



HILLINGDON
LONDON

Officer Scheme of Delegations

(Part 3 of the Constitution)

- Preamble
- Chief Executive
- Deputy Chief Executive and Corporate Director of Central Services
- Deputy Chief Executive and Corporate Director of Planning, Environment, Education and Community Services
- Corporate Director of Adult Social Care, Health & Housing
- General Delegation to the Chief Executive, & all Corporate Directors Deputy Chief Executives and the Corporate Director of Social Care, Health and Housing
- ~~Corporate Director of Education & Children's Services~~
- Deputy Director of Finance
- ~~Corporate Director of Finance & Business Services~~
- Borough Solicitor
- Head of Democratic Services
- ~~Deputy Director, Adult Social Care, Health & Housing~~
- Proper Officers

PART 3 – SCHEME OF DELEGATION TO OFFICERS

FUNCTIONS DELEGATED TO OFFICERS

Preamble

The full Council or the Cabinet have delegated the following functions to officers of the Council.

All delegated powers are exercised in accordance with Council policies, within any financial limits imposed and within any guidelines prescribed by the Cabinet or appropriate Committee.

Any action under these delegations shall strictly be in accordance with:

- (a) policies approved by the Council, the Leader, Cabinet, a Cabinet Member or a Council committee
- (b) the approved budget and approved management and business plans
- (c) the Council's Financial Regulations, Standing orders and Contract Rules.

When exercising delegated powers on key matters, officers should maintain a close liaison with the relevant Cabinet Member and refer any proposed action to the Leader, Cabinet Member, or the Cabinet if so required by the Leader or the relevant Cabinet Member.

Delegations to the Chief Executive

The Chief Executive is the officer responsible and accountable for:

- Working closely with the Leader of the Council and Cabinet to agree strategy and targets for the council
- Providing leadership and direction in the achievement of the Council's strategic objectives
- Managing highest level external relationships
- Supporting other Directors to address specific priority issues

Specific delegations are:

1. To be the council's Head of Paid Service for the purposes of the Local Government and Housing Act 1989.
2. To authorise generally or on any particular occasion an officer to exercise the delegated powers of any other officer.
3. To give directions that a delegated power shall or shall not be exercised in a particular way and on the application of delegated powers in general, except any power vested in the Corporate Directors of Adult Social Care, Health &

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Housing and Education & Children's Services the Deputy Director of Education.

4. To agree the terms and conditions of employment of all staff (other than the Chief Executive, and ~~Corporate Directors~~ the Deputy Chief Executives and the Corporate Director of Social Care, Health and Housing) and the creation, deletion or amendment of all the Council's personnel policies and procedures except that any proposals for enhanced retirement packages shall be referred to the Pensions Committee for decision.
5. To suspend the statutory s151 Officer and Monitoring Officer pending an immediate summoning of the Investigations and Disciplinary Committee.

Delegations to the Deputy Chief Executive and Corporate Director of Central Services

The Deputy Chief Executive and Corporate Director of Central Services is the officer responsible and accountable for:

- Finance
- Procurement
- Audit & Enforcement
- Democratic Services
- Communications
- Policy & Performance
- Human Resources
- Legal Services

The Deputy Chief Executive, in conjunction with the Leader, will oversee the Hillingdon Improvement Programme and authorise expenditure on it.

The Deputy Chief Executive is the second most senior officer within the Council's Management hierarchy and has the delegated authority to deputise for the Council's Chief Executive.

The Deputy Chief Executive has, in accordance with Section 101 of the Local Government Act 1972, sub-delegated the day to day responsibility for managing the services set out above to her Heads of Service who report directly to her.

The delegations to the Deputy Director of Finance, the Borough Solicitor and the Head of Democratic Services are detailed in this Part of the Constitution. They are also set out in the Deputy Chief Executive's Internal Scheme of Delegations where the sub-delegations to her other Heads of Service can also be found.

Delegations to the Deputy Chief Executive and the Corporate Director of Planning, Environment, Education & Community Services

The Deputy Chief Executive and the Corporate Director of Planning, Environment, Education & Community Services is the officer responsible and accountable for:

- Transportation and Planning Policy
- ~~Planning & Transportation~~
- Community Public Safety
- Adult Education
- Libraries
- Culture, Sport, Leisure
- Corporate Landlord
- ~~Corporate Property~~
- Environment
- Highways & Green Spaces
- Consumer Protection
- ~~Departmental~~ ICT and Business Services
- Education
- Youth Services
- Planning
- Trading Standards
- Environmental Protection

The Deputy Chief Executive will specifically assist the Leader and the Chief Executive in relation to resident facing corporate working across the Council.

The Deputy Chief Executive, in conjunction with the Leader, will oversee the Business Improvement Delivery Programme and authorise expenditure on it.

The Deputy Chief Executive is the third most senior officer within the Council's Management hierarchy and has the delegated authority to deputise for the Council's Chief Executive in his absence and the absence of the Deputy Chief Executive and Corporate Director of Central Services.

The Deputy Chief Executive has, in accordance with Section 101 of the Local Government Act 1972, sub-delegated the day to day responsibility for managing the services set out above to her Heads of Service who report directly to her. The sub-delegations are set out in full in the Deputy Chief Executive's Internal Scheme of Delegations.

~~The Corporate Director and the department's Deputy Directors and Heads of Service are empowered to carry out and to appoint authorised officers to carry out relevant statutory functions falling within the responsibility of the department and to sign any documents associated with the exercise of those functions.~~

Planning Matters

~~Delegated to the Head of Planning, Trading Standards and Environmental Protection in accordance with S101 of the Local Government Act 1972~~

- ~~1. Determination of applications as to whether planning permission is required.~~
- ~~2. Determination of applications for Certificates of Lawfulness for existing use or Development.~~

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- ~~3. Determination of applications for single dwellings and housing developments of less than 10 dwellings or where the site area is less than 0.5 hectares and the number of dwellings is not specified.~~
- ~~4. Determination of applications for changes of use of retail units, apart from those involving a loss of A1 uses.~~
- ~~5. Determination of applications for changes of use of industrial units apart from changes to retail uses.~~
- ~~6. Determination of Householder applications in the Green Belt.~~
- ~~7. Approval of any application or consent not included in the attached schedule and which does not conflict with any planning policies, which is acceptable on planning grounds, where no valid planning objection has been received in the form of a petition of 20 or more signatures or 20 or more separate written responses, or where a Ward Councillor has not requested it to be reported to Committee for decision.~~
- ~~8. Refusal of any application or consent which conflicts with any planning policies, which is not acceptable on planning grounds and where no valid planning objection has been received in the form of a petition of 20 or more signatures or 20 or more separate written responses, or where a Ward Councillor has not requested it to be reported to Committee for decision.~~
- ~~9. Approval of details required by conditions imposed on the granting of planning permission and where there are no objections.~~
- ~~10. Determination of applications under the Copswood Covenant.~~
- ~~11. Determination of applications for Certificates of Appropriate Alternative Development.~~
- ~~12. Determination of any application under the appropriate Town and Country Planning General Regulations for Council development which satisfy any of the above delegated powers.~~
- ~~13. Approval of responses to proposals which would have fallen within delegation arrangements if a planning application had been required, i.e. applications under Circular 18/84, consultations on applications submitted to neighbouring planning authorities and applications for determination as to whether prior approval is required under the General Development Order.~~
- ~~14. Approval of ancillary planning agreements and determination of related planning applications, subject to the approval of the relevant Planning Committee of the main heads of terms.~~
- ~~15. Authorisation of planning and highways agreements where it is considered appropriate to secure a particular objective, and which would not conflict with any of the Council's planning policies.~~

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- ~~16. The entering of land within the Borough for any purpose or purposes required in connection with the exercise of any statutory planning function.~~
- ~~17. The issue of Planning Contravention Notices.~~
- ~~18. The issue of Temporary Stop Notices~~
- ~~19. Authorisation and issue of Enforcement Notices in connection with Tree Preservation Orders.~~
- ~~20. All Statutory powers other than those delegated to the Planning Committees in relation to Tree Preservation Orders made under the Town and Country Planning Act and in relation to trees in Conservation Areas.~~
- ~~21. Determination of applications for work to trees covered by a Preservation Order in accordance with the above delegated powers.~~
- ~~22. Action requiring the removal or obliteration of unauthorised advertisements.~~
- ~~23. Serving of building preservation notices.~~
- ~~24. Responses to consultations on plans and policies of local authorities and other bodies which do not conflict with existing council policies. (See separate schedule of major/contentious applications which will be reported to Committees).~~
- ~~25. To authorise the making, issue and service of any notices, orders and other documents under the town and country planning and listed buildings legislation.~~
- ~~26. To authorise the institution of any legal proceedings in respect of any notices orders and other documents made, issued and served under the town and country planning and listed buildings legislation.~~
- ~~27. To authorise the institution of legal proceedings to seek injunctive relief under the town and country planning and listed buildings legislation.~~
- ~~28. To determine minor applications for development affecting listed buildings and their settings, as defined by BVPI 109 (b) and (c), and where there is a connected planning application that is capable of being determined by officers under delegated authority.~~
- ~~29. To determine telecommunication mast applications where the statutory time constraints do not allow for determination by the relevant Planning Committee, in consultation with the relevant Chairman of the Planning Committee and Party Lead.~~
- ~~30. To determine non-material amendments to planning applications.~~
- ~~31. That where a planning application has been refused and is appealed and upheld, to have the delegated authority to agree the heads of terms of any associated S106 agreement/ Unilateral undertaking. This is provided the S106~~

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~~agreement/unilateral undertaking covers all the planning obligations identified in the decision notice for the refused application~~

SCHEDULE OF MATTERS WHICH WILL BE REPORTED TO COMMITTEE FOR DETERMINATION

- ~~a. All applications for which petitions of 20 or more signatures or 20 or more separate written responses have been received.~~
- ~~b. Authorisation and issue of Enforcement Notices and Breach of Condition Notices under the Town and Country Planning Act & Planning and Compensation Act.~~
- ~~c. Any application where the Ward Councillor requests, in writing to the Head of Planning & Enforcement, within 21 days of the publication of the relevant weekly list of applications received by the council, that it be determined by a Committee. In exceptional circumstances, as determined by the Head of Planning & Enforcement, the 21 day rule may be waived.~~
- ~~d. All telecommunication mast applications where the statutory time constraints allow for determination.~~
- ~~e. Personal planning applications from Councillors and Chief Officers and officers directly involved in the processing of planning applications be referred to Committee (excludes certificates of existing and proposed lawful use).~~

ADDITIONALLY, APPLICATIONS IN THE FOLLOWING CATEGORIES SHALL BE REPORTED TO COMMITTEE FOR DETERMINATION BUT ONLY WHERE THE OFFICER RECOMMENDATION IS FOR APPROVAL:-

- ~~a) Dwellings — 10 or more dwellings or site of 0.5 hectares or more.~~
- ~~b) Offices/research and development/light industry — 1000 square metres of floorspace or more.~~
- ~~c) Heavy industry/storage/warehousing — 1000 square metres of floorspace or more or site area of over 1 hectare.~~
- ~~d) Retail distribution and servicing — 1000 square metres of floorspace or more or site area of 1 hectare or more.~~
- ~~e) All other major development — 1000 square metres of floorspace or more or site area of 1 hectare or more.~~
- ~~f) Sites where enforcement action agreed by Committee has been taken.~~
- ~~g) Major aviation development leading to a major quantifiable increase in capacity.~~
- ~~h) All departures from the development plan.~~

- ~~i) Applications on Green Belt land, apart from Householder applications.~~
- ~~j) Development affecting listed buildings and their settings, other than minor applications as defined by BVPI 109 (b) and (c) where there is a connected planning application that is capable of being determined by officers under delegated authority.~~
- ~~k) Advertisement poster panels of 16 sheet size and above.~~

SCHEDULE OF MATTERS WHICH WILL NOT BE REPORTED TO COMMITTEE FOR DETERMINATION

- ~~a) Existing and proposed certificates of lawful use and reporting to Committee on such decisions for information on a regular basis~~

Transportation matters

- ~~32. Response to consultations from transport operators on minor changes to timetables, routing and charges.~~

Community Services

- ~~33. To ensure the adequacy and efficiency of Adult Education, Community Services and Libraries, Arts and Cultural Services.~~

Corporate Landlord

- ~~34. To manage a projects team that will include asset review, options appraisal and feasibility, refurbishment and supporting the client management of all major property projects within the Council.~~
- ~~35. To be responsible for managing and overseeing a Technical and Compliance Team which will be responsible for the maintenance of all Council property assets and also for all technical areas where the Council has a legal duty to comply with designated standards.~~
- ~~36. To be responsible for Corporate Construction which not only includes all major construction projects but also all corporate building projects.~~
- ~~37. To be responsible for Facilities Management Services and Contract Management.~~
- ~~38. To provide back office services in relation to:
 - ~~• Commercial and voluntary sector lease negotiation and management~~
 - ~~• Valuation of properties~~
 - ~~• Sales and acquisition of properties~~
 - ~~• Property information management, reporting and benchmarking~~
 - ~~• Strategy and asset management planning.~~~~

Corporate Property

~~These delegations to be exercised in consultation with the relevant Corporate Director where deemed necessary by the Corporate Director of Planning, Environment and Community Services.~~

- ~~39. Approval of terms in respect of any transaction for which Cabinet authority has already been given for the acquisition or disposal of land and property or any legal interest in land and property.~~
- ~~40. To grant leases and licences for a term not exceeding seven years at an annual rental of not more than £10,000 (and, where a premium is paid, at a premium of less than £10,000).~~
- ~~41. To acquire or dispose of any other interests in land and licences and licences provided the value of any such interest or licence does not exceed £10,000.~~
- ~~42. To grant easements and wayleaves over or under council land to 3rd parties where the proper consideration payable is under £10,000.~~
- ~~43. To implement Rent Reviews following a decision by the Leader and Cabinet Member for Finance and Business Services.~~
- ~~44. To take legal or equitable charges over any property or any other assets.~~
- ~~45. To establish and maintain mechanisms for the review of land and property holdings.~~
- ~~46. Approval of sub-lettings, assignments, charges, surrenders and alterations under leases to or by the Council.~~
- ~~47. Approval of compensation, home loss, well maintained payments and removal expenses and other appropriate allowances arising from the acquisition, disposal, management or alteration of land and property.~~
- ~~48. Approval to terms for the settlement of end of tenancy matters including approval to the service of notices and authorisation of compensation payments.~~
- ~~49. Approval of steps necessary to collect rent and other income due to the Council.~~
- ~~50. Approval of steps to protect and enhance land and property managed by the Council including steps against vandalism and squatting.~~
- ~~51. Approval of all action necessary to protect and enhance the Council's commercial portfolio of leases, licences and wayleaves to all external bodies including the undertaking of rent reviews and lease renewals and appointment of arbitrators the selection of tenants and approval of terms for rent reviews and lease renewals.~~
- ~~52. Approval of terms for appropriation.~~

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- ~~53. The approval of the making of advance payments under Section 52 of the Land Compensation Act 1973 and the making of compensation payments due following the refusal of planning permission or revocation of planning permission.~~
- ~~54. Approval of terms and compensation due to the Council arising from the disposal of any interest in land to another authority having compulsory purchase powers.~~
- ~~55. Approval to the modification of restrictive covenants or other agreements relating to property.~~
- ~~56. Allocation of office space to Departments and management of office facilities.~~
- ~~57. Administration of lettings including decisions on applications and the granting of concessionary charges.~~

Highways matters

- ~~58. Determination of applications for street trader's licences and temporary markets and enforcement action as necessary. (Note: power to the Licensing Committee in respect of applications also)~~
- ~~59. The service of notices and/or counter notices on public utility undertakers in relation to the breaking up of streets.~~
- ~~65. Administration of the New Roads and Street Works Act 1991, Part III (Street Works) on behalf of the Council as the Street Authority. (Control co-ordination of street works and enforcement).~~
- ~~66. To approve applications under Section 38, Highways Act 1980 – Construction of New Streets.~~
- ~~67. To authorise the adoption of streets and drains constructed under agreements with the Council.~~
- ~~68. To authorise emergency repairs to private streets in accordance with Section 230(3) of the Highways Act 1980.~~
- ~~69. The adoption of footpaths and streets as highways maintainable at public expense.~~
- ~~70. The authority to make final apportionments for any private street work undertaken by the Council, as Highway Authority, in accordance with Section 211 of the Highways Act 1980.~~
- ~~71. The authority to issue all notices, consents, approvals, orders, demands, licences, estimates and other documents authorised or required by or under Section 321 of the Highways Act 1980.~~
- ~~72. Determination of applications for any purpose allowed by legislation (Highway Management).~~

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- ~~73. Control of street lighting, direction signs, highway seats and other street furniture.~~
- ~~74. Preparation and maintenance of the definitive Rights Of Way map.~~
- ~~75. Authorisation and issue of street litter control notices.~~
- ~~76. All matters concerning street trading licences to enable the granting, renewing or revoking of a Street Trading Licence or to make regulations for prescribing new Standard Conditions.~~
- ~~77. Authorisation, subject to legal advice, of legal proceedings under street trading legislation.~~
- ~~78. Supervision of reservoirs in accordance with the Reservoirs Act 1975 and the appointment of an Inspecting Engineer; Construction Engineer; and Supervising Engineer as and when required by the Act.~~
- ~~79. Determination of authorisation of parking bays on the highway for disabled people.~~
- ~~80. Removal of abandoned vehicles.~~
- ~~81. Removal or prevention of obstructions of the highway.~~
- ~~82. Authority to close public rights of way and public footpaths on land owned by the Department for a temporary period.~~

Traffic Matters

- ~~83. To determine AA/RAC temporary direction signs applications.~~
- ~~84. Authorisation of making of Traffic Regulation Orders.~~
- ~~85. The authorisation of the making of temporary Traffic Regulation Orders (TROs).~~
- ~~86. Officer named for the purposes of obtaining confidential information in pursuance of parking offences.~~
- ~~87. Making of Orders under the Town and Country Act to permit vehicles to use highways in cases where they would not otherwise be permitted.~~
- ~~88. To permit vehicles to use highways in cases where they would not otherwise be so permitted. (In accordance with the provisions of Orders made under the Town and Country Planning Act).~~
- ~~89. Officer who shall waive, in exceptional circumstances, fees, charges and notice in car parks and in respect of on-street, footway and verge parking.~~

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- ~~90. Approval of waiting and loading restrictions, where no objections have been received.~~
- ~~91. Approval of pedestrian crossing facilities.~~
- ~~92. Approval of details for traffic management schemes where the principle has already been agreed by the Council.~~

Environmental Health Matters

- ~~93. Enforcement of public health, environmental health and environmental protection legislation for the Authority including statutory nuisance.~~
- ~~94. Noise abatement measures under appropriate legislation and operation of any Heathrow Airport noise insulation schemes.~~
- ~~95. Enforcement of the legislation for clean air and integrated air pollution.~~
- ~~96. Operation of the grant scheme for the adaptation or replacement of fireplaces for clean air purposes.~~
- ~~97. Monitoring of water supply and quality, initiation of remedial action where required for separate water supplies to dwellings.~~
- ~~98. Enforcement of public health, drainage and sanitation provisions for premises and clearance of watercourses, ditches and ponds.~~
- ~~99. Operation of the Pest Control and Animal Welfare Service.~~
- ~~100. Regulation of poisons.~~
- ~~101. Regulation of explosives and other dangerous substances other than poisons).~~
- ~~102. Operation of health education and health promotion services.~~
- ~~103. Prevention, monitoring and control of the spread of infectious diseases.~~
- ~~104. Enforcement of legislation on food, food safety, food hygiene and control, including the importation of food.~~
- ~~105. Registration and determination of licence applications in respect of persons, premises and processes or in respect of particular foods or drink.~~
- ~~106. Authorisation of applications for emergency closing orders for food premises, stalls or vehicles and subsequent enforcement action.~~
- ~~107. Operation of the refuse collection service.~~
- ~~108. Management of recycling and civic amenity facilities.~~
- ~~109. Operation of public conveniences.~~

Health, Safety and Emergency Planning Matters

- ~~110. Enforcement of all statutory health and safety provisions.~~
- ~~111. Approval of working arrangements with the Health and Safety Executive and transfer of responsibility for premises.~~
- ~~112. Approval of emergency expenditure and payments to individuals in accordance with approved policies.~~

Matters Relating To Animals

- ~~113. (a) Inspections, licensing and enforcement of animal health and welfare provisions including markets, fairs, circuses, zoos, pet shops, slaughterhouses, dangerous wild animals, transit or animals and establishments for riding, breeding and boarding of animals (except in relation to dogs). (b) Inspections, licensing and enforcement of animal health and welfare provisions including breeding and boarding in relation to dogs.~~
- ~~114. Operation and enforcement of statutory provisions concerning stray dogs, guard dogs and rabies.~~

Trading Standards, Weights And Measures And Consumer Protection Matters

- ~~115. Exercise of weights and measures functions including the authorisation of notices and subsequent enforcement action.~~
- ~~116. Exercise of trading standards, consumer safety and consumer protection functions and the authorisation of notices.~~
- ~~117. Enforcement of policies covering shop opening hours and determination of applications for the suspension of general opening hours.~~
- ~~118. Determination of applications for night cafes. (See also delegations to Appeals Panel).~~
- ~~119. Operation of consumer advice and education services.~~

Recreation and Other Property Matters

- ~~120. Management and implementation of current policies in relation to the letting of land and buildings held by the Department or managed by it on behalf of other Departments, together with the signing and issue of related notices.~~
- ~~121. Authority to serve notices on travellers in respect of their occupation of Council owned land.~~

Licensing Matters

- ~~122. Exercise of miscellaneous licensing/registration functions including determination of applications for licences or registration for nursing agencies,~~

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~~accommodation agencies, scrap metal dealers, game dealers, establishments, acupuncturists, tattooing, ear piercing, electrolysis or similar premises and enforcement action as necessary.~~

- ~~123. Exercise of miscellaneous licensing/registration functions including determination of applications for licences or registration for sale of goods by competitive bidding.~~
- ~~124. Determination of applications for entertainment licences, for the registration of door supervisors and for the approval of premises for the purpose of civil marriage ceremonies and approval of changes to the technical regulations, rules, standards, guidelines or criteria governing public functions. (See also delegations to Licensing and Appeals Committee).~~
- ~~125. The granting of waiver requests in respect of entertainment licensing fees which have been made in accordance with the provisions of the relevant legislation.~~
- ~~126. The granting of written requests to waive or reduce the fees relating to entertainment licensing in respect of churches, community associations and other non-profit making groups in accordance with the guidance previously agreed by the Council.~~
- ~~127. The approval of refunds of entertainment licensing fees which are in accordance with the Council's agreed procedures and rules governing such refunds.~~
- ~~128. Determination of applications for permits under betting and lotteries legislation.~~
- ~~129. Authorisation of Council objections to the granting of a track betting licence.~~
- ~~130. Designation of individual technical officers to undertake environmental and consumer protection powers.~~
- ~~131. All matters relating to the safety of sports grounds including inspections, enforcement and the issuing of any required safety certificate or licence.~~
- ~~132. The issuing of consents or approvals in respect of applications made under the ALG/Metropolitan Police Code of Practice for unregulated events.~~
- ~~133. To undertake functions under the Licensing Act 2003 as follows:
 - ~~i. To determine applications for personal licences where no objection made.~~
 - ~~ii. To determine application for premises licence/club premises certificate where no representation made.~~
 - ~~iii. To determine application for provisional statement where no representation is made.~~
 - ~~iv. To determine applications to vary premises licence/club premises certificate where no representation made.~~~~

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- ~~v. To determine applications to vary designated premises supervisor in cases where there is no Police objection.~~
- ~~vi. To determine requests to be removed as designated premises supervisor.~~
- ~~vii. To determine applications for transfer of premises licence where no Police objection received.~~
- ~~viii. To determine application for interim authorities where there is no Police objection.~~
- ~~ix. To determine whether a complaint is irrelevant, frivolous or vexatious.~~

~~136. To undertake functions under the Gambling Act 2005 as follows :~~

- ~~i. To determine applications for Premises Licences where no representations made/representations have been withdrawn~~
- ~~ii. To determine applications to vary Premises Licence where no representations made/representations have been withdrawn~~
- ~~iii. To determine applications for transfer of Premises Licence where no representations received from the Gambling Commission~~
- ~~iv. To determine applications for a Provisional Statement where no representations made/representations have been withdrawn~~
- ~~v. To determine applications for Club Gaming and/or Club Machine Permits where no representations made/representations have been withdrawn~~
- ~~vi. To determine applications for other permits except as below:~~
- ~~vii. To determine applications for Gaming Machine Permits in Alcohol-licensed Premises for up to 2 machines where no representations received/representations withdrawn~~
- ~~viii. Cancellation of licensed premises gaming permits~~
- ~~ix. Consideration of Temporary Use Notices~~
- ~~x. To raise representations as Responsible Authority on behalf of the Licensing Authority~~

Delegations to the Corporate Director of Adult Social Care, Health & Housing

The Corporate Director of Adult Social Care, Health & Housing is the officer responsible and accountable for:

- Adult Services
- ~~Older People's Services~~
- ~~Healthy Hillingdon Health~~
- ~~Departmental Performance, Resources & Commissioning~~
- Housing [which includes maintenance, management and housing needs]
- Access and Assessment
- Personalised Services
- Commissioning and Improvement [social care and housing]
- Children and Families

~~The term "Corporate Director of Adult Social Care, Health & Housing" relates to an officer appointed in accordance with the Local Authority Social Services Act 1970. The Corporate Director is to be responsible for all social services functions (other~~

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~~than those for which the Director of Education & Children's Services is responsible under the Children Act 2004) by being designated both the statutory Director of Adult Social Services and the statutory Director of Children's Services.~~

~~Specific delegations are: Specifically, the Corporate Director is:~~

- ~~1. To be responsible for the delivery of local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended).~~
- ~~2. To have overall responsibility for those functions which relate to children which are set out in:
 - ~~a) The Children Act 2004 and in particular Section 18;~~
 - ~~b) Such other functions conferred on or exercisable by the Council as may be prescribed by the Secretary of State by regulation or which the Council may consider appropriate.~~~~

~~The Corporate Director has, in accordance with Section 101 of the Local Government Act 1972, sub-delegated the day to day responsibility for managing the services set out above to her Heads of Service who report directly to her. The sub-delegations are set out in full in the Corporate Director's Internal Scheme of Delegations.~~

- ~~1. To exercise the council's powers and duties as social services authority when decisions are required regarding the personal welfare of any individual.~~
- ~~2. To exercise the council's powers and duties for the purpose of implementation of community care.~~
- ~~3. To create legal charges on property to secure sums outstanding in relation to (i) residential care charges or (ii) other charges under statutory provisions which fall to be discharged by the local social services authority.~~
- ~~4. To register or regulate any person or body for which the local social services authority has responsibility in that respect.~~
- ~~5. To act as a Receiver in appropriate cases and to recover expenditure related thereto.~~
- ~~6. To make payments to asylum seekers in accordance with Council policy.~~

Delegations to the Deputy Director of Adult Social Care Health and Housing

- ~~1. To exercise the Council's regulatory and enforcement functions in relation to housing in the area under any enactment including:-~~

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- ~~(i) taking all steps in connection with the issue or withdrawal of notices, orders or other documents which the Council is authorised or required to serve.~~
 - ~~(ii) selecting the most effective means of enforcement whether by agreement, works in default, prosecution or otherwise.~~
 - ~~(iii) authorising officers to act in matters arising under any such enactments.~~
- ~~2. To authorise payments of improvement grants, home insulation grants and creditors' accounts in accordance with regulations.~~
 - ~~3. To assess housing rents in accordance with Council policy.~~
 - ~~4. To operate the building society support lending scheme on behalf of the Council.~~
 - ~~5. To exercise the Council's statutory discretion in connection with improvement grants.~~
 - ~~6. To exercise the Council's functions in deciding whether or not applicants for housing assistance are intentionally homeless and therefore ineligible for such assistance.~~
 - ~~7. To act on behalf of the Council in agreeing the terms for the sale of any interest in land where the Council is obliged by the Right to Buy legislation to sell or has discretion to sell to secure tenants under the Housing Legislation subject to obtaining the appropriate statutory consents.~~
 - ~~8. To assess, agree and authorise the payments of compensation including home loss and disturbance payments and claims regarding the acquisition of or depreciation in interests or rights in land relating to non-Council tenants.~~
 - ~~9. To approve the making of Housing Act advances in accordance with the Council's scheme and to secure recovery of all sums owing to the Council thereunder including where appropriate the exercise of rights of sale, to vary the rate of interest charged on Housing Act advances and to effect the discharge of mortgages.~~
 - ~~10. To enter into agreements with tenant management organisations.~~
 - ~~11. To operate the housing, community charge and Council tax benefit scheme.~~
 - ~~12. To approve re-housing in accordance with current policies and appropriate legislation.~~
 - ~~13. To authorise refunds of rent in appropriate cases.~~
 - ~~14. To exercise the Council's functions regarding the restoration of gas, electricity and water services for tenants.~~
 - ~~15. In relation to residential property to grant secure tenancies (including joint tenancies), licences, wayleaves and other occupational rights and to do all~~

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~~that is necessary to ensure compliance with the terms of such rights once agreed~~

- ~~16. To approve and take steps to institute eviction proceedings in appropriate cases.~~
- ~~17. To take all steps to comply with the Council's obligations arising under Tenancy Agreements and Leases which it has granted.~~
- ~~18. To be responsible for the general management, repairs and maintenance of and investment in Council Housing Stock.~~

General Delegations to the Chief Executive, Deputy Chief Executives and all Corporate Directors the Corporate Director of Social Care, Health and Housing

These delegations are to the Chief Executive, ~~and each Corporate Director the Deputy Chief Executives and the Corporate Director of Social Care, Health and Housing~~ who may discharge the function through one of his/her staff.

1. To take any steps necessary for the day to day management and administration of any matters within the designated area of responsibility and to take overall responsibility for the performance of their service area.
2. To take all such action as ordinarily falls within the scope of professional responsibility and deal with all other matters delegated or to be delegated by Council, Cabinet, Cabinet Member or the Chief Executive.
3. To manage any budget for which the Deputy Chief Executives/Corporate Director has lead responsibility within the approved cash limit, provided that no action is taken which would result in growth in future years or which would affect a budget which is not under the chief officer's direct control. This includes authorising virements in accordance with the Budget and Policy Framework Procedure Rules which can be found in Part 4 of the Constitution.
4. To exercise the council's functions in obtaining registrations, licences, certificates or other similar documents required by the council, its officers or in respect of its premises from any authority or body not being the council.
5. To exercise the council's right of objection against any application made by third parties for registration, certificates, licences, orders and other similar matters.
6. To register, issue or grant licences (not being occupational licences), notices, certificates, orders or similar documents which the council are authorised or required to register, issue, grant, give or make by or under any enactment.
7. To exercise discretion in writing off or remitting in whole or in part debts of up to £5,000 due to the council, but only after all reasonable steps to recover them have been taken.

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8. Within their designated area of responsibility and subject to any corporate property standards and the agreement of the ~~Director of Planning and Community Services~~ Deputy Chief Executives and Corporate Director of Planning, Environment, Education and Community Services to acquire or grant easements and leases for a term not exceeding seven years less 2 days and to acquire or dispose of any other interests in land the value of which does not exceed £10,000.
9. Subject to compliance with any corporate property standards to take any steps for the proper and effective management of such property falling within their designated area of responsibility.
10. In accordance with the Council's Personnel Procedures, but subject to the Officer Employment Procedure Rules, to appoint to, dismiss from and amend posts within the chief officer's area of responsibility.
11. In accordance with the Council's Personnel Procedures to suspend, other than the three Statutory Officers, Chief Officers and Deputy Chief Officers within their area of responsibility.
12. To agree compensation payments not exceeding £1000 under the Council's Complaints Procedure.
13. To accept tenders with a value of up to £50,000. This excludes tenders for the appointment of consultants where tenders with a value of up to £5,000 can be accepted.
14. To recommend to the relevant Cabinet Member for final approval individual agency and temporary workers between a value of £5k and £50k.
15. To exercise all of the powers of Appropriate Delegated Officers for the purposes of the Procurement and Contract Standing Orders and the Code of Practice.
16. To enter into agreements, on behalf of the Council incurring match funding or a revenue commitment from the Council, subject to the Cabinet having previously agreed the proposal including the final level of Council commitment.
17. In conjunction with the Leader and relevant Cabinet Member, to sign-off expenditure for approved Initiatives.

Delegations to the Corporate Director of Education & Children's Services

The ~~Corporate Director of Education & Children's Services~~ is the officer responsible and accountable for:

- ~~Education & Children's Services~~
- ~~Youth Services~~
- ~~Departmental Policy, Performance & Resources~~

Specific delegations are:

- ~~1. To act as the "Chief Education Officer" appointed under section 532 of the Education Act 1996 or any re-enactment of that provision (with or without modification) including the School Standards and Framework Act 1998.~~
- ~~2. To be the statutory Director of Children's Services and responsible for those functions which relate to children which are set out in:
 - ~~a) The Children Act 2004 and in particular Section 18;~~
 - ~~b) Such other functions conferred on or exercisable by the Council as may be prescribed by the Secretary of State by regulation or which the council may consider appropriate~~~~
- ~~3. In relation to all educational institutions with delegated management, to exercise in accordance with agreed staffing procedures all those powers and duties conferred on the local education authority which the council is bound to exercise at the request of the Governing Body.~~
- ~~4. To allocate budgets for schools in accordance with an agreed scheme of delegation including the exercise of discretion under such a scheme.~~
- ~~5. To authorise assessments and statements of special educational needs and arrange any necessary provision.~~
- ~~6. To ensure the adequacy and efficiency of Youth Services.~~
- ~~7. To provide free meals and award clothing and maintenance grants.~~
- ~~8. To arrange for transport of pupils and students.~~
- ~~9. To provide any other benefits or services to pupils, students and educational institutions which the local education authority has a duty or power to provide under the Education Acts.~~
- ~~10. To award teacher training bursaries and mandatory further and higher education awards, and to award discretionary further and higher education awards according to the policy guidelines set by the Council.~~
- ~~11. To arrange for the control of employment of children in accordance with the local education authority's bye-laws.~~
- ~~12. To allocate school places and to agree placements of children outside the borough including the payment of boarding and tuition fees in appropriate cases.~~
- ~~13. To exercise the powers of the LEA in respect of Education Supervision Orders, School Attendance Orders and Non-school attendance.~~
- ~~14. To arrange publication of prospectuses, handbooks, etc. relating to the education service.~~

- ~~15. To agree premature retirement for teachers aged between 50 and 60 in accordance with Council policy.~~
- ~~16. To recruit and refer appointments to School Governing Bodies for approval by the Cabinet Member.~~
- ~~17. To authorise officers to attend court to give evidence on behalf of the council and to represent the council in magistrates' courts in matters involving children.~~
- ~~18. To make decisions on behalf of the council as adoption agency.~~
- ~~19. To make payments to those asylum seekers who fall within the definition of children as defined in the Children Act 2004 in accordance with council policy.~~

Delegations to the Corporate Deputy Director of Finance – Director of Finance and Business Services

The Corporate Director of Finance & Business Services is the officer responsible and accountable for:

- ~~• Finance~~
- ~~• Procurement~~
- ~~• ICT & Business Services~~

Specific delegations are:

1. To act as and exercise the functions of the “chief finance officer” meaning the officer designated under section 151 of the Local Government Act 1972.
2. To exercise the council’s functions regarding the demanding of ~~General Rate, Empty Rate, Community Charges, Community Charge Penalties, National Non-Domestic Rate~~ and the Council Tax and the collection and recovery of all sums owing in respect thereof and regarding all matters involving valuation for rating purposes, and for these purposes to authorise officers to represent the council in magistrates’ courts, the Local Valuation Court or the Valuation and Community Charge Council Tax, Tribunals.
3. To implement the council’s Treasury Management Strategy which has adopted CIPFA’s “Code of Practice for Treasury Management in Local Authorities” and to control all money in the hands of the Council in accordance with this CIPFA code by taking all executive decisions on borrowing, investment or financing including, without limitation, the power: -
 - (i) to raise money pursuant to any authority to borrow.
 - (ii) to make temporary investments of monies by way of loan provided proper security is deposited with the council’s bankers.

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- (iii) to make advances from the Consolidated Loans Fund or other funds held by the council.
 - (iv) to buy or sell investments of any kind.
4. To have regard to CIPFA's "Prudential Code for Capital Finance in Local Authorities" when considering all matters relating to capital finance, as defined by Part 1 of the Local Government Act 2003. This involves establishing procedures to monitor performance against all forward looking prudential indicators and ensuring that the following matters are taken into account when prudential indicators are set or revised: -
- ii. Affordability;
 - iii. Prudence and sustainability;
 - iv. Value for money;
 - v. Stewardship of assets;
 - vi. Service objectives; and
 - vii. Practicality.
5. To administer and manage the council's pension fund in accordance with the regulations and with policy set by the pensions committee.
6. To administer any funds which are approved by the council and which are pursuant to the effective management of the council's finances.
7. To ensure that effective arrangements for insurance are in place and to take out insurance cover for all policies as necessary.
8. To review and amend Financial Regulations.
9. To set the rate of interest for mortgages and loans.
10. ~~To exercise the Council's functions as Accountable Body in respect of Single Regeneration Budget Scheme.~~

~~The Director of Finance and Business Services may sub-delegate the following responsibilities to the relevant Head of Service or professional Service Manager:~~

Local Land Charges Matters

11. ~~The maintenance of the Local Land Charges Register, and the exercise of all functions of the Council under the Local Land Charges Acts and the Local Land Charges Rules.~~

Building Control Matters

12. ~~All functions in relation to dangerous structures/buildings including securing the removal of dangerous structures/buildings, and the service of notices under the Building Act 1984 (in as far as they relate to dangerous structures/buildings) and employing contractors to carry out emergency works.~~

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- ~~13 — Those functions and duties relating to the administration and enforcement of the Building Regulations and allied legislation:-~~
- ~~(i) — determination of Full Plans applications and Building Notices submitted under the Building Regulations;~~
 - ~~(ii) — the checking and verification of certificates submitted by approved persons;~~
 - ~~(iii) — the checking of notices and certificates other than in (ii) above, given under the Building (Approved Inspectors, Etc.) Regulations;~~
 - ~~(iv) — determination and vetting of appropriate fees; and~~
 - ~~(v) — the service of notices under the Building Regulations and Building Act 1984 (in so far as they relate to the Building Regulations).~~
- ~~14 — All functions in relation to (a) ruinous and dilapidated buildings and neglected sites; and (b) demolition of buildings including the service of notices under the Building Act 1984 (in so far as they relate to ruinous and dilapidated buildings and neglected sites and the demolition of buildings).~~

Port Health Authority

- ~~15 — Administration of [and enforcement responsibilities] in respect of the Port Health Control Unit at Heathrow.~~

Bereavement Services

- ~~16 — Signing and issue of notices for matters concerning allotments, grave spaces and memorial stones.~~

Delegations to the Borough Solicitor

1. To be the Council's Monitoring Officer for the purposes of the Local Government and Housing Act 1989.
2. To institute any legal or formal proceedings on behalf of the Council which the Council could institute and to defend any prospective or actual legal or formal proceedings instituted against the Council, its members or officers and to appear by Counsel or in person or to authorise an officer to so appear in any proceedings and to verify a document by signing a Statement of Truth under the Civil Procedure Rules on behalf of the Council and to settle any actual or prospective proceedings.
3. To certify copies of original documents for use in court proceedings.
4. To suspend the Chief Executive pending an immediate summoning of the Investigations and Disciplinary Committee

Delegations to the Head of Democratic Services

1. To act as the Electoral Registration Officer and the (Acting) Returning Officer for local and other elections.
2. To act as the proper officer for the registration of Births, Deaths and Marriages.
3. To certify the minutes of the Council, a committee or sub-committee and any report to such a meeting as a true copy.
4. To designate approved duties for Members to claim travelling, subsistence and dependent care allowances.
5. To make arrangements to hear appeals against pupil exclusions and appeals by Governing Bodies.

Proper Officers for the Purposes of the Constitution

- Officer to be advised of the Mayor's view that a matter is one that ought to be treated as a key decision – Head of Democratic Services.
- Officer to ensure that Access to Information rules as set out in the constitution are adhered to – Monitoring Officer.
- Officer to act as proper officer for registration of Births, Deaths and Marriages – Head of Democratic Services.
- Officer to be requested to call Council meetings in addition to ordinary meetings - Head of Democratic Services.
- Officer to be notified of the name of the person to whom it is proposed to make an offer of appointment as Chief Executive, Chief Officer and Deputy Chief Officer, Head of Human Resources.
- Officer to notify every member of the Cabinet of the name of a person to whom it is wished to make an offer of appointment as Chief Executive, Chief Officer and Deputy Chief Officer, and to whom any objections by the Leader to the proposal can be made – Head of Human Resources.
- Officer to be notified of the name of the person to whom it is proposed to dismiss as Chief Executive, Chief Officer and Deputy Chief Officer – Head of Human Resources.
- Officer to notify every member of the Cabinet of the name of a person [Chief Executive, Chief Officer or Deputy Chief Officer] who it is proposed to dismiss, and to whom any objections by the Leader to the proposal can be made – Head of Human Resources.
- Officer to refer firm proposals for the budget and policy framework to Council for decision – Head of Democratic Services.