

DELEGATIONS TO OFFICERS	
Column 1 – Function	Column 2 – Authorised Officer
1. GENERAL	
1.1 To enter land and premises for the purpose of inspections, surveys, testing and examinations as required pursuant to any powers or functions of the Council	All Chief Officers, the Medical Advisor, all Legal Services staff, all Environmental Health Staff, all Housing Options Staff, all Planning Staff, all Housing Benefits staff, all Council Tax Staff, all Building Control Staff and the Property Inspector for Council Tax and Business Rates
1.2 To serve notices to obtain particulars of a person's interest in land	Strategic Directors, Head of Corporate Governance or Head of Planning & Housing Strategy
1.3 To serve notice under any enactment (not separately authorised under this scheme of delegations) and to take follow up action	Strategic Directors and Head of Corporate Governance or relevant Head of Service
1.4 To authorise officers to conduct directed surveillance or the use of covert human intelligence sources in accordance with the Regulation of Investigation Powers Act 2000	Heads of Service
1.5 To administer cautions (except formal cautions under delegation 11.16)	Heads of Service and those officers authorised by the relevant Head of Service.
1.6 To respond consultations from the Local Government Association, the ODPM, GOSE, other Government bodies or departments and other bodies	Chief Executive or relevant Strategic Director
1.7 Under the provisions of the Children Act 1989 and the Council's Child Protection Policy and Procedure, to undertake responsibility for making contact with Social Services and for making decisions and referrals, including making Criminal Records Bureau (CRB) checks on officers or other persons seeking employment with children, young people or vulnerable individuals	Relevant Head of Service

2. LEGAL AND LEGAL PROCEEDINGS		
Column 1 – Function		Column 2 – Authorised Officer
2.1	To instigate, conduct and settle proceedings or disputes (administrative, criminal or civil) on the Council's behalf in any Court, Tribunal or other body and/or in relation to any matters associated thereto, but in respect of settlements this is limited to £50,000 and anything above this level be referred to the Executive.	Head of Corporate Governance
2.2	To instigate and conduct legal proceedings for any offence or any matter arising under: <ul style="list-style-type: none"> a. legislation which gives the Council a right or duty to prosecute b. any order notice or licence issued in pursuance to any legislation under which the Council has powers or duties c. any other order or regulation under which the Council has powers or duties 	Head of Corporate Governance
2.3	To accept service of proceedings on behalf of the Council	Head of Corporate Governance
2.4	To instruct Counsel, Solicitors or relevant agents to represent or advise the Council	Head of Corporate Governance
2.5	To take necessary action, including legal proceedings, for the recovery of possession of the Council's land and premises or for protecting the interests of the Council in any land or common land	Head of Corporate Governance
2.6	Authority to make a formal complaint at the Magistrates Court and to appear in the Magistrates and County Courts on behalf of the Council for the recovery of Council Tax, non domestic rates, other revenues and penalties, including formal proof of debt in bankruptcy cases, liquidations and debt proceedings	Revenues Manager, Principal Revenues Officer or Recovery Officer

2.7	To represent the Council at the Local Valuation Tribunal	Revenues Manager or Principal Revenues Officer
2.8	To represent the Council in proceedings of Discretionary Housing Payments Review Boards	Head of Housing Options, Principal Housing Benefits Officer and such other officers as authorised in writing by the Head of Housing Options
2.9	To appoint individual Discretionary Housing Payments Review Boards, for each particular case, from the Panel of Members appointed annually by the Council	Chief Executive or Strategic Director (Support)
2.10	To appear on behalf of the Council in all proceedings before any Court or Tribunal	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff in Legal Services authorised in writing by the Head of Corporate Governance
2.11	To appear on behalf of the Council in proceedings in the Magistrates Court in respect of offences in the Council's car parks	All employees of the Council who are qualified Barristers, Solicitors or Legal Executives and any other member of staff in Legal Services authorised in writing by the Head of Corporate Governance, the Head of Environment Services and any member of the Car Parks staff authorised in writing by the Head of Environment Services
2.12	To exercise the powers and duties of the Council under the National Assistance legislation	Head of Corporate Governance

3. AUTHORITY TO SIGN AND SEAL DOCUMENTS		
Column 1 – Function		Column 2 – Authorised Officer
3.1	Authority to sign all legal documents relating to recovery of monies due to the Council	Chief Executive, Strategic Director (Support), Head of Corporate Governance, Head of Finance and Head of Housing Options
3.2	Authority to sign all legal documents for the acquisition or disposal of land (unless under seal)	Chief Executive, Strategic Director (Support) and Head of Corporate Governance
3.3	Authority to sign all legal documents for the sale of supply of goods, services or works where this has not been delegated to other officers under this scheme of delegations	Chief Executive, Strategic Director (Support) and Head of Corporate Governance
3.4	Authority to sign all contracts and agreements (unless under seal) for expenditure within their service budget or for no value within their service area PROVIDED that Contract Standing Orders have been followed including legal advice being obtained for contracts over £10,000	Strategic Directors, Head of Corporate Governance or relevant Head of Service
3.5	To affix the Council's common seal	Chief Executive, Strategic Director (support) and Head of Corporate Governance

4. CRIME AND DISORDER		
Column 1 – Function		Column 2 – Authorised Officer
4.1	To instigate legal proceedings under Section 1 of the Crime and Disorder Act 1998 in respect of anti social behaviour orders	Head of Corporate Governance
4.2	To approve projects in accordance with the 3 year Crime and Disorder Reduction Strategy provided it is within the Spelthorne Partnership Boards annual budget	Chief Executive

5. LAND ISSUES	
Column 1 – Function	Column 2 – Authorised Officer
<p>5.1 In respect of properties leased/licensed to or by the Council or subject to management agreements:</p> <ul style="list-style-type: none"> a. to refuse or consent to assignments, sub-lettings, licences being granted out of the interest; subject to satisfactory references; b. to negotiate, approve and document rent reviews; c. to agree to variations in the terms of covenants or their removal; subject to valuation advice where appropriate; d. to renew leases which have security of tenure under the Landlord and Tenant Act 1954; e. to serve notices for renewals or terminations of leases under the Landlord and Tenant Act 1954; f. to accept or agree a surrender where the property is no longer required by the Council or the landlord or the tenant as appropriate; g. to settle terms of management arrangements and any variations to them. 	<p>Strategic Director (Support) after consultation with either the Head of Asset Management or the Head of Corporate Governance</p>
<p>5.2 To determine applications for rights of way or other easements over land</p>	<p>Strategic Director (Support) after consultation with either the Head of Asset Management or the Head of Corporate Governance</p>
<p>5.3 To issue or terminate 360 day grazing licence or grazing leases, subject to appropriate valuation advice</p>	<p>Head of Asset Management</p>
<p>5.4 To approve the release of covenants subject to obtaining appropriate legal and valuation advice</p>	<p>Strategic Director (Support) after consultation with either the Head of Asset Management or the Head of Corporate Governance</p>

6 FINANCIAL MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
6.1	To make a formal demand for payment of monies expended in carrying out works in default under statutory powers, including interest payable thereon	Strategic Director (Support)
6.2	To enter into any arrangement with a creditor/debtor of the Council for payment to be made by way of instalments	Strategic Director (Support), Head of Finance, Head of Housing Options, Head of Community Services and Principal Council Tax Officer
6.3	To raise in line with inflation any financial limits specified in these delegations to officers, contract standing orders or financial regulations	Strategic Director (Support)
6.4	In connection with the provision of services under their control: <ul style="list-style-type: none"> a. Expenditure of any type within approved budgets (subject to delegation 3.4 - as to signature of contracts); b. Day to day running and operation of services, including maintenance and repairs of all buildings, land and equipment within the responsibility of the service area, in accordance with the policies set down by the Council or the Executive; and c. Control, purchase and disposal of stores or surplus materials 	Chief Executive, Strategic Directors and relevant Heads of Service
6.5	To implement all the Council's borrowing and investment strategies, in accordance with the Treasury Policy Statement	Strategic Director (Support)
6.6	To determine the tax base, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended	Strategic Director (Support)

6.7	To deal with applications for local council tax discounts in very exceptional cases. Such cases to include flooding and where committal action through the courts is not deemed appropriate. The latter will need to be supported by third party reports generally from a social worker or doctor	Strategic Director (Support)
6.8	To take all necessary steps relating to the demand, collection and recovery of council tax and non-domestic rates and to issue all necessary notices and statements and to sign all relevant documentation	Strategic Director (Support), Head of Finance and Revenues Manager
6.9	To exercise the Council's responsibilities under Regulation 6 of the Accounts and Audit Regulations 2003, to maintain an adequate and effective system of internal audit of the accounting records and control systems	Strategic Director (Support)
6.10	To take decisions in applications under section 44A of the Local Government Finance Act 1992 and subsequent regulations	Strategic Director (Support)
6.11	o grant applications for mandatory rate relief under in accordance with section 43 of the Local Government Finance Act 1988	Strategic Director (Support)
6.12	To grant application for discretionary rate relief for properties in accordance with Council policies provided that element of the relief recoverable from local taxpayers does not exceed £2100 in any one case.	Strategic Director (Support)
6.13	To grant disabled relief under the Local Government Finance Act 1992 and subsequent regulations	Strategic Director (Support)
6.14	To serve the Valuation Officer with notice of objection to any proposals for alteration of the valuation banding lists.	Strategic Director (Support) or Head of Finance

6.15	To make proposals for the alteration of the valuation list for the inclusion of particular properties in the valuation list. To sign valuation agreements and to serve on the Valuation Officer proposals to alter the council tax banding list	Strategic Director (Support) or Head of Finance
6.16	To pay sums due from the Council	Strategic Director (Support)
6.17	To write off debts not exceeding £3000 in any one case and non domestic rates not exceeding £6000. To write off all debts without limit where bankruptcy, liquidation proceedings, administration or receiverships proceedings have been instigated	Strategic Director (Support)
6.18	To fix interest rates for housing loans in accordance with legislation and Council policy	Strategic Director (Support)
6.19	To determine the local average interest rates for local authority mortgages, in accordance with section 438 and schedule 16 of the Housing Act 1985 and Council policy	Strategic Director (Support)
6.20	To provide all necessary insurance cover and to settle insurance claims	Strategic Director (Support)
6.21	To make determinations under sections 42,50, 56,60 and 63(1) of the Local Government and Housing Act 1989	Strategic Director (Support)
6.22	To serve completion notices for Council Tax and Business Rate proposals	Strategic Director (Support)
6.23	To set fees for Local Land Charges services	Strategic Director (Support)
6.24	Approval of grants from any funds remaining from the Council's former local lottery	Strategic Director (Support)
6.25	To make appropriate staged payments for grants for development	Strategic Director (Community) in consultation with the Strategic Director (Support)

7 PERSONNEL MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
7.1	To give approval to services to advertise or to fill a staffing vacancy	Relevant Strategic Director after consultation with the Chief Executive
7.2	Within staffing budgets and overall management structure to approve all matters relating to the organisation, appointment (other than appointments above grade SM2) and management of staff in accordance with the Council's staff policies and procedures	Relevant Strategic Director or Head of Direct Services after consultation with the chief Executive
7.3	To implement national awards affecting wages, salaries and conditions of service	Strategic Director (Support)
7.4	To authorise expenditure (in advance) in respect of hospitality to visiting professional people and other local authority officers at meetings in connection with official duties	Chief Executive or relevant Strategic Director
7.5	To administer the Council's car loan scheme and car lease scheme	Strategic Director (Support)
7.6	To administer the staff suggestion scheme including decisions on suggestions	Chief Executive
7.7	To agree redundancy payments under the Local Government (Early Termination of Employment) (Discretionary Compensation)(England and Wales) Regulations 2006 in cases approved by management team	Chief Executive
7.8	To agree the amount of added years under the Council's early retirement scheme	Chief Executive
7.9	Authority to make decisions/grant discretions in relation to staff within the pension scheme, under the Local Government Pension Scheme Regulations in the following circumstances:	Strategic Director (Support)

	<ul style="list-style-type: none"> a. whether staff members who have opted out of the pension fund more than once can rejoin; b. whether there are any exceptional reasons to justify approving options to retain 5% contributory rights made more than 30 days after a manual worker has returned to local authority employment after CCT; c. whether there are exceptional reasons to approve elections to pay optional contributions made more than 30 days after returning to work or ceasing employment; d. whether to issue a certificate of protection of pension benefits; e. which type of benefit should be payable where there is double entitlement in respect of the same service and the staff member does not elect in 3 months; and f. Whether there are exceptional circumstances to agree to in-house additional voluntary contributions being converted to scheme service credit where applications are made more than 30 days after a staff member stops being an active member. 	
7.10	To agree the definition of remuneration in individual cases under the Pensions Local Government Superannuation Regulations 1995	Chief Executive
7.11	To draw up a job and person specification, circulate details and shortlist applicants in accordance with Council procedures	Relevant Head of Service or relevant team leader
7.12	To arrange attendance of members on training courses	Chief Executive or Assistant Chief Executive (People and Partnerships)

8 ENVIRONMENTAL HEALTH MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
8.1	<p>To issue, renew, approve or refuse licenses, registrations, certificates or consents (including the imposition of conditions) relating to the following:</p> <p>Animal boarding establishments;</p> <ul style="list-style-type: none"> a. Riding establishments; b. Dog breeders; c. Pet shops; d. The keeping of dangerous wild animals; e. Scrap metal dealers; f. Premises using rag, flock or other filling materials; g. Chimney heights and furnaces (including those for experimental and research purposes); h. Caravan and camping sites (including traveller and gypsy sites); i. Game dealers; j. Tattooing; acupuncture; body piercing, semi permanent skin colouring and electrolysis; k. Exemption certificates for offices, shops and food premises; and l. Noise levels on construction sites 	Head of Environmental Health & Building Control
8.2	<p>Under the Licensing Act 2003 to:</p> <ul style="list-style-type: none"> a. Issue a personal licence where no relevant representations are received or are withdrawn; b. Issue premises licences/club premises certificates where no relevant representations are received or are withdrawn; c. Issue a provisional statement where no relevant representations are made or are withdrawn; 	Head of Environmental Health & Building Control

<ul style="list-style-type: none"> d. Issue variations to premises licences/club premises certificates where no relevant representations are received or are withdrawn; e. Issue variations to designated premises supervisor where there is no police objection; f. Deal with requests to be removed as the Designated Premises Supervisor g. Issue transfers of premises licence where there is no police objection; h. Grant applications for interim authorities where there is no police objection; i. Issue permits under section 34 of the Gaming Act 1968 where j. In the case of a new application there are no more than two amusements with prizes machines; and k. In the case of an application for renewal and after consultation with the Chair of Licensing Committee and subject to ward members being notified, the number of machines do not exceed that which already exists and provided that no complaints have been received about the premises in respect of the machines l. Issue permits under section 16 of the Lotteries and Amusements Act 1976 for commercial amusements with prizes; m. Issue orders under section 6 of the Gaming Act 1968 for low stake gaming n. To make relevant representations to other Local Authorities about persons or premises licensed within their borough effecting Spelthorne Borough o. To serve a counter notice in respect of Temporary Event Notices 	
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<p>8.3 Under the Gambling Act 2005 to:</p> <ul style="list-style-type: none"> a. Issue a licence where no relevant representations are received or are withdrawn; b. Issue variations to licences where no relevant representations are received or are withdrawn; c. Issue transfers of licences where no relevant representations are received or are withdrawn; d. Issue a provisional statement where no relevant representations are made or are withdrawn; e. Issue a club gaming/club machine permits where no relevant representations are received or are withdrawn; f. Issue other permits under the act; g. Cancellation of licensed premises gaming machine permits; h. Consider a temporary use notice where no relevant representations are made or are withdrawn 	<p>Head of Environmental Health & Building Control</p>
<p>8.4 Under the Licensing Act 2003 and the Gambling Act 2005 to make a decision on whether a representation is irrelevant, frivolous or vexatious</p>	<p>Head of Corporate Governance</p>
<p>8.5 To issue street collection and house to house collection permits and licences in accordance with the House to House Collections Act 1939 and any other relevant statutory regulations</p>	<p>Strategic Director (Community)</p>
<p>8.6 To exercise the Council's powers under the Animal Welfare Act 2006 including:</p> <ul style="list-style-type: none"> a. Serving improvement notices; b. Exercising emergency powers in relation to animals in distress; c. Entry and searching of premises; d. Exercising inspections powers 	<p>Head of Environmental Health & Building Control or all other Environmental Health Officers of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)</p>
<p>8.7 To exercise the Council's powers under</p>	<p>Head of Environmental Health &</p>

	the Hypnotism Act 1952	Building Control
8.8	To exercise the Council's powers under the Smoke-free (Premises and Enforcement) Regulations 2006; the Smoke-free (Signs) Regulations 2007; the Smoke-free (Exemptions and Vehicles) Regulations 2007; the Smoke-free (Penalties and Discounted Amounts) Regulations 2007; and the Smoke-free (Vehicles and Operators & Penalty Notices) Regulations 2007	Head of Environmental Health & Building Control or Licensing Manager, Licensing Enforcement Officer, Active Lifestyles Officer and all other Environmental Health staff of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.9	Serve statutory notices in relation to contaminated land responsibilities under the Environmental Protection Act 1990 and any regulations made under it	Head of Environmental Health & Building Control, Principal Pollution Control Officer, Pollution Control Officers and all other Environmental Health staff of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.10	Serve statutory notices in relation to the Council's responsibilities under the Environmental Protection Act 1990 and any regulations made under it	Head of Environmental Health & Building Control or all other Environmental Health Officers of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.11	To issue, vary, transfer, refuse, suspend or revoke permits and authorisations under the Environmental Protection Act 1990 and any regulations made thereunder	Head of Environmental Health & Building Control or all other Environmental Health Officers of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.12	To issue, vary, transfer, refuse, suspend or revoke permits under the Pollution Prevention and Control Act 1999 and any regulations made thereunder	Head of Environmental Health & Building Control or Principal Pollution Control Officer, Pollution Control Officers and all other Environmental Health staff of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by

		such policy)
8.13	To exercise the Council's powers and duties under the Control of Pollution Act 1974 and any regulations made thereunder	Head of Environmental Health & Building Control or Principal Pollution Control Officer, Pollution Control Officers and all other Environmental Health staff of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.14	<p>The service of statutory notices on the owners or occupiers of premises or other persons relating to:</p> <ul style="list-style-type: none"> a. Drains, sewers, water closets and other sanitary apparatus and soil pipes; b. nuisances; c. light nuisance; d. a satisfactory supply of wholesome water; e. control of rats and mice; f. filthy or verminous premises, articles or persons; g. safety of buildings; h. infectious diseases; i. Any other action necessary to make premises or persons comply with environmental health safety and pollution legislation; j. Authorisations under the provisions of the Environmental Protection Act, 1990. k. Permits under the provisions of the Pollution Prevention and Control Act 1999. 	Head of Environmental Health & Building Control and all other Environmental Health Officers of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.15	The execution of work in default	Strategic Director (Community)
8.16	To discharge the duties of the Council under Section 46 of the Public Health (Control of Diseases) Act, 1984.	Strategic Director (Community) Or the proper officer identified for this purpose from time to time in the

		minutes of the Council
8.17	To exercise the Council's powers under Section 33 of the Local Government (Miscellaneous Provisions) Act 1976 (restoration of water, gas and electricity).	Strategic Director (Community)
8.18	Power to service Notices of Intention to make a Closing Order under Section 5(2) of the Local Government (Miscellaneous Provisions) Act 1982.	Head of Environmental Health & Building Control
8.19	Authority under the Food Safety Acts and associated Regulations to make application for Emergency Prohibition Orders for appropriate premises and to issue certificates that the measures specified by the Prohibition Orders have been carried out.	All Environmental Health Staff identified for this purpose within the Council's Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy). Also authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
8.20	To exercise the Council's powers under the Food Hygiene (England) Regulations 2006 ("2006 Regulations") and authority under the 2006 Regulations to serve/apply for (as appropriate) hygiene improvement notices, hygiene prohibition orders, hygiene emergency prohibition notices and orders, remedial action notices and detention notices	All Environmental Health Staff identified for this purpose within the Council's Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy). Also authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
8.21	To exercise the Council's powers under the Official Feed and Food Control (England) Regulations 2006, including (but not limited to) detention, destruction, special treatment and the re-dispatch of feed and food, the service of notices, the procurement of samples of food and to take other appropriate measures'	All Environmental Health Staff identified for this purpose within the Council's Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy). Also authorised officers from the London Borough of Hillingdon, in relation to Emergency Control Regulations governing imported foods within the Borough's Remote Transit Sheds
8.22	To exercise all power delegated to the	Strategic Director (Community)

	Council by the Security Industry Authority under the Private Security Industry Act 2001	
8.23	To issue health certificates for food for export	All Environmental Health Officers and Technical Officers
8.24	To issue Movement Permits in respect of unfit or knackered meat under the Meat (Sterilisation and Staining) Regulations 1982	All Environmental Health Officers
8.25	To serve Notice under the provisions of the Clean Air Act 1993	Strategic Director (Community)
8.26	Issue of Licences under Game Act 1831 (killing game only)	Strategic Director (Community)
8.27	The registration of societies under the Lotteries and Amusement Act 1976	Strategic Director (Community)
8.28	To authorise payment of claims for disturbance allowances under Section 37 of the Land Compensation Act, 1973, up to the maximum amount agreed from time to time	Strategic Director (Community)
8.29	To decide whether or not to object to the Magistrates' Court or a neighbouring Local Authority on behalf of the Council to any application for grant or renewal of a Betting Office Licence under the Betting, Gaming and Lotteries Act 1963.	Strategic Director (Community)
8.30	The making of applications for Orders under Section 47 of the National Assistance Act 1948, as amended under Section 1 of the National Assistance (Amendment) Act 1951.	The proper officer of the Council identified for this purposes from time to time in the Minutes of the Council
8.31	To exercise the powers and functions of the Council under the Sunday Trading Act 1994.	Environmental Health Officers
8.32	In relation to illegal traveller or gypsy camps, to give directions under Section 77 of the Criminal Justice and Public Order Act 1994 and to authorise the issue of Court Proceedings under Section 78 of that Act, in the event of non-compliance with such a direction.	Strategic Director (Community)

8.33	The service of statutory notices under the Health and Safety at Work etc. Act 1974 and the Food Safety Act 1990	Environmental Health Officers of the Council identified as so authorised in the Environmental Health and Building Control Enforcement Policy (to the extent permitted by such policy)
8.34	Authorise third parties to attend premises with officers of the Council for the purposes connected with the Health and Safety at Work etc. Act 1974	Head of Environmental Health & Building Control
8.35	To issue Notices and take any appropriate action under the Public Health Act 1936, the Building Act 1984, the Building Regulations and the Building (Approved Inspectors etc) Regulations for the time being in force	Strategic Director (Community)
8.36	Clearance of rubbish under Section 34 of the Public Health Act 1961.	Strategic Director (Community)
8.37	Authority in relation to Waste Disposal to pass on to commercial customers the full increased costs of all future Landfill Taxes imposed by Central Government.	Strategic Director (Community)
8.38	To deal with all aspects of registering Motor Salvage Operators including approval, refusal or cancellation of registration in accordance with the Vehicle (Crime) Act 2001.	Strategic Director (Community)
8.39	To exercise the powers and functions of the Council under the Environmental Protection (Control on Ozone Depleting Substances) Regulations 2002	Strategic Director (Community)
8.40	To exercise the powers and functions of the Council under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002	Strategic Director (Community)
8.41	To discharge the Council's statutory responsibilities in connection with stray dogs	Head of Environmental Health & Building Control
8.42	To make minor changes to the Building	Strategic Director (Community)

Control Charges Scheme No. 1.		
8.43	To issue a Waste Transfer Notice under the Environmental Protection (Duty of Care) Regulations 1991	Strategic Director (Community)

9 MARKETS		
Column 1 – Function		Column 2 – Authorised Officer
9.1	To co-ordinate the strategic management of Staines Market, specialist markets and other markets within the Borough which from time to time may be in place	Strategic Director (Community)
9.2	To oversee all longer-term market procurement issues and all day-to-day market management issues	Strategic Director (Community)
9.3	To manage all day-to-day market operational issues.	Head of Direct Services

10	FREEDOM OF INFORMATION, ENVIRONMENTAL INFORMATION REGULATIONS AND DATA PROTECTION	
	Column 1 – Function	Column 2 – Authorised Officer
10.1	To add documents to the Council's publication scheme	Head of Corporate Governance
10.2	To determine whether a request under the above acts are repeated or vexatious	Head of Corporate Governance
10.3	To determine whether any exemptions apply under the above acts	Principal Solicitor

11 HOUSING AND COMMUNITY CARE MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
11.1	To approve mandatory/discretionary grants under the Housing Grants, Construction and Regeneration Act 1996 in accordance with the policies approved from time to time by the Council.	Strategic Director (Community)
11.2	Authority to require repayment of mandatory/discretionary grants in accordance with Government guidelines and within the timescales laid down in the Council's approved policies.	Strategic Director (Community)
11.3	Under the Local Government and Housing Act 1989 repayment of grant provisions, authority to waive the requirement to repay grant in any case where the owner disposes of their property, in order to go to live in sheltered housing or a residential care home, as his/her only or main residence.	Strategic Director (Community)
11.4	Pursuant to the Housing Acts and all relevant Orders and Regulations thereunder:- a. to serve notices requiring the abatement of overcrowding; b. to serve notices requiring the demolition of houses, subject to Demolition Orders, carry out demolition in default and recover the cost; c. to revoke Closing or Demolition Orders on the satisfactory completion of works to render the house fit for habitation; d. to serve statutory notices requiring the execution of repairs, carry out work in default and recover the costs; e. to exercise the Council's powers under the Housing Act 2004 for the issue of/application for (as appropriate) Improvement Notices,	Strategic Director (Support)

<p>Prohibition Orders, Hazard Awareness Notices, Emergency Remedial Action Notice, Emergency Prohibition Orders; and</p> <p>in respect of houses in multiple occupation, to:</p> <ul style="list-style-type: none"> i. make orders applying management regulations; ii. serve notices requiring compliance with management regulations, the execution of works, including the provision of facilities and fire escapes; iii. make directions to prevent or reduce overcrowding; iv. carry out works in default of compliance with (e)(i), (ii) and (iii) above and to recover the costs. v. To determine and issue licences under the Housing Act 2004 	
<p>11.5 To discharge the duties of the Council under the Housing Act 1996 Parts VI and VII with regard to the allocation of housing accommodation, operation of the housing register, provision of housing advice, and matters relating to homelessness and the arrangement of accommodation for households where necessary under the legislation.</p>	<p>Head of Housing Options</p>
<p>11.6 The placing of homeless persons in bed and breakfast or other temporary accommodation and the fixing, collection and recovering of contributions therefore</p>	<p>Head of Housing Options</p>
<p>11.7 To make nominations to housing association accommodation of applicants on the Housing Register, in accordance with the Council's points scheme.</p>	<p>Head of Housing Options</p>
<p>11.8 To make nomination to housing association accommodation outside the points scheme to applicants considered as special cases.</p>	<p>Head of Housing Options</p>

11.9	To make nominations to housing association accommodation of persons nominated by other local authorities/housing associations under any mobility scheme in which the Council agrees to participate.	Head of Housing Options
11.10	To agree terms for the lease from private landlords of premises to be used for the provision of temporary accommodation for the homeless.	Head of Housing Options
11.11	To approve up to 10 key worker applicants per annum, as defined by the Council's current Key Worker Strategy, for re-housing as special cases.	Head of Housing Options
11.12	Administration of the Spelthorne Personal Alarm Network Scheme ("SPAN") and the negotiation of service charges with other public bodies.	Head of Community Services
11.13	To control and manage the caravan site at Old Littleton Road, Shepperton on behalf of Surrey County Council, the owners.	Head of Environmental Health & Building Control
11.14	To take any necessary action to deal with illegal encampments on Council owned land and on privately owned land, with the owners permission, in line with Council policy	Strategic Director (Community) or the Head of Corporate Governance
11.15	To exercise the Council's power and functions in relation to determination and payment of Housing Benefit, rent allowances and Council Tax benefit and recovery of housing benefit overpayments in accordance with the regulations.	Strategic Director (Support)
11.16	The carrying out of such duties necessary for the prosecution, administrative penalties and formal cautioning in cases where housing benefit fraud is detected.	Strategic Director (Support)

11.17	The initial decision to award Discretionary Housing Payments	Principal Housing Benefit Officer
11.18	The first appeal against a Discretionary Housing Payments decision	Head of Housing Options
11.19	The requisition of the supply of water, gas, electricity, telephones and other services necessary for properties provided or to be provided for housing purposes.	Strategic Director (Community)
11.20	To exercise the Council's powers and functions in relation to Community Care and related issues.	Strategic Director (Community)
11.21	To undertake day to day management of Day Centres and the Meals on Wheels Service in accordance with the Council's policies and procedures.	Head of Community Services
11.22	During the undertaking of feasibility studies of potential housing development sites involving land owned by the Council, authority to seek outline planning consent.	Strategic Directors or Head of Corporate Governance

12 LEISURE AND ASSOCIATED MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
12.1	<p>The management and letting of all sports, recreational and community facilities provided by the Council, including:-</p> <ul style="list-style-type: none"> a. the fixing of charges for special events not covered by the annual review of fees and charges; b. Negotiation of variations in charges for use of sports, recreational and community facilities within established policy; c. The power to waive fees and charges; and d. The setting of opening hours for facilities and the duration of sports seasons. 	Strategic Director (Community)
12.2	The promotion of musical, artistic, cultural, sporting and community activities, including negotiation of sponsorship arrangements.	Strategic Director (Community)
12.3	The management of allotments, including entering into management agreements for sites, lettings, mal-cultivation notices, notices to quit and decisions on applications for permission to erect structures by tenants or allotment associations.	Strategic Director (Community)
12.4	The management of cemeteries, including the allocation, re-allocation and grant of grave spaces, including the repurchase of grave spaces and other associated matters.	Strategic Director (Community)
12.5	The administration of Leisure Development Grants to be made to Voluntary Organisations, in accordance with the policy guidelines approved from time to time by the Executive.	Strategic Director (Community)

13 PLANNING MATTERS		
Column 1 – Function		Column 2 – Authorised Officer
13.1	To authorise the employment of Consultant Architects, Town Planners, Engineers, Quantity Surveyors or Valuers or other consultancy advice necessary to the determination of planning applications and/or appeals.	Head of Planning & Housing Strategy
13.2	To make minor changes to the Building Control Charges Scheme No. 1	Strategic Director (Community)
13.3	To issue Notices under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	Strategic Director (Community)
13.4	To issue a Building Preservation Notice under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act, 1990.	Strategic Director (Community)
13.4	To decide whether to require an application for the demolition of any new building.	Strategic Director (Community)
13.5	To respond to consultations from Surrey County Council on: <ul style="list-style-type: none"> a. minerals and waste disposal applications for the approval of details pursuant to conditions and for minor ancillary development; and b. alterations to buildings and extensions which do not exceed 1,000m² floor space. 	Strategic Director (Community)
13.6	Where no Member representations are received in writing within the specified “call in” period to determine all applications for planning permission under Part III of the Town and Country Planning Act, 1990, which fall within the categories listed below subject to no decisions being issued within 21 days of the application’s appearance on the Publicity Schedule:- <ul style="list-style-type: none"> a. Development within the curtilage of and ancillary to residential 	Strategic Director (Community)

<p>properties including detached garages, conservatories, sun-lounges, stables, walls and fences.</p> <ul style="list-style-type: none"> b. The construction or retention of vehicular and pedestrian accesses. c. Use of dwellings and other buildings for playgroups. d. Applications for listed building consent only under Section 10 of the Planning (Listed Buildings and Conservation Areas) Act 1990, for alterations to listed buildings. e. Applications for Conservation Area Consent only under Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, for the demolition of unlisted buildings in Conservation Areas. f. Applications for consent to display advertisements under the Control of Advertisements Regulations. g. Alterations to and installation of shop fronts. h. The erection of and extensions, alterations and improvements to industrial, warehousing, shops, offices and other non-residential premises which do not exceed 1,000m² floor space. i. All changes of use of residential premises, industrial, warehousing, offices and other non-residential premises, including A1/A2/A3 uses, except where this would result in the creation of a use within Class A3, A4 or A5 of the Town and Country Planning (Use Classes) Order, 1987 j. Use of land and/or buildings for temporary periods of up to 5 years and the renewal of such permission for a maximum of 5 further years where the issues remain substantially unchanged. k. Renewal of unimplemented planning permissions, which have expired or are about to expire where the issues remain substantially unchanged. l. Approval of Reserved Matters 	
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<p>unless the Committee have specifically resolved to reserve such approval to itself.</p> <ul style="list-style-type: none"> m. Variation of conditions attached to an existing planning permission. n. Applications for agricultural buildings and operations and forestry buildings and operations submitted in accordance with the Town and Country Planning General Development (Amendment) (No. 2) Order, 1991, and the Town and Country Planning General Development (Amendment) (No. 3) Order, 1991. o. Applications for the demolition of buildings. p. This Council's response to consultations on minor matters as required by the General Development Order. q. Applications by Statutory Undertakers for approval of siting of plant and equipment where planning permission is required (including overhead power lines). r. Applications submitted by Code System Operators or those acting on their behalf in accordance with the Town and Country Planning General Permitted Development Order 1995 (as amended) for the installation, alteration or replacement of telecommunication apparatus (including masts not exceeding 15 metres in height). s. Use of land in an emergency (other than for the erection of masts in excess of 15 metres in height) for a period not exceeding 5 months, for telecommunications purposes. t. Applications for the installation, alteration or replacement of telecommunication apparatus, but excluding the erection of masts in excess of 15 metres in height. u. Development involving the erection or creation of 2 or less residential 	
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	dwelling units.	
13.7	To refuse to grant planning permission for development in the Green Belt, or	Strategic Director (Community)
13.8	To refuse to grant planning permission subject to no member representation received in writing within the specified call in period, major developments	Strategic Director (Community) after consultation with the Chairman of Planning Committee
13.9	To refuse to grant planning permission where this would result in the creation of a use within Class A3, A4 or A5 of the Town and Country Planning (Use Classes) Order, 1987	Strategic Director (Community)
13.10	To determine applications for an approval required by a condition imposed on the grant of planning permission, express consent or Listed Building consent.	Strategic Director (Community)
13.11	To approve minor amendments to approved plans.	Head of Planning & Housing Strategy
13.12	Determine applications for Certificates of lawfulness of existing use or development under Section 191 of the Town and Country Planning Act 1990.	Strategic Director (Community) in consultation with Chief Executive and subject to Ward Councillors being notified of any applications
13.13	To determine applications for Certificates of lawfulness of proposed use or development under Section 192 of the Town and Country Planning Act 1990.	Strategic Director (Community) in consultation with Chief Executive and subject to Ward Councillors being notified of any applications
13.14	To determine applications for Hazardous Substances Consent made under the Planning (Hazardous Substances) Regulations 1988.	Strategic Director (Community)
13.15	To respond in respect of the provisions of Regulation 5 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988.	Strategic Director (Community)
13.16	To decline to determine repetitive planning applications in accordance with the provisions of Section 70A of the Town and Country Planning Act	Head of Planning & Housing Strategy

1990.	
13.17 To issue Enforcement Notices under Section 172 of the Town and Country Planning Act, 1990, to remove any caravan, tent, or other residential structure, parked or situated on land within the Borough.	Strategic Director (Support) in consultation with the Strategic Director (Community)
13.18 To issue Notices under Section 215 of the Town and Country Planning Act, 1990.	Strategic Director (Support) in consultation with the Strategic Director (Community)
13.19 To authorise proceedings under Section 224 of the Town and Country Planning Act, 1990, in respect of any breaches of the Town and Country Planning (Control of Advertisements) Regulations 1992.	Head of Corporate Governance
13.20 To issue Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990.	Strategic Director (Community) or Head of Corporate Governance
13.21 To apply for injunctions under Section 187B of the Town and Country Planning Act 1990.	Strategic Director (Support) in consultation with the Strategic Director (Community)
13.22 To issue Breach of Condition Notices under Section 187A of the Town and Country Planning Act, 1990.	Strategic Director (Support) in consultation with the Strategic Director (Community)
13.23 To decide whether to require details of agricultural buildings and operations and forestry buildings and operations to be submitted to the Council under the provisions of the Town and Country Planning General Development (Amendment) (No. 2) Order, 1991, and the Town and Country Planning General Development (Amendment) (No. 3) Order 1991.	Strategic Director (Community)
13.24 To make Tree Preservation Orders under Sections 198 and 201 of the Town and Country Planning Act 1990, the power of confirmation of such Orders being reserved to the Committee.	Strategic Director (Community)
13.25 To respond to Notices for, the felling,	Strategic Director (Community)

	topping, lopping, etc. of individual trees under Section 211(3) of the Town and Country Planning Act 1990.	
13.26	To authorise the waiving of replanting requirements in accordance with Section 206 of the Town and Country Planning Act, 1990.	Strategic Director (Community)
13.27	To issue Screening and Scoping Opinions associated with the Town and Country Planning (Environmental Impact) Regulations 1999.	Strategic Director (Community)
13.28	To determine applications relating to the felling, topping and lopping, etc. of individual trees under Section 198 of the Town and Country Planning Act, 1990, except:- **On applications for work to preserved trees made by the Council on its own land.	Strategic Director (Community) Strategic Director (Support)
13.29	Authority under the Hedgerow Regulations 1997 to determine hedgerow removal notices and other notices which might be required by the regulations.	Strategic Director (Community)
13.30	To determine applications for High Hedges	Strategic Director (Community)
13.31	With the exception of proposals relating to Heathrow Airport, to respond to consultations from adjoining authorities on planning applications and similar matters where such proposals would fall within the scheme of delegation to officers had they been located within Spelthorne. Additionally, to respond to all consultations for replacement dwellings.	Strategic Director (Community)
13.32	To respond to consultations from adjoining authorities on planning applications relating to Terminal Five and associated developments where such proposals would fall within the scheme of delegation to officers had they been located within Spelthorne.	Strategic Director (Community)
13.33	To respond to consultations from	Strategic Director (Community)

	adjoining authorities on planning applications at Heathrow (non Terminal Five related) where such proposals would fall within the scheme of delegation to officers had they been located within Spelthorne.	
13.34	To determine Listed Building Grants.	Strategic Director (Community) in consultation with Ward Councillors
13.35	To refuse to grant planning permission for residential applications falling within the category of 'Minor Development' (i.e. up to 9 dwellings) as defined within the Government's General Development Control Returns (commonly known as the 'PS1/PS2 returns') except in relation to the erection or creation of 2 or less residential dwelling units where full delegated powers exist to either approve or refuse permission (as described in paragraph above 13.6u)	Strategic Director (Community)
13.36	To authorise the serving of Enforcement, Stop Notices and Temporary Stop Notices relating to the use of sites within the Green Belt for the siting of caravans and associated development including those relating to the construction of hard standing, access roads and other engineering works. (such as the stripping of soil and construction of earth bunds).	Strategic Director (Community) in consultation with the Chair of Planning Committee
13.37	To take appropriate enforcement action including serving Enforcement, Stop Notices and Temporary Stop Notices in situations where the Strategic Director considers a delay until the next scheduled Planning Committee meeting would have serious environmental or amenity consequences, or make the breach more difficult to remedy. The Strategic Director to report on any such action he/she takes to the next Planning Committee meeting.	Strategic Director (Support) on receiving a request from the Strategic Director (Community) and after consultation with the Chair of Planning Committee

13.38 To withdraw an enforcement notice where there is an technical or procedural error with such notice under Section 173A (1) (a) of the Town and Country Planning Act 1990	Head of Planning and Housing Strategy
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14 ENVIRONMENT AND PUBLIC AMENITIES MATTERS	
Column 1 – Function	Column 2 – Authorised Officer
<p>14.1 To determine applications made in respect of land under the control of the Council for the following:-</p> <ul style="list-style-type: none"> a. Placing of structures. b. Erection of directional signs. c. Erection of banners. d. Street trading consent under Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act, 1982. e. Fun runs, marathons, filming and other similar activities. 	Strategic Director (Community)
<p>14.2 In relation to the Council's Car Parks:-</p> <ul style="list-style-type: none"> a. to authorise proceedings in respect of offences against any car park regulations; and b. to determine applications by outside bodies or persons for use of the car parks, subject to any consent not prejudicing the normal use of the car park. 	Strategic Director (Community)
<p>14.3 To authorise and determine payment of an appropriate commuted sum when taking over private lighting schemes under Section 161 of the Public Health Act 1875.</p>	Strategic Director (Community) in consultation with the Strategic Director (Support)
<p>14.4 The siting of bus shelters, bus stops, seats and other street furniture.</p>	Strategic Director (Community)
<p>14.5 The numbering and renumbering of premises in streets.</p>	Strategic Director (Community)
<p>14.6 All necessary steps in connection with the removal and disposal of abandoned vehicles under the Refuse Disposal (Amenity) Act 1978.</p>	Strategic Director (Community)
<p>14.7 To undertake routine maintenance, repairs and minor alterations to the Council's car parks and garages,</p>	Strategic Director (Community)

	including boundary walls and fences, as may be deemed necessary.	
14.8	To make representations to Surrey County Council regarding the provision of tendered bus services under the Transport Act, 1985.	Strategic Director (Community)
14.9	To administer any Concessionary Fares Scheme adopted by the Council and to control and issue permits hereunder.	Strategic Director (Support)
14.10	To exercise the Council's powers under the following provisions of the Local Government (Miscellaneous Provisions) Act, 1976:- <ul style="list-style-type: none"> a. Section 23 (in relation to dangerous trees); b. Section 25 (in relation to dangerous excavations). 	Strategic Director (Community)
14.11	To institute proceedings in the County Court or High Court to gain possession of highway land occupied by caravans, tents or other residential structures.	Head of Corporate Governance
14.12	To consider and approve requests from the Elmsleigh Tenants' Association for free use of the Elmsleigh and Tothill Multi-Storey Car Parks, and the Elmsleigh Surface Car Park on Thursdays and Fridays between the hours of 5.30p.m and 8.30 p.m for a period of 4 weeks before Christmas.	Strategic Director (Community) in consultation with the Strategic Director (Support)
14.13	To make objections on amenity grounds to applications submitted to the Traffic Commissioners for Goods Vehicle Operators Licences.	Strategic Director (Community)
14.14	To issue Private Hire Vehicle and Hackney Carriage licences where applicants comply with the criteria agreed from time to time by the Council or relevant Committee.	Strategic Director (Community)
14.15	To suspend Hackney Carriage and Private Hire Vehicle and Driver Licences in accordance with the Council's adopted procedure.	Strategic Director (Community) in consultation with the Chair of Licensing Committee

14.16 To exercise the Council's powers under clause 21 of the Town Police Clauses Act 1847'	Strategic Director (Community)
14.17 To arrange for the discharge of the Council's statutory functions relating to burials and cremations	Head of Environmental Health & Building Control and Head of Direct Services

15 BYELAWS	
Column 1 – Function	Column 2 – Authorised Officer
15.1 To grant authority in writing to any named person (not being a council officer or police constable) to enforce the Byelaws made by the Council for the Recreation Grounds and Open Spaces (1992)	Chief Executive