved by the Personnel and Customer Care Committee.

Granted on 04/12/89 by Personnel & Customer Care Committee, Minute no. 172

Power No: 179 Ex-gratia payment scheme

Power to All Chief Officers

The scheme shall be administered solely by Chief Officers. The maximum amount payable in any one case shall be £200. This will be subject to inflation, and the City Treasurer will, annually, inform Chief Officers of the new amount. Chief Officers are authorised to grant ex-gratia payments to employees who are victims of harassment or abuse whilst undertaking duties in the Council's employ. Chief Officers are authorised to grant ex-gratia payments to employees who suffer injuries which have arisen from assault at work.

Granted on 06/09/94 by Personnel & Customer Care Committee, Minute no. 60

Power No: 184 Planning powers generally

Power to Director of Development

To:

- (a) determine applications for planning permission;
- (b) determine applications for the approval of reserved matters or details required by conditions imposed on any planning permission;
- (c) determine applications for listed building consent or conservation area consent;
- (d) in consultation with the Director of Leisure & Community Services, determine applications to cut down, top, lop or remove trees protected by tree preservation orders, or by conditions imposed on planning permissions or within conservation areas, and authorise the making of tree preservation orders;
- (e) determine applications for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989;
- (f) exercise the functions of the Planning Committee to approve City Council development proposals under Regulations 4 and 5 of the Town and Country Planning General Regulations 1976;
- (g) to comment on Crown development proposals;
- (h) to comment on County Council development proposals under the Town and Country Planning General Regulations 1976;
- (i) to give observations on proposals on which the City Council was consulting adjoining district councils;
- (j) to comment on "County matters";
- (k) to issue directions under development orders requiring the submission of further information in respect of applications for planning permission;
- (l) to issue notification under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988;
- (m) to serve notices requiring owners or occupiers of land or premises to provide information required in connection with enforcement action;
- (n) after consultation with the ward councillors, where practicable, to consider, and where appropriate object to, applications for goods vehicles operators' licences.

Provided that in relation to (a) to (j) above, such delegated powers shall not be exercised where the determination or comment would be:

- i) contrary to the provisions of the development plan;
- ii) contrary to approved City Council planning policy;
- iii) contrary to a previous decision of the Planning Committee or the Development Control Committee;
- iv) contrary to a recommendation of any statutory consultee;
- v) contrary to the recommendation of the Conservation Panel;

Items which gave rise to complex or sensitive issues should be referred to committee for determination.

Granted on 17/05/90 by Planning Committee, Minute no. 10

Power No: 185 Planning powers generally

Power to Asst Director of Development (Planning)

To:

- (a) determine applications for planning permission;
 - (b) determine applications for the approval of reserved matters or details required by conditions imposed on any planning permission;
 - (c) determine applications for listed building consent or conservation area consent;
 - (d) in consultation with the Director of Leisure & Community Services, determine applications to cut down, top, lop or remove trees protected by tree preservation orders, or by conditions imposed on planning permissions or within conservation areas, and authorise the making of tree preservation orders;
 - (e) determine applications for consent under the Town and Country Planning (Control of Advertisements) Regulations 1989;
 - (f) exercise the functions of the Planning Committee to approve City Council development proposals under Regulations 4 and 5 of the Town and Country Planning General Regulations 1976;
 - (g) to comment on Crown development proposals;
 - (h) to comment on County Council development proposals under the Town and Country Planning General Regulations 1976;
 - (i) to give observations on proposals on which the City Council was consulting adjoining district councils;
 - (j) to comment on "County matters";
 - (k) to issue directions under development orders requiring the submission of further information in respect of applications for planning permission;
 - (l) to issue notification under the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988;
 - (m) to serve notices requiring owners or occupiers of land or premises to provide information required in connection with enforcement action;
 - (n) after consultation with the ward councillors, where practicable, to consider, and where appropriate object to, applications for goods vehicles operators' licences.
- Provided that in relation to (a) to (j) above, such delegated powers shall not be exercised where the determination or comment would be:

- i) contrary to the provisions of the development plan;
 - ii) contrary to approved City Council planning policy;
 - iii) contrary to a previous decision of the Planning Committee or the Development Control Committee;
 - iv) contrary to a recommendation of any statutory consultee;
 - v) contrary to the recommendation of the Conservation Panel;
- Items which gave rise to complex or sensitive issues should be referred to committee for determination.

Granted on 17/05/90 by Planning Committee, Minute no. 10

Power No: 187 Poll tax - recovery

Power to City Treasurer

To initiate the necessary procedures, as provided within the regulations, to recover outstanding amounts of poll tax, except for distraining, in cases where the following circumstances were known: unemployment, pensioner, one-parent family, long term sickness, recent bereavement, people with disabilities, people with severe financial hardship.

Granted on 22/05/90 by Policy & Resources Committee, Minute no. 7

Power No: 188 Burial Rights

Power to Director of Environmental Services

To issue deeds of grant of rights of burial at City Council cemeteries.

Note: this minute also authorises cemetery superintendents and assistant superintendents to sign deeds of grant.

Granted on 24/05/90 by Environment Committee, Minute no. 20

Power No: 190 Transfer of work - Health and Safety Regulations 1989

Power to Director of Environmental Services

To make and receive the transfer of work activities between the City Council and the Health and Safety Executive pursuant to regulation 5 of the Health and Safety (Enforcing Authority) Regulations 1989.

Granted on 24/05/90 by Environment Committee, Minute no. 21

Power No: 197 Tennis Development

Power to Director of Leisure & Community Services

When sponsorship is received for particular purposes, subject to the approval of the Policy and Resources Committee, to incur expenditure for those purposes and for other tennis development initiatives.

Granted on 25/10/90 by Leisure Services Committee, Minute no. 132

Power No: 198 Requisitions for information as to ownership

Power to Director of Environmental Services

To serve statutory notices under the Local Government (Miscellaneous Provisions) Act 1976 as to requisitions for information as to ownership.

Note: This power was originally given to the Chief Environmental Health Officer, but was transferred to the Director of Environmental Services on the reorganisation of departmental structures in September 1991.

Granted on 18/07/91 by Environment Committee, Minute no. 61

Power No: 199 Removal of abandoned vehicles or other refuse

Power to Director of Environmental Services

To appoint such officers of the Environmental Services Department as the Director shall think fit from time to time, to enter onto any land for the purpose of ascertaining whether to exercise the functions in S. 3 and S. 6 of the Refuse Disposal (Amenity) Act 1978, subject to the Director reporting to the next available Environment Committee meeting the appointments made.

Note: This power was originally given to the City Engineer and Surveyor, but was transferred to the Director of Environmental Services on the reorganisation of departmental structures in September 1991. See also the powers granted on 18 December 1997 by Environment Committee, Minute 74.

Granted on 18/07/91 by Environment Committee, Minute no. 61

Power No: 200 Early Retirement of Staff

Power to Chief Executive

To decide requests for early retirement which have been submitted via the Service Manager (Central Personnel), on the criteria set out in the Appendix to the report.

Granted on 03/12/91 by Personnel & Customer Care Committee, Minute no. 151

Power No: 202 Environmental Protection Act 1990 - appointments and notices

Power to Director of Environmental Services

1. To serve statutory notices under the appropriate provisions of the Environmental Protection Act 1990.
2. To appoint, from amongst the Council's Environmental Health Officers, officers for the purposes of enforcement of the Environmental Protection Act 1990, and the Regulations made thereunder, and for the grant (but not refusal) of authorisations under part I of the Act, subject to a report on any such appointments being submitted to the Environment Committee.

Note: See also the powers granted on 18 December 1997 by Environment Committee, Minute 74.

Granted on 24/01/91 by Environment Committee, Minute no. 193

Power No: 203 Laying and Vesting of Water Pipes

Power to Director of Environmental Services

To give notices and exercise powers under Schedule 19 of the Water Act 1989, pursuant to agency arrangements with Severn Trent Water Limited, after consultation with the Deputy Chief Executive & City Secretary in such cases as the Director shall think appropriate.

Note: This power was originally given to the City Engineer and Surveyor, but was transferred to the Director of Environmental Services on the reorganisation of departmental structures in September 1991.

Granted on 18/07/91 by Environment Committee, Minute no. 61

Power No: 204 Static rent arrears - eviction

Power to City Treasurer

To request the County Court to grant a warrant for eviction, where a possession order had been granted in respect of static rent arrears and the tenant had refused to agree to deductions being made from their income support entitlement.

Granted on 07/02/91 by Housing Committee, Minute no. 316

Power No: 205 Career grades and accelerated increments

Power to City Treasurer

In consultation with the Assistant Chief Executive (Personnel, Training and Equality), to deal with:

- (a) all individual changes in grades and salaries made necessary by the application of career grade schemes;
- (b) all accelerated increments to employees for passing relevant examinations.

Granted on 05/03/91 by Personnel & Customer Care Committee, Minute no. 222

Power No: 206 Gaming Acts - registration of pool betting businesses

Power to Solicitor to the Council

To appoint (subject to funds being available) an accountant for each registered pool betting business pursuant to paragraph 12 of Schedule 2 of the Betting, Gaming and Lotteries 1963 on such terms as may, in consultation with the promoter, be deemed fit.

Granted on 06/03/91 by Environment (Licensing) Sub Committee, Minute no. 69

Power No: 207 Housing Act 85 Part XI - Closure of houses in multiple occupation

Power to Director of Environmental Services

To accept (with the Deputy Chief Executive & City Secretary) an undertaking, or to make a closing order under Section 368 of the Housing Act 1985, in those cases where such action is mandatory.

Note: This power was originally granted to the Chief Environmental Health Officer, but was transferred to the Director of Environmental Services on reorganisation of departmental structures, approved by Environment Committee 24.10.1991

Granted on 18/07/91 by Environment Committee, Minute no. 61

Power No: 208 Honoraria

Power to All Chief Officers

Honoraria to officers undertaking less than the full duties of higher graded posts should be determined by chief officers in consultation with the Personnel Manager.

Granted on 15/04/91 by Personnel & Customer Care Committee, Minute no. 257

Power No: 209 Taxis - licence suspension and revocation

Power to Director of Environmental Services

(1) To suspend a licence until such time that the fee was recovered, once it was known that the licence fee had been paid by a cheque subsequently not honoured by a bank;

(2) to revoke a licence if the fee was not recovered within one calendar month.

This power was transferred from the Deputy Chief Executive & City Secretary by a decision of the Environment Committee dated 22.7.1993, Minute No 94.

Granted on 17/04/91 by Environment (Licensing) Sub Committee, Minute no. 82

Power No: 210 Grants

Power to Director of Development & Assistants

To offer grants not exceeding £25,000:

1. For environmental improvement and regeneration schemes from approved financial sources;
 2. For disabled access initiatives from approved financial sources;
- subject to the submission of reports detailing the action taken to the next appropriate meeting.

Granted on 13/06/91 by Planning Committee, Minute no. 29

Power No: 211 Ex-gratia payments

Power to Director of Environmental Services

To make ex-gratia payments for purposes similar to those outlined in the minute (i.e. for use of a private vehicle to tow an exhibition trailer) in connection with the Department's work.

Granted on 02/07/91 by Personnel & Customer Care Committee, Minute no. 28

Power No: 213 European Social Fund - Training Courses

Power to Director of Development & Assistants

To decide applications for match funding for training courses from the European Social Fund in accordance with set criteria, and after consultation with the Chair, and Vice Chair.

Granted on 09/07/91 by Employment & Economic Development Committee, Minute no. 35

Power No: 214 Car Boot Sales

Power to Director of Design & Property Services

To determine applications for holding car boot sales (for no more than six days in any one year for each applicant and/or site) subject to:

(a) a maximum of 50 cars;

(b) a list of names, addresses and car registration numbers being submitted to the Director within seven days of the event;

(c) there being no conflict with markets held or approved by the Council;

(d) no new goods being offered for sale;

(e) no retail, trade or business sales on a Sunday;

(f) conditions (a), (d) and (e) being prominently displayed on the site.

The power is to be exercised in consultation with the Director of Environmental Services.

Granted on 24/10/91 by Environment Committee, Minute no. 126

Power No: 215 Car Boot Sales - notices

Power to Deputy Chief Executive & City Secretary

To give notices necessary under Section 37 of the Local Government (Miscellaneous Provisions) Act 1982, and to give notice of the holding of temporary markets to the Director of Design and Property Services.

Granted on 24/10/91 by Environment Committee, Minute no. 126

Power No: 219 Old Market Square - public address systems

Power to Director of Environmental Services

To determine applications for the use of public address systems for periods not exceeding two hours (where applied for) in the Old Market Square generally.

Granted on 21/11/91 by Environment Committee, Minute no. 148

Power No: 220 Private Markets

Power to Director of Design & Property Services

To grant applications for private markets, in accordance with the guidelines and conditions from time to time adopted by the Committee and in consultation with the Director of Environmental Services.

Granted on 21/11/91 by Environment Committee, Minute no. 148

Power No: 221 Victoria Market - vacant units

Power to Director of Design & Property Services

To permit assignments and lettings of vacant units in Victoria Market, subject to there being an introduction of new lines to the Market.

Granted on 21/11/91 by Environment Committee, Minute no. 147

Power No: 222 Personnel matters for Leisure Management Contracting Unit

Power to Director of Leisure & Community Services

1. With effect from 1 September 1991, the Director of Leisure & Community Services be granted delegated authority to determine all matters relating to the management of the Leisure Management Contracting Unit including, though not restricted to, the following:

- recruitment (using pink form procedure for second and third tier appointments), regulation and rationalisation of the workforce numbers to meet the requirements of the current and forecast workload;
- special working hours
- working arrangements and practices;
- operation, within the principles established by the Personnel and Customer Care Committee, of bonus schemes: [Exercise of all the above functions is subject to consultation with the Trade Unions.]
- identification and satisfaction of training needs in liaison with the Central Training Section where appropriate.

2. The delegation of powers as detailed in (1) above be exercised by the Directors reporting to the Contracts Sub-Committee, subject to the following conditions:

- (i) that the grading of any new job requiring the exercise of discretion (i.e. not covered by national prescription or through the local joint job evaluation procedure) be determined by the Personnel and Customer Care Committee;
- (ii) that the handling of any redundancies be approved by the Personnel and Customer Care Committee.

Granted on 04/12/91 by Personnel & Customer Care Committee, Minute no. 10

Power No: 223 Derelict houses

Power to Director of Design & Property Services

To enter into "without prejudice" negotiations for the acquisition, renovation and disposal of suitable derelict houses, subject to reporting any agreed terms to the appropriate committees.

Granted on 27/01/92 by Employment & Economic Development (Land) Sub Committee, Minute no. 96

Power No: 224 Music & dancing licence - British Summer Time extension

Power to Director of Environmental Services

To determine applications for occasional licences to provide music and dancing until 3.00 a.m. instead of 2.00 a.m., where these applications result from the "lost hour" at the start of British Summer Time.

Granted on 04/03/92 by Environment (Licensing) Sub Committee, Minute no. 79

Power No: 225 Commission of European Communities - attendance at meetings

Power to Chief Executive

To approve the attendance of members and officers (as appropriate) at meetings called by the Commission of European Communities, after consultation with the Chair and Vice-Chair of the Employment and Economic Development Committee.

Granted on 10/03/92 by Employment & Economic Development Committee, Minute no. 203

Power No: 226 Housing possession orders, warrants and notices

Power to Solicitor to the Council

(1) To bring and conduct proceedings for possession orders in the County Court and High Court in the following circumstances:

- (a) where the City Treasurer, in consultation with the Deputy Chief Executive & City Secretary was of the opinion that rent or mortgage arrears warranted the bringing of such proceedings, or (in relation to mortgage cases only) where there had been a breach of the terms of the mortgage deed which warranted the bringing of such proceedings;
 - (b) where the Director of Housing, in consultation with the Deputy Chief Executive & City Secretary, considered that there had been a breach of the tenancy conditions that warranted the bringing of such proceedings
- (2) At the request of the City Treasurer, to apply for warrants for possession following possession orders being made by the County Court in respect of abandoned premises, subject to such cases being reported to the next meeting of Housing (General) Sub-Committee.

(3) To issue notices to quit or notices seeking possession where appropriate where sub-paragraphs 1(a) or (b) above are satisfied.

Granted on 20/05/92 by Housing (General) Sub Committee, Minute no. 5

Power No: 227 Legal proceedings - possession of Council Houses

Power to Solicitor to the Council

(1) To issue notices to quit and to institute and conduct proceedings for possession orders in the County Court or the High Court in the following circumstances:

a) where the Director of Housing, in consultation with the Deputy Chief Executive & City Secretary, considered that the person in occupation of a dwelling had no statutory right to succeed to the secure tenancy, or that a dwelling had been abandoned;

b) where the Housing (General) Sub-Committee had resolved that an applicant for housing be regarded as intentionally homeless;

c) where housing revenue account dwellings were occupied by unauthorised persons.

(2) To apply for warrants for possession following the obtaining of an order for possession, at the request of either the City Treasurer or the Director of Housing.

Granted on 20/05/92 by Housing (General) Sub Committee, Minute no. 5

Power No: 228 Proceedings - Colwick Park Byelaws

Power to Solicitor to the Council

To bring and conduct proceedings for breach of byelaws in Colwick Park.

Granted on 28/05/92 by Leisure Services Committee, Minute no. 18

Power No: 229 Stray Dogs

Power to Director of Environmental Services

To discharge the functions imposed or conferred by S 149 of the Environmental Protection Act 1990.

Granted on 20/02/92 by Environment Committee, Minute no. 199

Power No: 230 Proceeds from the Castle Gatehouse Shop

Power to Director of Leisure & Community Services

To approve requests by the Nottingham Civic Society to use the proceeds from the Castle Gatehouse Shop, subject to the Director submitting an annual report to the Leisure Services Committee on the details of the expenditure approved.

Granted on 28/05/92 by Leisure Services Committee, Minute no. 15

Power No: 231 Commercial property - proceedings

Power to Solicitor to the Council

After consultation with the appropriate chief officer:

1. to institute and conduct legal proceedings other than in connection with housing revenue account dwellings:

(a) for the recovery of rent or other sums due to the Council;

(b) for the recovery of possession of land and other property from trespassers or following the expiry of a notice to quit, or notice under the Landlord and Tenant Act 1954, or in connection with the forfeiture of a lease;

(c) in connection with applications for new tenancies under the Landlord and Tenant Act 1954.

Granted on 29/05/92 by Employment & Economic Development (Land) Sub Committee, Minute no. 12

Power No: 232 Property - documentation

Power to Solicitor to the Council

To conduct the conveyancing and, after consultation with the appropriate chief officer, to settle the detail of the documentation necessary to give effect to decisions on property matters.

Granted on 29/05/92 by Employment & Economic Development (Land) Sub Committee, Minute no. 12

Power No: 233 Legal proceedings under Protection from Eviction Act 1977

Power to Solicitor to the Council

To institute and conduct proceedings for unlawful eviction, harassment and other offences under the Protection from Eviction Act 1979 and subject to any unusual cases being reported to the Housing Committee.

Granted on 04/06/92 by Housing Committee, Minute no. 28

Power No: 234 Possession for anti-social behaviour

Power to Director of Housing & Solicitor to the Council

(a) that, with effect from 1 November 1993, the Director of Housing, Solicitor to the Council, or their authorised nominees, be authorised to issue Notices of Seeking Possession where the Director of Housing considered that there had been a breach of the tenancy conditions or that the conduct of a tenant or member(s) of his/her household constituted a nuisance or annoyance to others such as to warrant the issue of a Notice of Seeking Possession.

(b) To commence possession proceedings in the County Court or High Court after consultation with the Chair and Vice Chair of the Housing (General) Sub-Committee in cases where action has already been taken under (a) above and where the submission of the case to the next meeting of the Housing (General) Sub-Committee would involve an undue delay in commencing proceedings.

Granted on 04/06/92 by Housing Committee, Minute no. 28

Power No: 235 Injunctions against anti-social tenants

Power to Solicitor to the Council

To apply, after consultation with the Director of Housing, for injunctions in serious and urgent cases, restraining the anti-social behaviour of tenants where possession proceedings had been, or were to be, commenced in the County Court or the High Court on grounds 1 and 2 of Schedule 2 of the Housing Act 1985, and delays in those proceedings were likely.

Granted on 04/06/92 by Housing Committee, Minute no. 28

Power No: 236 Legal Proceedings - fly posting

Power to Solicitor to the Council

To take proceedings in court in respect of fly-posting.

Granted on 11/06/92 by Planning Committee, Minute no. 35

Power No: 237 Legal Proceedings - enforcement notices

Power to Solicitor to the Council

To take proceedings in court for non-compliance with enforcement notices.

Granted on 11/06/92 by Planning Committee, Minute no. 35

Power No: 238 Information required for enforcement notices

Power to Solicitor to the Council

To serve notices requiring owners or occupiers of land or premises to provide information required in connection with enforcement action.

Granted on 11/06/92 by Planning Committee, Minute no. 35

Power No: 239 Occasional Licences

Power to Director of Environmental Services

To consider a maximum of three occasional licences in any one application form, and not more than twelve licences be granted in any one year for all night functions in respect of Rock City, and no entry after 2.00 am be included in any such licence

Granted on 05/02/92 by Environment (Licensing) Sub Committee, Minute no. 4

Power No: 240 Damage to trees

Power to Solicitor to the Council

To take whatever action is considered appropriate to prevent trees being removed or irreparably damaged in contravention of a tree preservation order including seeking an injunction in the City Council's name where the Solicitor to the Council and the Director of Development consider it to be the only practical way of preventing removal or irreparable damage.

Granted on 11/06/92 by Planning Committee, Minute no. 35

Power No: 241 Legal proceedings - general

Power to Solicitor to the Council

To institute and defend legal proceedings in order to protect the interests of the Council or the inhabitants of the City generally.

Granted on 16/06/92 by Policy & Resources Committee, Minute no. 73

Power No: 242 Use of Counsel

Power to Solicitor to the Council

To seek Counsel's advice and engage Counsel as necessary, within budget provision.

Granted on 16/06/92 by Policy & Resources Committee, Minute no. 73

Power No: 243 Recovery and settlement of Claims

Power to Solicitor to the Council

To take all steps necessary for the recovery of fees and sums due to the Council and settlement of claims against the Council and to authorise the writing out of debts less than £50.

Granted on 16/06/92 by Policy & Resources Committee, Minute no. 73

Power No: 244 Charities administration

Power to Solicitor to the Council

To take all legal steps necessary in connection with the administration of charities established by the City Council.

Granted on 16/06/92 by Policy & Resources Committee, Minute no. 73

Power No: 245 Housing Act 1985, Part XI - Houses in Multiple Occupation

Power to Solicitor to the Council

To accept (jointly with the Director of Environmental Services) an undertaking, or to make a closing order, under Section 368 of the Housing Act 1985, where such action is mandatory.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 246 Legal Proceedings - general

Power to Solicitor to the Council

(a) To institute proceedings under the following legislation:

(i) Local Government (Miscellaneous Provisions) Act 1976 for failure to provide information;

(ii) Shops Act 1950 for contravention of the Sunday trading provisions;

(iii) Housing Act 1985 as to houses in multiple occupation offences;

(iv) Litter Act 1983 as to litter dumping;

(v) Refuse Disposal (Amenity) Act 1978 as to dumping of refuse;

(b) To institute proceedings under Section 222 of the Local Government Act 1972 for an injunction to prevent unlawful Sunday trading.

(c) To defend and institute civil proceedings in relation to appeals against and enforcement of notices orders and directions served or made in respect of the committee's functions.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 247 Taxis - prosecutions for illegal plying for hire

Power to Solicitor to the Council

To prosecute in any case of illegal plying for hire or other contravention, where the Solicitor to the Council considers the circumstances warrant such action.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 248 Legal Proceedings - Highways Act 1980

Power to Solicitor to the Council

In consultation with the Director of Environmental Services, to institute proceedings under section 219 of the Highways Act 1980 for failure by developers to enter into section 38 agreements for the construction and maintenance of roads in respect of their new developments.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 250 Environmental Protection Act 1990 - legal proceedings

Power to Solicitor to the Council

To prosecute and defend proceedings under the Environmental Protection Act 1990 in respect of:

- (a) authorisations and variations of statutory notices under Part I of the Act;
- (b) requirements to provide receptacles for household waste under Part II of the Act;
- (c) statutory notices under Part III of the Act;
- (d) leaving litter under Part IV of the Act.

Note: this power was extended by the Environment Committee on 18.11.93 by Minute 150 to include applications for deprivation orders (depriving offenders of any equipment which is creating a noise nuisance, and rights thereover).

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 251 Highways - clearance

Power to Solicitor to the Council

To take all necessary legal action under the following Sections of the Highways Act 1980:

- S.140 - removal of builder's skips
- S.143 - remove structures from highways
- S.14 - impose penalties for depositing such things as pitching booths on the highways
- S.152 - powers to remove projections from buildings.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 252 Highways Act 1980 - Prosecutions under S.169

Power to Solicitor to the Council

To prosecute under S.169, Highways Act 1980 in cases where the Solicitor to the Council was satisfied that legal proceedings were justified.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 253 Water Act 1989 - Discharge of Pollutants and Effluents

Power to Solicitor to the Council

To respond, after consultation with the Director of Environmental Services, to consultation letters concerning applications to discharge certain pollutants or effluents into controlled waters under the Water Act 1989.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 254 Housing Act 85 Part XI - Closure of houses in multiple occupation

Power to Solicitor to the Council

To accept (with the Director of Environmental Services) an undertaking, or to make a closing order under Section 368 of the Housing 1985, in those cases where such action is mandatory.

Granted on 18/06/92 by Environment Committee, Minute no. 39

Power No: 256 Re-decoration vouchers

Power to Director of Housing

To grant re-decoration vouchers, to Council House tenants whose rooms are damaged when repair work to their houses is undertaken, up to the maximum allowed (which is currently £250.00) on an individual room by room basis, in lieu of ex-gratia payments.

Granted on 09/07/92 by Housing Committee, Minute no. 69

Power No: 260 Certificates of lawfulness of proposed use or development

Power to Director of Development

To determine (jointly with the Solicitor to the Council) applications for certificates of lawfulness of proposed use or development.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 262 Demolitions - determination of proposals

Power to Director of Development

To determine notifications and details of proposed demolitions.

Granted on 16/07/92 by Planning Committee, Minute no. 52

Power No: 265 Planning Contravention Notices and Representations

Power to Director of Development

To issue and serve Planning Contravention Notices and to receive representations, and to prosecute where either information was not provided or a mis-statement was made in reply to such a Notice.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 266 Prosecution after Breach of Condition Notice

Power to Solicitor to the Council

To prosecute in cases where breach of condition notices have not been complied with.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 268 Planning Contravention Notices and Prosecutions

Power to Director of Development

To issue and serve (jointly with the Solicitor to the Council) Planning Contravention Notices and receive representations and to prosecute where either information was not provided or a misstatement was made in reply to such a Notice.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 271 Injunctions under Town & Country Planning Act 1990

Power to Solicitor to the Council

To seek injunctions under Section 187B of the Town and Country Planning Act 1990 in cases where he considers it appropriate, subject (where practicable) to prior consultation with the Chair and Vice Chair.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 272 Breach of Condition Notices

Power to Solicitor to the Council

To prosecute in cases where breach of condition notices have not been complied with.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 273 Breach of Condition Notices

Power to Director of Development

To issue and serve breach of condition notices (after consultation with the Solicitor to the Council) in cases where he considers it necessary to take such action as a matter of urgency.

Granted on 16/07/92 by Planning Committee, Minute no. 51

Power No: 276 Taxis - Suspension of Licences

Power to Director of Environmental Services

To suspend immediately (under the Provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976) driver's or operator's licences, in the event that:

- a) since the grant of the licence the licensee has been convicted of a serious offence involving dishonesty, indecency or violence, or relating to drink or drugs; or
- b) after granting the licence the Director has been made aware that the licensee has failed to disclose a serious conviction or convictions involving dishonesty, indecency or violence, or relating to drink or drugs, which in the Director's opinion could affect the safety of the travelling public. A full review of the licence in such cases must be carried out at the next convenient meeting of the sub-committee.

Granted on 22/07/92 by Environment (Licensing) Sub Committee, Minute no. 17

Power No: 277 Newstead Abbey Chapel - Marriages and Marriage Blessings

Power to Director of Leisure & Community Services

To approve marriages and marriage blessings at Newstead Abbey Chapel, subject to compliance with approved City Council guidelines.

Granted on 30/07/92 by Leisure Services Committee, Minute no. 57

Power No: 278 Planning Applications for Council Developments

Power to All Chief Officers

To make applications for Planning Permission for City Council developments and developments of City Council land, pursuant to the relevant provisions of the Town and Country Planning General Regulations 1992.

Granted on 17/09/92 by Planning Committee, Minute no. 78

Power No: 279 Planning Applications for Council Developments

Power to Director of Development

To determine planning applications for local authority developments on the same basis as other planning applications

Granted on 17/09/92 by Planning Committee, Minute no. 78

Power No: 280 City Treasurer's Deputy

Power to Assistant City Treasurer (Corporate Finance)

To deputise in the absence of the City Treasurer in respect of the City Treasurer's statutory duties under Section 114 of the Local Government Finance Act 1988.

Granted on 22/09/92 by Policy & Resources Committee, Minute no. 291

Power No: 281 Loan of Paintings, artistic and other items

Power to Director of Leisure & Community Services

To determine all future requests for the loan of paintings, artistic or other items, on the usual conditions relating to security and insurance, and subject to the submission of a six monthly report.

Granted on 29/10/92 by Leisure Services Committee, Minute no. 103

Power No: 285 Debt collection - winding up procedures

Power to Solicitor to the Council

To commence winding up proceedings, where a company owes more than £750 to the Council and no payment or acceptable arrangement had been made within 21 days of service of a statutory demand for payment.

Granted on 21/12/92 by Policy & Resources (Accounts) Sub Committee, Minute no. 4

Power No: 286 Street Trading Licences

Power to Director of Design & Property Services

1. To grant street trading licences under the Local Government (Miscellaneous Provisions) Act 1982, limited as follows:

- a) in all cases, confined to the street trading places previously advertised as suitable for trading by the Director of Design and Property Services
- b) in the case of food stalls, following consultations with the Director of Environmental Services;
- c) in all cases, subject to the licence specifying the street, place, days, times and articles on or in which the licence holder will be permitted to trade; to the further standard terms set out in appendix A to the report preceding this resolution; and to any further terms which the Director thinks reasonable.

2. To refuse applications for street trading licences (or grant them on terms other than those sought), if the Director has first served the statutory notice specifying the grounds for the refusal (or grant on other terms) and allowing at least seven days for making representations, and if no representations have been received. ("Terms", in this paragraph, means the days, times, street, place and description of articles proposed to be permitted.)

Granted on 17/02/93 by Environment (Licensing) Sub Committee, Minute no. 78

Power No: 287 Pleasure Fairs

Power to Director of Leisure & Community Services

To determine applications to hold pleasure fairs on City parks and open spaces, except for fairs on sites or dates not previously approved by the committee.

Note that the power to issue licences for such fairs is exercised by the Director of Design and Property Services.

Granted on 25/02/93 by Leisure Services Committee, Minute no. 181

Power No: 288 Pleasure Fairs

Power to Director of Design & Property Services

To issue licences to hold pleasure fairs on City parks and open spaces, except for fairs on sites or dates not previously approved by the committee, where the Director of Environmental Services has determined that such fairs may be held.

Granted on 25/02/93 by Leisure Services Committee, Minute no. 181

Power No: 290 Severn Trent Water Sewerage Agency Arrangements

Power to Director of Environmental Services

To dispense with financial regulations as to quotations and tenders and the methods of obtaining them in the case of contracts or orders placed by the Council under agency arrangements with Severn Trent Water Ltd, and where such dispensation is necessary to comply with the agency requirements on the Council. The power is subject to the Director submitting reports to the Policy and Resources and Environment Committees immediately following its uses.

Granted on 17/03/92 by Policy & Resources Committee, Minute no. 659

Power No: 291 Private Market Licences

Power to Director of Design & Property Services

To determine all applications for one-off private markets, and to negotiate appropriate annual fees for regularly-held private retail markets.

Granted on 14/12/92 by Environment Committee, Minute no. 163

Power No: 292 Private Market Licences

Power to Solicitor to the Council

To commence (at the request of the Director of Design and Property Services) legal proceedings against any person operating private markets which infringe the Council's charter market rights, where the Solicitor to the Council is satisfied with the evidence available.

Granted on 14/12/92 by Environment Committee, Minute no. 163

Power No: 293 Anti-social Behaviour - Notices of Seeking Possession

Power to Director of Housing

To issue Notices of Seeking Possession where the Director of Housing considers that there has been a breach of the tenancy conditions, or that the conduct of a tenant or a member of his or her household, constitutes a nuisance or annoyance to others such as to warrant the issuing of a Notice of Seeking Possession, after consultation with the Deputy Chief Executive and City Secretary where appropriate.

Granted on 08/07/93 by Housing Committee, Minute no. 51

Power No: 297 Council Tax

Power to City Treasurer

To act on behalf of the Council, as Billing Authority:

- a) To maintain and make available the valuation list and to supply information to the Listing Officer in order to assist that officer in maintaining the list;
- b) To serve completion notices in respect of any newly completed or erected property, specifying the date of completion or the date upon which it could reasonably be expected to be completed.
- c) To issue proposals for alterations to the valuation list;
- d) To issue notices requiring information from occupiers, owners or managing agents, and to issue notices advising of joint and several liability, and exempt dwellings;
- e) To take all steps necessary to ascertain whether discounts or exemptions should apply;
- f) To serve and quash penalties;
- g) To serve demand notices and reminder notices;
- h) To take necessary enforcement procedures, as specified in the Administration and Enforcement Regulations;
- (i) To initiate and carry out whatever steps are necessary in accordance with any regulations now or subsequently made under the Local Government Finance Act 1992.

Granted on 16/03/93 by Policy & Resources Committee, Minute no. 665

Power No: 298 Authorisation of Legal Staff - Magistrates' and County Courts

Power to Deputy Chief Executive & City Secretary

To authorise suitably qualified or experienced persons, where appropriate, to appear in the Magistrates' Court on the City Council's behalf, and also in the County Court in accordance with the provisions of S.60(2) of the County Court Act 1984.

Note: See additional power granted by Committee on 8th September 1998, minute 34.

Granted on 06/04/93 by Personnel & Customer Care Committee, Minute no. 206

Power No: 300 Training Courses outside the UK

Power to All Chief Officers

To authorise study visits to countries outside the United Kingdom, where such visits form an integral part of approved qualification courses, subject to the normal requirements of the post entry training scheme in respect of attendance at qualification training courses. Expenditure on course fees and subsistence expenses should be contained within departmental approved training budgets; the City Treasurer should be given prior notice of any overseas visits, to ensure that insurance arrangements can be made; and Chief Officers should report to appropriate service committees on any research work undertaken.

Granted on 06/04/93 by Personnel & Customer Care Committee, Minute no. 202

Power No: 302 European Fashion Centre Network

Power to Director of Development

To authorise expenditure on individual components of the European Fashion Centre Network project (including European travel) provided that it is within the agreed budget set out in the approved EMROP II bid.

Granted on 14/04/93 by Employment & Economic Development Committee, Minute no. 267

Power No: 303 Environmental Information Regulations 1992

Power to Director of Leisure & Community Services

To make all necessary arrangements for the disclosure of environmental information required under the Environmental Information Regulations 1992, including the imposition of reasonable charges, and (if the Director of Leisure and Community Services so determines and where grounds exist) to refuse requests for information, and to issue decision letters.

Granted on 29/04/93 by Leisure Services Committee, Minute no. 220

Power No: 304 High Cost Relets

Power to Director of Housing

To accept tenders in cases where the financial regulations have been relaxed (under this minute, which relates to the need, arising from pressures from homelessness cases and waiting list applications, to achieve the earliest possible reletting in respect of dwellings requiring extensive repair costing up to £25,000), subject to reports being submitted to the next meeting of the committee.

Granted on 05/05/93 by Housing Committee, Minute no. 394

Power No: 306 Trees - on Council land

Power to Director of Leisure & Community Services

To consent to works, not amounting to felling or destruction, to trees on land in the occupation of the City Council.

Granted on 17/06/93 by Planning Committee, Minute no. 45

Power No: 308 Early Payment of Pension Benefits

Power to City Treasurer

To make the necessary decision regarding early payment of pension benefits, either by redundancy or in the interests of the efficiency of the service, in future cases relating to City Transport employees.

Granted on 07/09/93 by Personnel & Customer Care Committee, Minute no. 57

Power No: 309 Goose Fair - allocation of sites

Power to Director of Design & Property Services

To allocate sites at the Goose Fair for 44 adult riding machines, 11 exhibitions, 45 juvenile riding machines and 218 games stalls to showmen holding the Showmen's Guild "Two Year Rule".

Granted on 01/07/93 by Leisure Services Committee, Minute no. 41

Power No: 311 HIMO Registration

Power to Director of Environmental Services

To determine a suitable charge for the issue of any certificate of registration for houses in multiple occupation.

Granted on 13/09/93 by Housing & Environment (Private Sector) Committee, Minute no. 27

Power No: 312 External Fund Managers

Power to City Treasurer

To withdraw funds from external managers where the City Treasurer thinks it prudent to do so.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 313 Investments

Power to City Treasurer

1. To invest (for a period not exceeding 6 months) cash surpluses, arising from day to day transactions, with approved organisations for short term investment, ensuring that individual limits with individual organisations are not exceeded.
2. To delete organisations from the approved investment list on advice received, or because of the lowering of credit ratings.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 314 Treasury Management - Borrowing Instruments

Power to City Treasurer

To borrow money by any of the following borrowing instruments, subject to any individual limits specified:

- a) Bank Overdraft - up to the limit specified in the contract;
- b) Temporary Loans - through the London Money Market;
- c) Temporary Loans - through local charities, trusts and individuals;
- d) Bills - up to the Statutory limit;
- e) Long Term Loans - through the London Money Market;
- f) Negotiable Bonds;
- g) Local Bonds;
- h) Public Works Loan Board - up to the statutory limit. The City Treasurer will ensure that borrowing by means of the above does not exceed either the Council's or statutory limits.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 315 Treasury Management - Borrowing Strategy

Power to City Treasurer

To effect day to day borrowing and to ensure that strategic borrowing decisions, agreed by the Treasury Management Group, are carried out.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 316 Treasury Management - Loans Portfolio

Power to City Treasurer

To manage the Loans Portfolio, as determined by the Council's borrowing strategy.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 317 Treasury Management - Signing of Documentation

Power to City Treasurer

To sign any documentation concerned with borrowing.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 318 Vehicle Leasing

Power to City Treasurer

To invite tenders for operating leases on vehicles, and to nominate the most appropriate offer for acceptance by the Deputy Chief Executive & City Secretary.

Granted on 20/09/93 by Policy & Resources Committee, Minute no. 235

Power No: 320 Taxis - Combined Drivers' Licences

Power to Director of Environmental Services

(1) To grant and renew all applications for a driver's licence, where the driver has passed his/her driving and topography tests, and where the Director thinks s/he is a fit and proper person, except in those cases specified in the report to the sub-committee which resulted in this delegation.

(2) To take no further action if, during the currency of the driver's licence, a matter comes to the Director's attention relating to the character and antecedents (excluding spent convictions) of the licence holder, unless that matter was one of those listed in Appendix A of the report to Committee, or, in the Director's opinion, the licence holder might pose a danger to the travelling public, in which case the matter must be referred to the sub-committee for determination.

Granted on 20/10/93 by Environment (Licensing) Sub Committee, Minute no. 36

Power No: 323 Repairs to Void Properties

Power to Director of Housing

To accept tenders for repairs to void properties without financial limit in cases where the financial regulations have been relaxed under standing order 34(5)(a), subject to reports being submitted to the next meeting of the Committee.

Granted on 04/11/93 by Housing Committee, Minute no. 222

Power No: 324 Commercial Market Licences

Power to Director of Design & Property Services

To negotiate all annual licence fees for commercial markets.

Granted on 18/11/93 by Environment Committee, Minute no. 149

Power No: 325 Noise Nuisance

Power to Director of Environmental Services

To seize equipment involved in the creation of noise nuisance, in appropriate cases.

Granted on 18/11/93 by Environment Committee, Minute no. 150

Power No: 326 Noise Nuisance - application for injunctions

Power to Solicitor to the Council

To apply for injunctions in the High Court under S.81(5) of the Environmental Protection Act 1990 for the purpose securing an abatement, prohibition or restriction of a noise nuisance, where the Solicitor to the Council is satisfied that criminal proceedings would be an inadequate remedy, and that no cross undertaking in damages would be required. This Power may also be exercised by the Legal Services Manager in the Deputy Chief Executive & City Secretary's Department.

Granted on 18/11/93 by Environment Committee, Minute no. 150

Power No: 327 Noise Nuisance - appointment of agents

Power to Director of Environmental Services

To appoint agents to effect the abatement of a noise nuisance, and to do whatever might be necessary in execution of an abatement notice.

Granted on 18/11/93 by Environment Committee, Minute no. 150

Power No: 328 Victoria Market Stalls

Power to Director of Design & Property Services

To deal with transfers and assignments of stalls in the Victoria Market, subject to obtaining the unanimous agreement of the Chair and Vice Chair. Where such unanimity cannot be obtained, the matter is to be submitted to Committee.

Granted on 19/11/93 by Environment Committee, Minute no. 148

Power No: 329 Unpaid Leave

Power to All Chief Officers

To grant staff unpaid leave for up to 6 months following a written request.

Granted on 04/01/94 by Personnel & Customer Care Committee, Minute no. 163

Power No: 331 Taxi Licensing - vehicles

Power to Director of Environmental Services

To grant and renew both hackney carriage and private hire vehicle licences (so long as the vehicle complies with the legal requirements in relation to such vehicles and the Council's approved specifications), and to renew operators' licences.

Granted on 24/02/94 by Environment Committee, Minute no. 247

Power No: 332 Annual grants, Cultural grants, Community Arts Development Fund

Power to Director of Leisure & Community Services

To award grants up to the level of £250, as recommended by the District Auditor, subject to reporting his action to the Committee.

Granted on 31/03/94 by Leisure Services Committee, Minute no. 266

Power No: 335 Insurance

Power to City Treasurer

To effect, in consultation with the Council's insurance brokers/consultants, insurance renewals on the most efficient and economic terms available, subject to the submission of a report to the next meeting of the Policy and Resources Committee after renewal had been confirmed on the results of the negotiations.

Granted on 19/04/94 by Policy & Resources Committee, Minute no. 554

Power No: 336 Car Parks and Bus Stations - Agreements for Support Service

Power to Director of Design & Property Services

To extend or terminate existing contracts for the provision of services which support the delivery of the Council's Car Parks and Bus Stations services, to invite new tenders and to award contracts thus won, in accordance with financial provisions.

Granted on 21/04/94 by Environment Committee, Minute no. 267

Power No: 337 Taxi Licensing - drivers and operators

Power to Director of Environmental Services

To:

- (a) grant, suspend, revoke or refuse to renew combined hackney carriage and private hire drivers licences;
- (b) suspend, revoke or refuse to renew a private hire drivers licence;
- (c) grant, suspend, revoke or refuse to renew a hackney carriage and private hire licence;
- (d) grant, suspend, revoke or refuse to renew a private hire operator's licence.

Granted on 18/05/94 by Environment (Licensing) Sub Committee, Minute no. 4

Power No: 338 Taxi Licensing - drivers and operators

Power to Asst Director of Environmental Services (Environmental Health)

To:

- (a) grant, suspend, revoke or refuse to renew combined hackney carriage and private hire drivers licences;
- (b) suspend, revoke or refuse to renew a private hire drivers licence;
- (c) grant, suspend, revoke or refuse to renew a hackney carriage and private hire licence;
- (d) grant, suspend, revoke or refuse to renew a private hire operator's licence.

Granted on 18/05/94 by Environment (Licensing) Sub Committee, Minute no. 4

Power No: 339 Car Parks - Contract and Season Ticket prices

Power to Director of Design & Property Services

To vary the fixed contract prices for the Council's Car Parks by a maximum of 25%, and to offer up to one month's rent free period and 5% additional discounts for purchases of six or more season tickets.

Granted on 21/04/94 by Environment Committee, Minute no. 285

Power No: 340 Taxi Licensing - drivers and operators

Power to Team Leader, Taxi Licensing

To:

- (a) grant, suspend, revoke or refuse to renew combined hackney carriage and private hire drivers licences;
- (b) suspend, revoke or refuse to renew a private hire drivers licence;
- (c) grant, suspend, revoke or refuse to renew a hackney carriage and private hire licence;
- (d) grant, suspend, revoke or refuse to renew a private hire operator's licence.

Granted on 18/05/94 by Environment (Licensing) Sub Committee, Minute no. 4

Power No: 341 Taxi Licensing - drivers and operators

Power to Service Manager (Food & Licensing)

To:

- (a) grant, suspend, revoke or refuse to renew combined hackney carriage and private hire drivers licences;
- (b) suspend, revoke or refuse to renew a private hire drivers licence;
- (c) grant, suspend, revoke or refuse to renew a hackney carriage and private hire licence;
- (d) grant, suspend, revoke or refuse to renew a private hire operator's licence.

Granted on 18/05/94 by Environment (Licensing) Sub Committee, Minute no. 4

Power No: 342 Business Support Loan Scheme

Power to Director of Development & Deputies

To agree loans within the loan scheme of up to £25,000, and to use the administration fee to meet any costs associated with successfully implementing the loan scheme.

Granted on 14/06/94 by Employment & Economic Development Committee, Minute no. 30

Power No: 343 Stock Issues for Long Term Finance - terms and costs

Power to Chief Executive

To determine (jointly with the City Treasurer and in conjunction with the City's advisors) the terms for the issue of stock to raise up to £50m, if in the City Treasurer's opinion that is the most appropriate method of borrowing, and to agree the associated costs.

Granted on 21/06/94 by Policy & Resources Committee, Minute no. 63

Power No: 344 Stock Issues for Long Term Finance - terms and costs

Power to City Treasurer

To determine (jointly with the Chief Executive and in conjunction with the City's advisors) the terms for the issue of stock to raise up to £50m, if in the City Treasurer's opinion that is the most appropriate method of borrowing, and to agree the associated costs.

Granted on 21/06/94 by Policy & Resources Committee, Minute no. 63

Power No: 345 Stock Issues for Long Term Finance - lead manager

Power to City Treasurer

To appoint a lead manager for the issue of up to £50m loan stock.

Note: this minute also confirms the powers delegated to the City Treasurer and the Chief Executive by minute 63 dated 21.6.1994.

Granted on 19/07/94 by Policy & Resources Committee, Minute no. 113

Power No: 346 Tree Preservation Orders - making

Power to Director of Development

To make and serve (in consultation with the Director of Leisure and Community Services) Tree Preservation Orders, in accordance with sections 198 and 201 of the Town and Country Planning Act 1990.

Granted on 16/09/94 by Planning Committee, Minute no. 92

Power No: 347 Tree Preservation Orders - confirmation

Power to Director of Development

To confirm Tree Preservation Orders, if no objections to them are received within the period for objections.

Granted on 16/09/94 by Planning Committee, Minute no. 92

Power No: 348 Crabtree Farm Estate Action Scheme - sales of "extra" land

Power to Deputy Chief Executive & City Secretary

To complete sales of extra land to be added to the plots within Crabtree Farm Estate Action Scheme.

Granted on 26/09/94 by Employment & Economic Development (Land) Sub Committee, Minute no. 48

Power No: 350 Crabtree Farm Estate Action Scheme - sales of "extra" land

Power to Director of Design & Property Services

To approve sales of extra land to be added to the plots within Crabtree Farm Estate Action Scheme.

Granted on 26/09/94 by Employment & Economic Development (Land) Sub Committee, Minute no. 48

Power No: 351 Acquisition - after compulsory purchase action

Power to Director of Design & Property Services

To negotiate and settle terms for acquisition of all properties following compulsory purchase action by the Council.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 352 Land - sales

Power to Director of Design & Property Services

To market negotiate and approve sales of land and property up to £20,000 subject to initial authority of the owning Committee and Employment and Economic Development (Land) Sub Committee or where an approved policy exists.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 353 Rent - allowances

Power to Director of Design & Property Services

To agree rental reductions and rent free periods in appropriate cases, where tenants and lessees undertake work to their premises.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 354 Commercial Property - Court proceedings

Power to Director of Design & Property Services

To authorise the Deputy Chief Executive & City Secretary to serve appropriate notices and make applications to court in respect of tenants in breach of their obligations, to enforce compliance or obtain possession.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 355 Commercial Property - Surrenders

Power to Director of Design & Property Services

To settle terms agree dilapidations and accept the surrender of existing leases and to recover possession of premises on expiry of leases.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 356 Property - Home Loss and Disturbance Payments

Power to Director of Design & Property Services

To settle and pay home loss payments under Sections 29 & 32 of the Land Compensation Act 1973.

To settle and pay disturbance payments under Sections 37 & 43 of the Land Compensation Act 1973.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 357 Commercial Property - termination and rent review

Power to Director of Design & Property Services

1. To authorise service of appropriate notices to determine tenancies and leases to initiate possession, rent review and lease renewal or where there has been a breach of covenant.

2. To settle rents on review and renewal.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 358 Commercial Property - user clauses

Power to Director of Design & Property Services

To approve variations of covenants in leases and tenancies and to agree terms.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 360 Commercial Property - compensation

Power to Director of Design & Property Services

To settle statutory compensation payable to tenants.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 361 Land - purchases

Power to Director of Design & Property Services

To approve purchases of land and property and the taking of wayleaves, easements, licences, tenancies and leases over property up to a maximum capital payment of £20,000 or £5000 initial annual payment and terms up to 50 years, where the initial authority of the owning Committee or (Land) Sub Committee and where budget or Capital Programme provision exists.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 362 Covenants on Freehold Land - releases

Power to Director of Design & Property Services

To negotiate and approve terms for release of covenants on freehold land to a maximum value of £50,000.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 363 Planning Applications - submission

Power to Director of Design & Property Services

To submit planning applications.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 364 Rent arrears - recovery

Power to Director of Design & Property Services

In consultation with the Chair, to determine arrangements for reduction and recovery of overdue rent in consultation with the City Treasurer.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 365 Commercial Property - lettings

Power to Director of Design & Property Services

To grant tenancies and leases of property, other than housing revenue account dwellings, for up to 25 years at rentals not exceeding £50,000 per annum.

Granted on 19/12/94 by E & E D (Land) Sub Committee, Minute no. 87

Power No: 366 Swimming Pools and Leisure Centres

Power to Director of Leisure & Community Services

To negotiate and agree annual rent increases for service tenants at swimming pools and leisure centres.

Granted on 03/01/95 by Personnel & Customer Care Committee, Minute no. 144

Power No: 367 Housing Disrepair

Power to Director of Housing

To settle (after consultation with the Chair and Vice Chair of the Housing Committee) miscellaneous disrepair cases up to a maximum of £5,000 in damages, together with any reasonable legal costs. The power is subject to receipt of appropriate legal advice and the submission of quarterly reports of actions taken to Housing Committee.

Granted on 05/01/95 by Housing Committee, Minute no. 228

Power No: 368 Entertainments Licences

Power to Director of Environmental Services

1. To grant all applications subject to standard conditions for provisional, annual, renewal, occasional, and transfers of all licences under Schedule 1 of the Local Government (Miscellaneous Provision) Act 1982, subject to no objections being received from the police (other than lack of resources to police the area) the fire authority, the Director of Environmental Services or Ward Councillor.
2. to refuse applications for occasional licences where such objections are made by a statutory authority;
3. to impose special conditions or modify existing conditions on licences providing there are no objections by the fire authority, the police or the Director of Environmental Services and providing the applicant or representative of the applicant is in agreement;
4. to waive the requirement for 28 days' prior notice where appropriate.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 369 Taxis - temporary use of non-standard vehicles

Power to Director of Environmental Services

To approve, for a period not exceeding three months, use of a vehicle as a Hackney Carriage not conforming to the authority's hackney carriage vehicle colour specification, provided that the vehicle meets all other requirements of the hackney carriage vehicle specification and is painted black.

Granted on 05/07/95 by Environment (Licensing) Sub Committee, Minute no. 8

Power No: 370 Scrap Metal Dealers Register

Power to Director of Environmental Services

To register persons carrying on business as scrap metal dealers together with the particulars required by the Scrap Metal Dealers Act 1964 and to maintain the statutory register.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 371 Game Dealer's Licences

Power to Director of Environmental Services

To grant licences to kill and to deal in game on payment of the prescribed fee in accordance with the Game Act 1831 and the Game Licences Act 1860.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 372 House to House Collection licences

Power to Director of Environmental Services

1. To grant licences in pursuance of section 2 of the House to House Collections Act 1939;
2. to refuse licences or revoke existing licences in cases where it appears to the Director of Environmental Services that any or all of paragraphs 3(a) to (f) of the said section 2 apply;
3. to give written notice giving the grounds for refusal or revocation.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 373 Late Night Refreshment House licences

Power to Director of Environmental Services

1. To grant licences on payment of the prescribed fee and, where the premises are to close after 11.00 p.m., subject to a terminal hour which is acceptable to the applicant or his representative, after the police and Director of Development have been consulted and there is no objection from the Ward Councillor.
2. to register licences granted under the Late Night Refreshments Houses Act 1969.
3. to renew licences previously granted, with the same conditions or restrictions (if any) attached to the original licences, subject to payment of the prescribed fee.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 374 Lotteries & Amusements Act registrations

Power to Director of Environmental Services

1. To register societies for the purpose of section 5 of the Lotteries and Amusements Act 1976 (as amended) subject to the provisions of Schedule 1 to that Act and the payment of the prescribed fee;
2. to cancel registrations on application;
3. to revoke registrations where the payment of fees are in arrears for four years.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 375 Gaming Acts - Track Betting

Power to Director of Environmental Services

To grant, renew and transfer track betting licences, subject to there being no objection by the Police, or relevant objectors, and to cancel licences on application under the Betting, Gaming and Lotteries Act 1963.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 376 Street Collection Permits

Power to Director of Environmental Services

To determine applications for street collection permits in respect of disasters, weekday collections and local collections on the basis that such applications are to be approved unless the Director of Environmental Services is satisfied that there would be a conflict with another collection or another event, or if financial statements have not been made in respect of a previous collection.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 377 Gaming Acts - Amusements With Prizes

Power to Director of Environmental Services

1. to grant permits for gaming machines for premises other than amusement centres subject to the requirements of the City Council's policy being met;
2. to renew permits for gaming machines, amusement centres and prize bingo, with the same conditions (if any) as were attached to the original permits limiting the number of machines to be available for gaming on the premises, subject to payment of the prescribed fee.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 378 Gaming Acts - Pool promoters

Power to Director of Environmental Services

To register pool promoters under the Betting, Gaming and Lotteries Act 1963.

Granted on 22/06/95 by Environment Committee, Minute no. 17

Power No: 380 Community Development and After School Club Grants

Power to Director of Leisure & Community Services

To approve community development, voluntary sector and after-school club grants in accordance with established criteria up to a limit of £5000, subject to details being reported for information on a bi-monthly basis.

Granted on 12/07/95 by Community Development Committee, Minute no. 27

Power No: 381 Information Technology - Expenditure on small items

Power to Assistant City Secretary (IT Management)

To approve expenditure on items less than £5,000 in total, subject to compliance with the conditions set out in the report leading to this delegation (items (a) - (i)) and subject to a summary report, detailing the decisions made under the delegation, being submitted every three months.

Granted on 18/09/95 by Policy & Resources (Office Technology) Sub Committee, Minute no. 26

Power No: 382 Unitary Status - employment of specialist contract staff

Power to Assistant City Secretary (IT Management)

To appoint further contract staff as necessary to work on a number of parallel requirements arising from Unitary Status transitional planning.

Granted on 20/11/95 by Policy & Resources (Office Technology) Sub Committee, Minute no. 37

Power No: 384 Unauthorised Campers - Powers under Criminal Justice & Public Order Act
Power to Director of Design & Property Services

To give Directions under Section 77 of the Criminal Justice & Public Order Act 1994 in respect of Council-owned land.

Granted on 19/03/96 by Policy & Resources Committee, Minute no. 238

Power No: 385 Unauthorised Campers - Powers under Criminal Justice & Public Order Act
Power to Director of Housing

To give Directions under Section 77 of the Criminal Justice & Public Order Act 1994 in respect of Council-owned land.

Granted on 19/03/96 by Policy & Resources Committee, Minute no. 238

Power No: 386 Unauthorised Campers - Powers under Criminal Justice & Public Order Act
Power to Director of Leisure & Community Services

To give Directions under Section 77 of the Criminal Justice & Public Order Act 1994 in respect of Council-owned land.

Granted on 19/03/96 by Policy & Resources Committee, Minute no. 238

Power No: 387 Unauthorised Campers - Powers under Criminal Justice & Public Order Act
Power to Director of Environmental Services

To give Directions under Section 77 of the Criminal Justice & Public Order Act 1994 in respect of privately-owned land and highways.

Granted on 19/03/96 by Policy & Resources Committee, Minute no. 238

Power No: 388 Unauthorised Campers - Powers under Criminal Justice & Public Order Act
Power to Solicitor to the Council

a) To make applications to the Magistrates' Courts where Directions (made by the Council's Chief Officers under Section 77 of the Criminal Justice & Public Order Act 1994, in respect of unauthorised campers on Council-owned, privately-owned, or highway land) are not complied with.

b) To bring criminal proceedings under Sections 77 and 78 of the Act

Granted on 19/03/96 by Policy & Resources Committee, Minute no. 238

Power No: 389 Outer Estates Shop Security Scheme
Power to Director of Development

To approve grants under the Outer Estates Shop Security Scheme up to a maximum of £2,500.

Granted on 22/02/96 by Policy & Resources (Urban Regeneration) Sub Committee, Minute no. 53

Power No: 390 Internal Audit - Accounts & Audit Regulations 1996
Power to City Treasurer

To manage the internal audit service on behalf of the Council.

Granted on 16/04/96 by Policy & Resources Committee, Minute no. 257

Power No: 391 Financial Aid to Voluntary Organisations
Power to Chief Executive

To transfer financial aid, given by the City Council to voluntary organisations by way of annual grant, to aid given by way of discretionary rate relief, in accordance with the guidelines approved by Committee.

Granted on 18/06/96 by Policy & Resources Committee, Minute no. 53

Power No: 392 Financial Aid to Voluntary Organisations
Power to City Treasurer

To transfer financial aid, given by the City Council to voluntary organisations by way of annual grant, to aid given by way of discretionary rate relief, in accordance with the guidelines approved by Committee.

Granted on 18/06/96 by Policy & Resources Committee, Minute no. 53

Power No: 393 Financial Management of Housing Revenue account

Power to Director of Housing

To approve the carry forward of expenditure between financial years for amounts not exceeding £10,000 provided that the reason is within criteria set by the Policy and Resources Committee.

Notes:

1. The minute conferring this delegation goes on to provide that it will be suspended in the event that at any time during the financial year a deficit is predicted for the Housing Revenue account. The financial position will be reported to the next available meeting of the Policy & Resources (Finance & Performance) Sub Committee and the Housing Committee, with proposals for avoiding the outcome.
2. All action taken under this delegation is to be reported to the Policy & Resources (Finance & Performance) Sub Committee quarterly in arrears.

Granted on 19/09/96 by Policy & Resources (Finance) Sub Committee, Minute no. 63

Power No: 394 SME Development Assistance Scheme

Power to Director of Development

To approve applications for grants and loans under the Small and Medium-sized Business Development Assistance Scheme, within the following limits:

- a) for grant applications, up to a maximum of £15,000;
- b) for loan applications, up to a maximum of £25,000.

Granted on 15/10/96 by Employment & Economic Development Committee, Minute no. 79

Power No: 395 Virement of Dilapidations Settlements to the Repair Budget

Power to Director of Design & Property Services

To approve that any future dilapidation settlements up to a figure of £50,000 should be vired to Repairs budgets, to enable the necessary works to be carried out, and a report be submitted to the sub-committee as and when the need arose

Granted on 21/11/96 by Policy & Resources (Finance) Sub Committee, Minute no. 83

Power No: 396 Collection of small debts by outside agencies

Power to City Treasurer

To outsource the collection of debts up to £100, the budget being amended to meet the costs of commission from income received.

Granted on 21/11/96 by Policy & Resources (Finance) Sub Committee, Minute no. 88

Power No: 398 Member's Allowances

Power to Chief Executive

To revise and authorise the implementation of Member's Allowances, in consultation with the majority and minority parties.

Granted on 22/04/97 by Policy & Resources Committee, Minute no. 309

Power No: 400 Car Parks - Writing out Penalty Tickets

Power to Director of Design & Property Services

To write out penalty tickets for car parking charges.

Granted on 21/09/95 by Environment Committee, Minute no. 75

Power No: 401 Car Parks - Parking Charges

Power to Director of Design & Property Services

To decide (in consultation with the Chair of the Environment Committee and the Director of Development) upon future annual increases to charges for daily parking, contract parking and season tickets at the Council's Multi-storey and Surface Car Parks.

Granted on 21/09/95 by Environment Committee, Minute no. 75

Power No: 402 Nottingham Business & Technology Group Units

Power to Director of Development

To hold a Unit within Nottingham Business & Technology Group for a maximum period of three weeks to enable new clients to order their affairs; and to grant a rent-free period for the purposes of repairs and redecoration.

Granted on 15/07/97 by Employment & Economic Development Committee, Minute no. 26

Power No: 403 Minsk Wholesale Market Project

Power to Chief Executive

To:

- a) enter Contracts with the Overseas Development Administration for Phase II of the Minsk Market Project;
- b) manage the Phase through the Assistant Director of Design and Property Services (Commercial) and the Minsk Project Team;
- c) authorise any overseas travel, allowances and honoraria as per the Contract with the Overseas Development Administration "Know How Fund".

Granted on 21/01/97 by Policy & Resources Committee, Minute no. 215

Power No: 404 Redeployment of Surplus Staff

Power to All Chief Officers

In consultation with the Assistant Chief Executive (Personnel, Training and Equality) to place an individual on the Redeployment Register where s/he is so identified by reason of change or requirements of the service.

Granted on 02/07/96 by Personnel & Customer Care Committee, Minute no. 21

Power No: 406 Expenditure relating to Housing Grants Construction and Regeneration Act

Power to Director of Housing

To approve expenditure for activities related to the Housing Grants Construction and Regeneration Act 1996.

Granted on 04/09/97 by Housing Committee, Minute no. 82

Power No: 407 Goose Fair - Commercial and Operational Decisions

Power to Director of Leisure & Community Services

To make reasonable commercial and operational decisions on the operation of the Goose Fair, in the interest of the Council and in consultation with the Chair and Vice Chair of the Committee.

Note: This power is also exercisable by the Assistant Director of Design and Property Services (Commercial).

Granted on 31/07/97 by Leisure Services Committee, Minute no. 46

Power No: 408 Action under Environmental Legislation

Power to Director of Environmental Services

1. To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.
2. To authorise Environmental Health Officers, Technical Officers and other appropriately qualified and experienced Officers to enter premises and to exercise any or all of the powers listed in Part (b) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 409 Goose Fair - Commercial and Operational Decisions

Power to Asst Director of Design & Property Services (Commercial)

To make reasonable commercial and operational decisions on the operation of the Goose Fair, in the interest of the Council and in consultation with the Chair and Vice Chair of the Committee.

Note: This power is also exercisable by the Director of Leisure & Community Services.

Granted on 31/07/97 by Leisure Services Committee, Minute no. 46

Power No: 410 Action under Environmental Legislation

Power to Asst Director of Environmental Services (Environmental & Public Protection)

1. To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.
2. To authorise Environmental Health Officers, Technical Officers and other appropriately qualified and experienced Officers to enter premises and to exercise any or all of the powers listed in Part (b) of the Environmental Powers Appendix to this List.
3. To administer formal cautions for offences committed under any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 411 Action under Environmental Legislation

Power to Service Manager (Food & Licensing)

To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 412 Action under Environmental Legislation

Power to Service Manager (Health & Safety)

To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 413 Action under Environmental Legislation

Power to Service Manager (Pollution Control)

To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 414 Action under Environmental Legislation

Power to Service Manager (Public Health)

To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 415 Action under Environmental Legislation

Power to Solicitor to the Council

To institute and defend legal proceedings under all or any of the legislation set out in Part (a) of the Environmental Powers Appendix to this List, subject to the Solicitor to the Council being satisfied as to the evidence available.

Granted on 18/12/97 by Environment Committee, Minute no. 74

Power No: 416 Door Supervisor Registration Scheme

Power to Team Leader, Licensing

To determine applications for registration under the Door Supervisor Registration Scheme, and to revoke existing registrations for breaches of the "Code of Conduct for Door Supervisors", or when a registered door supervisor is convicted of an offence referred to in the "Guidelines Relating to Convictions".

Note: the "Code of Conduct for Door Supervisors" and the "Guidelines Relating to Convictions" are documents appended to the report to this Committee.

Granted on 22/10/97 by Environment (Licensing) Sub Committee, Minute no. 26

Power No: 417 Door Supervisor Registration Scheme

Power to Service Manager (Food & Licensing)

To determine applications for registration under the Door Supervisor Registration Scheme, and to revoke existing registrations for breaches of the "Code of Conduct for Door Supervisors", or when a registered door supervisor is convicted of an offence referred to in the "Guidelines Relating to Convictions".

Note: the "Code of Conduct for Door Supervisors" and the "Guidelines Relating to Convictions" are documents appended to the report to this Committee.

Granted on 22/10/97 by Environment (Licensing) Sub Committee, Minute no. 26

Power No: 418 Door Supervisor Registration Scheme

Power to Asst Director of Environmental Services (Environmental Health)

To determine applications for registration under the Door Supervisor Registration Scheme, and to revoke existing registrations for breaches of the "Code of Conduct for Door Supervisors", or when a registered door supervisor is convicted of an offence referred to in the "Guidelines Relating to Convictions".

Note: the "Code of Conduct for Door Supervisors" and the "Guidelines Relating to Convictions" are documents appended to the report to this Committee.

Granted on 22/10/97 by Environment (Licensing) Sub Committee, Minute no. 26

Power No: 419 Door Supervisor Registration Scheme

Power to Director of Environmental Services

To determine applications for registration under the Door Supervisor Registration Scheme, and to revoke existing registrations for breaches of the "Code of Conduct for Door Supervisors", or when a registered door supervisor is convicted of an offence referred to in the "Guidelines Relating to Convictions".

Note: the "Code of Conduct for Door Supervisors" and the "Guidelines Relating to Convictions" are documents appended to the report to this Committee.

Granted on 22/10/97 by Environment (Licensing) Sub Committee, Minute no. 26

Power No: 420 Action under Trading Standards Legislation

Power to Director of Environmental Services

1. To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List and to seek orders for forfeiture of unsafe goods under Section 16 of the Consumer Protection Act 1987.
2. To appoint Inspectors of Weights and Measures and authorise Trading Standards Officers and other appropriately qualified and experienced Officers to enter premises and to exercise any or all of the powers listed in Part (b) of the Trading Standards Powers Appendix to this List.
3. To issue suspension notices under Section 14 of the Consumer Protection Act 1987 for the purpose of removing unsafe goods from the market pending further enquiries.
4. To make the reports to government required by Section 70 of the Weights and Measures Act 1985, Section 41 of the Food Safety Act 1990, and such notices of intended prosecution and results of prosecution as required under the various legislation enforced.
5. To appoint Public Analysts for the City Council under the Food Safety Act 1990.
6. To appoint an Agricultural Analyst and Deputy under the Agriculture Act 1970.
7. To determine and review fees and charges for specific metrology and trading standards licensing services in line with legal limits and, where available, national guidelines.

Granted on 19/02/98 by Environment Committee, Minute no. 101

Power No: 421 Action under Trading Standards Legislation

Power to Asst Director of Environmental Services (Environmental & Public Protection)

1. To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List and to seek orders for forfeiture of unsafe goods under Section 16 of the Consumer Protection Act 1987.
2. To administer formal cautions for offences committed under the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List.
3. To appoint Inspectors of Weights and Measures and authorise Trading Standards Officers and other appropriately qualified and experienced Officers to enter premises and to exercise any or all of the powers listed in Part (b) of the Trading Standards Powers Appendix to this List.
4. To issue suspension notices under Section 14 of the Consumer Protection Act 1987 for the purpose of removing unsafe goods from the market pending further enquiries.
5. To make the reports to government required by Section 70 of the Weights and Measures Act 1985, Section 41 of the Food Safety Act 1990, and such notices of intended prosecution and results of prosecution as required under the various legislation enforced.
6. To appoint Public Analysts for the City Council under the Food Safety Act 1990.
7. To appoint an Agricultural Analyst and Deputy under the Agriculture Act 1970.
8. To determine and review fees and charges for specific metrology and trading standards licensing services in line with legal limits and, where available, national guidelines.

Granted on 19/02/98 by Environment Committee, Minute no. 101

Power No: 422 Action under Trading Standards Legislation

Power to Service Manager (Trading Standards)

1. To instruct the Solicitor to the Council to institute legal proceedings under all or any of the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List and to seek orders for forfeiture of unsafe goods under Section 16 of the Consumer Protection Act 1987.
2. To administer formal cautions for offences committed under the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List.
3. To appoint Inspectors of Weights and Measures and authorise Trading Standards Officers and other appropriately qualified and experienced Officers to enter premises and to exercise any or all of the powers listed in Part (b) of the Trading Standards Powers Appendix to this List.
4. To issue suspension notices under Section 14 of the Consumer Protection Act 1987 for the purpose of removing unsafe goods from the market pending further enquiries.
5. To make the reports to government required by Section 70 of the Weights and Measures Act 1985, Section 41 of the Food Safety Act 1990, and such notices of intended prosecution and results of prosecution as required under the various legislation enforced.
6. To appoint Public Analysts for the City Council under the Food Safety Act 1990.
7. To appoint an Agricultural Analyst and Deputy under the Agriculture Act 1970.
8. To determine and review fees and charges for specific metrology and trading standards licensing services in line with legal limits and, where available, national guidelines.

Granted on 19/02/98 by Environment Committee, Minute no. 101

Power No: 423 Action under Trading Standards Legislation

Power to Solicitor to the Council

To institute legal proceedings under all or any of the legislation set out in Part (a) of the Trading Standards Powers Appendix to this List and to seek orders for forfeiture of unsafe goods under Section 16 of the Consumer Protection Act 198, subject to the Solicitor to the Council being satisfied as to the evidence available.

Granted on 19/02/98 by Environment Committee, Minute no. 101

Power No: 424 Housing Management & Racial Harassment Panel

Power to Director of Housing

To consider cases recommended to the Housing Management & Racial Harassment Panel on medical or social grounds, currently dealt with by the Housing (General) Sub-Committee, and to submit reports for information detailing decisions taken on a quarterly basis to the Housing (General) Sub-Committee.

Granted on 09/11/97 by Housing Committee, Minute no. 185

Power No: 425 Anti-social Behaviour - Possession Proceedings

Power to Solicitor to the Council

To commence possession proceedings (in consultation with the Director of Housing) in the County Court to secure the eviction of perpetrators of anti-social behaviour, and, when required, to make applications for warrants of possession.

Granted on 04/12/97 by Housing Committee, Minute no. 182

Power No: 426 Tendered Bus Services

Power to Director of Development

To let bus contracts on an emergency basis in sums not exceeding £5,000, subject to all action taken being reported to the next appropriate meeting of this committee.

Granted on 20/02/98 by Transportation Committee, Minute no. 91

Power No: 427 Civic and Ceremonial Matters

Power to Chief Executive

To determine matters relating to routine civic and ceremonial events of the City, based on the proposals submitted annually by him in the form of an outline plan, and according to the criteria previously operated by the former Public Relations and Civic Sub-Committee.

Granted on 21/04/98 by Policy & Resources Committee, Minute no. 209

Power No: 428 Derelict and Long Term Vacant Houses

Power to Director of Environmental Services

To employ the power of sale granted by the Law of Property Act 1925 (in conjunction with the Solicitor to the Council) to encourage derelict and long term vacant houses to be brought into use.

Granted on 06/07/98 by Housing & Environment (Private Sector) Committee, Minute no. 5

Power No: 430 Highway Management

Power to Director of Environmental Services

To undertake the powers set out in the Highway Management Powers Appendix to this List, subject to the Director of Environmental Services being satisfied as to the evidence available.

Granted on 24/04/98 by Transportation Committee, Minute no. 106

Power No: 431 Road Traffic Regulation Orders

Power to Director of Environmental Services

To advertise and make Road Traffic Regulation Orders after consultation with the Chair, Vice-Chair and Ward Members as appropriate.

Granted on 24/04/98 by Transportation Committee, Minute no. 106

Power No: 432 Highway Management

Power to Solicitor to the Council

To institute legal proceedings under the legislation listed in the Highway Management Powers Appendix to this List, subject to the Solicitor to the Council being satisfied as to the evidence available.

Granted on 24/04/98 by Transportation Committee, Minute no. 106

Power No: 433 Taxis - Changes to Vehicle Test Criteria

Power to Director of Environmental Services

To make any reasonable and necessary changes to the Hackney Carriage and Private Hire vehicle test criteria.

Granted on 23/07/98 by Environment Committee, Minute no. 28

Power No: 434 Taxis - Changes to Vehicle Test Criteria

Power to Asst Director of Environmental Services (Environmental & Public Protection)

To make any reasonable and necessary changes to the Hackney Carriage and Private Hire vehicle test criteria.

Granted on 23/07/98 by Environment Committee, Minute no. 28

Power No: 435 Taxis - Changes to Vehicle Test Criteria

Power to Service Manager (Food & Licensing)

To make any reasonable and necessary changes to the Hackney Carriage and Private Hire vehicle test criteria.

Granted on 23/07/98 by Environment Committee, Minute no. 28

Power No: 436 Taxis - Changes to Vehicle Test Criteria

Power to Team Leader, Taxi Licensing

To make any reasonable and necessary changes to the Hackney Carriage and Private Hire vehicle test criteria.

Granted on 23/07/98 by Environment Committee, Minute no. 28

Power No: 437 Writing off/out of debt

Power to City Treasurer

To write debts out of the accounts to a maximum of £500.

Granted on 25/06/98 by Policy & Resources (Finance & Performance) Sub Committee, Minute no. 18

Power No: 438 Writing off/out of Housing Benefit overpayments

Power to City Treasurer

To write out irrecoverable Housing Benefit overpayments to a maximum of £500.

Granted on 25/06/98 by Policy & Resources (Finance & Performance) Sub Committee, Minute no. 20

Power No: 440 Appointment of Disciplinary & Appeals Sub-Committee Members

Power to Director of Education

To appoint members (in consultation with the Chair and Vice-Chair) to serve on Disciplinary and Appeals Sub-Committees under the disciplinary code for teachers in non-delegated schools.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 441 Appointments of Education Appeals Committees

Power to Director of Education

To establish and maintain lists of persons eligible to serve as lay members on Education Appeals Committees and to appoint individual Education Appeals Committees in accordance with the provisions of section 423 of the Education Act 1996 and the policy agreed by the Education Committee.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 442 Administration of Financial Schemes

Power to Director of Education

To administer financial and other schemes approved by the Education Committee including the granting of financial assistance to students and pupils.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 443 Approval of special educational needs

Power to Director of Education

To approve statements of special educational needs.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 444 Attendance at Education Tribunals.

Power to Director of Education

To attend and represent the LEA at education tribunals.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 445 Articles of Government for schools

Power to Director of Education

To make by order, in conjunction with the Deputy Chief Executive & City Secretary. Instruments and Articles of Government for schools, including nursery schools.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 446 Appointment of Clerks to school governing bodies

Power to Director of Education

To appoint the Clerk to school governing bodies.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 447 Administration of complaints

Power to Director of Education

To exercise on behalf of the City Council and in accordance with established procedures for the handling of complaints, arrangements for the consideration of complaints on school curriculum, religious worship and related matters.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 448 Services for pupils with special needs

Power to Director of Education

To secure the provision of appropriate transport and related services for pupils with special educational needs.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 450 Reinstatement of pupils following exclusions

Power to Director of Education

To give directions to governing bodies to reinstate pupils following exclusions.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 451 Legal Proceedings

Power to Director of Education

To give notice to issue direction and to institute (through the Deputy Chief Executive & City Secretary where appropriate) any legal proceedings on behalf of the Council under the relevant provisions of Acts, regulations and bylaws relating to:

- compulsory attendance at school and the duty of parents to secure the regular attendance at school of their children
- the employment of children and young persons.
- the statementing of children with special educational needs.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 452 Dismissal of Employees

Power to Director of Education

In conjunction with the Assistant Chief Executive (Personnel, Training and Equality) power to dismiss an employee in an LEA controlled school who is the subject of a determination by the governing body that he/she should no longer work at school.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 453 Guidance to governing bodies

Power to Director of Education

In consultation with the Assistant Chief Executive (Personnel, Training and Equality) to issue guidance to governing bodies on criteria used in applying local discretion available to them under the School Teachers Pay and Conditions documents.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 454 Submissions on statutory proposals

Power to Director of Education

To submit representations and proposals as directed by the Education Committee and its Sub-Committees on any statutory proposals affecting Educational provision within the City.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 455 General duties

Power to Director of Education

To exercise all other functions delegated to Chief Officers as agreed by the City Council and to abide by all standing orders and financial regulations as they apply to Chief Officers.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 456 General Education Delegation

Power to Director of Education

To exercise any other functions of the City Council which are delegated to the Education Committee, excepting functions specifically delegated to another Chief Officer, and take such action as necessary to discharge these functions.

Granted on 06/04/98 by Education Committee, Minute no. 112

Power No: 458 General Social Services Delegation

Power to Director of Social Services

To make appropriate arrangements within the Social Services Department, including further delegation to other officers as appropriate, to give effect to the discharge of responsibilities arising from any legislation, statutory instruments, regulations and related guidance by which powers and duties are conferred upon the local Social Services Authority, within the policies established and budgets approved by the Committee.

Note: The Appendix to this Minute contains a large number of specific delegations, with many examples and specific duties imposed upon the Director. These are expressed to be "without prejudice to the generality of the delegation", but are set out in the Social Services Powers Appendix to this List.

Granted on 06/05/98 by Social Services Committee, Minute no. 144

Power No: 460 City Sports Grant Aid Scheme

Power to Director of Leisure & Community Services

To approve grants up to a maximum of £300 provided the application meets the criteria set out in the Appendix to the report.

Granted on 30/04/98 by Leisure Services Committee, Minute no. 166

Power No: 466 Authorisation of Legal Staff - Magistrates' Court

Power to Deputy Chief Executive & City Secretary

To authorise suitably qualified or experienced persons to appear in the Magistrates' Court on the Council's behalf in accordance with the provisions of S.233 of the Local Government Act 1972.

Granted on 08/09/98 by Personnel & Customer Care Committee, Minute no. 34

City Secretary's Dept
Ext 54559

Appendix 1 - Environmental Powers

Minute 74 of the Environment Committee meeting on 18th December 1997 granted a number of powers by reference to lists of legislation and powers which were set out in that Minute, and are repeated below.

Part (a) - Legislation under which the Council may instigate legal proceedings

The Clean Air Act 1993	The Hypnotism Act 1952
The Environment Act 1995	The Late Night Refreshment House Act 1969
The Agriculture (Safety, Health and Welfare Provision) Act 1956	The Licensing Act 1964
The Animal Breeding Establishments Act 1963	The Local Government (Miscellaneous Provisions) Act 1976
The Betting Gaming & Lotteries Act 1963	The Local Government (Miscellaneous Provisions) Act 1982
The Breeding of Dogs Act 1973	The Lotteries & Amusements Act 1976
The Building Act 1984	The Noise & Statutory Nuisance Act 1993
The Canal Boats Act 1877	The Noise Act 1996
The Caravan Sites Control of Development Act 1960	The Nottingham City Byelaws 1953
The Cinemas Act 1985	The Nottinghamshire County Council Act 1985
The Clean Air Act 1993	The Offices, Shops & Railway Premises Act 1963
The Control of Dogs Order 1992	The Performing Animals (Regulations) Act 1925
The Control of Pollution Act 1974	The Pet Animals Act 1951
The Criminal Justice and Public Order Act 1994	The Police, Factories etc. (Miscellaneous Provisions) Act 1926 as amended by the Local Government Act 1972
The Dangerous Dogs Act 1991	The Prevention of Damage by Pests Act 1949
The Dangerous Wild Animals Acts 1976 & 1980	The Public Health (Control of Disease) Act 1984
The Dogs (Fouling of Land) Act 1996	The Public Health Acts 1936 & 1961
The Dogs Act 1871	The Refuse Disposal (Amenity) Act 1978
The Environmental Protection Act 1990	The Riding Establishments Acts 1964 & 1970
The Factories Act 1961	The Road Traffic Acts 1972 and 1988
The Food Safety Act 1990	The Safety of Sports Grounds Act 1975
The Game Act 1831	The Scrap Metal Dealers Act 1964
The Game Licence Act 1860	The Sunday Observance Act 1780
The Gaming Act 1968	The Sunday Theatres Act 1972
The Highways Act 1980	The Sunday Trading Act 1994
The House to House Collection Act 1939	The Theatres Act 1968
The Housing Acts 1957, 1985 and 1996	The Town Police Clauses Act 1847

Part (b) - Powers which may be exercised by duly authorised officers

GENERAL

Powers to enter premises and carry out some or all of the specified duties including to inspect, examine, investigate, sample, test, condemn and seize, for those sections and parts of the undermentioned Acts so specified and for the purposes of any other sections and parts of Acts amending, extending or succeeding the same Acts, including all regulations, byelaws and orders made thereunder.

The Agriculture (Safety, Health and Welfare Provisions) Act 1956	The Housing (Grants, Construction and Regeneration) Act 1996
The Animal Boarding Establishments Act 1963	The Late Night Refreshment Houses Act 1969
The Breeding of Dogs Act 1973	The Local Government (Miscellaneous Provisions) Act 1976/1982
The Building Act 1984	The National Assistance Act 1948/1951
The Canal Boats Act 1877	The Noise and Statutory Nuisance Act 1993
The Caravan Sites Act 1968	The Nottinghamshire County Council Act 1985
The Caravan Sites and Control of Development Act 1960	The Offices, Shops and Railway Premises Act 1963
The Cinemas Act 1985	The Performing Animals (Regulations) Act 1925
The Clean Air Act 1993	The Pet Animals Act 1951
The Control of Pollution Act 1974	The Prevention of Damage by Pests Act 1949
The Criminal Justice and Public Order Act 1994	The Public Health Act 1936/1961
The Dangerous Wild Animals Act 1976	The Public Health (Control of Disease) Act 1984
The Environmental Protection Act 1990	The Rag Flock and Other Filling Materials Act 1951
The Factories Act 1961	The Riding Establishments Act 1964/1970
The Food and Environmental Protection Act 1985 Part 111 and Schedule 3	The Safety of Sports Grounds Act 1975
The Food Safety Act 1990	The Slaughterhouses Act 1974
The Housing Acts 1957, 1985 and 1996	The Slaughter of Poultry Act 1967

Appendix 1 - Environmental Powers

Part (b) continued
The Theatres Act 1968

The Water Industries Act 1991

FOOD SAFETY

Power under Section 5 of the Food Safety Act 1990 to enter premises and exercise the powers of an Authorised Officer specified in the Act as set out below:

- Section 32 (1) - power to enter premises
- Section 32 (5) - power to inspect records, to have access to computer information and to require any person in charge of a computer or similar apparatus to afford assistance with this
- Section 32 (6) - power to seize and detain records
- Section 29 - power to purchase to take samples
- Section 9(1) - power to inspect food
- Section 9(3) - power to give notice that food is not to be used for human consumption or to be removed from a specified place
- Section 9(4) - power to seize food and remove it in order to have it dealt with by a Justice of the Peace
- Section 10(1) - power to sign and serve an Improvement Notice
- Section 11(5) - power to serve a copy of a Prohibition Order on the proprietor of a business and to affix a copy of such an order in a conspicuous position on the premises
- Section 12(1) - power to serve an Emergency Prohibition Notice
- Section 12(5) & (6) - power to serve a copy of an Emergency Prohibition Order on the proprietor of a business and to affix a copy of such an order in a conspicuous position on the premises
- Section 11(6) & 11(7) - power to issue certificate that health risk condition no longer fulfilled
- Section 12(8)
- Section 49(2)(b) - authorisation to sign documents and notices for the purposes of Section 9(3), Sections 10(1), 11(6), 11(7), 12(1) & 12(8).

HEALTH AND SAFETY AT WORK

Power under Section 19 of the Health and Safety at Work etc. Act 1974, to enter premises and exercise some or all of the powers of an Inspector in the Act as set out below and any amendments made thereto:

- Section 20(2)(a) - power to enter premises
- Section 20(2)(b) - power to take a constable to apprehend any serious obstruction
- Section 20(2)(c) - power to take any other authorised person and any equipment or materials to the premises
- Section 20(2)(d) - power to make such examination and investigation as necessary
- Section 20(2)(e) - power to direct that premises or parts of premises or anything therein is left undisturbed
- Section 20(2)(f) - power to take measurements and photographs
- Section 20(2)(g) - power to take samples
- Section 20(2)(h) - power to cause articles or substances to be dismantled or subjected to any process or test.
- Section 20(2)(j) - power to require a person to give information relevant to any examination or investigation.
- Section 20(2)(k) - power to require the production of any documents or entries in books and to inspect and take copies of these
- Section 20(2)(l) - power to require any person to afford the Inspector such facilities and assistance as are necessary
- Section 20(2)(m) - power to sign and serve an Improvement Notice

Any Health and Safety Regulations

The provisions of the Acts mentioned in Schedule 1 to the 1974 Act which are specified in the third column of that Schedule and the Regulations. Orders or other instruments of a legislative character made or having effect under any provisions so specified as may be in force from time to time.

ENVIRONMENTAL PROTECTION

Power under Section 16 of the Environmental Protection Act 1990 to enter premises and exercise some or all of the following powers of an Inspector specified in Part 1 of the Act:

- Section 17(3)(a) - power to enter premises
- Section 17(3)(b) - power to take another duly authorised person to the premises and a constable to apprehend any serious obstruction
- Section 17(3)(c) - power to make such examination and investigation as may be necessary
- Section 17(3)(d) - power to direct that premises, parts of premises or anything in them be left undisturbed
- Section 17(3)(e) - power to take measurements, photographs and make recordings
- Section 17(3)(f) - power to take samples
- Section 17(3)(g) - power to cause an article or substance to be dismantled, processed or tested
- Section 17(3)(i) - power to require any person to give information and to sign a declaration as to the truth of answers to the inspector's questions
- Section 17(3)(j) - power to require the production of extracts and records including computer information
- Section 17(3)(k) - power to require any person to afford facilities and assistance

Appendix 1 - Environmental Powers

Part (b) continued

Section 17(3)(1) - any other power for the purpose of the discharge of the Council's functions under the Act

Sections 79 - 81 of the 1990 Act (as amended by Sections 2 - 7 of the Noise and Statutory Nuisance Act 1993), and Section 9 and Schedule 3 of the 1993 Act, give the following powers:

Section 4(5) of the 1993 Act - power to enter or open a vehicle, machinery or equipment, by force if necessary

Section 4(5) of the 1993 Act - power to immobilise a vehicle, machinery or equipment, or remove it to a secure place

Section 81(3) of the 1990 Act - power to take action or execute any work to prevent the recurrence of, or abate a statutory nuisance in cases where an abatement notice has not been complied with

Section 108 of the Environment Act gives an authorised officer the following powers:

- to determine whether pollution control enactments are being complied with;
- to exercise or perform pollution control functions of the local authority;
- to determine whether and, if so, how pollution control functions should be performed;

and to:

- enter any premises at any reasonable time - if need be by force;
 - take with him any other duly authorised person and a constable and any equipment or materials;
 - make examination and investigation;
 - direct that premises and articles in them are left undisturbed;
 - take measurements and photographs;
 - take samples or cause samples to be taken of articles, substances in or on premises and of the air, water or land on or in the vicinity of the premises;
 - render articles or substances harmless;
 - seize and detain any article or substance;
 - require information and declarations about the truth of that information to be given;
 - require the production of records or extracts or computerised records and to inspect and take copies of records;
 - require any person to afford him facilities and assistance to enable the officer to exercise any of these powers;
- with any other power conferred by subsection 1 of this section or conferred by regulations.

Appendix 2 - Trading Standards Powers

Minute 101 of the Environment Committee meeting on 19th February 1998 granted a number of powers by reference to lists of legislation and powers which were set out in that Minute, and are repeated below.

Part A - Legislation under which the Council may instigate legal proceedings

Administration of Justice Act 1970	Food Safety Act 1990
Agriculture Acts 1970 and 1986	Food and Environment Protection Act 1985
Agriculture (Miscellaneous Provisions) Acts 1963, 1968 and 1972	Hallmarking Act 1973
Agricultural Produce (Grading and Marking) Acts 1928 and 1931	Health and Safety at Work etc. Act 1974
Animal Health Act 1981	Insolvency Act 1986
Animal Health and Welfare Act 1984	Insurance Brokers (Registration) Act 1977
British Telecommunications Act 1981	Medicines Acts 1968 and 1971
Business Names Act 1985	Mock Auctions Act 1961
Cancer Act 1939	Motor Vehicles (Safety Equipment for Children) Act 1991
Celluloid and Cinematographic Film Act 1922	Patents Acts 1949 and 1977
Children and Young Persons Act 1933	Performing Animals (Regulations) Act 1925
Children and Young Persons (Protection from Tobacco) Act 1991	Petroleum (Consolidation) Act 1928
Civil Aviation Act 1971	Petroleum (Transfer of Licences) Act 1936
Companies Act 1985	Poisons Act 1972
Consumer Credit Act 1974	Prices Acts 1974 and 1975
Consumer Protection Act 1987	Property Misdescriptions Act 1991
Control of Pollution Act 1974	Protection of Birds Acts 1954 and 1967
Copyright Designs and Patents Act 1988	Public Health Acts 1936 and 1961
Criminal Attempts Act 1981	Road Traffic Act 1988
Dogs Act 1906	Road Traffic (Foreign Vehicles) Act 1972
Development of Tourism Act 1969	Scotch Whisky Act 1988
Education Reform Act 1988	Telecommunications Act 1984
Energy Act 1986	Theft Acts 1968 and 1978
Energy Conservation Act 1981	Timeshare Act 1992
Estate Agents Act 1979	Trading Representations (Disabled Persons) Acts 1958 and 1972
European Communities Act 1972	Trade Descriptions Act 1968
Explosives Acts 1875 and 1923	Trade Marks Act 1994
Explosives (Age of Purchase) etc. Act 1976	Trading Stamps Act 1964
Fair Trading Act 1973	Unsolicited Goods and Services Acts 1971 and 1975
Farm and Garden Chemicals Act 1985	Video Recordings Act 1984
	Weights and Measures etc. Act 1976
	Weights and Measures Act 1985

Part B - Powers which may be exercised by duly authorised officers

GENERAL

To enter premises and carry out some or all of the specified duties and exercise the powers including to purchase goods, secure (if provision of services accommodation or facilities, inspect, examine, investigate, sample, test, require production of documents or provision of information, seize and detain goods and documents, break open containers, open vending machines, sign and serve notices, for those sections and parts of the Acts listed in part (a) above and for the purposes of any other sections and parts of Acts amending, extending or succeeding the same Acts, including all regulations, byelaws and orders made thereunder.

WEIGHTS AND MEASURES

Under Section 72 of the Weights and Measures Act 1985, to enter premises and exercise the powers of Inspectors of Weights and Measures specified in the Act as set out below:

Section 53 and 79(1): - Enter premises. Inspect the test equipment. Inspect goods
Section 53 and 79(2): - Seize and detain weighing and measuring equipment. Seize and detain goods
Section 53, 79(2) and 39(2): - Seize and detain documents
Section 53: - Seize and detain records
Section 53 and 38(2): - Break open containers and open vending machines where necessary
Section 53: - Inspect and take copies of certificates, documents and records. Require person on premises to provide assistance.
Require person to give information about the name and address of the packer or importer of packages. Serve a notice requiring the provision of information about marks applied to packages
Section 53 and 42: - Purchase goods

Appendix 2 - Trading Standards Powers

part (b) continued

- Section 38(2): - Require a person to weigh, measure, count or do anything else necessary to goods, or permit the inspector to do so. Require a person to sell goods to the inspector
- Section 39(1): - Require a person to produce documents
- Section 39(2): - Endorse documents for accuracy
- Section 40(2): - Require goods to be unloaded from a vehicle. Require a vehicle to be taken to suitable weighing or measuring equipment. Require a person to have a vehicle checked weighed
- Section 63: - Give a person instructions in writing to keep goods at a specified place at the disposal of the inspector. Give a person such instructions in writing as he considers appropriate in relation to the packing of goods
- Other provisions:
- Section 83(3): - Authorisation to sign and serve notices of the date and nature of offences

FOOD SAFETY ACT

Under Section 5 of the Food Safety Act 1990 to enter premises and exercise the powers of an Authorised Officer specified in the Act as for the GENERAL AUTHORISATION at (b) of the minute, with the addition of the powers in Section 32(5) to inspect records, access computer information and require a person in charge of a computer to afford assistance.

ROAD TRAFFIC (OVERLOADING)

To exercise some or all of the powers of an authorised officer of a highway authority as set out below:

Road Traffic Act 1988:

- Section 70(2): - prohibit the driving of an overloaded vehicle on a road until weight reduced and notified can proceed
- Section 70(3): - direct person to remove prohibited vehicle to such a place and subject to such conditions as specified
- Section 78(1): - require person to proceed to a weighbridge and allow weighing of vehicle. Require person in charge of vehicle to do anything reasonably required in relation to the vehicle or its load for it to be weighed

Road Traffic (Foreign Vehicles) Act 1972:

- Section 1(3): - prohibit the driving of foreign goods or public service vehicle where overloaded or driver does not comply with requirements under Road Traffic Act 1988
- Section 1(4): - direct person to remove prohibited vehicle to such place and subject to such conditions as specified
- Section 2(2): - exempt specified uses of a foreign vehicle from a prohibition imposed by any authorised officer
- Section 2(3): - remove from a foreign vehicle a prohibition imposed by any authorised officer

Appendix 3 - Highway Management Powers

Minute 106 of the Transportation Committee on 24 April 1998 granted a number of powers by reference to a list of legislation and powers which was appended to that Minute, and which is repeated below, in an altered format.

Road Traffic Regulation Act 1984 - Power to issue and renew residents' and visitors' parking permits for schemes.

Power to renew "restricted access permits" for persons with a disability affecting mobility.

Road Traffic Regulation Act 1984 - Power to advertise and make Traffic Regulation Orders (permanent) in consultation with Chair, Vice Chair and Local Members. (Objections are to be considered by Committee).

Highways Act 1980 - Power to authorise serving of notices relating to lopping of vegetation, removal of barbed wire adjoining the highway, removal of obstructions from the highway.

Highways Act 1980 - Power to serve notices relating to prevention of soil etc. being washed into street, removal of projection from buildings, prevention of water falling or flowing on to a highway.

Road Traffic Regulation Act 1984 - Temporary road closures in Old Market Square for special events.

Highways Act 1980 - Section 184 - Power to serve notices relating to vehicle crossings over footways and verges.

Power to make observations and recommendations in reply to consultations by Planning Authorities on Planning Applications.

Town Police Clauses Act 1847 - Exercise of highway powers.

Refuse Disposal (Amenity) Act 1978 - Power to exercise Council's powers and duties.

Highways Act 1980 - Section 28 - Power to impose penalties.

NRSWA Act 1991 - Power to exercise highway functions.

Highways Act 1980 - Sections 66-71 - Powers relating to safety provisions.

NRSWA Act 1991 - Section 50 - Powers to licence the placing of apparatus in or under a highway.

Highways Act 1980 - Section 80-81 - Powers relating to boundary and fence posts.

Highways Act 1980 - Section 94 - Powers relating to Bridge Agreements.

Highways Act 1980 - Section 115 - Powers relating to Licences for Highway Amenities.

Highways Act 1980 - Section 131-133 - Powers relating to damage to highways.

Highways Act 1980 - Section 139 - Powers relating to depositing builders skips on the highway.

Highways Act 1980 - Section 140 - Powers relating to removal of builders skips.

Highways Act 1980 - Section 142 - Powers relating to licences to plant trees, shrubs etc. in the highway.

Highways Act 1980 - Section 143 - Powers relating to the removal of structures on highways.

Highways Act 1980 - Section 144 - Powers relating to consent to erection of flagpoles in highway.

Highways Act 1980 - Section 145 and 149 - Powers relating to notices about gates across highways.

Highways Act 1980 - Section 153 - Powers relating to consents for doors etc. to open outwards into street.

Highways Act 1980 - Section 154 - Powers relating to cutting and felling of trees.

Highways Act 1980 - Section 161 - Powers relating to penalties for danger or annoyance.

Highways Act 1980 - Section 162 - Powers relating to penalty for placing rope across highway.

Highways Act 1980 - Section 163 - Powers relating to prevention of water falling or flowing on to highway.

Highways Act 1980 - Section 164 - Powers relating to removal of barbed wire.

Highways Act 1980 - Section 165 - Powers relating to notices requiring repair and making safe dangerous land adjoining streets.

Highways Act 1980 - Section 166 - Powers relating to forecourts.

Highways Act 1980 - Section 167 - Powers relating to dangerous retaining walls.

Highways Act 1980 - Section 168 - Powers relating to building operations affecting public safety.

Highways Act 1980 - Section 169 - Powers relating to licences for erection of scaffolding on highway.

Highways Act 1980 - Section 170 - Powers relating to mixing of mortar on highway.

Highways Act 1980 - Section 171 - Powers relating to consents for temporary deposit of building materials etc. or temporary excavations in streets.

Highways Act 1980 - Section 171A - Powers relating to works under Section 169 or Section 171 and charges for occupation of highway.

Highways Act 1980 - Section 172 - Power to require hoardings to be set up during building works.

Highways Act 1980 - Section 174 - Powers relating to precautions to be taken whilst executing work in streets.

Highways Act 1980 - Section 174A - Powers relating to removal of hoardings.

Highways Act 1980 - Section 175 - Powers relating to materials left in highway.

Appendix 3 - Highway Management Powers

- Highways Act 1980 - Section 175A - Powers relating to the needs of disabled and blind people in executing works.
- Highways Act 1980 - Section 176 - Powers relating to the licensing of bridge construction over highway.
- Highways Act 1980 - Section 177 - Powers relating to licences to construct or alter buildings over highway.
- Highways Act 1980 - Section 178 - Powers relating to consents to place overhead rails, etc., over highway.
- Highways Act 1980 - Section 179 - Powers to consent to construction of cellars or other buildings under streets.
- Highways Act 1980 - Section 180 - Powers relating to consent to openings in footways.
- Highways Act 1980 - Section 184 - Powers relating to vehicle crossings over footways and verges.
- Highways Act 1980 - Section 185 - Powers relating to the installation of refuse or storage bins in streets.
- Highways Act 1980 - Section 286 - Powers of entry.
- Road Traffic Regulation Act 1984 - Section 14 - Powers to make temporary Traffic Regulation Orders and issue temporary notices.
- Public Health Act 1925 - Section 14 - Powers to consent to the placing of seats, etc., on streets.
- Local Government (Miscellaneous Provisions) Act 1953 - Section 4 - Powers to consent to the provision of bus shelters.
- Parish Councils Act 1957 - Section 5 - Powers to consent to placing seats, shelters etc. on highway.
- Local Government (Miscellaneous Provisions) Act 1982 - Schedule 4, Paragraph 3 - Powers to consent to the designation of a Licence Street.
- Highways Act 1980 - Power to authorise cattle grids in highway.
- Reservoirs Act 1975 - Power to enter on land to inspect and survey.
- Highways Act 1980 - Part XI - Serving of notices under the advance payments code.
- Highways Act 1980 - Section 38 - Powers relating to entering Agreements for the maintenance of private roads and the construction and adoption of new highways.
- Highways Act 1980 - Power to amend the three year private street works programme (in consultation with the Chair and Vice-Chair).
- Highways Act 1980 - Section 38 - Powers to complete the whole or any part of street works which have not been completed during the time stipulated in the Agreement and Bond.
- Highways Act 1980 - Section 212 - Power to make an order declaring that the expenses of private street works may be paid by instalments.
- Highways Act 1980 - Powers to authorise institution of proceedings for offences under that Act.
- Powers to make recommendations on any surplus land acquired by the Council, on the abandonment or variation of any highway scheme.
- Powers to make recommendations as to whether land acquired for an approved highway scheme is surplus to requirements.
- Town and Country Planning Act 1990 and Highways Act 1980 - Powers to give consent to the seeking of an Extinguishment Order.
- Town and Country Planning Act 1990 and Highways Act 1980 - Powers to recommend disposal of land, owned by the Council, which is the subject of an Extinguishment Order, to the adjoining owner.
- Town and Country Planning Act 1990 - Section 247-256 - and Highways Act 1980 - Section 116 - Powers to make orders.
- Highways Act 1980 - Powers to declare streets as highways maintainable at public expense, where street works have been excluded in private streets, and to publish notices in connection with adoption.
- Power to make changes to the approved scale of tipping charges for trade waste and "other waste".
- Power to make observations on proposals for the making or modification of Traffic Regulation Orders relating to trunk roads.
- Goods Vehicles (Licensing of Operators) Act 1995 - Power to authorise lodging of objections to applications for the grant, renewal or variation of Goods Vehicle Operator's Licences.
- Transport Act 1985 and Public Passenger Vehicles Act 1981 Section 7 (1) - and Section 7 (14) - Power to make applications to Traffic Commissioner to determine, vary or revoke Traffic Regulation Conditions.
- Transport Act 1985 and Public Passenger Vehicles Act 1981 Section 7 (9) - Power to make applications to Traffic Commissioner to hold an inquiry before determining traffic regulation conditions.
- Transport Act 1985 and Public Passenger Vehicles Act 1981 - Power to make applications to Secretary of State for leave to seek determination, variation or revocation of Traffic Regulation Conditions on a trunk road.
- Transport Act 1985 and Public Passenger Vehicles Act 1981 - Power to appeal against determination, variation or revocation of any Traffic Regulation Conditions or refusal of a Traffic Commissioner to agree such conditions.
- Public Passenger Vehicles Act 1981 - Section 14 - Objection to the grant of a PSV Operator's licence.
- Transport Act 1985 - Section 19 - Power to issue permits of Council-owned vehicles and other vehicles (excluding vehicles used for educational and social services purposes).

Appendix 3 - Highway Management Powers

Public Passenger Vehicles Act 1981 - Section 50 - Power to appeal to Transport Tribunal against grant of PSV Operator's licence.

Local Government Act 1972 and Town and Country Planning Act 1990 and Highways Act 1980 - Powers relating to agreements for granting planning permission and to appeal against planning permission being granted.

Town and Country Planning Act 1990 - Section 196A, 324 and 325 - Power to issue written authority to any person nominated by the Director to enter onto land for certain purposes.

Town and Country Planning Act 1990 - Section 330 - Powers to service notices requiring information to be given relating to matters specified in this section.

Town and Country Planning Act 1990 - Powers to recommend refusal of planning applications on highways grounds.

Appendix 4 - Social Services Powers

Minute 144 of the Social Services Committee on 6th May 1998 granted delegated powers by reference to a list of duties and responsibilities, shown below as Part A, and a list of some of the relevant legislation (provided by way of background information and example), shown below as part B.

Part A *Duties And Responsibilities In Relation To Children*

Without prejudice to the generality of the delegation the Director shall have the following duties and responsibilities in relation to children:

1. To safeguard and promote the welfare of children within the City who are "in need" and so far as is consistent with this duty, to promote the upbringing of such children by their families by providing a range and level of services appropriate to their needs.
2. To provide a range of family support services as appropriate to children in need and their families, including financial assistance where this will promote the child's welfare and enable their upbringing by their family.
3. To take steps to prevent children suffering ill treatment or neglect and bring children before the court who are suffering or likely to suffer significant harm, where this is due to the child being beyond parental control or inadequate care.
4. To act as custodian of the child protection register on behalf of the Area Child Protection Committee.
5. To identify the extent to which children are "in need", publish information about services provided under sections 17, 18, 20 and 24 of the Children Act 1989 and take practical steps to ensure such information reaches those who may benefit from it.
6. To maintain a register of disabled children.
7. To provide appropriate accommodation and maintenance for all children being looked after.
8. To recruit approve train and support foster parents for children looked after, to pay all appropriate expenses including pocket money, birthday and Christmas presents, clothing allowance, transport costs, holiday expenses, board and lodgings and any special payments considered necessary to promote and protect the welfare of individual children.
9. To agree financial assistance to enable visits to or by children who are being looked after, and ensure the promotion and maintenance of contact between such children and their families.
10. To appoint independent visitors for children being looked after as required, and where this is in their best interests and welfare.
11. To admit a child to secure accommodation for up to 72 hours and to make a application to court for a secure order for a child or a warrant authorising a constable to enter premises and search for a child missing from care or believed to be at risk.
12. To provide advice and assistance (including financial assistance) for children who qualify for such assistance to help them, after they have left care, to become independent and/or pursue a course of education or find employment.
13. To establish and maintain complaints and representation procedures for children, to identify and appoint independent persons as required, and to investigate and respond to complaints and representations.
14. To provide day care for children as appropriate.
15. To make arrangements for the provision of services by others and to promote and protect the welfare of children through voluntary organisations.
16. To grant or refuse permission for the marriage of any young person under the age of 18 where the Council has parental responsibility.
17. To register and inspect children's homes consistent with the Children Act 1989 and related guidance and regulations and to issue certificates.
18. To make applications for child assessment, emergency protection orders and recovery orders and to make or cause to be made such enquiries and actions considered necessary to decide what action should be taken to safeguard and promote a child's welfare.
19. To make ex gratia payments to foster carers in respect of claims and excess payments not exceeding £500.
20. To carry out the duties and responsibilities arising from adoption legislation and related guidance.
21. To carry out tasks specified by the Adoption Agency Regulations 1983 and the Amended Adoption Regulations 1997.
22. To review and approve as appropriate recommendations of the Adoption Panel.
23. To approve payments for assisted adoption and assisted residence orders.
24. To pay legal fees in adoption cases and residence order cases in accordance with agreed policy.
25. To consider and manage the recoupment of costs of providing services under the Children Act 1989 part III at a level agreed by Social Services Committee.

Without prejudice to the generality of this delegation the Director of Social Services shall have the following duties and responsibilities in relation to adults and the community:

NHS and Community Care Act 1990

Appendix 4 - Social Services Powers

Mental Health Act 1959 and 1983
 Health and Social Security Adjudications Act 1983
 Public Health (Control of Disease) Act 1984
 National Assistance Act 1948
 National Health Service Act 1977
 The Chronically Sick and Disabled Persons Act 1970
 Disabled Persons Act 1986
 Carers (Recognition and Services) Act 1995

1. To place mentally handicapped, mentally ill, physically handicapped, blind and partially sighted persons in residential accommodation of voluntary organisations or Local Authorities and to decide the financial contributions of such persons.
2. To place elderly persons in residential accommodation, either independent sector or Local Authority establishments and to assess means and review charges to be made.
3. To make appropriate arrangements for the provision of a range of services for elderly and disabled people through direct provision or by contracting for care with independent organisations and to assess contributions in accordance with agreed policies and reduce or waive charges in exceptional cases.
4. To authorise minor adaptations to properties up to a limit of £500.
5. To provide equipment for individuals under the Chronically Sick and Disabled Persons Act.
6. To waive or reduce the assessed charge for community care services in exceptional cases.
7. To make application to court or to a magistrate for an order for the removal of a person to hospital or other suitable accommodation in circumstances where such person is unable to take proper care of themselves.
8. To identify and train suitable people as independent persons and to serve on appeals panels and to submit an annual list to committee.
9. To incur expenditure on setting up expenses to enable people properly assessed to live independently in the community.
10. To authorise the making of liquor licence applications in respect of premises managed by the Social Services Department.
11. To maintain complaints and representation procedures and to investigate and respond to complaints and representations.
12. The power to take the responsibilities and duties under the Mental Health Act 1983 and those that remain in force under the Mental Health Act 1959, all parts, related schedules, statutory instruments, regulations and related guidance, including delegation to appropriate officers.
13. To receive and accept applications for guardianship orders.
14. To authorise approved social workers.
15. To make applications to the Court of Protection where a person is deemed incapable of managing their own affairs.
16. The power to register, not to register or to cancel registration, to refuse consent to a person disqualified, to impose remove or vary requirements or to refuse to vary or remove requirements, to inspect and to issue appropriate notices under the Registered Homes Act 1984, Registered Homes (Amendment) Act 1991 and the Children Act 1989, including any related schedules, statutory instruments, regulations and related guidance, and including delegation to appropriate officers.
17. Power to impose charges and requirements of registration and guiding standards additional to those mandatory and the level of inspection, registration and advice work.
18. The power to authorise officers to institute conduct and defend legal proceedings on behalf of the Council in relation to any of the functions assigned to the Social Services Committee by the First Schedule of the Local Authority Social Services Act 1970 under the Acts listed below:
 Adoption Act 1976
 NHS and Community Care Act 1990
 Health and Social Services and Social Security Adjudications Act 1983
 Chronically Sick and Disabled Persons Act 1970
 Children and Young Persons Act 1969
 Inherent jurisdiction of the High Court (in relation to wardship)
 Children Act 1989
 Registered Homes Act 1984
 National Assistance Act 1948
 The Disabled Persons Act 1986
 Mental Health Act 1959 and 1983
 Family Law Act 1996
19. Power to authorise appropriate officers to deal with applications for access to information under the Access to Personal Files Act 1985
20. Power to authorise officers travelling abroad on City Council business for up to 14 days following consultation with the Chair of Social Services Committee

Appendix 4 - Social Services Powers

21. Power to act in conjunction with the independent member on the recommendations of a Complaints Review Panel regarding the discharge of the Council's functions in relation to the Social Services Department
22. Authorisation to exercise any other functions of the City Council which are delegated to the Social Services Committee and not expressly covered by the above delegations, except those functions which have been specifically delegated to another Chief Officer, and to take such actions as he/she deems necessary to discharge these functions.
23. Authorisation to exercise all other general functions delegated to Chief Officers as agreed by the City Council, to abide by all standing orders and financial regulations as they apply to Chief Officers

Part B Key Legislation Relevant to the Council's Role as a Social Services Authority

The following is a list of some of the relevant sections of the current legislation applying to a Social Services Department. This list is provided by way of background information and examples of the delegated powers outlined in Part A.

Children Act 1989

This Act lays down the powers and duties of Local Authorities and specifically Social Services Departments to provide services for children where the Local Authority considers children to be in need (as defined by the Act) and their families.

The power to make appropriate arrangements within the Social Services Department for discharging the responsibilities arising from the Children Act 1989, other related legislation, all its parts, and related schedules, statutory instruments, regulations and related guidance, to effect the duties and powers of the local Social Services Authority, and further delegation to other officers as appropriate.

Section 8 Sch 1, Para 15	Power to make contributions towards the cost of the accommodation and maintenance of a child, where that child lives with a person as the result of a Residence Order
Section 16	Power to agree to make an Officer of the Authority available to "advise, assist and befriend a Child"
Section 20	Power to make decisions with regard to welfare needs for the accommodation of children and young persons
Section 23	Authority to provide accommodation and maintenance for any child looked after
Section 25	Power to apply to the Court for authority to keep a child in secure accommodation
Section 28	Power to consult with Local Education Authorities
Section 29	Power to recover the cost of providing services
Section 31	Power to make application for Care/Supervision Orders
Section 34	Power to restrict access and related court applications
Section 36(8)	Power to respond to consultations by the Local Education Authority prior to that Authority making an application for an Education Supervision Order
Section 39	Power to apply to the Court for discharge or variation of a care or supervision order
Section 43	Power to apply for a Child Assessment Order
Section 47	Power to carry out investigation/apply for Emergency Protection Orders
Part VI and VIII of the Children Act 1989	The power to register, regulate and inspect the provision of accommodation by voluntary organisations and registered children's homes for children looked after
Section 62(6) & 64(4)	Power to authorise officers to enter and inspect premises
Section 63(11) & Sch 6	Power to register children's home
Para 1(4)	Power to grant application for registration of a children's home if satisfied that prescribed and other appropriate requirements are complied with or will be complied with
Para 1(7)	Power to notify applicant and specify date of registration
Para 1(8)	Power to refuse application
Para 2	Power to impose such conditions as the Local Authority thinks fit, vary such or impose additional conditions
Para 3(2)	Power to undertake annual reviews
Para 3(3) & (4)	Power to determine that registration should continue and give notice thereof
Para 4(3) & (4)	Power to determine that registration of a home be cancelled
Para 5(1)	Power to give written notice of proposal to grant application
Para 5(3)	Power to give notice of proposal to refuse application
Para 5(4)	Power to give notice of proposal to cancel, vary or impose additional conditions
Para 6(2)	Power to determine the matter if representations made in writing, and, subject to the applicant's agreement, if representations are made orally
Para 7	Power to service notice of decision

Appendix 4 - Social Services Powers

Foster Placement (Children) Regulations 1991	The power to approve, manage and regulate the provision of foster care services
Section 63(12) Sch 7, Para 4	Power to grant exemption from the usual fostering limit in appropriate circumstances and inform accordingly
Section 67(3)	Power to authorise Officers to visit private foster homes
Section 65	Power to consent to disqualified foster parents being concerned in the management of registered children's homes
Section 68	Power to give consent for private fostering to disqualified foster parent
Section 69	Power to regulate and prohibit private fostering
Section 86	Power to safeguard the Welfare of children in residential care nursing or mental nursing homes
Sch 2	
Para 2	Duty to maintain Register of disabled children
Para 3	Power to assess children's needs
Para 4	Power to inform other Authorities that a child is likely to suffer harm
Para 17	Power to appoint visitor
Para 18	Power to guarantee Apprenticeships
Para 19	Power to arrange for children to live abroad
Para 20	Duty to report the death of children in care
Para 21-24	Power to consider levying collecting and enforcing maintenance contribution
Sch 3	
Para 9	Power to agree to Supervision Order
Para 11	Power to exercise supervision function under regulations and defray costs

Adoption Act 1976

Under the Adoption Act 1976 and the Children Act 1989 Local Authorities have a duty to establish and maintain within their area a service designed to meet the needs, in relation to adoption, of children who have been or may be adopted, the parents and guardians of such children, and persons who have adopted or may adopt a child

Section 9	Duty to administer Adoption Panel
Section 18	Power to apply for order freeing for adoption
Section 20	Duty not to place child for adoption without leave of Court while parent's application for resumption of parental rights is pending
Section 22	Duty to investigate notice of intention to adopt, and inform court
Section 23	Duty to make reports to Court on the placing of a child for adoption

Part III Care & Protection of Children Awaiting Adoption

Section 28	Power to leave child at the home of prospective adopter who has provided home for 5 years
Section 30	Power to give notice to prospective adopter to return child placed for adoption (with leave of court) once application to adopt is made
Section 33	Power to secure well-being of protected children
Section 57	Power to pay legal or medical expenses

Community Care

Community care services are defined in the NHS and Community Care Act 1990 by reference to four pieces of previous existing legislation. These are:

- The National Assistance Act 1948
- Health Services and Public Health Act 1968
- NHS Act 1977
- Mental Health Act 1983

In addition a number of other pieces of legislation, such as the Chronically Sick and Disabled Persons Act 1970, define community care services that Local Authorities may provide.

National Health Service and Community Care Act 1990

Local Authorities are required to have in place a process for assessing those for whom they have a duty or a power to provide community care services, and to decide in the light of the assessment whether they should arrange for the provision of such services

The power to take the responsibilities for the welfare of individuals under the National Health Service and Community Care Act 1990, all parts thereof and related schedules statutory instruments, regulations and related guidance, to effect the duties of powers of the Social Services Authority, including delegation to appropriate officers.

To assess the needs of individuals deemed to be in need of welfare services

Appendix 4 - Social Services Powers

	<p>To enable people to live in their own homes wherever feasible and reasonable</p> <p>To promote a mixed economy of care alongside good quality public services</p> <p>To provide practical support for carers</p> <p>To make arrangements to contract with service providers in the independent sector for the provision of services on behalf of the department</p> <p>To establish an arms length Registration and Inspection Unit</p>
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National Assistance Act 1948

Local authorities may make arrangements for providing residential accommodation for persons aged 18 and over who by reason of age, illness, disability or other circumstances are in need of care and attention which is otherwise not available to them.

Section 21	Power to provide accommodation for persons suffering from mental disorder
Section 22	Power to make charges for such accommodation in accordance with persons income
Section 23	Power to make rules in respect of the management of premises in which accommodation is provided
Section 24	Power to provide residential accommodation for any person subject to provisions under this Act
Section 26 (as amended)	Power to provide accommodation in premises maintained by voluntary organisations
Section 29	Power to make welfare arrangements for blind, deaf, dumb and crippled persons etc.
Section 30	Power to contract with voluntary organisations for disabled persons' welfare
Section 32	Power to make financial adjustments between Authority providing accommodation etc. and Local Authority area of residence
Section 43	Power to recover cost of assistance from persons liable for maintenance
Section 45	Power to recover expenditure in cases of misrepresentation or non-disclosure
Section 48	Power to provide temporary protection for property of persons admitted to hospital etc.
Section 56	Power to recover sums due summarily as a civil debt

Mental Health Act 1983 and Mental Health Act 1959

Places a duty on the Social Services Authority and Health Authority to provide, in co-operation, with voluntary agencies, after-care services for any eligible person, appoint sufficient numbers of approved social workers and arrange visits to certain patients in hospital or residential settings.

Section 8	Power to confer parental powers on person named as guardian of the patient
Section 10	Power to act as guardian of a patient in case of death, incapacity etc. of guardian (other than a Local Authority)
Section 20	Power to examine patients subject to guardianship under this Act to ascertain whether he should remain under guardianship
Section 27	Powers to nearest relative in respect of children and young persons in care of Local Authority
Section 40	Power to take patient to hospital or elsewhere on court making hospital order or guardianship order
Section 114	Power to appoint approved social workers

The Chronically Sick & Disabled Persons Act 1970

Local Authorities have a duty to provide services to people to whom section 29 of the National Assistance Act applies and who are ordinarily resident in their area: providing a range of home welfare services for the safety, comfort and convenience of people's needs.

Section 1	Duty to provide information as to existence of welfare services
Section 18	Duty to provide to Secretary of State information as to accommodation of younger with older persons under Part III National Assistance Act 1948
Section 2	Powers to provide practical assistance in the home of a person. such as telephone, meals, adaptations and the provision of holidays and recreational facilities

Health Services and Public Health Act 1968

Confers a discretionary power on Local Authorities to make arrangements for the promoting of the welfare of older people.

Section 45	<p>To provide meals and recreation in the home and elsewhere</p> <p>To provide visiting and advisory services and social work support</p>
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Appendix 4 - Social Services Powers

National Health Service Act 1977

Provides for Local Authorities to arrange, on such a scale as is adequate for the needs of their area, of home help and laundry facilities for households where a person is ill or otherwise unable to care for themselves and to make arrangements for the provision of centres or other facilities to prevent illness and care for people who are ill or have been ill.

Section 21 & Schedule 3 Schedule 8 Schedule 8	Power to place persons in residential accommodation Duty to provide services for people suffering from mental disorder Power to make arrangements for payments for people engaged in suitable work at centres or other facilities
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Health & Social Services and Social Security Adjudications Act 1983

Section 17 Section 22 Section 46	Power to abate minimum charge for Home Help Services Power to charge for services and to create charge over land Power to make provision for the burial or cremation of the dead
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Registered Homes Act 1984

Confers a duty to register and inspect residential homes and since 1991 to have in place arms-length inspection units with a statutory duty to inspect services within the independent sector and to inspect Local Authority residential homes.

Section 5	Duty to register applications for registration of Residential Care Homes
Section 5	Power to impose conditions
Section 5	Power to vary conditions or impose additional conditions
Section 9	Power to refuse registration
Section 10	Power to cancel registration
Section 11	Power to apply to justice of the peace for an order cancelling varying or imposing an additional condition in urgent cases
Section 12	Power to give notification of proposal to refuse, grant, cancel or vary a registration
Section 16; The Residential Care Homes Regulations 1984. Regulation 20	Power to serve a notice on the person registered for failure to comply with the regulations
Section 17	Power to inspect premises

Disabled Persons Act 1986

Places a duty on the Social Services Department to assess the needs of people for services, having regard to the needs of their carers and in co-operation with education departments for those disabled people leaving school.

Section 1(3)	Power to appoint authorised representative for disabled person in accordance, with Regulations
Section 2(4)	Power to exclude authorised representative of disabled person from meeting about that person
Section 3	Power to assess needs of a disabled person
Section 4	Power to decide on needs of a disabled person
Section 5(a)	Power to appoint appropriate officer
Section 7(4)	Power to make arrangements for assessment of needs of disabled persons
Section 8	Power to make decision on ability of carer

Carers (Recognition and Services) Act 1995

Confers a duty to offer an assessment of individual carer's needs and consider the provision of services to meet the needs of carers.

Access to Personal Files Act 1987

Section 1 & 3	Power to give access to relevant information subject to the provisions of the regulations
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