PART 3

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RESPONSIBILITY FOR FUNCTIONS

1. General

1.1 The Authority's functions may lawfully be exercised by:-

- Full Council
- The Leader
- The Cabinet
- Individual members of the Cabinet
- Committees and sub committees of the Council or the Cabinet
- Joint committees
- Officers

Other persons so authorised where the law permits.

A description of the decision making structure and the management structure of the Council and the Directorates within which various functions are generally dealt with is included in Part 1 of this Constitution.

1.2 This Authority operates a Leader and Cabinet executive. The Leader and Councillors appointed to the Cabinet are collectively referred to as the Cabinet. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 give effect to section 9D of the Local Government Act 2000 by specifying which functions are not to be the responsibility of the Cabinet, which functions may (but need not) be the responsibility of the Cabinet ('Local Choice Functions') and which functions are to some extent the responsibility of the Cabinet. All functions of the Authority which are not the responsibility of any other part of the Authority, whether by law or, where the law provides a choice, under the Constitution are the responsibility of the executive and may be exercised by the Leader or delegated by the Leader to the Cabinet, a Committee of the Cabinet, an individual member of the Cabinet, or to an officer. Where the Leader has arranged for the discharge of executive functions by the Cabinet, the Cabinet may arrange for the discharge of those functions by a committee of the Cabinet, an individual member of the Cabinet or an officer. Both the Leader and Cabinet may also exercise executive functions jointly with other local authorities including (but not limited to) joint committee arrangements.

1.3 This Part of the Constitution and the Tables set out below describe whether the various functions of the Council are 'Council functions' or Cabinet' functions' and whether those functions have been delegated by the Council in the case of Council functions, to a committee, sub-committee, joint committee, officer or other person, or delegated by the Leader or the Cabinet.

1.4 The Leader has agreed to delegate all executive functions to the Cabinet and, to the limited extent set out in this Part 3 of the Constitution, to individual members of the Cabinet or officers. Arrangements for the joint exercise of executive functions are also set out in this Part.

2. The Leader

2.1 The Leader will be a councillor elected to the position of Leader by Full Council at the first post election annual meeting held after the ordinary elections. If the Council fails to elect a Leader at that Annual Meeting then it shall elect a Leader at a subsequent meeting of the Council.

2.2 The Leader will hold office as Leader from the day of his election as Leader until the day of the post election Annual Meeting of the Council which is held after the ordinary local elections, which follow his/her election as Leader, unless he/she is removed from, or otherwise vacates the office, in accordance with paragraph 2.4.

2.3 The office of Leader continues to the post election annual meeting of the Council as in paragraph 2.2 above, whether or not the Leader is re-elected as a Councillor to this authority.

2.4 The office of Leader becomes vacant if:

(a) he/she resigns from the office; or
(b) he/she is disqualified from being a councillor by a court under section 34(4) of the Localism Act 2011; or
(c) he /she ceases to be a councillor (save for the circumstances in paragraph 2.3)
(d) The Leader shall cease to hold office following a vote of no confidence in him/her proposed and voted upon in accordance with Standing Orders.

3. Other Cabinet Members

3.1 The Leader will appoint between two and nine members to the Cabinet and shall notify the Deputy Director Democratic & Corporate Governance of those appointments.

3.2 The Mayor and Deputy Mayor cannot be appointed to the Cabinet.

3.3 A Cabinet member shall hold office until

a) he/she resigns from office
b) he/she is disqualified from being a councillor by a court under section 34(4) of the Localism Act 2011; or
c) he/she ceases to be a councillor
d) he/she is removed from office by the Leader

3.4 Portfolio responsibilities of the Cabinet members are determined by the Leader. These portfolios provide the members of the Cabinet with responsibility for setting the direction and being accountable for the operation of the services or functions comprised within their respective portfolios. The Leader agrees to provide details of the portfolios allocated to the Cabinet members to the Deputy Director Democratic & Corporate Governance and those details shall be provided to Full Council.

4. The Deputy Leader

4.1 The Leader shall appoint one of the members of the Cabinet to be Deputy Leader.

4.2 The Deputy Leader shall hold office until the end of the term of office of the Leader unless

(a) he/she resigns as Deputy Leader, or
(b) he/she is disqualified from being a councillor by a court under section 34(4) of the Localism Act 2011; or
(c) he/she ceases to be a councillor of the authority
(d) the Leader removes the Deputy Leader from office
(e) until the Annual Meeting following his/her appointment as Deputy Leader

4.3 Where a vacancy occurs in the office of Deputy Leader, the Leader must appoint another person in his/her place.

4.4 If, for any reason, the Leader is unable to act or the office of Leader is vacant as in paragraph 7.6, the Deputy Leader must act in his/her place.

5. Appointments by the Leader

5.1 The Leader has agreed that appointments to and/or removal of members of the Cabinet and the appointment and or removal of Deputy Leader shall only be effective upon receipt of written notice to that effect by the Deputy Director Democratic & Corporate Governance.

6. Other Vacancies in the Cabinet

6.1 If the Leader is unable to act, or the office is vacant, and also the Deputy Leader is unable to act, or the office is vacant, all responsibilities of the Cabinet shall be carried out by the Cabinet collectively.

6.2 If at any time a Cabinet member other than the Leader or Deputy Leader ceases to be a member of the Cabinet, the responsibilities of that member shall revert to the Leader until such time as the Leader shall have appointed a replacement, or, where appropriate, re- appointed the member concerned.

6.3 In the event of there being no Leader or Deputy Leader appointed and an insufficient number of members of the Cabinet appointed to achieve a quorum, all executive functions shall in the interim be carried out by the Chief Executive.

6.4 The responsibilities and powers of the Deputy Leader may not be carried out by any other member of the Cabinet in his/her absence, or if the post is vacant.

7. Responsibility for the discharge of executive functions

7.1 The Leader may exercise the executive functions or may delegate those functions to the Cabinet, a committee of the Cabinet or a Joint Committee, another local authority, an individual member of the Cabinet or officers. The Cabinet may arrange for executive functions delegated to it to be carried out by a committee of the Cabinet, a joint committee, another Local Authority, an individual Cabinet member or an officer.

7.2 The Monitoring Officer maintains a list of the committees of the Cabinet, officers or joint arrangements, which are responsible for the exercise of particular executive functions. The allocation of executive functions and delegations by the Leader and Cabinet are set out in Part 3 and elsewhere in this Constitution.

7.3 The Leader delegates to the Cabinet all executive functions and to individual Cabinet members or to officers such executive functions as are set out in this Constitution. The Cabinet has established a Committee; the Barham Park Trust Committee, to decide matters relating to the Trust. The Cabinet has agreed to delegate such functions to the Barham Park Trust Committee as are set out in the Constitution in Part 4 (Terms of Reference).

7.4 (a) The Council may delegate non-executive functions to another local authority or, if the function is an executive function of the other local authority, to the Executive of that local authority.

(b) The Leader may establish joint arrangements with one or more local authorities and/or their Executives to carry out any of their functions. The Leader has delegated his/her executive functions in this regard to the Cabinet.

(c) The Cabinet may delegate executive functions to the Cabinet of another local authority or if the function is a non-executive function of the other local authority to that local authority.

(d) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Full Council in the case of a delegation to the local authority and to the Cabinet in the case of a delegation to the Cabinet.

7.5 Any such joint arrangements may involve the appointment of joint committees with the other local authorities and/or their Executives. Where all the functions of a joint committee are executive functions, the Cabinet can only appoint Cabinet members to that joint committee (and those members need not reflect the political composition of the local authority as a whole) unless the joint committee will be exercising executive functions for only part of the area of the authority, and that area is smaller than two-fifths of the total area of the authority or the population of that area is less than two-fifths of the total population of the authority. In such cases, the Cabinet may appoint to the joint committee any councillor who is a member for a ward which is wholly or partly contained within the area. The Executive may appoint non-executive councillors to a joint committee in other circumstances permitted by legislation.

7.6 Individual Cabinet Members may delegate their executive functions to an officer.

7.7 If the Leader makes any changes to the allocation of functions and delegations he/she shall either:

(i) Report the change to the Council or;
(ii) Notify the Monitoring Officer in writing of the change

And no change shall be effective until either (i) or (ii) has been complied with. The Monitoring Officer shall as soon as practicable report any change notified to him/her to Full Council.

7.8 Table 1 sets out the functions, listed in Schedule 1 to the Regulations (as amended), which cannot be the responsibility of the Cabinet (including the Leader and individual Cabinet members) and specifies which part of the Authority will be responsible for them. It also specifies to whom, if anyone, those functions have been delegated. For instance, in the case of development control, all functions are delegated to the Corporate Director, Neighbourhoods and Regeneration and/or the Head of Planning except those which are specified as being the responsibility of the Planning Committee.

7.9 Similarly, Table 2 sets out the Local Choice Functions which may or may not be Cabinet responsibilities and specifies which part of the Authority will be responsible for them. It also specifies to whom, if anyone, those functions have been delegated by the Council in the case of Council functions, or the Leader in the case of executive functions. For instance, functions under local Acts of Parliament are included here and so may lawfully be exercised either by the Council or Cabinet. Table 2 specifies whether, in Brent, they will be Cabinet or Council functions.

7.10 Table 3 sets out the functions which are not solely executive responsibilities. So far as those functions are to be executive functions, the Leader has agreed to arrange for these functions to be carried out by the Cabinet. The Table describes the plans, policies and strategies, which form the Authority's Policy Framework and specifies what role the Cabinet will play in relation to those plans, policies and strategies. Essentially, the Cabinet will develop and consult on the plans, policies and strategies listed and will then refer them to Full Council for consideration and approval. If approved, the Cabinet will then be responsible for ensuring they are implemented.

7.11 Part 4 of the Constitution describes the membership and terms of reference for the Council committees and sub-committees. These are:-

- Health and Wellbeing Board
- Audit and Standards Advisory Committee
- Audit and Standards Committee
- Corporate Parenting Committee
- Community and Wellbeing Scrutiny Committee
- Resources and Public Realm Scrutiny Committee
- Housing Scrutiny Committee
- General Purposes Committee
- Pension Fund Sub-Committee
- Senior Staff Appointments Sub-Committee
- Senior Staff Appeals Sub-Committees
- Planning Committee
- Licensing Committee
- Alcohol and Entertainment Licensing Sub-Committee
- Regulatory Sub-Committee
- Dismissal Advisory Panel

7.12 In addition to the powers described in the Tables as being specifically delegated to officers, any other Council and executive functions are delegated to officers in accordance with paragraph 2, 'Powers Delegated to Officers'.

7.13 Table 5 sets out the 'proper officers' designated for the purposes of certain statutory provisions. Any reference in any Act or any part of this Constitution to 'the proper officer' will be a reference to the person so specified in the Table but if none is specified, the Chief Executive or a person nominated by him or her for the purpose will be identified. Any other function not otherwise specified in the Tables or elsewhere in this Constitution is the responsibility of the Cabinet (including the Leader and individual Cabinet members), unless specifically precluded by law from so being, in which case it shall be the responsibility of the General Purposes Committee (unless specifically reserved to Full Council in which case it shall be exercised by Full Council).

7.14 All functions shall be exercised in accordance with this Constitution including, for the avoidance of doubt, the Standing Orders and Financial Regulations and this Part 3 and Part 4.

7.15 In exercising any function or making any decision, the decision making body or person shall take into account all relevant considerations and ignore all irrelevant considerations and shall comply with the Access to Information Rules.

7.16 A number of joint committees have been established with other London Boroughs under the umbrella of the London Councils. The London Councils' Committee and the Transport and Environment Committee exercise executive and non-executive functions. The terms of reference and make up of these committees and the sub-committee are described in Part 4.

Management structure

8.1 **General**

The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

8.2 Chief Officers

The Council will engage persons for the following posts, with the responsibilities out at paragraph 9.4 who will be designated chief officers:

- Chief Executive
- Corporate Director, Service Reform and Strategy
- Corporate Director, Children, Young People and Community Develoment
- Corporate Director, Neighbourhoods and Regeneration
- Corporate Director, Finance and Resources
- Corporate Director, Residents and Housing Services

Head of Paid Service, Monitoring Officer and Section 151 Officer and other Statutory Chief Officer posts

8.3 The Council has made the following designations:

Post	Designation
Chief Executive	Head of Paid Service
Director of Law	Monitoring Officer
Corporate Director, Finance and Resources	Section 151 Officer
Corporate Director, Children and Young People	Director of Children's Services
Director of Adult Social Care	Director of Adult Social Services
Director of Public Health	Director of Public Health

Structure

8.4 The Chief Executive determines and publicises a description of the overall directorate structure of the Council showing the management structure and deployment of officers.

9. Powers Delegated to Officers

9.1 Those officers named in the Tables or elsewhere in the Constitution have delegated to them the powers specified therein but subject to the limitations specified therein. For the avoidance of doubt, this includes an officer appointed to a named post on an acting interim or temporary basis.

9.2 References in this Part 3 to a 'director' or 'relevant director' are references to one or more of the officers specified in paragraph 9.4 below.

9.3 The Chief Executive may exercise any functions delegated to other officers and may authorise one or more officers in any of the Council's Directorates to make decisions or exercise functions unless expressly prohibited by law from doing so.

9.3.1 The Chief Executive shall also have the authority to carry out all executive functions in the interim in the event of there being no Leader, or Deputy Leader appointed and insufficient members of the Cabinet appointed to achieve a quorum.

9.3.2 Exceptionally, (including at any time when the Chief Executive is acting as "Gold" on behalf of the London local authorities following the convening of the Strategic Co-Ordinating Group ("Gold Command") notwithstanding anything in this Constitution, the Chief Executive shall be authorised to exercise either executive or non-executive functions where the matter is urgent unless this is prohibited by law.

9.3.3 If the Chief Executive acts in the circumstances set out in paragraphs 9.3.1 and 9.3.2 above, the Chief Executive shall notify, as appropriate, the Leader or Deputy Leader of the Council, the Lead Member with portfolio responsibility for the matter to which the decision relates and the Leader of the Principal Opposition Group of any such action.

9.4 The Chief Executive, and Corporate Directors listed below shall have responsibility for the following general and related areas:-

(a) **Chief Executive**:

Head of Paid Service. Managerial leadership of the Council including responsibility for overall corporate management and operational responsibility for all staff. Providing and securing of advice to the Council, and councillors, on strategy and policy. Acting in an executive capacity by making decisions or ensuring a system is in place for other officers to make decisions, as authorised by the Council. Delivering probity, value for money and continuous improvement. Acting as Returning Officer for General, Greater London Authority and Local elections.

(b) **Corporate Director, Service Reform and Strategy:**

Adult Social Services, community services, direct services and client affairs, adult physical disability, learning disability, mental health services, services to older people, safeguarding adults, emergency duty team, , reablement, adult social care complaints, commissioning and quality, support planning and review, any other function listed in Schedule 1 of the Local Authority Social Services Act 1970 (not delegated to the Corporate Director, Children and Young People). Strategic commissioning and procurement. Health partnerships, health inequalities and Public Health. Leisure centres, sport and physical activity. Parks and open spaces.. Corporate Programme Management Office (CPMO) Digital Transformation and Innivation.. Social infrastructure and community engagement., Data pProtection, Information

Requests (including Freedom of Information/Environmental Information. Assets of Community Value and partnerships.

(c) **Corporate, Director Children, Young People and Community Development:**

Statutory Director of Children's Services, school effectiveness service, outdoor education, pupil referral units, education tuition service, parent partnership service, exclusion teams, education welfare service, behaviour support, SEN assessment service, SEN transport, education psychology, youth and 16-19 education, employment, family support, education, and schools organisation, child protection, safeguarding, children's social care, adoption, fostering, placements, children with disabilities and all functions of the Local Authority not reserved to members including but not limited to early years education and school places, education and training provision for young people. Commissioning of education related capital build projects. Employment and skills (including adult and community education). Homes for Ukraine/refugees, Picture Palace development and the Black Community Action Plan. Community safety and prevention. Making all Public Spaces Protection Order under the Anti-Social Behaviour Crime and Policing Act 2014 in consultation with the Cabinet Member for Safer Communities, Jobs and Skills. ASB, nuisance and crime. Asylum.

(d) **Corporate Director, Finance and Resources:**

Statutory s151 officer, finance and debt, capital programme management, payroll and pensions, health and safety, IT/digital shared services and Oracle Cloud Support. Audit, investigations, insurance and emergency planning. Senior Information Risk Owner (SIRO). Legal services, human resources, organisational development, governance, scrutiny, electoral services, complaints, Members casework and Mayoral support. Workforce/organisational equalities. Senior executive support, Communications, Conferences and events, wholly owned housing companies (I4b and First Wave Housing), Policy and Performance (including equalities).

(e) **Corporate Director, Neighbourhoods and Regeneration:**

Regulatory services, street naming and numbering, environmental health, Licensing, street trading, trading standards, contaminated land, pollution control, food safety and pest control. Caretaking services on housing estates. Public realm, lead flood authority, transportation, highways, healthy streets and parking, street lighting, waste management and recycling, street cleansing, environment, CCTV monitoring. Regeneration, urban renewal, economic development, statutory and non-statutory planning, building control and land charges. Council led, affordable housing supply and development. Property and Facilities management. Schools capital programme. The Energy Team. Climate resilience. Wembley event day management.

(g) **Corporate Director, Residents and Housing Services**:

Nationality service, Registrar of Births, Deaths and Marriages and cemeteries. Customer services and community hubs. Revenue and benefits. Private sector housing, housing management and neighbourhood management (not including caretaking services). Housing needs and support. Mortuary and Registrars. Assets of

community value and partnerships. Cultural services (including arts, libraries, museums and archives and the London Borough of Culture legacy).

9.5 In addition to those powers specified in the Tables and elsewhere in this Constitution, the officers specified above have delegated to them by the Council or the Leader, or Cabinet (as the case may be) all and any of the powers of the Council and the executive as may be necessary or desirable to enable them to effectively manage and operate their Directorate or to carry out the roles and responsibilities required of them from time to time (not necessarily restricted to those roles and responsibilities specified above). These powers are subject to the exemptions, restrictions and limitations specified in paragraph 10 below or elsewhere in this Constitution. These powers include (but are not limited to) the powers set out in the following table which are also, subject to any exemption, restriction or limitation specified in respect of them in that table:-

Power	Exception, restriction or limitation
1. to exercise all functions that may from time to time fall within the scope of their professional and operational responsibility.	
2. to manage, within the approved cash limits, the budget allocated to the functions for which the officer has responsibility and to make virements or transfers as necessary.	(a) no action may be taken which would result in growth, which cannot be contained in future years budgets or which would affect a budget which is not under the officer's direct control. (b) no virements or transfers may be made other than in accordance with the Scheme of Transfers and Virements agreed by Full Council. (c) no internal trading arrangements shall be established without the approval of the Corporate Director, Finance and Resources.
3(a) to invite expressions of interest, agree shortlists, invite tenders, negotiate, award, enter into and terminate contracts, agreements, deeds or other transactions; to purchase supplies and services; to appoint external consultants; to make minor or consequential changes to any of the documents mentioned above which were	Provided that: (a) In the case of a contract, agreement, deed or transaction where the Council would be in receipt of works, services or supplies (other than the supply of electricity of gas through a corporate contract) if the value of the contract, agreement, deed,

previously agreed by the Cabinet or the Council or their committees or sub-committees.	transaction, supply, service, work or consultancy would or would be likely or is estimated at the commencement of any procurement process to exceed £2 million in respect of services, supplies or £5 million in respect of works, such value to be aggregated over the life of the contract (including any possible extension) then:- (i) no expressions of interest shall be invited without the prior approval of either the relevant Cabinet Member in respect of contracts relating to executive functions (where the Cabinet Member has power to make the decision) or alternatively Cabinet (or in the appropriate cases the General Purposes Committee) in all other cases; (ii) no contract, agreement, deed or transaction shall be awarded, entered into or terminated without the prior approval of either the relevant Cabinet Member in respect of contracts relating to executive functions (where the Cabinet Member has power to make the decision) or alternatively Cabinet (or in appropriate cases the General Purposes Committee), and (iii) shortlists may only be drawn up and tenders may only be evaluated in accordance with the evaluation criteria approved by either the Cabinet Member in respect of contracts relating to executive functions where the Cabinet Member has power to make the decision) or alternatively the Cabinet (or in appropriate cases the General Purposes Committee) in accordance with Standing Orders 88(b) and 89(vi). (b) in the case of an agreement where the Council is a service provider to

	another organisation, the contract value or cost to the Council in providing the service is less than £1 million per year; otherwise Cabinet approval must be sought in accordance with Standing Order 87(c). (c) In the case of a contract or agreement that does not fall within (a) or (b) above, such as a funding or settlement agreement, the total value passing from the Council to another organisation does not exceed £1 million. (d) The award of contract, approval of the agreement or termination of the contract or agreement would not place the Council in breach of procurement legislation. (e) there is sufficient budgetary provision (f) admission agreements in respect of the pension fund may only be agreed by the Corporate Director, Finance and Resources and in accordance with criteria adopted by the General Purposes Committee or the Pension Fund Sub-Committee. (g) contracts in respect of the supply of electricity or gas through a corporate contract may only be awarded by the Corporate Director, Finance and Resources.
3(b) to extend, vary, renegotiate, novate or assign contracts, agreements, deeds or other transactions.	(a) provided that the extension, variation, renegotiation, novation or assignment would not be in breach of Procurement Legislation. (b) provided that the extension, variation, renegotiation, novation or assignment does not substantially alter the terms and conditions of the contract. (c) provided that there is sufficient existing budgetary provision. (d) if the extension goes beyond the period of extension provided for in the contract (if any) or is otherwise not in accordance with

	the extension provisions in the contract: (i) in the case of any contract, agreement, deed or other transaction with a life of not more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of six months; or (ii) in the case of any contract, agreement, deed or other transaction with a life of more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of one year. (e) the relevant cabinet member shall be consulted prior to a decision within (d) (i) or (ii) above and may request that the decision instead be referred to them. (f) provided that in the case of any variation (other than an extension): (i) the total value of the variation is less than £1m; and (ii) if the total value of the variation (and any previous variations agreed under this provision) is more than £50k it is not more than 50% of the original contract value (calculated over the life of the contract including any extensions or possible extensions and adjusted in accordance with any price review mechanism provided for in the contract). (g) the relevant cabinet member shall be consulted prior to a decision within (f) (i) or (ii) above and may request that the decision instead be referred to them. (h) provided that in the case of any novation or assignment that the relevant Director is satisfied that the contractor to which the

	contract, agreement, deed or other transaction is to be novated or assigned meets the Council's requirements for financial standing, health and safety standards and technical expertise.
4. to establish or re-organise the staffing structure of their Directorate and to appoint, discipline and dismiss staff.	(a) subject to the Standing Orders relating to staff. (b) any staffing restructure report potentially giving rise to a redundancy situation shall be approved by the Corporate Director, Finance and Director of HR & OD. subject to the council's pension Employer Discretion Policy. (c) no severance payment and no award of compensatory added years on the grounds of termination of employment in the interests of the efficient exercise of the Council's functions shall be made or agreed to be made to a HAY graded member of staff except with the prior written approval of the s151 Officer, the Monitoring Officer and the Chief Executive.
5. on the approval of the Director of Law to institute, defend or settle any actual or contemplated legal or formal proceedings on behalf of the Council 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.	
6. to obtain any necessary consent, authority, registration, licence, certificate, deed, notice, order or other similar document that the Council may require.	
7. to register, issue, grant, or refuse permissions, consents, approvals, licences (not being occupational licences), notices, certificates, orders or similar documents which the Council is authorised or required to register, issue, grant,	(a) except where this is the responsibility of a committee or sub-committee. This exception does not apply to the making of minor or consequential changes to any permission, consent, approval, licence, notice,

give, make or refuse by or under any enactment and to impose any conditions limitations or exceptions as they may consider appropriate.	certificate, order or similar document which were previously authorised by the Cabinet or the Council or their committees or sub-committees or any conditions, limitations or exceptions imposed or to be imposed.
8. to exercise discretion in writing off or remitting in whole or in part debts due to the Council.	(a) all reasonable steps to recover the debt(s) have been taken. (b) no sums exceeding £20,000 shall be written off without the written approval of the Corporate Director, Finance and Resources. (c) all such debts written off shall be notified to the Corporate Director, Finance and Resources. (d) the Corporate Director, Finance and Resources, has not required the matter to be referred to him or her for consideration.
9. to bid for and make grants or give other financial or other assistance to organisations.	(a) Provided that if the grant or other financial assistance involves the grant of funds from Council's own resources (i) the relevant Director is satisfied that no adverse capital finance or other negative implications would arise, unless written consent of the Corporate Director, Finance and Resources is obtained. (ii) no grant shall be made by officers if it amounts to more than £25k per annum except in the case of Neighbourhood Infrastructure Level grants which may be made by the Corporate Director of Service Reform and Strategy up to the value of £100k. (iii) no grant shall be withdrawn or reduced by officers if the receiving body has received a grant from the Council for each of the last five years for the same purpose unless such withdrawal is due to the fact that the body no longer meets the relevant grant criteria or conditions of grant. (iv) the grant criteria has been approved by the Cabinet, other appropriate body, the relevant

	Corporate Director or other person with appropriate authority. (v) no grant shall be made by officers from the council's Voluntary Sector Initiative Fund except with the prior approval of the Cabinet. (b) Provided that where the grant or other financial assistance involves the distribution of funds received from a third party the grant or other financial assistance complies with the conditions under which the funds have been received by the Council. (c) Provided that submission of bids for additional resources from government and other bodies shall be made in consultation with the relevant Cabinet Member.
10. to create and/or register legal charges in respect of debts owed to the Council.	
11. to act as a receiver.	
12. to authorise or nominate other officers to act on their behalf in exercising any of their functions.	(a) this may not be exercised other than by the officers listed in paragraph 9.4 above. (b) authorisations and nominations are subject to any limitations or provisos that the officers listed in paragraph 9.4 above may consider appropriate. (c) the names of the persons authorised or nominated shall be notified to the Director of Law.
13. to appoint a person to be the statutory 'proper officer' for any functions falling within their designated area of responsibility and which are required to be undertaken by a proper officer. The designations specified in the Tables shall be deemed to have been amended accordingly.	(a) the name of the person appointed to a 'proper officer' position shall be specified in a list maintained by the appointing officer for that purpose and notified to the Director, of Law.
14. to take up posts on outside bodies or companies and appoint other	(a) only where it is related to their area of work or is agreed by the Chief Executive.

staff to outside bodies or companies.	(b) the prior advice of the Director of Law should be obtained.
15. to act as an authorised signatory for the Council.	
16. to hear or determine appeals on matters which are within their area of responsibility or any other area if requested to do so by the Chief Executive.	(a) provided they were not the person who made the decision, the subject of the appeal.
17. to carry out works for, or to provide services or supplies to, or to exercise functions on behalf of other local authorities or bodies.	(a) where permitted by law. (b) subject to compliance with Contract Standing Orders and Financial Regulations.
18. to determine whether any application received in relation to any matter is valid according to the rules or procedures governing such applications including for the avoidance of doubt, any application for planning permission or similar and to determine whether any other document report assessment (including an Environmental Impact Assessment) or other information is required to be provided or carried out prior to validation or determination of that application.	
19. to determine any other minor issue or make any minor modification or variation relating to a matter previously determined by the Cabinet or the Council or their committees or sub-committees e.g. minor amendments to conditions on planning permissions which Planning Committee have resolved to grant or minor amendments to terms and conditions of employment previously agreed by the General Purposes Committee.	
20. to respond to consultation papers from other bodies or local authorities.	

9.6 The Chief Executive and Corporate Directors (The Chief Officers), may, from time to time, nominate a deputy to act on their behalf in the event of their absence. The

nominated deputy may, (subject to the same restrictions as would apply to the relevant Chief Officer) exercise all the powers of the relevant Chief Officer; save in so far as that is inconsistent with any other part of the Constitution.

9.7 Officers designated as Directors have delegated to them, (subject to the same restrictions as would apply to their Corporate Director; all the powers of their Corporate in so far as they relate to the Department for which they are responsible, save in so far as that is inconsistent with any other part of the Constitution or their Corporate Director (or the Chief Executive) has directed them not to exercise particular powers.

9.8 For the avoidance of doubt, the officers specified in 8.3 will retain the specific statutory responsibilities arising from their designations irrespective of these delegations.

9.9 The following officers have delegated to them the following powers in relation to all of the Council's services and areas of responsibility:-

(a) Corporate Director, Finance and Resources

To undertake the S151 statutory role:

- **Ensuring lawfulness and financial prudence of decision-making**

After consulting, as appropriate, with the Head of Paid Service and the Monitoring Officer, the Corporate Director, Finance and Resources will report to Full Council, or to the Cabinet in relation to an executive function, and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

- **Administration of financial affairs**

The Corporate Director, Finance and Resources will have responsibility for the administration of the financial affairs of the Council.

To be responsible for providing financial advice to Members and officers in their respective roles in order to further effective decision making by the Council, and to be the professional lead for the finance function of the Authority. To advise and assure him/herself there is an effective system of internal control for the Authority, including the provision of an effective internal audit service and risk management. To operate and advise on an effective overall framework for insurance. To be responsible for advising on the investment strategy for the Council's treasury and pensions assets and to manage these accordingly. Power to incur or prevent any expenditure and to authorise borrowing within any limits approved by Full Council, write off debts, issue instructions on any matter relating to budget preparation, budget monitoring or budget control, power to set and monitor accounting standards, power to specify the format of returns, to require any officer to furnish him or her with any information and to answer any question relevant to the financial management of the authority.

To operate and advise on an effective system of internal control for the Authority, including the provision of an effective internal audit and risk management.

(b) Director of Law

To undertake the statutory role of and exercise the powers of the Monitoring Officer, including standards and probity:

- After consulting, as appropriate, with the Head of Paid Service and Corporate Director, Finance and Resources, the Monitoring Officer will report to Full Council, or to the Cabinet in relation to an executive function, if he or she considers that any proposal, decision or omission has, may or would give rise to unlawfulness or to any maladministration which has been investigated by the Ombudsman. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- Contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit and Standards Advisory Committee and the Audit and Standards Committee. The Monitoring Officer will conduct investigations into matters referred to him or her by the Audit and Standards Committee (or arrange for such investigations to be conducted) and make reports or recommendations in respect of them to the Audit and Standards Committee.

To be responsible for advising whether decisions of the Cabinet are in accordance with the Policy Framework and the Budget and to provide advice to all councillors on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issue.

Power to institute, defend or settle any actual or contemplated legal or formal proceedings on behalf of the Council 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; power to sign contracts, deeds, orders, notices and all other documents unless any enactment requires otherwise, the qualified person for Section 36 Freedom of Information Act 2000 determinations, responsibility to maintain an up-to-date version of the Constitution and ensure that it is widely available for inspection by councillors, officers and the public.

**The Monitoring Officer cannot be the Corporate Director, Finance and Resources or the Head of Paid Service.*

**The Council will provide the Monitoring Officer and s151 Officer with such officers, accommodation and other resources as are in those officers' opinion sufficient to allow their duties to be performed.*

(c) Director of Public Health

To undertake the statutory role of Director of Public Health. Principal adviser to officers and members on all public health matters. To write the annual report on the health of the local population, take steps to improve public health, plan for and respond to emergencies which present a risk to public health, to carry out such public health functions or health protection functions as the Secretary of State may delegate or specify in regulations, to co-operate with the police, probation service and prison service in accordance with the local authority's duties under Section 325 of the Criminal Justice Act 2003, to be responsible for the Council's public health response under the Licensing Act 2003, to authorise Patient Group Directions on behalf of the Local Authority.

9.10 The Corporate Director, Neighbourhoods and Regeneration, who is responsible for management of the Council's municipal buildings portfolio and its property disposal programme; estates management and valuation; maintaining the Council's property (terrier) records; producing, updating and enforcing Corporate Property Standards; co-ordinating property management function across the Council; advice on property and delivering the annual Asset Management Plan has the delegated powers as described in paragraph 11 below.

10. Exemptions, Restrictions and Limitations on Powers Delegated to Officers

10.1 Chief Officers exercising delegated authority (shall take all reasonable steps (including the taking of financial, legal and other similar advice) to ensure that no function is exercised or decision taken if, in their reasonable opinion:-

(a) **Policy:**

The exercise of that function or the making of that decision would or would be likely to conflict with or result in a change or departure from any decision or policy agreed by the Council or the Cabinet, other than the determination of planning applications where the departure from the development plan is determined in accordance with section 54A of the Town and Country Planning Act 1990.

(b) **Constitution**:

The exercise of that function or the making of that decision would or would be likely to conflict with the Constitution or any part of it.

(c) **Advice:**

The exercise of that function or the making of that decision would or would be likely to conflict with advice from the Head of Paid Service, Monitoring Officer or the s151 Officer or the External Auditor carrying out their statutory functions.

(d) **Ultra Vires:**

The exercise of that function or the making of that decision would or would be likely to result in unlawful or ultra vires activity or actions as advised by the Monitoring Officer.

(e) **Overspends:**

The making of that decision would or would be likely to result in discretionary spending of either a revenue or capital nature significantly exceeding the approved revenue or capital budgets in either the current or any future year. [Where the overspend is considered unavoidable (or not incurring it would result in breach of statutory requirements or serious failure to deliver agreed corporate priorities) it must nonetheless be reported at the first available opportunity].

(f) **Decisions to be referred to the Cabinet or Council:**

It is a function which may under this Constitution be exercised by the Cabinet and the Cabinet or the Leader have requested that the matter be referred to them for decision; it is a Council function and the Full Council has agreed that the matter be referred to it or a committee or sub-committee for decision; or

the relevant Corporate Director determines that the matter should be referred to the relevant part of the Cabinet or the Council for consideration.

(g)[1] **Company or partnership**:

The exercise of that function would result in the setting up of a company or entering into a legally binding partnership arrangement with any other body.

(i) **Personal interests:**

The officer concerned has a personal or private interest in the matter.

(k) **Change in service delivery:**

The exercise of that function or the making of that decision would or would be likely in the opinion of the relevant Corporate Director or the Chief Executive to result in a very significant change in the model of service delivery.

(l) **Significant or unusual risk**:

The exercise of that function or the making of that decision would or would be likely to expose the Council to a significant or unusual level of risk, financial or otherwise, as determined by the Chief Executive, the Corporate Director, Finance and Resources or the Director of Law.

(m) **Closure of a facility or reduction in services:**

The exercise of that function or the making of that decision would result or would be likely to result in the permanent closure of a facility used by the public or a permanent and significant reduction in the level of services or facilities provided to the public other than where such closure or reduction in service is considered necessary by the relevant Corporate Director or the Chief Executive for reasons of health and safety.

(n) **Charges and Fees:**

The decision relates to the setting, levying or increase of any fees or charges to any member of the public in respect of a Council service (other than room lettings and copying charges) unless it is authorised by the Council's Fees and Charges Policy and related guidance.

(p) **Some other reason:**

The Chief Executive considers that the matter should not for some reason be considered by officers.

10.2 In cases where an officer is prevented from exercising any function delegated to him or her by virtue of any of the above or where he or she or the Chief Executive decides that they cannot or should not exercise the function then, subject to paragraph 9.3 above, that function shall be exercised by the person or body who would otherwise have responsibility for that function, or the General Purposes Committee if none other is specified (unless it is a matter which is reserved to Full Council).

11. Acquiring, managing and disposing of land and buildings

[1] This is covered elsewhere in the constitution

11.1 Only the Corporate Director, Neighbourhoods and Regeneration or the Director of Property and Assets may acquire or dispose of an interest in land or buildings. The restrictions placed upon such acquisitions or disposals are set out in paragraphs 11.2, 11.3 and 11.6 below. The Corporate Director, Neighbourhoods and Regeneration or the Director of Property and Assets shall refer all other acquisitions and disposals including matters where the disposal or acquisition value or the length of lease are over and above the restrictions set out in 11.2, or 11.3 but below the amounts set out in section 13 below to the Cabinet Member with delegated authority or to the Cabinet.

11.2 The Corporate Director, Neighbourhoods and Regeneration may dispose of or acquire freehold land or buildings up to a value, in his or her view, of £1m. The Corporate Director, Neighbourhoods and Regeneration may acquire or dispose of leases, licences, and easements in respect of land or buildings except where

i. the annual rental value (excluding other outgoings) exceeds £250k
ii. if acquired or disposed of at a premium the value would, in his or her view, exceed £1m in value or
iii. where the leasehold term exceeds 125 years

11.3 Where any disposal or acquisition of an interest in land or buildings is, in the view of the Corporate Director, Neighbourhoods and Regeneration, of a value over £250k and below £1m, where any leasehold interest has an annual value over £100k or below £250k, or where the lease length is between 50 and 125 years he or she shall consult with the Lead Member.

11.4 The Corporate Director, Neighbourhoods and Regeneration should be advised of any disposal or acquisition undertaken by this delegated authority within three months of any transaction.

11.5 All Members of the Cabinet will receive a report at least yearly on all these delegated authority transactions.

11.6. The Corporate Director, Neighbourhoods and Regeneration may not sell or grant any lease or easement, licence or otherwise dispose of any land or buildings unless the consideration received, as confirmed by them is the best that can reasonably be obtained, whether or not the grant, sale or disposal is covered by a general or specific consent from the relevant Secretary of State.

11.7 Nothing in this paragraph 11 shall prevent the Corporate Director, Partnerships, Housing and Residents Services from granting, in accordance with the Council's policies and procedures, any secure tenancy of housing accommodation nor from selling the leasehold or freehold interest in any residential property pursuant to the right to buy scheme or the voluntary sales scheme as promoted by the Secretary of State from time to time.

11.8 Nothing in this paragraph 11 shall prevent the Corporate Director, Neighbourhoods and Regeneration acquiring or disposing of freehold land or acquiring granting or disposing of leasehold land for any term of years or licences and easements in respect of land and buildings where:

(a) there is a statutory entitlement to a freehold or leasehold interest arising from a claim made in respect of residential land under the statutory enfranchisement provisions of the Leasehold Reform, Housing and Urban Development Act 1993 or Leasehold Reform Act 1967 as amended or re-enacted; or

(b) there is an statutory entitlement to a freehold or leasehold interest in accordance with the Academies Act 2010 as amended or re-enacted or other education legislation regulation order direction under education legislation or where the acquisition grant or disposal of a freehold or long leasehold term or easement is advised in accordance with a circular or guidance issued by the Secretary of State from time to time in respect of school land inclusive of the designation provision or conversion of a school into an academy or the provision of land for any school; or

(c) statutory undertakers, telecommunication undertakings or other utilities are providing installations or equipment or laying cables pipes or other service media to in and over or through land or buildings.

11.9 In acquiring, selling or disposing of any land or buildings or granting any lease, licence or easement in respect thereof regard shall be had to any relevant Corporate Standards on property acquisitions, management and disposals.

11.10 No person shall create or grant a service tenancy or service occupancy without the prior written approval of the Chief Executive.

11.11 In any cases where officers do not have or may not exercise delegated powers in respect of land or buildings the matter shall be determined by the Cabinet (unless precluded by law or the Constitution from exercising that power in which case the matter will be determined by the General Purposes Committee where possible or the Full Council if not possible).

11.12 For the avoidance of doubt the rules in this paragraph do not apply to the adoption of highways and footways if there is no legal transfer of title to land.

11.13 The Director of Property and Assets shall be responsible for the day-to-day Trustee functions and decision-making in relation to the Barham Park Trust.

12. Highways and Traffic Regulation

The powers delegated to the Corporate Director, Neighbourhoods and Regeneration in respect of highways and related functions do not include:

i. Strategic and high level highways and transportation matters which includes decisions which affect 4 wards or more;
ii. Strategies or policies in respect of highways or transportation matters;
iii. Highways and transportation matters involving expenditure over £2m for services and supplies and or £5m works;
iv. Highways or transportation matters which have a significant effect on income;

13. Decisions by individual Members

The Leader has delegated the following functions to Cabinet members to be exercised within their portfolio area and in consultation with the Leader.

Categories of decisions for individual Cabinet Members, to be taken in consultation with the Leader.

CATEGORY	INDIVIDUAL MEMBER DELEGATED DECISIONS

	(in relation to their portfolio area)
Financial	Agreement of changes to existing fees and charges where this is not within powers delegated to officers in accordance with the Fees and Charges policy adopted by Council.
Contracts and procurement	Agreement to invite expressions of interest, agree pre-tender considerations, agree shortlists, invite tenders, negotiate, award, enter into and terminate contracts; deeds, agreements and other transactions to purchase supplies and services and to appoint external consultants if: (a) the value of the contract, supply, service, work or consultancy would, or would be likely, or is estimated, at the commencement of any procurement process to exceed the value at which officers may take the decision, but does not exceed £5 million in respect of services or supplies or £10 million in respect of works, such value to be aggregated over the life of the contract (including any possible extension); or (b) the likely or estimated value does not exceed the value at which officers may take the decision, but the decision is referred by the relevant officer to the relevant Cabinet Member.
	Agreement of waivers of Contract Standing Orders for medium and High value revenue and capital contracts, as set out in the Council's Contract Standing Orders.
	Agreement of changes to the following as adopted by Cabinet: • the tender procedure to be adopted; • the evaluation criteria and process.
	Agreement of contract extension, variation or termination where the decision is excluded from officer delegated powers because: (a) the extension goes beyond the period of extension provided for in the contract (if any) or is otherwise not in accordance with the extension provisions in the contract; and (b) the contract, agreement, deed or other transaction has a life of not more than one year (including any possible extension provided for in the contract) and the extension exceeds a period of six months; (c) the contract, agreement, deed or other transaction has a life of more than one year (including any possible extension provided for in the contract) and the extension exceeds a period of one year; or (d) in the case of any variation (other than an extension): (i) the total value of the variation is £1 million or more; and (ii) the total value of the variation is more than £50k and is more than 50% of the original contract value (calculated over the life of the contract including any extensions or possible extensions and adjusted in accordance with any price review mechanism provided for in the contract).

	Agreement of other contract extensions, variations or terminations where the individual requests that a decision be referred to them pursuant to Part 3 paragraph 9.5 3(b)(e) or 3(b)(g).
Grants	Agreement to make grants or give other financial assistance to organisations (other than from the Voluntary Sector Initiative Fund) provided that: a) if the grant or other financial assistance involves the grant of funds from Council's own resources the grant or other financial assistance shall not exceed £50k (and shall exceed £25k unless specifically referred to the Cabinet Member by the relevant officer) b) if the grant or other financial assistance involves the distribution of funds received from a third party the grant or other financial assistance complies with the conditions under which the funds have been received by the Council.
Property	Agreement to acquire or dispose of leases, licences, and easements in respect of land or buildings where: • the annual rental value (excluding other outgoings) exceeds £500k (or does not exceed this figure but is referred by the relevant officer); and • if acquired or disposed of at a premium the value would in the reasonable opinion of the Corporate Director, Neighbourhoods and Regeneration exceed £2m in value (or would not exceed this figure but the Corporate Director, Neighbourhoods and Regeneration has decided to refer the decision to the Cabinet Member); and • the leasehold term does not exceed 125 years. • the lease, easement or licence is disposed of at less than the best price that can reasonably be obtained and is covered by a general consent, or is not covered by a general consent, in which case agreement will be subject to any specific consent required from the Secretary of State being obtained.
Performance	Agreement of performance standards where referred by an officer.
Consultations and Supplementary Planning Documents	To agree Supplementary Planning Documents (SPDs) for consultation, together with the arrangements for consultation, and following consultation to adopt SPDs or refer them to Cabinet for adoption.
Consultations	Agreement of broad public consultation arrangements relating to issues which will be decided by the Cabinet or a Cabinet Member.

14. Decisions to be taken only by Full Council

14.1 Legislation provides that some Council functions/decisions can only be exercised or made by the Full Council, that is all the members or a specified number or percentage of them meeting together.

14.2 Table 6 sets out a list of functions which may only by law be undertaken by Full Council.

TABLE 1

FUNCTIONS WHICH CANNOT BE EXERCISED BY THE CABINET (including the Leader and individual Cabinet members)

(1)	***(2)***	***(3)***
Function	***Provision of Act or Statutory Instrument***	***Decision maker***
A. Functions relating to town and country planning and development control		**All of the functions listed under this section A will be exercised by the Corporate Director, Neighbourhoods and Regeneration, and/or the Head of Planning or by a person nominated or authorised by the Corporate Director, Neighbourhoods and Regeneration, except those functions which are the responsibility of the Planning Committee or which are required to be determined by Full Council**
1. Power to determine application for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990.	
2. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.	
3. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990.	
4. Power to decline to determine application for planning permission.	Section 70A of the Town and Country Planning Act 1990.	

5. Duties relating to the making of determinations of planning applications.	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419) and directions made thereunder.	
6. Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492).	
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418).	
8. Power to enter into agreement regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.	
9. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990.	
10. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.	
11. Power to grant consent for the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992.	
12. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990.	

13. Power to require the discontinuance of a use of land.	Section 102 of the Town and Country Planning Act 1990.	
14. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.	
15. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990.	
16. Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.	
17. Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990.	
18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6) (a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.	N/A
18A. Power to issue a temporary stop notice	Section 171 E of the Town and Country Planning Act 1990	
19. Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.	
20. Power to determine application for listed building consent, and related powers.	Sections 16(1) and (2), 17, and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	

21. Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act.	
22. Duties relating to applications for listed building consent and conservation area consent.	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (SI 1990/1519) and paragraphs 8, 15 and 22 of Directorate of the Environment, Transport and the Regions Circular 01/01.	
23. Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
24. Power to issue enforcement notice in relation to demolition of listed building in conservation area.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
25. Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
26. Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.	
27. Power to execute urgent works.	Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.	

28. Any other planning related functions which are or become a function which cannot be exercised by the Executive.		
29. Such of the functions listed in 1-28 above as shall arise under the Old Oak and Park Royal Development Corporation (OPDC) Scheme of Delegation agreed by the Council on 2 March 2015.	**Section 203 Localism Act 2011**	
B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)		**Except where specified all of the functions listed under this section B will be exercised by the Corporate Director, Neighbourhoods and Regeneration, or a person nominated or authorised by him or her, except those functions which are the responsibility of the Licensing Committee, the Licensing Sub-Committees or the General Purposes Committee or are required to be determined by the Full Council**
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960.	
2. Power to license the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936.	

3. Power to license hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847, as extended by section 171 of the Public Health Act 1875, and section 15 of the Transport Act 1985; and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976; (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	N/A
4. Power to license drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	N/A
5. Power to license operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.	N/A
6. Power to register pool promoters.	Schedule 2 to the Betting, Gaming and Lotteries Act 1963.	
7. Power to grant track betting licences.	Schedule 3 to the Betting, Gaming and Lotteries Act 1963.	
8. Power to license inter-track betting schemes.	Schedules 5ZA to the Betting, Gaming and Lotteries Act 1963.	
9. Power to grant permits in respect of premises with amusement machines.	Schedule 9 to the Gaming Act 1968.	
10. Power to register societies wishing to promote lotteries.	Schedule 1 to the Lotteries and Amusements Act 1976.	

11. Power to grant permits in respect of premises where amusements with prizes are provided.	Schedule 3 to the Lotteries and Amusements Act 1976.	
12. Power to issue cinema and cinema club licences.	Section 1 of the Cinema Act 1985.	
13. Power to issue theatre licences.	Sections 12 to 14 of the Theatres Act 1968.	
14. Power to issue entertainment licences.	Section 12 of the Children and Young Persons Act 1933 section 52 of, and Schedule 12 to, the London Government Act 1963, section 79 of the Licensing Act 1964, sections 1 to 5 and 7 of, and Parts I and II of the Schedule to, the Private Places of Entertainment (Licensing) Act 1967 and Part I of, and Schedules 1 and 2 to, the Local Government (Miscellaneous Provisions) Act 1982.	
14A. Any function of a licensing authority	Licensing Act 2003 and any regulations or orders made under that Act.	
14AZA Powers and functions relating to late night levy requirements	Chapter 2 of Part 2 of the Police Reform and Social Responsibility Act 2011 and any regulations made under that Chapter.	
14AA Duty to comply with requirement to provide information to Gambling Commission.	Section 29 of the Gambling Act 2005	
14AB Functions relating to exchange of information.	Section 30 of the 2005 Act.	
14AC Functions relating to occasional use notices	Section 39 of the 2005 Act.	

14B Power to resolve not to issue a casino premises licence.	Section 166 of the 2005 Act.	Full Council in respect of the power to resolve not to issue a casino premises licence under section 166 of the Gambling Act 2005
14C Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises.	Section 304 of the 2005 Act.	
14CA Power to make order disapplying section 279 or 282(1) of the 2005 Act in relation to specified premises.	Section 284 of the 2005 Act.	
14D Power to institute criminal proceedings	Section 284 of the 2005 Act.	
14E Power to exchange information.	Section 350 of the 2005 Act.	
14F Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007.	
14G Functions relating to the registration and regulation of small society lotteries.	Part 5 of Schedule 11 to the 2005 Act.	
15. Power to license sex shops and sex cinemas.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3.	
16. Power to license performances of hypnotism.	The Hypnotism Act 1952.	
17. Power to license premises for acupuncture, tattooing, ear piercing and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982.	
18. Power to license pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907.	

19. Power to register door staff.	Paragraphs 1(2) and 9 of Schedule 12 to the London Government Act 1963 and Part V of the London Local Authorities Act 1995.	
20. Power to license market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982, Part III of the London Local Authorities Act 1990 and section 6 of the London Local Authorities Act 1994).	
21. Power to license night cafes and take-away food shops.	Section 2 of the Late Night Refreshment Houses Act 1969, Part II of the London Local Authorities Act 1990 and section 5 of the London Local Authorities Act 1994.	
22. Duty to keep list of persons entitled to sell non-medicinal poisons.	Sections 3(1) (b) (ii), 5, 6 and 11 of the Poisons Act 1972.	
23. Power to license dealers in game and the killing and selling of game.	Sections 5, 6, 17, 18 and 21 to 23 of the Game Act 1831; sections 2 to 16 of the Game Licensing Act 1860, section 4 of the Customs and Inland Revenue Act 1883, sections 12(3) and 27 of the Local Government Act 1874, and section 213 of the Local Government Act 1972.	
24. Power to register and license premises for the preparation of food.	Section 19 of the Food Safety Act 1990.	
25. Power to license scrap yards.	Scrap Metal Dealers Act 2013	

26. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975.	
27. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987.	
28. Power to issue fire certificates.	Section 5 of the Fire Precautions Act 1971.	
29. Power to license premises for the breeding of dogs.	Section 1 of the Breeding of Dogs Act 1973 and section 1 of the Breeding and Sale of Dogs (Welfare) Act 1999.	
30. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951; section 1 of the Animal Boarding Establishments Act 1963; the Riding Establishments Acts 1964 and 1970; section 1 of the Breeding of Dogs Act 1973, and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.	
31. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925.	
32. Power to license zoos.	Section 1 of the Zoo Licensing Act 1981.	
33. Power to license dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976.	
34. Power to license knackers' yards.	Section 4 of the Slaughterhouses Act 1974. See also the Animal By-Products Order 1999 (S.I. 1999/646).	

35. Power to license the employment of children.	Part II of the Children and Young Persons Act 1933, bylaws made under that Part, and Part II of the Children and Young Persons Act 1963.	Corporate Director, Children, Young People and Community Development
36. Power to approve premises for the solemnisation of marriages.	Section 46A of the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995 (S. I. 1995/510).	Corporate Director, Residents and Housing Services
37. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to – (a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or (b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).	
38. Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471).	
39. Power to license persons to collect for charitable and other causes.	Section 5 of the Police, Factories etc. (Miscellaneous Provisions) Act 1916 and section 2 of the House to House Collections Act 1939.	
40. Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993.	

41. Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991.	
42. Power to license agencies for the supply of nurses.	Section 2 of the Nurses Agencies Act 1957.	
43. Power to issue licences for the movement of pigs.	Article 12 of the Pigs (Records, Identification and Movement) Order 1995 (S.I. 1995/11).	
44. Power to license the sale of pigs.	Article 13 of the Pigs (Records, Identification and Movement) Order 1995.	
45. Power to license collecting centres for the movement of pigs.	Article 14 of the Pigs (Records, Identification and Movement) Order 1995.	
46. Power to issue a licence to move cattle from a market.	Article 5(2) of the Cattle Identification Regulations 1998 (S.I. 1998/871).	
46A. Power to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers.	Section 115E, 115F and 115K of the Highways Act 1980	Corporate Director, Neighbourhoods and Regeneration
47. Power to permit deposit of builder's skip on highway.	Section 139 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
47A. Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 115G of the Highways Act 1980(**a)**	Corporate Director, Neighbourhoods and Regeneration
48. Power to license planting, retention and maintenance of trees etc. in part of highway.	Section 142 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
49. Power to authorise erection of stiles etc. on footpaths or bridleways.	Section 147 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration

50. Power to license works in relation to buildings etc., which obstruct the highway.	Section 169 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
51. Power to consent to temporary deposits or excavations in streets.	Section 171 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
52. Power to dispense with obligation to erect hoarding or fence.	Section 172 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
53. Power to restrict the placing of rails, beams etc. over highways.	Section 178 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
54. Power to consent to construction of cellars etc. under street.	Section 179 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
55. Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators.	Section 180 of the Highways Act 1980.	Corporate Director, Neighbourhoods and Regeneration
56. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematography Film Act 1922.	
57. Power to approve meat product premises.	Regulations 4 and 5 of the Meat Products (Hygiene) Regulations 1994 (S.I. 1994/3082).	
58. Power to approve premises for the production of minced meat or meat preparations.	Regulation 4 of the Minced Meat and Meat Preparations (Hygiene) Regulations 1995 (S.I. 1995/3205).	
59. Power to approve dairy establishments.	Regulations 6 and 7 of the Dairy Products (Hygiene) Regulations 1995 (S.I. 1995/1086).	
60. Power to approve egg product establishments.	Regulation 5 of the Egg Products Regulations 1993 (S.I. 1993/1520).	

61. Power to issue licences to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods.	Schedule 1A to the Food Safety (General Food Hygiene) Regulations 1995 (S.I. 1995/1763).	
62. Power to approve fish products premises.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998 (S.I. 1998/994).	
63. Power to approve dispatch or purification centres.	Regulation 11 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	
64. Power to register fishing vessels on board which shrimps or molluscs are cooked.	Regulation 21 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	N/A
65. Power to approve factory vessels and fishery product establishments.	Regulation 24 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	N/A
66. Power to register auction and wholesale markets.	Regulation 26 of the Food Safety (Fishery Products and Live Shellfish) (Hygiene) Regulations 1998.	
67. Duty to keep register of food business premises.	Regulation 5 of the Food Premises (Registration) Regulations 1991 (S.I. 1991/2828).	
68. Power to register food business premises.	Regulation 9 of the Food Premises (Registration) Regulations 1991.	

69. Power to issue near beer licences.	Section 16 to 19 and 21 of the London Local Authorities Act 1995 and to the extent that it does not have effect by virtue of regulation 2(3), section 25 of that Act.	
70. Power to register premises or stalls for the sale of goods by way of competitive bidding.	Section 28 of the Greater London Council (General Powers) Act 1984.	
71. Power to register motor salvage operators	Part 1 of the Vehicles (Crime) Act 2001	
72. Functions relating to the registration of common land or village greens	Part 1 of the Commons Act 2006 and the Commons Registration (England) Regulations 2008.	
73. Any other licensing related functions which are or becomes a function which cannot be exercised by the Executive.		
C. Functions relating to health and safety at work		**All of the functions listed under this section C will be exercised by the Corporate Director, Finance and Resources, or by a person nominated or authorised by him or her**

1. Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer. 2. Any other health & safety related functions which by statutory instrument or order are or become functions which cannot be exercised by the Executive.	Part I of the Health and Safety at Work etc. Act 1974.	
D. Functions relating to elections		
1. Duty to appoint an electoral registration officer.	Section 8(2) of the Representation of the People Act 1983.	Full Council
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.	Chief Executive
3. Functions in relation to parishes and parish councils.	Part II of the Local Government and Rating Act 1997 and subordinate legislation under that Part.	N/A
4. Power to dissolve small parish councils.	Section 10 of the Local Government Act 1972.	N/A
5. Power to make orders for grouping parishes, dissolving groups and separating parishes from groups.	Section 11 of the Local Government Act 1972.	N/A
6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.	Full Council

~~7 Duty to provide assistance at European Parliamentary elections.~~	~~Section 6(7) and (8) of the European Parliamentary Elections Act 2002.~~	~~Chief Executive~~
7. Duty to divide constituency into polling districts.	Section 18A – E of, and Schedule A1 to the Representation of the People Act 1983.	Full Council or General Purposes Committee
8. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.	Full Council or General Purposes Committee
9. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.	N/A
10. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.	Chief Executive
11. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.	N/A
12. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.	Chief Executive
13. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.	Chief Executive
14. Power to make temporary appointments to parish councils.	Section 91 of the Local Government Act 1972.	NA
15. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000.	Full Council
16. Duty to consult on change of scheme for elections.	Sections 33(2), 38(2) and 40(2) of the Local Government and Public Involvement in Health Act 2007	Chief Executive

17. Duties relating to publicity	Sections 35, 41 and 52 of the Local Government and Public Involvement in Health Act 2007	Chief Executive
18. Duties relating to notice to Electoral Commission	Sections 36 and 42 of the Local Government and Public Involvement in Health Act 2007	Chief Executive
19. Power to alter years of ordinary elections of parish councillors	Section 53 of the Local Government and Public Involvement in Health Act 2007	n/a
20. Functions relating to change of name of electoral area	Section 59 of the Local Government and Public Involvement in Health Act 2007	Full Council
21. Any other election related functions which by statutory instrument or order are or become functions which cannot be exercised by the Executive.		Full Council or General Purposes Committee
E. Functions relating to name and status of areas and individuals		**All of the functions listed in this section will be exercised by the Full Council**
1. Power to change the name of a county, district or London borough.	Section 74 of the Local Government Act 1972.	
2. Power to change the name of a parish.	Section 75 of the Local Government Act 1972.	N/A
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.	
4. Power to petition for a charter to confer borough status.	Section 245(b) of the Local Government Act 1972.	

5. Any other similar function in this category which by statutory instrument or order are or become functions which cannot be exercised by the Executive.		
EB. Functions relating to community governance		
1. Duties relating to community governance reviews.	Section 79 of the Local Government and Public Involvement in Health Act 2007.	Chief Executive
2. Functions relating to community governance petitions.	Sections 80, 83 to 85 of the Local Government and Public Involvement in Health Act 2007.	Chief Executive
3. Functions relating to terms of reference of review.	Sections 81(4) to (6) of the Local Government and Public Involvement in Health Act 2007.	Full Council
4. Power to undertake a community governance review.	Section 82 of the Local Government and Public Involvement in Health Act 2007.	Full Council
5. Functions relating to making of recommendations.	Sections 87 to 92 of the Local Government and Public Involvement in Health Act 2007	Full Council
6. Duties when undertaking review.	Section 93 to 95 of the Local Government and Public Involvement in Health Act 2007.	Chief Executive in relation to section 93
7. Duty to publicise outcome of review.	Section 96 of the Local Government and Public Involvement in Health Act 2007.	Chief Executive
8. Duty to send two copies of order to Secretary of State and Electoral Commission.	Section 98(1) of the Local Government and Public Involvement in Health Act 2007.	Chief Executive

9.Making an order giving effect to the recommendations made in a governance review	Section 86 of the Local Government and Public Involvement in Health Act 2007.	Full Council
10. Any other similar function which by statutory instrument or order are or become functions which cannot be exercise by the Executive.		Full Council
F. Power to make, amend, revoke, re-enact or enforce bylaws	**Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978**	**Full Council (other than enforcement which will be exercised by the Corporate Director, Neighbourhoods and Regeneration or by a person nominated or authorised by him or her).**
FA. Functions relating to smoke-free premises, etc.		**Corporate Director Neighbourhoods and Regeneration**
1. Duty to enforce Chapter 1 and regulations made under it.	Section 10(3) of the Health Act 2006.	
2. Power to authorise officers.	Section 10(5) of, and paragraph 1 of Schedule 2, the Health Act 2006.	
3. Functions relating to fixed penalty notices	Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006. Smoke-free (Vehicle Operators and Penalty Notices) Regulations 2007 (SI 2006/760).	
4. Power to transfer enforcement functions to another enforcement authority.	Smoke-free (Premises and Enforcement) Regulations 2006 (SI 2006/3368)	
G. Power to promote or oppose local or personal Bills	**Section 239 of the Local Government Act 1972**	**Full Council**

H. Functions relating to pensions etc.		**All of the functions listed in this section will be exercised by the Corporate Director, Finance and Resources except those functions which fall within the terms of reference of the General Purposes Committee or the Pension Fund Sub-Committee and the determination of "stage 2" applications under Regulation 102 of the Local Government Pension Scheme Regulations 1997 on behalf of the Council as Administering Authority and as employer in the case of discretionary matters covered by the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2000 and earlier equivalent Regulations. These functions shall be exercised by the Director of Law. In the absence of the Director of Law, or in the event a conflict arises, these functions shall be exercised by the Corporate Director of Finance and Resources**
1. Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972.	
2. Functions under the Fireman's Pension Scheme relating to pensions, etc. as respects persons employed by fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004.	Section 34 and 36 of the Fire and Rescue Services Act 2004.	N/A

3. Any other pension related functions which by statutory instrument or order are or become functions which cannot be exercised by the Executive.		
I. Miscellaneous functions		
Part I: Functions relating to public rights of way		**All of the functions listed under Part 1 of this section will be exercised by the Corporate Director, Neighbourhoods and Regeneration or by a person nominated or authorised by him or her unless within the terms of reference of a Council committee or sub-committee or unless otherwise specified**
1. Power to create footpath, bridleway or restricted byway by agreement.	Section 25 of the Highways Act 1980.	General Purposes Committee
2. Power to create footpaths, bridleways and restricted byways.	Section 26 of the Highways Act 1980.	General Purposes Committee
3. Duty to keep register of information with respect to maps, statements and declarations.	Section 31A of the Highways Act 1980.	
4. Power to stop up footpaths, bridleways and restricted byways.	Section 118 of the Highways Act 1980.	General Purposes Committee
5. Power to determine application for public path extinguishment order.	Sections 118ZA and 118C (2) of the Highways Act 1980.	General Purposes Committee
6. Power to make a rail crossing extinguishment order.	Section 118A of the Highways Act 1980.	General Purposes Committee
7. Power to make a special extinguishment order.	Section 118B of the Highways Act 1980.	General Purposes Committee

8. Power to divert footpaths, bridleways and restricted byways.	Section 119 of the Highways Act 1980.	
9. Power to make a public path diversion order.	Sections 119ZA and 119C (4) of the Highways Act 1980.	
10. Power to make a rail crossing diversion order.	Section 119A of the Highways Act 1980.	
11. Power to make a special diversion order.	Section 119B of the Highways Act 1980.	
12. Power to require an applicant for a special diversion order to enter into an agreement.	Section 119C (3) of the Highways Act 1980.	
13. Power to make an SSSI diversion order.	Section 119D of the Highways Act 1980.	
14. Duty to keep register with respect to applications under sections 118ZA, 118C, 119ZA and 119C of the Highways Act 1980.	Section 121B of the Highways Act 1980.	
15. Power to decline to determine certain applications.	Section 121C of the Highways Act 1980.	
16. Duty to assert and protect the rights of the public to use and enjoyment of highways.	Section 130 of the Highways Act 1980.	
17. Duty to serve notice of proposed action in relation to obstruction.	Section 130A of the Highways Act 1980.	
18. Power to apply for variation of order under section 130B of the Highways Act 1980.	Section 130B (7) of the Highways Act 1980.	
19. Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway.	Section 135 of the Highways Act 1980.	

20. Power temporarily to divert footpath, bridleway or restricted byway.	Section 135A of the Highways Act 1980.	
21. Functions relating to the making good of damage and the removal of obstructions.	Section 135B of the Highways Act 1980.	
22. Powers relating to the removal of things so deposited on highways as to be a nuisance.	Section 149 of the Highways Act 1980.	
23. Power to extinguish certain public rights of way.	Section 32 of the Acquisition of Land Act 1981.	General Purposes Committee
24. Duty to keep definitive map and statement under review.	Section 53 of the Wildlife and Countryside Act 1981 (c. 69).	
25. Power to include modifications in other orders.	Section 53A of the Wildlife and Countryside Act 1981.	
26. Duty to keep register of prescribed information with respect to applications under section 53(5) of the Wildlife and Countryside Act 1981.	Section 53B of the Wildlife and Countryside Act 1981.	
27. Power to prepare map and statement by way of consolidation of definitive map and statement.	Section 57A of the Wildlife and Countryside Act 1981.	
28. Power to designate footpath as cycle track.	Section 3 of the Cycle Tracks Act 1984.	
29. Power to extinguish public right of way over land acquired for clearance.	Section 294 of the Housing Act 1981.	General Purposes Committee
30A. Power to authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act 1990(c. 8)	General Purposes Committee

31. Power to authorise stopping-up or diversion of footpath, bridleway or restricted byway.	Section 257 of the Town and Country Planning Act 1990.	General Purposes Committee (in relation to stopping up only)
32. Power to extinguish public rights of way over land held for planning purposes.	Section 258 of the Town and Country Planning Act 1990.	General Purposes Committee
33. Power to enter into agreements with respect to means of access.	Section 35 of the Countryside and Rights of Way Act 2000.	
34. Power to provide access in absence of agreement.	Section 37 of the Countryside and Rights of Way Act 2000.	
Part II: Other miscellaneous functions		
35. Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966.	N/A
36. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972.	Full Council
37. Power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for their dismissal).	Section 112 of the Local Government Act 1972.	The relevant Corporate Director may appoint staff on such terms and conditions as they may determine but which are in line with any overall terms and conditions agreed by the General Purposes Committee save that, in the case of posts covered by the Standing Orders Relating to Staff, the terms and conditions shall be determined by the General Purposes Committee and the appointment made by the Senior Staff Appointments Sub-Committee.
38. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.	Full Council

39. Duty to make arrangements for proper administration of financial affairs etc.	Section 151 of the Local Government Act 1972.	Corporate Director, Finance and Resources
40. Power to appoint an officer for a particular purpose (appointment of "proper officer").	Section 270(3) of the Local Government Act 1972.	The Chief Executive or the relevant Chief Officer in whose area of responsibility the matter relates.
41. Power to make limestone pavement order.	Section 34(2) of the Wildlife and Countryside Act 1981.	N/A
42. Power to make closing order with respect to take-away food shops.	Section 4 of the Local Government (Miscellaneous Provisions) Act 1982.	Corporate Director, Neighbourhoods and Regeneration
43. Duty to designate officer as the head of the authority's paid service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989.	Full Council
44. Duty to designate officer as the monitoring officer, and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.	Full Council
44A. Duty to provide staff, etc to person nominated by the Monitoring Officer.	Section 82A(4) and (5) of the Local Government Act 2000	Full Council
44B. Powers relating to overview and scrutiny committees (voting rights of co-opted members).	Paragraphs 12 and 14 of Schedule 1 to the Local Government Act 2000	Full Council
45. Duty to approve authority's statement of accounts, income and expenditure and balance sheet, or record of payments and receipts (as the case may be).	The Accounts and Audit Regulations 2015 (S.I. 2015/234).	Audit and Standards Committee
46. Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).	Corporate Director Neighbourhoods and Regeneration

47. Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990, and the Trees Regulations 1999 (S.I. 1999/1892).	Corporate Director Neighbourhoods and Regeneration
47A. Powers relating to complaints about high hedges.	Part 8 of the Anti-Social Behaviour Act 2003.	Corporate Director, Neighbourhoods and Regeneration
48. Power to make payments or provide other benefits in cases of maladministration etc.	Section 92 of the Local Government Act 2000.	The relevant Director within whose area of responsibility the maladministration arose.
49. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption	Section 13(2) of the Criminal Justice and Police Act 2001	No longer in force
50. Power to make or revoke an order designating a locality as an alcohol disorder zone	Section 16 of the Violent Crime reduction Act 2006	Full Council
51. Power to apply for an enforcement order against unlawful works on common land.	Section 41 of the Commons Act 2006	Director of Law
52. Power to protect unclaimed registered common land and unclaimed town or village greens against unlawful interference.	Section 45(2)(a) of the Commons Act 2006	Corporate Director, Neighbourhoods and Regeneration
53. Power to institute proceedings for offences in respect of unclaimed registered common land and unclaimed town or village greens.	Section 45(2)(b) of the Commons Act 2006	Corporate Director, Neighbourhoods and Regeneration
J. Other functions which are not to be the responsibility of the Executive		
1. Members allowances.		Full Council

2. Establishing committees under section 101 of the Local Government Act 1972.		Full Council
3. Except where specified any function which by virtue of any enactment passed or made before 19th October 2000 may be discharged only by an Authority.		Full Council unless otherwise specified elsewhere in the Constitution.

TABLE 2

FUNCTIONS WHERE THE COUNCIL HAS A CHOICE AS TO WHETHER THEY ARE COUNCIL OR CABINET FUNCTIONS AND THE PERSON OR BODY TO WHOM, IF ANY, THE FUNCTION HAS BEEN DELEGATED BY THE COUNCIL OR THE LEADER (INTHE CASE OF CABINET FUNCTIONS)

(1) Function	(2) Cabinet or Council Function	(3)Delegated to
1. Any function under a local Act other than a function specified or referred to in regulation 2 or Schedule 1.	If the function is a function, which is of a similar type, class or nature to the other functions of the Cabinet, the function will be a Cabinet function. Otherwise the function will be exercised by the Council.	The officer responsible for those types of functions, as set out in Parts 4 or 5 of the Constitution or if none then, in the case of a Council function, the committee or sub-committee responsible for those types of functions.
2. The determination of an appeal against any decision made by or on behalf of the authority.	Council	The relevant Chief Officer within whose Directorate the subject matter of the appeal falls or if the matter may not be determined by officers the General Purpose Committee if the matter falls within its terms of reference.
3. The making of arrangements in relation to appeals against the exclusion of pupils from maintained schools	Cabinet	Corporate Director Children, Young People and Community Development
4. The making of arrangements pursuant to section 94(1), (1A) and (4) of the 1998 Act (admissions appeals)	Cabinet	Corporate Director Children, Young People and Community Development
5. The making of arrangements pursuant to section 95(2) of the 1998 Act (children to whom section 87 applies: appeals by governing bodies)	Cabinet	Corporate Director Children, Young People and Community Development

6. Any function relating to contaminated land.	Cabinet	Corporate Director, Neighbourhood and Regeneration
7. The discharge of any function relating to the control of pollution or the management of air quality.	Cabinet	Corporate Director, Neighbourhood and Regeneration
8. The service of abatement notice in respect of a statutory nuisance.	Cabinet	Corporate Director, Neighbourhood and Regeneration
9. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Full Council	Corporate Director, Neighbourhood and Regeneration
10. The inspection of the authority's area to detect any statutory nuisance.	Cabinet	Corporate Director, Neighbourhood and Regeneration
11. The investigation of any complaint as to the existence of a statutory nuisance.	Cabinet	Corporate Director, Neighbourhood and Regeneration
12. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	The Council if the information is required for the purposes of a Council function and the Cabinet if for the purposes of a Cabinet function.	The relevant director who has responsibility for the function in question.
13. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	The Council if the particulars are required for the purposes of a Council function and the Cabinet if for the purposes of a Cabinet function.	The relevant director who has responsibility for the function in question.
14. The making of agreements for the execution of highways works.	Cabinet, unless the need for the highways agreement has arisen from a planning decision in which case the responsibility shall be with the Council.	Corporate Director, Neighbourhoods and Regeneration or Planning Committee if it falls within the committee's terms of reference.

15. The appointment of any individual – (a) to any office other than an office in which he or she is employed by the authority; (b) to any body other than - (i) the authority; (ii) a joint committee of two or more authorities; or (c) to any committee or sub-committee of such a body and the revocation of any such appointment.	The Council	In the case of a member of staff, the relevant director in whose Directorate the member of staff is employed. In the case of the Councillor appointments they shall be made by Full Council as soon as possible after the Annual Meeting of the Council and then again by the Full Council or the General Purposes Committee if a vacancy arises during that municipal year.
16. The making of arrangements with other local authorities for the placing of staff at the disposal of those other authorities.	If the arrangement is in connection with a function of the Cabinet then the Cabinet shall make the arrangement. If the arrangement is in connection with a function which is the responsibility of the Council then the Council shall make the arrangement.	In either case the relevant director within whose area of responsibility the function lies.
17. Functions under sections 106, 110, 111 and 113 of the 2007 Act relating to Local Area Agreements	Cabinet	

TABLE 3

FUNCTIONS NOT TO BE THE SOLE RESPONSIBILITY OF THE CABINET

1. The Cabinet is responsible for formulating or preparing the plans listed in the Table below and then submitting them to the Full Council for consideration and adoption or approval. Note that the plans and strategies in this table constitute the Policy Framework.

Plans and Strategies	Reference	Mandatory (M) or Discretionary (D) Plan
Crime and Disorder Reduction Strategy	Section 5 and 6 of the Crime and Disorder Act 1998	M
Development Plan Documents	Section 15 of the Planning and Compulsory Purchase Act 2004	M
Youth Justice Plan	Section 40 of the Crime and Disorder Act 1998	M
A plan or strategy for the control of the authority's borrowing investments or capital expenditure or for determining the authority's minimum revenue provisions	Local Authority (Functions and responsibilities) Regulations s4(1)(b)	M
Licensing Authority Policy Statement	Section 349 of the Gambling Act 2005	M
Borough Plan		D
Corporate Plan		D
Any other plan or strategy (whether statutory or non statutory) which the authority determines should be approved or adopted by the authority and not the Cabinet.		D

2. The Cabinet or a member of the Cabinet may not in relation to those plans or strategies listed above do the following which are the responsibility of Council:-

   (a) give an instruction requiring the Cabinet to reconsider any draft plan or strategy submitted by the Cabinet for consideration by the Council;

   (b) amend any draft plan or strategy submitted by the Cabinet for consideration by the Council other than following an instruction under (a);

   (c) approve for the purpose of its submission to the Secretary of State for independent examination, a development plan document;

(d) approve, for the purposes of its submission to the Secretary of State or any Minister of the Crown for his or her approval, any such plan or strategy required to be so submitted for approval; nor

(e) adopt with or without modification the plan or strategy.

3. Cabinet may amend, modify, revise, vary, withdraw or revoke any such plan or strategy only where such amendment, modification, revision, variation, withdrawal or revocation is:-

(a) required for giving effect to any requirements of the Secretary of State or a Minister of the Crown in relation to any such plan or part thereof submitted to him or her for approval; or

(b) in the case of development plan documents recommended by the person carrying out an independent examination of any such document; or

4. The Cabinet may make an application:-

(a) under subsection (5) of section 135 (programmes for disposals) of the Leasehold Reform, Housing and Urban Development Act 1993 for the inclusion of a disposal in a disposal programme;

(b) for consent to that disposal under section 32 (power to dispose of land held for the purposes of Part II) or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985;

PROVIDED that the Council has authorised the making of such an application.

5. The following shall, subject to paragraph 6 below, be the responsibility of the Council; to make any calculation required to be made in accordance with sections 32 to 37, 43 to 49, 52I, 52J, 52T and 52U of the Local Government Finance Act 1992 whether originally or by way of substitute.

6. In relation to those functions listed in the paragraph above the Cabinet may:-

(a) prepare estimates of the amounts to be aggregated in making the calculation or of other amounts to be used for the purposes of the calculation and estimates of the calculation for submission to the appropriate part of the Council for consideration;

(b) prepare the amounts required to be stated in the precept for submission to the appropriate part of the Council for consideration;

(c) reconsider those estimates and amounts in accordance with the Council's requirements; and

(d) submit for the consideration by the appropriate part of the Council the revised estimates and amounts.

7. The discharge of functions under Sections 28 to 31 of the Planning and Compulsory Purchase Act 2004 (joint local development documents and joint committees) shall, subject to paragraph 8 below, be the responsibility of the Cabinet.

8. In relation to the functions listed in paragraph 7 above the Cabinet may not:-

(a) make an agreement to prepare one or more joint development plan documents;

(b) make an agreement to establish a joint committee to be, for the purposes of Part 2 (local development) of the 2004 Act, the local planning authority;

(c) where the authority is a constituent authority to a joint committee, make an agreement that the joint committee is to be, for the purposes of Part 2 of the 2004 Act, the local planning authority for any area or matter which is not the subject of an order under section 29 of the 2004 Act or an earlier agreement under section 30 of the 2004 Act; or

(d) make a request to the Secretary of State for the revocation of an order constituting a joint committee as the local planning authority for any area or in respect of any matter.

9. Where a function which is subject to an Order made under section 70 of the Deregulation and Contracting Out Act 1994 is the responsibility of the executive then the Cabinet may authorise another person to exercise that function and may revoke any such authorisation.

10. Where a function which is subject to an Order made under section 70 of the Deregulation and Contracting Out Act 1994 is <u>not</u> the responsibility of the executive then the Cabinet <u>may not</u> authorise another person to exercise that function and nor may it revoke any such authorisation.

TABLE 4

THE MEMBERSHIP AND TERMS OF REFERENCE OF THE BARHAM PARK TRUST COMMITTEE OF THE CABINET

Membership

The committee comprises 5 members of the Cabinet appointed by the Cabinet.

Chair and Vice Chair

To be appointed by the Barham Park Trust Committee

Quorum

3 Cabinet members

Terms of Reference

The Cabinet has agreed to delegate the following executive functions to the committee:-

(1) the trustee functions in relation to Barham Park Trust including decisions to dispose of land, vary or cease the charitable purpose, or change the trustee, except those functions it has delegated to officers;
(2) an annual review of how the trust is carrying out its charitable purposes and a review of the Trust's finances; and
(3) any other matter which the Director of Property and Assets considers ought to be referred to the committee for a decision.

The Committee shall meet not less than once per year.

TABLE 5

PROPER AND STATUTORY OFFICER PROVISIONS

The following definitions are used in this Table:-

FOIA 2000	=	Freedom of Information Act 2000
GDPR 2016	=	General Data Protection Regulations 2016
LASSNHSCR 2009	=	Local Authority Social Services and National Health Service Complaints (England) Regulations 2009
LGA 1972	=	Local Government Act 1972
LGA 2000	=	Local Government Act 2000
LG (MP) A 1976	=	Local Government (Miscellaneous Provisions) Act 1976
LGFA 1988	=	Local Government Finance Act 1988
LGHA 1989	=	Local Government and Housing Act 1989
LGA 2000	=	Local Government Act 2000
RPA 1983	=	Representation of the People Act 1983

*****Chief Officers also have power delegated to them in the table found at paragraph 2.5 of this Part 3 to designate proper officers falling within their area of responsibility.

The following officers and their deputies or person nominated by them for the purpose shall be the proper officer for the purpose specified:-

(1) statutory provision	***(2) Function***	***(3) Proper Officer***
Section 83 LGA 1972	Witness and receipt of declarations of acceptance of office of Mayor, Deputy Mayor and Councillors.	Chief Executive
Section 84 LGA 1972	Receipt of notice of resignation of office of Mayor, Deputy Mayor and Councillors.	Chief Executive
Section 88 LGA 1972	Convening of meeting for the election of Mayor in the event of a casual vacancy.	Deputy Director Democratic & Corporate Governance

Section 89 LGA 1972	Receipt of notice of casual vacancies in the council membership.	Deputy Director Democratic & Corporate Governance
Section 100 LGA 1972	All references to proper officer in connection with the access to information provisions of the Local Government Act.	Deputy Director Democratic & Corporate Governance
Section 115 LGA 1972	Receipt of monies from accountable officers.	Corporate Director, Finance and Resources
Section 146 LGA 1972	Certificates as to securities on alteration to local authority area or name.	Director of Law
Section 151 LGA 1972	Officer with responsibility for the council's financial affairs.	Corporate Director, Finance and Resources
Section 225 LGA 1972	Deposit of any documents pursuant to any enactment, instrument or parliamentary standing orders.	Deputy Director Democratic & Corporate Governance
Section 229 LGA 1972	Certification of any photographic copy of a document in the custody of the council or of any document destroyed while in which custody, or any part of any such document.	Director of Law
Section 233 LGA 1972	Receive documents required to be served on the Council.	The Chief Executive or the Director of Law
Section 234(1) LGA 1972	Signature or authentication of any notice or other document which the local authority is authorised or required to give or make or issue.	All officers specified in paragraph 8.2 of this Part 3.
Section 238 LGA 1972	Certification of printed copies of bye laws.	Director of Law
Section 41 LG(MP)A 1976	Certification of Minutes, Resolutions, Orders and Reports of the council.	Deputy Director Democratic & Corporate Governance

Section 35 RPA 1983	The Returning Officer at an election of Councillors of the borough.	Chief Executive
Section 8 RPA 1983	The Electoral Registration Officer of any constituency (or part thereof) in the borough.	Chief Executive
Section 72 Weights and Measures Act 1985	Functions of Chief Inspector of Weights and Measures.	Head of Regulatory Services
Section 114 LGFA 1988	Report to Council concerning unlawful expenditure.	Director of Finance
Section 2 LGHA 1989	Deposit of list of “politically restricted posts” under LGHA 1989.	Director of Law
Section 4 LGHA 1989	Head of paid service.	Chief Executive
Section 5 LGHA 1989	Monitoring officer.	Director of Law
Regulation 23 Non-Domestic (Collection and Enforcement) (Local Lists) Regulations 1989	Certification of the Local Non-Domestic List.	Director of Finance
Accounts and Audit Regulations 2015	The responsible financial officer.	Director of Finance
Births deaths and marriages	Any reference to the proper officer in any enactment relating to registration of births, death or marriages.	Corporate Director, Residents and Housing Services
LGA 1972, Schedule 12, Part 1, Paragraph 4(2)(b)	Signature of summonses to Council meetings and receipt of notices of addresses to which summonses to meetings to be sent.	Chief Executive
Local Government (Committees and Political groups) Regulations 1990	Receipt of notification from members.	Deputy Director Democratic & Corporate Governance
Localism Act 2011 Section 29	Establishment and maintenance of the register of interests of	Director of Law as Monitoring Officer

	members including voting co-opted members.	
Localism Act 2011 Section 33	Granting dispensations	Director of Law as Monitoring Officer
Local Authorities (Standing Orders) (England) Regulations 2001	Notices under regulations 5 and 6 regarding proposed appointments and dismissals of staff.	Corporate Director, Finance and Resources
Local Authorities (Referendums) (Petitions and Directions) Regulations	Functions relating to verification and publicity of petitions.	Chief Executive
Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012	All references to the proper officer.	Deputy Director Democratic & Corporate Governance unless otherwise specified in the Regulations or the Constitution.
Local Authorities (Conduct of Referendums) (England) Regulations 2001	All references to the proper officer.	Chief Executive
Public Health (Control of Diseases) Act 1984 and the Health Protection (Notification) Regulations 2010	All references to the proper officer	Corporate Director, Service, Reform and Strategy
Section 36 FOIA 2000	Qualified person for decision on exempt information not to be disclosed	Chief Executive Monitoring Officer
Regulation 4 LASSNHSCR 2009	All references to the responsible person	Corporate Director, Service Reform and Strategy
Local Government Act 2000 Section 9FB	To provide support to overview and scrutiny committees as the council's Scrutiny Officer.	Deputy Director Democratic & Corporate Governance
National Health Service Act 2006 S73A	Director of Public Health	Director of Public Health
GDPR 2016 Art 37 and Data Protection Act s69	Data Protection Officer	Principal Constitutional, Governance & Finance Lawyer

Generally *	Any other proper officer function not otherwise designated.	Chief Executive

TABLE 6

LIST OF FUNCTIONS THAT MAY ONLY BE EXERCISED BY FULL COUNCIL

(*Items in italics and marked with an asterisk are not reserved to the Full Council under the law but are only exercisable by the Full Council under this Constitution)*

1	The levying or issuing of a precept for a rate and the setting of council tax and limits for borrowing money.	Local Government Finance Act 1988. Local Government Finance Act 1992. Section 3 Local Government Act 2003.
2	The establishment and abolition of Committees, and Joint Committees (with other local authorities) and the appointment, replacement and removal of members of them other than in cases where the Executive is entitled to make appointments to joint committees *and the appointment, replacement and removal of the Chairs, and Vice Chairs of them*.*	Local Government Act 1972. Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000.
3.	Resolution to operate executive arrangements.	Section 9KC of the Local Government Act 2000.
4.	Authorisation of applications to Secretary of State for approval of housing land transfers.	Leasehold Reform and Urban Development Act 1993. Sections 32 and 43 of the Housing Act 1985.
5.	*Approving the work programme of the Overview and Scrutiny Committees*.*	
6	Subject to the urgency procedure in the Standing Orders of this Constitution to make decisions about any function of the Cabinet where the decision maker is minded to make a decision which would be contrary to the policy framework or not wholly in accordance with the budget.	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
7	Adopting or amending a members' allowances scheme.	Section 18 of the Local Government and Housing Act 1989. Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.

8	Electing and dismissing the Leader	Sections 9I and 9IA of the Local Government Act 2000.
9	Adoption of the Members' Code of Conduct.	Section 27 of the Localism Act 2011
10	Approval of the appointment of the Head of Paid Service and the dismissal of the Head of Paid Service, Monitoring Officer and Director of Finance.	The Local Authorities (Standing Orders) (England) Regulations 2001 as amended.
11	Adoption of the Policy Framework and the Budget.	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
12	Changing the name of the borough.	Section 74 of the Local Government Act 1972.
13	Appointment of the Mayor.	Schedule 4 to the Local Government Act 1972.
14	Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.
15	The making, altering or revoking of standing orders except as provided for in Standing Orders 4 and 5 of this Constitution.	Sections 29, 106 and Schedule 12 of the Local Government Act 1972. Sections 8 and 20 Local Government and Housing Act 1989.
16	Power to make, amend, revoke or re-enact byelaws.	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978.
17	Power to promote or oppose local or personal Bills.	Section 239 of the Local Government Act 1972.
18	The making of an agreement to establish a joint planning committee or to prepare a joint development plan document or to request the Secretary of State to revoke an order establishing such a joint committee.	Sections 28 to 31 of the Planning and Compulsory Purchase Act 2004 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended.
19	Duty to determine and publish, in respect of its licensing functions, a statement of that policy.	Section 5 of the Licensing Act 2003
20	Power to resolve not to issue a casino premises licence and duty to determine and publish the 3 year licensing policy statement	Sections 166 and 349 of the Gambling Act 2005

21	Any other matter that by law is reserved for consideration, approval or resolution by the Council.	