

Gedling Borough Council Constitution

Section 19a – Scheme of Delegation to Officers – Executive Functions

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1.1 Introduction

These delegations are made under the powers contained in Section 9E of the Local Government Act 2000 and with reference to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and all other enabling powers.

An officer or other person is authorised to exercise such powers as are set out in this Scheme of Delegation.

1.3 When a Post is Vacant or a Post-holder is Absent

For the purposes of this Scheme, if the post of an officer to whom a function is delegated is vacant or if the post-holder is absent on leave (of whatever type), unless the function is exercisable by an officer who has the appropriate sub-delegation or the Council otherwise decides the following shall apply:

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- 1.2.1 In the case of the Chief Executive, the delegation shall be exercisable by a Director or an Interim Chief Executive
- 1.2.2 In the case of a Director, the delegation shall be exercisable by the Chief Executive, or another Director.
- 1.2.3 In the case of the Chief Financial Officer, the delegation shall be exercisable by a Deputy Chief Financial Officer in relation to matters which are the responsibility of the Chief Financial Officer.
- 1.2.4 In the case of the Monitoring Officer, the delegation shall be exercisable by a Deputy Monitoring Officer in relation to matters which are the responsibility of the Monitoring Officer.
- 1.2.5 Any post specifically referred to shall be deemed to include any successor post, or a post which includes within the job description, elements relevant to any particular delegation, which were also present in the earlier post and shall include anyone acting up or seconded.

1.3 All Decisions made by Officers

Where decisions are taken by officers under delegated powers the following conditions and rules shall apply:

- 1.3.1 All delegations shall be exercised in accordance with the Constitution, all relevant policies and procedures of the Council and all relevant legislative provisions.
- 1.3.2 Any officer exercising a delegation shall only do so where provision has been made for any expenditure within the relevant budget or otherwise in accordance with the Financial Rules.
- 1.3.3 Any officer exercising a delegation shall not do so in a manner which is contrary to any resolution of Full Council, Executive, an Individual Executive Member or a Committee.
- 1.3.4 Any officer exercising a delegation shall do so having regard to Health & Safety requirements.
- 1.3.5 Any officer exercising a delegation shall do so having regard to Equalities requirements.
- 1.3.6 Any officer exercising a delegation shall do so having regard to Data Protection requirements.
- 1.3.7 Any officer exercising a delegation shall do so having regard to relevant legislative requirements.
- 1.3.8 Any officer exercising a delegation is responsible for carrying out any consultation necessary under this Scheme. Such consultation shall be in writing, unless due to urgency that is not practicable, in which case there may be verbal consultation which must be recorded in writing, as soon as reasonably practicable and, in any event, within 5 working days.

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- 1.3.9 Any officer to whom a delegation is given may waive his/her right to exercise the delegation and refer the matter to the original delegate for a decision or to the Executive or Individual Executive Member.
- 1.3.10 Where an officer has the authority to take decisions, any action taken to implement such decisions may be taken in the name of (but not necessarily personally by) that officer, or any other officer authorised by that officer in accordance with paragraph 1.5.
- 1.3.11 Any decision which could subject the Council to legal liability or legal proceedings shall be taken in consultation with the Monitoring Officer.
- 1.3.12 Any decision which has financial implications other than those budgeted for shall be taken in consultation with the Chief Financial Officer.
- 1.3.13 The decision as to whether or not legal action should be taken by or on behalf of the Council must be taken in consultation with the Monitoring Officer.
- 1.3.14 Officers shall not have the power to exercise any delegation where an individual officer is required by law to hold a relevant qualification and he/she does not hold that qualification.
- 1.3.15 Officers shall not have the power to exercise any delegations which fall outside the individual's actual authority as determined by his/her post.
- 1.3.16 Officers shall not have the power to exercise any delegations in a situation where doing so would be unlawful or constitute maladministration.
- 1.3.17 Subject to any express instructions to the contrary from the delegated body, any power to approve also includes the power to refuse, and the power to impose appropriate conditions.
- 1.3.18 Functions, matters, powers, authorisations, delegations, duties and responsibilities, shall be construed in a broad and inclusive fashion, and shall include the doing of anything which is calculated to facilitate, or is conducive, or incidental, to the discharge of anything specified.

1.4 Recording decisions

As soon as reasonably practicable after making a decision an Officer must produce a written statement of the decision in accordance with regulation 13 of the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012.

1.5 Sub-Delegations

- 1.5.1 Where an officer is authorised to act under this Scheme of Delegation he/she may further delegate the authority to exercise a specific power to another officer, whilst still retaining the delegation themselves.
- 1.5.2 Before making a sub-delegation, the delegating officer must give consideration to and be satisfied that the officer to whom he/she is sub-delegating is of an appropriate level and has the necessary expertise and knowledge bearing in mind the nature of the delegation.

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- 1.5.3 Any such sub-delegation is subject to the existing consultation and limitation requirements.
- 1.5.4 All sub-delegations must be made in writing and a copy provided to the Monitoring Officer within five working days. The Monitoring Officer shall maintain a central register of sub-delegations which shall be available on the intranet.
- 1.5.5 No sub-delegations may be further delegated, unless there is express permission from the original delegating officer that the specific power can be delegated further. Such permission should be included in the written record of the sub-delegation provided under paragraph 1.5.4. When deciding whether to permit further sub-delegation, the same consideration should be given as outlined in paragraph 1.5.2.
- 1.5.6 In the event that a post to which a delegation or function is given ceases to exist and its responsibilities are transferred to another post temporarily or permanently then the delegations given under this Scheme shall be exercisable by the post to which the responsibilities have been transferred. There should be written confirmation of the change in responsibilities from the line manager, which shall be provided to the Monitoring Officer to be retained with the central copy of the scheme of delegations.

1.6 Interpretation

- 1.6.1 Any reference to an Act, Order or other legal provision shall include a reference to any modification or re-enactment thereof and any reference to any Directive, Act, Order or other legal provision shall include any Regulations, Orders, Rules, Instruments, Directions, Statutory Guidance or other legal provision made thereunder.
- 1.6.2 'Relevant Director' shall mean the Director responsible for the function to which the particular exercise of the delegation applies.
- 1.6.3 'Consultation' shall mean seeking the comments of the person(s) to be consulted. Consultation shall not mean obtaining the consent of the person(s) to be consulted. A written record of the consultation shall be retained by the officer in accordance with paragraph 1.3.8.
- 1.6.4 'Emergency' shall mean a situation where immediate action is necessary and where inaction may lead to loss of life, serious injury to a person or animal, or significant damage to or significant loss of property. A written record of any decision taken in an emergency must still be made in accordance with paragraph 1.4.

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Delegations

General Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
G1	To act in all matters within their area of responsibility and to ensure the proper management and leadership of their Directorate and the functions administered by their Directorate	Director	
G2	Act as authorised officer, relating to the functions allocated to him/her, for the purposes of any Act of Parliament or Statutory Instrument.	Director	
G3	Appoint officers to act as authorised Officers or Inspectors for the purposes of any Act of Parliament or Statutory Instrument.	Director	
G4	Where not specifically mentioned in a separate delegation, to serve and withdraw notices under any Act of Parliament or Statutory Instrument and take any action in default, including enforcement action, carrying out works in default and recovery of costs.	Director	
G5	Authorise persons, whether employed by the Council or not, to undertake duties and responsibilities for the purposes of any Act of Parliament or Statutory Instrument, including powers of entry.	Director	
G6	Authorise the commencement of legal proceedings.	Director	In consultation with the Monitoring Officer
G7	Respond to consultation documents of a non-controversial nature.	Director	
G8	Approve all work for third parties up to the value of £20,000.00 per contract or type of work; and agree the fees and charges for such work which must, as a minimum, be on a full cost recovery basis.	Director	
G9	Authority to approve procurement and procurement methods in accordance with contract and procurement rules	Director	
RR9	Authority to make applications for external funding	Director	In consultation with the Chief Financial Officer

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Health & Safety and Emergency Planning Matters - Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
L1	To make amendments to any Health and Safety Policy or associated documents.	Head of Paid Service	
L2	To agree procedural documents including guidance and protocols setting out processes for the discharge of health and safety/emergency planning functions.	Director	
L3	To suspend any Council activities which are being carried out (whether by Council employees or volunteers/contractors acting on the Council's behalf), which he reasonably believes are in breach of the Health and Safety at Work etc Act 1974 and any other relevant H&S legislation.	Director	
L4	To approve minor updates to the Business Continuity Policy.	Director	
L5	To make amendments to the Business Impact Assessment templates and guidance to ensure they remain fit for purpose.	Director	

Building Control – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
GR1	Authority to make decisions on plans deposited under the Building Regulations and to issue Completion Certificates.	Chief Executive	
GR2	Authority to issue notices requiring advance payment of Private Street Works charges under Section 220 of the Highways Act 1980 and Exemption notices under Section 219 of the Highways Act 1980.	Chief Executive	
GR3	Authority to approve plans in relation to elevations, alterations, extensions, additions and other matters submitted to the Council as vendors of land	Chief Executive	
GR4	Authority to take enforcement action under the Building Regulations and Building Act 1984.	Chief Executive	
GR5	Authority to make a declaration that plans approved under the Building Regulations since 1 April 1974 are of no effect where work has not commenced on site within three years of the deposit of plans	Chief Executive	
GR6	Power to take all necessary action on dangerous buildings in cases of emergency including the serving of notices under Section 77 of the Building Act 1984.	Chief Executive	
GR7	Authority to determine requests for Building Regulations house type approvals.	Chief Executive	
GR8	Authority to enter premises under Section 324 of the Town and Country Planning Act 1990 and Section 95 of the Building Act 1984.	Chief Executive	
GR9	The provision of exits in case of fire under Section 24 of the Building Act 1984.	Chief Executive	

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Building Control – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
GR10	Authority to exercise powers under Sections 47 and 53 of the Building Act 1984 in relation to plans and work by Approved Inspectors.	Chief Executive	
GR11	The control of demolition under Sections 80 and 81 of the Building Act 1984	Chief Executive	
GR12	Authority to number and renumber new and existing properties	Chief Executive	
GR13	Power to take all necessary action regarding dangerous structures in cases of emergency involving public safety under Section 78 of the Building Act 1984.	Chief Executive	

Community Relations Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
CD1	To exercise powers of management, maintenance and repair of community centres.	Director	
CD2	Authority to appoint delegates to conferences which relate to recreational matters in the local authority field	Director	
CD3	The allocation of individual lettings within the policies of the Community Development portfolio.	Director	
CD4	Authority to let facilities within the ambit of the Community Development portfolio to local organisations for non-commercial and non-political purposes.	Director	
CD5	Authority to determine the following matters relating to Community Centre Programming and pricing: Programming community centre courses and activities Setting prices for community centre courses Setting prices for equipment for resale. Setting prices for licensed bar sales. Over an agreed time period varying current prices for Community centre activities for the purpose of promotional offers. For an agreed time period introducing new prices for community centre promotional packages	Director	
CD6	Approval to grant free use of community centre facilities for community-based events and that were these events are granted.	Director	In consultation with the Portfolio Holder.
CD7	The allocation of minor playgroups grants in accordance with Council policy and subject to budgetary provision not being exceeded.	Director	In consultation with the Portfolio Holder.
CD8	The allocation of minor arts grants in accordance with Council policy and subject to budgetary provision not being exceeded.	Director	In consultation with the Portfolio Holder.

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Community Relations Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
CD9	Authority to close all or part of any community centre facility for the purpose of repair or maintenance.	Director	In consultation with the Portfolio Holder
CD10	Authority to close all or part of any Public Art facility for the purpose of repair or maintenance.	Director	In consultation with the Portfolio Holder
CD11	Authority to determine what should be required of a developer under a Section 106 Agreement in relation to Community Centres in accordance with the Council's Policy.	Director	
CD12	Authority to complete National Lottery consultation forms for schemes within the Borough.	Director	

Financial Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR1	Authority to negotiate and execute all financial and operating leases for items of plant and equipment in the Council's approved Capital Programme, together with any documents required pursuant thereto or in connection therewith. All leases to be effected in the name of the Council.	Director	
RR2	All executive decisions on borrowing, investment or financing in accordance with CIPFA's Code of Treasury Management in Local Authorities.	Director	In consultation with the Portfolio Holder
RR3	Authority to take all such decisions as may be required relating to the level of insurance cover for the Council and the placing of the cover with appropriate insurers.	Director	
RR4	Authority to determine the local average mortgage interest rate	Director	
RR5	Authority to amend fees and charges following any variation in the rate of VAT.	Director	
RR6	The taking of possession and subsequent resale of properties purchased with the aid of a Council mortgage	Director	
RR7	Authority to impose such penalties as are prescribed for failure to supply requested information or failure to make any notification required under the Local Government Finance Act 1992 including the power to impose further penalties, and to quash any penalty imposed.	Director	
RR8	Authority to consider initial appeals against any penalties imposed.	Director	
RR9	Authority to write off any sums due for any debt in line with the Financial Regulations	Director	

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Financial Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR10	Authority to determine length, value, contract arrangements including extension of contracts for the Council's banking services	Director	
RR11	Authority to determine the Authority's course of action in defending insurance claims including agreeing settlement where appropriate	Director	
RR12	The determination of the extent and terms of any loans to voluntary bodies in the Borough, subject to the approval of the making of a loan and in accordance with the policy framework agreed by the Portfolio holder.	Director	
RR13	Authority to determine any requests received from approved lending institutions to postpone the Council's discount provision charge under the Council's Right to Buy Scheme.	Director	In consultation with the Portfolio Holder
RR14	Authority to consider applications under Section 537 of the Housing Act 1985 and make appropriate.	Director	In consultation with the Portfolio Holder
RR15	Authority to take urgent decisions in connection with the operation of the scheme under Part XVI of the Housing Act.	Director	In consultation with the Portfolio Holder
RR16	Approval of Registration of Second Mortgages.	Director	In consultation with the Portfolio Holder
RR17	The determination of the extent and terms of any loans to voluntary bodies in the Borough, subject to the approval of the making of a loan and in accordance with any policy framework agreed by the Portfolio Holder.	Director	

Homelessness and Housing Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
HHW1	With regard to homelessness applications to determine as appropriate decisions as to homelessness, priority need, intentionality and local connection and in accordance with statutory requirements to ensure that accommodation becomes available for homeless applicants	Director	
HHW2	Power to issue Notices to Quit and Notices of Seeking Possession	Director	
HHW3	In connection with the letting or repair of Council properties, authority to make, where appropriated an allowance towards redecoration up to a maximum of £100.00.	Director	
HHW4	To instruct the Monitoring Officer to instigate legal proceedings on behalf of the Authority, for the recovery of	Director	

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Homelessness and Housing Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
	possession of Council dwellings occupied by unauthorised persons.		
HHW5	Delegated authority to deal with all requests for access to personal information in accordance with the Access to Personal Files (Housing) Regulations 1989 and to decide whether the relevant information was inaccurate information.	Director	The decision to be subject to review by the Portfolio Holder.
HHW6	Authority to appoint a named Officer to enter premises, carry out investigations, obtain information and act in connection with the statutory functions exercised by the Executive.	Director	
HHW7	Authority to act and be responsible for the implementation of the procedures prescribed in Section 47 of the National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951.	Director	In consultation with the Monitoring Officer
HHW8	Power to take action for recovery and possession	Director	In consultation with the Portfolio Holder
HHW9	Power to authorise the service of statutory notices and enforcement thereof in the event of default	Director	In consultation with the Portfolio Holder

Legal Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
L1	Authority, in any case where to wait for instructions would, in his/her opinion, prejudice the Council's position, to institute, defend, conduct and settle any legal proceedings affecting the rights or interests of the Council.	Monitoring Officer	
HHW2	Authority to approve the detail of service level agreements where specific grants have been approved.	Monitoring Officer	
L2	Responding to all requests for information in accordance with the Freedom of Information Act 2000, Environmental Information Regulations and Data Protection Act 2018.	Director	
L3	Applying exemptions and exceptions under the Freedom of Information Act 2000 and Environmental Information Regulations (other than those reserved to the "qualified person") or refusing to provide information under the Data Protection Act 2018.	Director	
L4	Determining requests for review/appeal of decision not to release information under the Freedom of Information Act 2000, Environmental Information Regulations and Data Protection Act 2018.	Director	

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Leisure Matters – Executive Function			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
HHW1	To exercise powers of management, maintenance and repair of leisure centres.	Director	
HHW2	Authority to appoint delegates to conferences which relate to recreational matters in the local authority field	Director	
HHW3	The allocation of individual lettings within the policies of the Leisure portfolio.	Director	
HHW4	Authority to let facilities within the ambit of the Leisure portfolio to local organisations for non-commercial and non-political purposes.	Director	
HHW5	Authority to determine the following matters relating to Leisure Centre Programming and pricing: Programming leisure centre courses and activities. Subject to a subsequent report to Portfolio Holder setting prices for leisure centre activities at "off peak" times. Setting prices for leisure centre courses. Setting prices for individual performances at Bonington Theatre. Setting prices for equipment for resale. Setting prices for licensed bar sales. Over an agreed time period varying current prices for leisure centre activities for the purpose of promotional offers. For an agreed time period introducing new prices for leisure centre promotional packages.	Director	
HHW6	Authority to award free swimming passes at Borough swimming establishments for 12 months, to those swimmers passing the "Award of Merit" of the Royal Life Saving Society.	Director	
HHW7	Power to grant free swim passes at Borough swimming pools for six months to those persons qualifying under the GP referrals scheme	Director	
HHW8	Approval to grant free use of leisure facilities for community-based events and that were these events are granted.	Director	In consultation with the Portfolio Holder
HHW9	The allocation of minor sports grants in accordance with Council policy and subject to budgetary provision not being exceeded.	Director	In consultation with the Portfolio Holder
HHW10	Authority to close all or part of any leisure centre facility for the purpose of repair or maintenance.	Director	In consultation with the Portfolio Holder
HHW11	Authority to withdraw facilities, services and activities from members of the public.	Director	
HHW12	Authority to determine what should be required of a developer under a Section 106 Agreement in relation to Leisure Centres in accordance with the Council's Policy.	Director	
HHW13	Authority to complete National Lottery consultation forms for schemes within the Borough.	Director	
HHW14	Authority to determine opening hours for leisure facilities during the Christmas/New year period	Director	In consultation with the Portfolio Holder

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Parks and Street Care Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
E1	<p>Authority for the cutting or felling of dangerous trees on or near Council land and power to serve notice to carry out work in default and recover costs incurred including authority under:</p> <p>Highways Act 1980 Section 154 authority to serve notices to carry out work in default and recover costs incurred.</p> <p>To exercise the rights of entry and to apply to Magistrates' Court for an Order of Entry under Section 294.</p> <p>Local Government (Miscellaneous Provisions) Act 1976 Section 23. To serve any required notices and to take such steps as he considers appropriate for the purposes of making the trees safe and the recovery of expenses.</p> <p>Town and Country Planning Act 1990 Sub-Section 214B and 214C. To authorise an appropriate officer to enter and the making of an application for warrant for entry in cases of urgency or where entry has been refused or refusal is apprehended.</p>	Director	
E2	Authority to set the appropriate charges in connection with burials and interments.	Director	
E3	Authority to set the appropriate charges in connection with allotments.	Director	
E4	Authority to set the appropriate fees and charges for tennis and bowls.	Director	
E5	Authority to complete National Lottery consultation forms for schemes within the Borough's parks and open spaces	Director	
E6	Power to manage the Council's cemeteries and to maintain those cemeteries in parish areas where the Parish Councils do not wish to exercise their right and closed churchyards where the Council has this responsibility.	Director	
E7	Authority to approve drawings and specifications in accordance with the Council's rules and regulations regarding cemeteries	Director	
E8	Authority to serve Notices to Quit under the Allotment Act 1908 - 1950 and to initiate proceedings to gain possession.	Director	
E9	Authority to complete and sign all documents required for the removal of human remains.	Director	In consultation with the Monitoring Officer
E10	Authority to approve the formation of Allotment Associations.	Director	
E11	Authority to determine what should be required of a developer under a Section 106 Agreement in relation to Open Spaces in accordance with the Council's Policy.	Director	
E12	Authority to vary the frequencies and times of street cleansing operation	Director	

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Parks and Street Care Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
E13	Authority to respond to Home Office consultation on the proposed closure of any churchyard.	Director	

Planning Matters – Executive Function

Ref No.	Function	Authorised Officer	Consultation/ Limitation
GR1	Authority to make observations on behalf of the Borough Council in respect of non-contentious proposals for planning permission submitted to adjoining District Councils.	Director	
GR2	To authorise the copying of Planning Applications documents pursuant to Section 47 of the Copyright, Design and Patent Act 1988.	Director	
GR3	The serving of Article IV Directions of the Town and Country Planning General Development Order 1988.	Director	
GR4	Authority to obtain a Warrant for the purpose of entering land in accordance with Section 196B of the Town and Country Planning Act 1990.	Director	

Property Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR1	To deal with the letting and day to day management of business centres and other industrial units.	Director	
RR2	Power to approve and vary licence conditions, approve and issue licences and authorisations within the area of his responsibility and insofar as they may relate to executive responsibilities.	Director	
RR3	Authority to take action to terminate any lease or licence where it appears that the unit has been abandoned	Director	In consultation with the Portfolio Holder
RR4	To approve the terms of leases, licences, easements, wayleaves, rights of way, agreements and rent reviews up to a £15,000 annual rental value.	Director	
RR5	To agree terms for the purchase of premises included in a Compulsory Purchase Order made by the Council or a Committee having delegated authority	Director	In consultation with the Chief Executive.
RR6	Authority to grant approval to the assignment of Council shop leases, provided satisfactory references are obtained.	Director	Refusals or cases of difficulty to be referred to and dealt with by the Portfolio Holder

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Property Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR7	Authority to appoint Estate Agents.	Director	
RR8	Authority to instruct the Director to submit a planning application for deemed consent in respect of any land or building where an Executive decision has been taken to dispose, or investigate disposal, of the property concerned.	Director	
RR9	Authority to approve plans and give consents on behalf of the Council in its capacity as former land owner, where such approval is required under a covenant in the Conveyance of the land by the Council or a predecessor Authority.	Director	
RR10	Authority to agree to the release of or amendment to restrictive covenants where the consideration does not exceed £20,000	Director	
RR11	Authority to sell acquired properties from the Private Sector	Director	In consultation with the Portfolio Holder In accordance with Rules for dealing with land
RR12	Authority to consider and respond to any appeals submitted to a valuation tribunal.	Director	
RR13	Authority to determine requests for fees and concessionary use of the Civic Centre	Director	
RR14	Authority to determine reviews against listing of an asset by the owner under the Community Right to Bid procedure	Director	
RR15	Authority to determine reviews against the level of compensation awarded or refusal to award compensation under the Community Right to Bid procedure.	Director	
RR16	Power to authorise the Director to seek planning permission for all developments within the respective departmental areas, which developments are included within a currently approved Capital Programme (Section 101 of the Local Government Act 1972 and as provided by Regulation 6(1) of the Town and Country Planning General Regulations 1976).	Director	
RR17	Approval of rents to be charged on newly acquired properties from the private sector and privately-owned dwellings let by the Council with the agreement of the owner.	Director	In consultation with the Portfolio Holder
RR18	To approve the sale and sale price of land up to an estimated value of £20,000.	Director	In consultation with the Portfolio Holder In accordance with Rules for dealing with land
RR19	Authority to determine whether or not assets are listed as Assets of Community Value under the Community Right to Bid procedure.	Director	

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Property Matters – Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR20	Authority to determine whether or not compensation is payable to an owner of an asset, and if so what amount under the Community Right to Bid procedure.	Director	In consultation with the Chief Financial Officer
E21	Authority to manage the public car parks in accordance with the Council's policy.	Director	
E22	The repair and maintenance of public conveniences, within the policies and the financial limits determined by the Council.	Director	
E23	Authority to enter into such arrangements, annually, as he shall consider appropriate for the supply of electricity and gas to the Council.	Director	In consultation with the Portfolio Holder
RR24	Authority to determine opening hours for council offices and community centres during the Christmas/New year period	Director	In consultation with the PH

Public Protection Matters - Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
PP1	Authority to exercise all the powers of the Council with regard to The Dogs Act 1906 as amended by the Local Government Act 1988, the Environmental Protection Act 1990 in relation to dogs and Part IV and the Dogs (Fouling of Land) Act 1996, the Dangerous Dogs Act 1991 and any associated Orders and Regulations made thereunder.	Director	
PP2	Authority to give a direction under Section 77 of the Criminal Justice and Public Order Act 1994 and to give notice of such a direction to those persons to whom the direction applies.	Director	
PP3	Authority to exercise the powers of the Council under Sections 77 - 79 of the Criminal Justice and Public Order Act 1994. (Removal of unauthorised campers).	Director	
PP4	Authority to agree spending, including grants, from the ABI and Crime and Disorder budgets within the portfolio, up to £1,000.	Director	Subject to subsequent report to the Portfolio Holder.
PP5	To exercise the Council's powers under the Minibus Act 1977 as amended.	Director	
PP6	Authority to authorise urgent repairs to water, gas and electricity apparatus under Section 4 of the Nottinghamshire County Council Act 1985.	Director	
PP7	Authority to authorise the service of notices under Section 9 (defective electrical installations in houses) of the Nottinghamshire County Council Act 1985.	Director	
PP8	In connection with compulsory improvement of dwellings in the private sector – to approve in appropriate cases payments to tenants in connection with the temporary	Director	

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Public Protection Matters - Executive Functions			
Ref No.	Function	Authorised Officer	Consultation/ Limitation
	transfer of fixture, fitting and similar items whilst their homes are being improved.		
PP9	Authority to approve all renovations, disabled facilities, home repair assistance and reinstatement grants	Director	
PP10	Authority to serve Statutory Notices under the Environmental Protection Act 1990.	Director	
PP11	To determine grant applications under the Housing Grants Construction and Regeneration Act 1996. (The 1996 Act) and Gedling Borough Council policy as a consequence of the Regulatory Reform (Housing Assistance) Order 2002. a) To serve Statutory Notices under the 1996 Act b) To make reasonable charges for enforcement action and to recover such charges pursuant to Section 87 and 88 of the 1996 Act	Director	
PP12	To deal with the enforcement of Statutory Notices including carrying out works in default	Director	In consultation with the Portfolio Holder
PP13	To enforce the provisions of the Housing Act 2004 with specific reference to private sector housing.	Director	
PP14	Authority to enforce statutory powers to address overcrowding.	Director	
PP15	Power to take decisions on applications under Section 15 of the Clean Air Act 1993 (height of furnace chimneys).	Director	
PP16	Authority to agree that any notice required to be given by the Sunday Trading Act 1994 should take effect within a shorter period than that provided by the Act.	Director	
PP17	Authority to act under Water Act 1989 and Water Industry Act 1991.	Director	
PP18	Authority to deal with applications for Orders prohibiting processions in accordance with Section 3 of the Public Order Act, 1936 after consultation with the Leader of the Council.	Monitoring Officer	
PP19	Authority to approve any additional CCTV equipment acquired by the Council, including, where necessary, authority to submit an application for planning permission in respect of CCTV equipment	Director	In consultation with the Leader of the Council and Portfolio Holder for Public Protection
PP20	To exercise the Council's powers under the Scrap Metal Dealers Act 2013	Director	
PP21	To exercise the Council's powers under the Anti-Social Behaviour, Crime and Policing Act 2014	Director	
PP22	To authorise Legal proceedings under the Anti-Social Behaviour, Crime and Policing Act 2014	Director	In consultation with the Monitoring Officer
E19	The collection and disposal of abandoned vehicles.	Director	

Gedling Borough Council Constitution

Revenues and Benefits Matters – Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
RR1	Power to grant applications for mandatory rate relief.	Director	
RR2	Power to determine applications for discretionary new build relief.	Director	
RR3	Power to determine applications for discretionary reoccupation relief.	Director	
RR4	Power to determine applications for discretionary retail relief.	Director	
RR5	Power to determine applications for discretionary transitional relief.	Director	
RR6	Power to grant applications for other discretionary rate relief to be submitted to the Portfolio Holder for determination in the first instance and thereafter renewals to be delegated and any new application to be referred to the Portfolio Holder if they are clearly not subject to precedent.	Director	
RR7	Authority to serve a Notice relating to completion of a new dwelling	Director	
RR8	Power to authorise legal action for the recovery of any amounts in arrears and owing to the Council.	Director	
RR9	The powers of the Authority in connection with the billing for and the recovery of Council Tax, national non-domestic rates and sundry debtors including applications for summonses and liability orders and subsequent powers and such other matters as may be required by the Local Government Finance Act 1992 and Local Government Finance Act 1988 and Regulations made thereunder.	Director	
RR10	The determination of the Council's Business Rates base.	Director	
HHW14	Authority to take all decisions on Housing and Council Tax Benefits.	Director	

Waste Matters - Executive Functions

Ref No.	Function	Authorised Officer	Consultation/ Limitation
E1	Authority to waive or vary charges for the collection of bulky household waste in exceptional circumstances.	Director	
E2	Authority to set the appropriate charges in connection with the collection and disposal of commercially derived waste.	Director	
E3	Authority to set the appropriate charges in connection with the collection and disposal of garden waste.	Director	