

Executive Director of Assurance and Public Protection Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Article 7 (Officers) of the [Constitution](#) details officers designated as Chief Officers and Statutory Officers. Article 7 sets out specific high-level functions and responsibilities of Chief Officers (section 7.3).

Part 2G sets out functions not to be the responsibility of the Executive – this details that certain functions must be undertaken by a committee or a council officer.

Part 4J is a Protocol for Recording Decisions made by Officers and details which type of decisions must be recorded. It also states that the Chief Officer's Scheme of Delegation will indicate whether a Delegated Powers Report (DPR) or an Officer Decision is required. Section 3 states:

“Chief Officers have the following delegated powers in respect of all matters which are not key decisions and not reserved for decision by the Council, Cabinet or by a Committee of the Council

a) to make decisions and approve expenditure relating to their functions and the functions of their Department, where necessary. They should also comply with (b) and (c) below. The sum expended must be within the approved budget for the Department and/or relevant portfolio, and the amount in relation to any single matter must not exceed £214,905.

b) to determine employment matters relating to staff including all changes to staffing structures. This power will not include changes to terms and conditions of employment or additional payments to any individual member of staff above £100K.

c) to approve tender strategies and award contracts in accordance with the Council's Contract Procedure Rules within Part 4 of the Constitution.

3.2 Where appropriate the Head of Paid Service may exercise any function delegated to any other officer, e.g., in case of absence.

3.3 Where a Chief Officer believes that a matter that is within their delegated authority is significant or sensitive they have the discretion to refer it to Members for decision.”

Whilst actions and decisions taken using authority delegated by a Chief Officer will be taken in the name of the individual officer with delegated authority, the Chief Officer is accountable for ensuring that decisions taken are lawful and in accordance with the Constitution.

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The Chief Officer should monitor the effectiveness of decisions taken under delegated powers, including ensuring that officers are appropriately skilled to exercise those powers.

Scheme of Financial Delegation

Chief Officers are required to ensure that all staff are aware of the Financial Regulations as required by Section 151 of the Local Government Act 1972, and to maintain a scheme of financial delegation. The scheme of financial delegation will define the authorisation limits in respect of ordering goods, services and works. The scheme of financial delegation applies to all officers within the Council, as well as joint employees of the Council, and is attached as an appendix to this document.

The Executive Director Assurance is also responsible for ensuring that strategic partners and contractors who they work with and incur expenditure on behalf of the Council have appropriate schemes of financial authorisation in place. The schemes of financial authorisation should clearly define the limits that employees can approve expenditure for managed budgets, as specified in the contract.

Schemes of financial authorisation should be maintained by the strategic partners/contractors and approved by the Executive Director Assurance on an on-going basis.

Executive Director Assurance

The Executive Director Assurance has responsibility for the leadership, strategy and direction of the Council's assurance functions which includes the following internal services:

- Counter Fraud, Community Safety and Protection; including CCTV
- Assurance and business improvement Functions (Corporate Complaints, Local Government Ombudsman Complaints, Records and Information Management);
- Governance and Mayors Office;
- Legal Services;
- Organisational Resilience (Emergency Planning, Business Continuity, and Insurance);

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- Internal Audit;
- Electoral Services.
- Trading Standards
- Licensing
- Food Safety; and
- Scientific Services (including air quality monitoring)
- Public Health Noise Nuisance
- Pest Control

Corporate Anti-Fraud and Internal Audit

Under the current senior management structure Corporate Anti-Fraud Team and Internal Audit fall within the remit of the Executive Director Assurance and he/she is overall responsible for those functions, despite the link to the statutory responsibilities of the Executive Director of Strategy & Resources (Section 151 Officer).

Legal Services

HB Public Law (HBPL) provide the following legal services to Barnet Council: Commercial, Contracts and Procurement; Property; Enforcements/Prosecutions; Employment; Litigation; Planning; Highways; Information Management and Complaints; Children's Services; Adult Social Care; Education; Electoral Law; Housing; Licensing; Regulation of Investigatory Powers Act; Trading and Information; and Health. Barnet retain their own statutory Monitoring Officer who discharges the functions set out in Article 7.

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Electoral Services

Every London borough (council) is required to appoint an Electoral Registration Officer (ERO) (Section 8, Representation of the People Act 1983 (RPA1983)). The London Borough of Barnet appoints the Chief Executive Officer as its ERO. Each London Borough is also required to appoint an officer of the council (the proper officer of the council; 'the ERO') to be the Returning Officer (RO) (Section 35(3) RPA1983) for the election of Councillors (and subsequently for all other statutory elections/referendums).

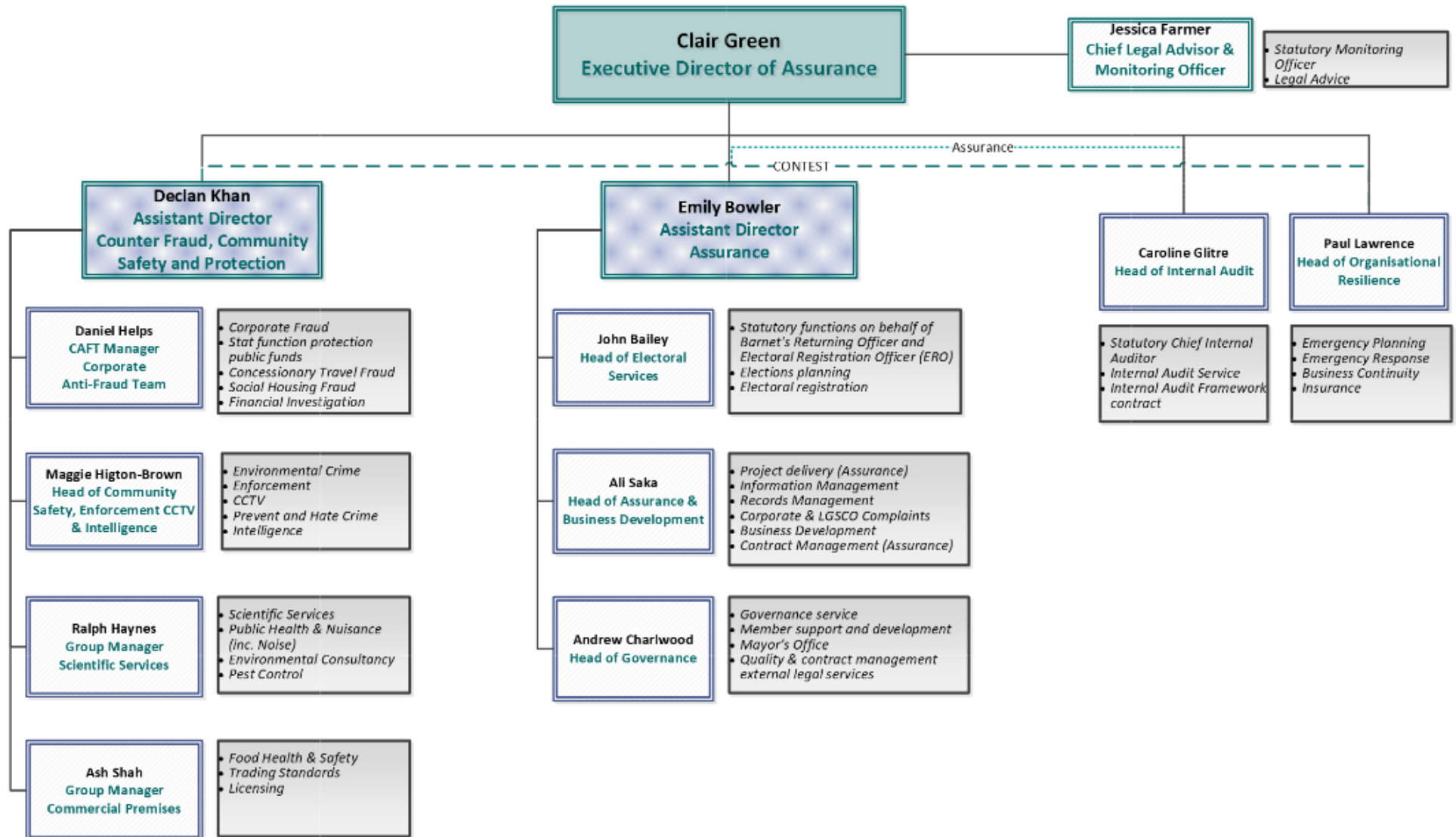
Furthermore, the Council must provide the resources needed by the ERO and RO to discharge their statutory functions. The Executive Director Assurance has responsibility for ensuring that the resources provided to the ERO and RO (in the form of the Electoral Services function) are appropriate and effective in fulfilling the statutory duties of the ERO/RO on their behalf. The functions and duties of the ERO/RO are set out in legislation, and can include further duties imposed by a direction of the Secretary of State. The Secretary of State has a power to direct ERO/ROs in the discharge of their functions. The Secretary of State can only exercise this power of direction in accordance with a recommendation of the Electoral Commission.

Review of Schemes of Delegation

Schemes of Delegation must be reviewed on an annual basis. Chief Officers are responsible for reviewing and signing off their Scheme of Delegation. Where legislation is cited it is deemed to include the subsequent legislation and amendments to legislation. However, HB Public Law should be engaged in the annual review of the schemes to ensure that the scheme is updated as quickly as possible after any change in legislation. Following sign-off and publication to the website, Chief Officers are responsible to communicate the new schemes to services, external delivery partners and all other relevant parties.

If any urgent changes need to be made before the scheduled annual review (i.e. updates to legislation or constitutional changes which impact on the scheme) then schemes should be updated on an ad hoc basis (with HB Public Law engaged as appropriate) and published.

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	Officer with Delegated Authority (to lowest relevant level)							Recording of Delegated Powers	
	Cabinet / Cabinet Member	Executive Director Assurance	Director	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	Recording of Decision
PROCUREMENT									
Decisions must be made in accordance with the delegated authority limits below and the provisions of the Contract Procedure Rules (Part 4B) and Land and Property Transaction Authorisation and Delegated Powers (Part 4B1): Agenda for Constitution on Tuesday 11th July, 2023 (moderngov.co.uk)									
Authorisation to commence a procurement process under £25,000		✓		✓	✓	✓	✓		Procurement method and recording requirements as set out in Contract Procedure Rules
Authorisation to commence a procurement process £25,000 - £60,000		✓		✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Authorisation to commence a procurement process £60,001 - £90,000		✓		✓					Procurement method and recording requirements as set out in Contract Procedure Rules
Authorisation to commence a procurement process £90,001 - £214,904		✓							
Authorisation to commence a procurement process £214,905 - £500,000	Cabinet Member ✓ (or Procurement Forward Plan)								Portfolio Holder DPR or Procurement Forward Plan
Authorisation to commence a procurement	N/A	N/A		N/A	N/A	N/A	N/A		Authorisation is via: Cabinet Report; or Procurement Forward Plan

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process £500,000 and above								
Acceptance process below £25,000		✓	✓	✓	✓	✓	✓	Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £25,000 - £60,000		✓	✓	✓	✓			Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £60,001 - £90,000		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £90,001 - £214,904		✓	✓					Procurement method and recording requirements as set out in Contract Procedure Rules
Acceptance process £214,904- £500,000		✓	✓					Officer DPR
Acceptance process £500,000 and above if within budget		ü	ü					Officer decision only when within approved budget. If not within budget, Cabinet report required. Officer DPR
Variation or extension acceptance for contract value below £25,000		✓	✓	✓	✓	✓	✓	Procurement method and recording requirements as set out in Contract Procedure Rules
Variation or extension £25,001 - £214,904		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Variation or extension £214,905 - £500,000	✓ (If not within budget)	✓ (If within budget)	✓ (If within budget)	N/A	N/A	N/A	N/A	IF within budget, Officer DPR If not within budget, Portfolio Holder DPR
Variation or extension		ü	ü					Officer decision only when within approved budget. If not

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acceptance £500,000 and above									within budget, Cabinet report required. Officer DPR
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***Authority is also delegated to the Assistant Director Commercial and Procurement (as the Service Lead for Procurement) and Assistant Director Finance**

Assistant Director of Commercial and Procurement - As per the Contract Procedure Rules this post holder has authority to approve a single tender action and the award of a contract. They may also waive the requirement to seek two written quotes under the OJEU threshold. These powers are delegated to the Deputy Chief Executive in the absence of the Assistant Director of Commercial and Procurement.

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HUMAN RESOURCES – all delegated powers to be exercised in accordance with the Council’s Human Resources Policies and Part 4C (HR Regulations) in the Constitution									
	Cabinet / Cabinet Member	Executive Director Assurance	Director¹	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	Recording of Decision
Agree advertisement and appointments to vacant posts at the same level or lower than the delegated officer (subject to the approval of Employment Sub-Committee in the case of Assistant Director and Director level or above posts)	N/A	✓	✓	✓	✓	✓	✓	HR Regulations Section 3.1.2 – No vacant posts at Assistant Director level or above shall be advertised or recruited to without prior Committee approval and all new posts at Assistant Director level or above shall be created by committee decision (Employment Sub-Committee) and not by delegated powers.	N/A
Officers to undertake arrangements and participate in recruitment selection panels	N/A	✓	✓	✓	✓	✓	✓	Officer to be 1 level above being recruited to	N/A
Recruitment selection decision for Assistant Directors and Head of Service	N/A	✓	✓					N/A	N/A

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New starters paperwork to be reviewed including pre-employee checks for official sign off	N/A	✓	✓	✓	✓	✓	✓	HR form/ Letter/Core HR	N/A
Changes to location / position of roles (and/or individuals) advised in writing to HR. For post within the directorate only and limited to posts below the notifying officers level	N/A	✓	✓	✓	✓	✓	✓	HR letter	N/A
Authorise loans and payments in advance to employees	N/A	✓	✓	✓				HR form/ Letter/Core HR	N/A
Recruitment or Retention Payments in accordance with Recruitment and retention payments policy	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				CMT/ Employment Sub-Committee	N/A
Authorise salary change and accelerated pay progression (excluding national and annual increments and restructures) movement through the range and above where appropriate via pay policy	N/A	✓	✓	✓				HR form/ Letter/Core HR	N/A

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Authorise overtime payments to Grade G	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise overtime payments above Grade G	N/A	✓	includes Assistant Director Human Resources and OD	✓				HR form/ Letter/ Core HR	N/A
Authorise car allowance claims	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Authorise season ticket loans	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise acting up allowances	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Sick absence return to work meeting	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise annual leave / flexi leave / TOIL	N/A	✓	✓	✓	✓	✓	✓	HR form/ Letter/ Core HR	N/A
Authorise annual leave carry over within policy	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise special leave – unpaid	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Authorise special leave – paid	N/A	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A
Authorise time off/ facilities for Trade Union officials (internal)	N/A	✓	✓	✓				N/A	N/A
Notification of leaver to HR	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Termination of agency employee contract	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	N/A
Disciplinary or capability action up to	N/A	✓	✓	✓	✓			HR form/ Letter/ Core HR	N/A

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and including final written warning									
Hear appeal against dismissal and other disciplinary action as appropriate	N/A	✓	✓	✓					
Dismissal	N/A	✓	✓	✓				HR form/ Letter/ Core HR	N/A
Issuance of at risk and notice of redundancy letters in relation to major restructures and situations where TUPE would apply for 20 or more employees	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/ Core HR	N/A
Sign off establishment list changes within financial envelope	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				HR form/ Letter/ Core HR	N/A
To make recruitment and appointment decisions (not for same level or above)	N/A	✓	✓	✓	✓	✓		HR form/ Letter/ Core HR	No
Change in designation of a post within the organisation structure without change in grade	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				HR form/ Letter/ Core HR	Audit trial
Agree settlement/instruct	N/A	✓	✓ includes Assistant	✓ includes Assistant				N/A	N/A

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lawyers to defend Employment Tribunal			Director Human Resources and OD and the Monitoring Officer	Director Human Resources and OD					
Reporting Industrial injury in compliance with RIDDOR	N/A	✓	✓	includes Head of Safety & Health at Work				N/A	N/A
Disclosure and Barring Service / Border agency / HMRC statutory bodies enquiries	N/A	✓	✓	✓				N/A	N/A
Consultants: check status and compliance	N/A	✓	✓	✓				N/A	N/A
Agency worker deployment including placement of order and recruitment selection	N/A	✓	✓	✓	✓			N/A	N/A
Finance and Business Planning – authorise change at end of Finance and Business Planning consultation	N/A	✓	✓	✓				Incorporate into business planning report to P&R and Full Council	Yes
Service restructures - opening of service consultation	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				N/A	Yes
Service restructures – authorisation (less than 20 officers)	N/A	✓	✓ includes Assistant Director Human	✓ includes Assistant Director				N/A	Yes

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			Resources and OD	Human Resources and OD					
TUPE in and out (less than 20 officers)	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				N/A	Yes
Authorise ad hoc Voluntary Redundancy, Compulsory Redundancy, Early Retirement, severance in line with Management Of Change and <100k including pension strain	N/A	✓	✓ includes Assistant Director Human Resources and OD					HR form/ Letter/HR Core Severance packages over £100K require C&GPC approval	N/A
Redundancy and payment authorisation after consultation	N/A	✓	✓ includes Assistant Director Human Resources and OD					N/A	N/A
Write off monies owed by employees	N/A	✓	✓					HR form/ Letter/Core HR	N/A
UK Border Agency - Licence under the Home Office Certificate of Sponsorship Scheme (to take decisions on behalf of the Council as required)	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				N/A	N/A

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Authorisation of payroll – scheduled and adhoc payments	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD			N/A	N/A
Pensions discretions as defined and agreed by the Pensions Fund Committee	N/A	✓	✓ includes Assistant Director Human Resources and OD	✓ includes Assistant Director Human Resources and OD				N/A	N/A

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INFORMATION MANAGEMENT								
	Executive Director Assurance	Director	Assistant Director	Head of Service	Service Manager	Team Leader		
Authorisation of final responses and decision on redactions for Freedom of Information (FOI) requests within Assurance	✓	✓	✓				Statutory requirement to respond within 20 working days	N/A
Approval of responses to Subject Access Requests (SAR) for Assurance	✓	✓	✓				Statutory requirement to respond within 1 month	N/A
Business continuity decisions for Assurance	✓	✓	✓				N/A	N/A

Decision/Power	Officer with Delegated Authority (to lowest relevant level)					Recording of Delegated Powers	
	Chief Officer / Executive Director	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	DPR / Officer Decision
FINANCE							
Manage the service within the budget set by the council	✓					N/A	N/A
Ensure that any expenditure incurred within their service is in accordance with both the purpose and objectives of the services being provided and provides value for money							
Ensure that their revenue cost centre managers do not enter into commitments before satisfying themselves there is sufficient approved budget provision							

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<p>Notify the Section 151 Officer of forecast revenue budget or capital project overspends</p> <p>Submit proposals to the Section 151 Officer for offsetting any forecast revenue overspend</p> <p>Notify the Section 151 Officer of all revenue underspend, over-recovery of income or windfall benefits arising within their revenue budgets</p> <p>Ensure that their capital project managers do not enter into commitments before satisfying themselves there is sufficient approved budget provision</p> <p>Notify the Section 151 Officer of all underspend, over-recovery of income or windfall benefits arising within their revenue and capital budgets. Submit accurate forecasts to the finance function in line with the monitoring timetable set out by the finance function</p>							
<p>Submit accurate forecasts to the finance function in line with the monitoring timetable set out by the finance function</p>	✓	✓	✓	✓	✓	N/A	N/A
<p>Communicate forecast overspends on approved capital projects to the Section 151 Officer immediately and submit options to the Section 151 Officer for offsetting the forecast overspend</p>	✓	✓	✓				
<p>Notify the Section 151 Officer if there is the possibility of expenditure slipping past a funding deadline</p> <p>Explore all feasible options that maximise external funding available to the Council within the service</p> <p>Provide the Section 151 Officer with details of all bids for external funding within the service Advise the Section 151 Officer of all grant and subsidy notifications as soon as they are received</p> <p>Ensure that all external funding is received from the paying body and, wherever possible, received ahead of the planned expenditure</p>	✓					N/A	N/A

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Ensure that all conditions associated with external funding are met and that information and evidence required to complete grant and subsidy claims are provided on time							
Ensure compliance with all requirements for the audit of external funding where applicable							
Ensure all adequate financial controls are in place before entering into a partnership with another organisation that involves pooling some of the Council's budgets. A financial risk assessment must also be prepared and monitored over time	✓					N/A	N/A
Ensure that service adheres to the timetable and requirements set out by the Section 151 Officer for the closing of accounts, and provide any information and evidence required in relation to this	✓					N/A	N/A
Ensure that staff in the service who use the Procurement Cards adhere to the requirements of the LBB Purchasing Card (PCard) Guide and Terms and Conditions	✓	✓	✓	✓	✓	N/A	N/A
Ensure the proper security of all buildings, stocks, furniture, equipment and cash etc. within their service	✓	✓	✓	✓	✓	N/A	N/A
Agree financial settlement where recommended by the Ombudsman or a court.	✓					N/A	N/A
Maintain the Insurance Strategy - the Executive Director of Assurance is responsible for maintaining the Insurance Strategy arranging adequate insurance cover for the Council and keeping comprehensive records of all risks covered, and will report any changes Cabinet	✓	✓	✓				
Handle all insurance claims, in conjunction with the Executive Director of Assurance and/or the insurance company if proceedings are issued	✓	✓	✓	✓			
Notify the Executive Director of Assurance immediately of all new areas of risk and of any change	✓	✓	✓				

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of circumstances likely to affect existing insurance risks within Financial Services							
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Acronyms: (CE) Chief Executive, (EDA) Executive Director Assurance, (EDoSR) Executive Director of Strategy and Resources (Section 151 Officer), (HoG) Head of Governance, HoIA (Head of Internal Audit, (ADA) Assistant Director Assurance, (ADCFCSP) Assistant Director Counter Fraud, Community Safety & Protection, (IO) CAFT Investigation Officer, (HoE) Head of Elections, (MO) Monitoring Officer, (HoL) Head of Legal (HB Public Law)

ASSURANCE GROUP FUNCTIONS			
LEGISLATION	FUNCTION	DELEGATED TO	IN CONSULTATION WITH
Section 5 and 5a, Local Government and Housing Act (1989)	To be the Statutory Monitoring Officer with responsibility for ensuring that the Council meets its legal and statutory obligations in relation to issuing the appropriate guidance to member and officers in the undertaking of their roles.	MO and in absence as personally delegated	N/A
	Reporting on the contravention or likely contravention of an enactment or rule of law and any administration or injustice where an Ombudsman has carried out an investigation.	MO and in absence as personally delegated	N/A
	Authority to stop a proposal, decision or omission would give rise to unlawfulness or maladministration.	MO and in absence as personally delegated	N/A
All legislation specified in this scheme of delegation	To authorise payments of up to £5,000 in settlement of maladministration before any finding by the Ombudsman, in accordance with Section 92 of the Local Government Act 2000.	EDA/MO or as delegated	N/A
	Without exception, in cases of emergency any issues that will have an immediate impact on service delivery, the discharge of the Council's reputation. This covers emergency decisions that were not anticipated within the budget but nevertheless relate to day to day operations. By use of whatever means necessary to discharge those functions including incurring expenditure and collecting income and/or engaging and deploying staff. Excluded from this are major changes/decisions outside the approved budget and statutory plans.	EDA	EDoSR
	To settle small claims against the Council (by employees or third parties) by way of, without prejudice, ex gratia payments within such limits as the Council may prescribe.	EDA/MO/ADs and HoS	EDA
	Receive complaints of failure to comply with the Code for Members Conduct	MO/EDA/ADA/HoG and in absence as delegated	
Sections 29 and 30 Localism Act 2011	Maintenance of the Register of Members' Interests, Gifts and Hospitality	MO/HoG in absence as delegated	EDA
	Advice to Members on the Member's Code of Conduct	MO/ADA/HoG	EDA

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	Power to conduct or appoint officers or others to conduct investigations into allegations of breach of the Code of Conduct.	MO/EDA/HoG	EDA
	The maintenance of the Constitution and its availability to members, officers and the public. Authority to amend the Constitution to give effect to the decisions of Council or the Executive and changes of law and fact.	MO/HoG/EDA and in absence as personally delegated	EDA / ADA
	To manage and monitor Members' Allowances	HoG	EDA / ADA / EDoSR
	To manage Member Development Programme and budget	HoG	EDA / ADA
Civil Contingencies Act 2004	The Act places an obligation upon emergency services and local authorities (defined as "Category 1 responders") to assess the risk of, plan, and exercise for emergencies, as well as undertaking Business Continuity Management	EDA/Head of Organisational Resilience	NA
INTERNAL AUDIT			
Accounts and Audit Regulations 2015	To maintain an adequate and effective system of internal audit that meets the requirements of the Public Sector Internal Audit Standards.	HoIA	EDA / EDoSR
	To discharge the responsibilities of the Chief Internal Auditor as detailed in Section 4.3 of the Financial Regulations	HoIA	EDA / EDoSR
DETECTION AND DETERRENCE OF FRAUD			
Section 151 and 222 of the Local Government Act 1972	To discharge the responsibilities of the Corporate Anti-Fraud responsibilities as detailed in Section 4.4 of the Financial Regulations	EDA and ADCFCSP	
	The Executive Director of Assurance is the nominated officer to undertake the duties of the Council's Money Laundering Reporting Officer as set out in the financial regulations.	EDA and ADCFCSP	
	The following are the designated Whistleblowing Reporting Officers and shall undertake the responsibilities of the role as described within the Council's Whistleblowing Policy Statement: Executive Director of Assurance; Monitoring Officer; Chief Executive (or designated deputy); Section 151 Officer (Director of Resources); Assistant Director Counter Fraud, Community Safety & Protection; Head of Internal Audit; or Head of Governance	CE, EDA, EDoSR, MO, ADCFCSP, HoIA, HoG	
	The Executive Director of Assurance Director / Assistant Director of Counter Fraud, Community Safety and Protection the CAFT Manager are responsible officers for the authorisation of sanctions and recovery action as per the Counter Fraud Framework.	EDA / ADCFCSP	
	The Executive Director of Assurance/ AD Counter Fraud, Community Safety and the CAFT Managers are responsible officers for the authorisation of Police or related action in relation to arrest of offenders against LBB. CAFT officers are authorised to carry out investigation in accordance with CPIA and PACE and apply for and obtain any appropriate court orders (as authorised) under PACE and to carry out investigations, assist law enforcement agencies on searches.	EDA, ADCFCSP, CFM and IO	

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Criminal Procedures and Investigations Act 1996 (CPIA), the Police and Criminal Evidence Act 1984, Human Rights Act 2000	The Executive Director of Assurance Director/AD Counter Fraud, Community Safety and Protection is designated as the London Borough of Barnet's 'Senior Appropriate Officer' for the authorisation of production orders, restraint orders, customer information orders and account monitoring orders as described within the Proceeds of Crime Act 2002.	EDA /ADCF CSP	
The Proceeds of Crime Act 2002	CAFT accredited Financial Investigators are authorised to attend court to apply, present, request and enact orders as described within the proceeds of the Crime Act 2002 as authorised by the National Crime Agency.	CAFT IO	
Regulation of Investigatory Powers Act 2000 and Protection of Freedoms Act 2012	The Council's Senior Responsible Officer in relation to the Regulation of Investigatory Powers Act 2000 (RIPA) has been designated as the Executive Director of Assurance The AD Counter Fraud /CAFT Counter-Fraud Manager are the designated officers for the authorisation of directed surveillance and use of Covert Human Intelligence Source (CHIS) as defined within the Regulation of Investigatory Powers Act 2000 (RIPA). CAFT officers granted authorisation to carry out directed surveillance or use of a covert human intelligence source by a designated officer of the Council are authorised to appear before the Magistrates Court on behalf of the Council to apply for judicial approval in accordance with the requirements of sections 37 and 38 of the Protection of Freedoms Act 2012.	EDA, ADCFCSP, ADCF CSP, CFM CAFT IO	EDA EDA, ADCFCSP
Disabled Persons Parking Badges Act 2013	That the CAFT Officers are authorised to act as 'Enforcement Officers' as defined and set out within the requirements of the Disabled Persons Parking Badges Act' 2013 and The Road Traffic Regulations Act 1984 .	CAFT IO	
Prevention of Social Housing Fraud Act 2013	That CAFT are authorised to request and share information obtained under the 'Prevention of Social Housing Fraud Act' 2013 for the purposes of housing fraud investigation	CAFT IO	
ELECTORAL SERVICES			
	Compile and keep up to date electoral register	HoES / RO/ ERO	EDA/ADA
	To register eligible applicants as electors and to encourage all eligible residents to vote	HoES	ADA
	To conduct the Annual Household Canvass	HoES	ADA
	To give notice of a casual vacancy in the office of Councillor	HoES	EDA/ERO/ADA
	To give notice of all other elections	CE (RO)	EDA/ADA
	To issue ballot papers	HoES	EDA/ADA
	To conduct postal ballots	HoES	EDA/ADA

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

	To conduct the count	HoES	EDA/ADA
	To ensure that there are suitable and of sufficient number of polling stations	HoES	EDA/ADA
	To ensure that the venue for the counts are suitable	HoES	EDA/ADA
	To employ staff both within and external to the Council to assist in election duties	HoES	EDA/ADA
	To arrange appropriate training	HoES	EDA/ADA
	To ensure that all equipment associated with elections is maintained and fit for purpose, complying with any legislative requirements.	HoES	EDA/ADA
	To maintain and report such records and data as required by statute	HoES	EDA/ADA
GOVERNANCE			
	All Governance Officer functions in the Constitution	All Governance Officers	HoG
	Member's notice of resignation	HoG	HoE/EDA/ADA
	Giving notice of casual vacancies	HoG	HoE/EDA/ADA
	Convening Council to fill mayoral casual vacancy	All Governance Officers	HoG
	Signing summonses for council meetings	HoG	
	Receiving notification of political groups for the calculation of political balance	HoG	MO
	Returning Officer for election of parent governor representatives to Committee	HoG	HoE
	Proper Officer for signing the declaration of acceptance of Office	HoG	ADA
	Delegated authority to make changes to the Constitution on housekeeping matters as required	HoG, MO	EDA/ADA
	To meet statutory publication requirements for Committee agendas/reports.	HoG, All Governance Officers	HoG/EDA/ADA
	Clarification and authentication of documents, byelaws and copy minutes and signing of other relevant formal notices.	HoG, Senior Governance Officers	EDA/ADA
	Managing the relationship with Harrow & Barnet Public Law. Head of Governance is responsible for managing the strategic 'client side' relationship with Harrow & Barnet Public Law to ensure the council continues to be provided with a legal service which meets its needs and to advise the Head of Paid Service and EDA where any risks are identified.	HoG	EDA/ADA
LEGAL SERVICES			
	Unless otherwise indicated, these powers may be exercised in the HoL's name by legal professions in accordance with the HoL's scheme of delegation. However, where formal documents need the signature or facsimile signature, the relevant rules in the Constitution must be followed.		

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

<u>General</u>	To authenticate and serve statutory notices and to place public notices and advertisements, as may be necessary or expedient for the discharge of the functions for which he/she is responsible.	All (Legal in accordance with HOL scheme of delegation)	
	To issue, sign and/or serve on behalf of the Council or of other officers appointed or employed by the Council all notices which the Council or such officers may be able or required to give issue or serve under any enactment, agreement, lease, conveyance, covenant or other deed or document or by virtue of its interest in land or property.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To negotiate, complete sign or execute all documentation and to make all Orders necessary or expedient in order to give effect to a decision of the Council or of a committee, sub-committee, panel or officer of the Council exercising delegated powers on behalf of the Council.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To institute, defend or take part in all legal proceedings, civil or criminal before all courts and tribunals on behalf of the Council or in connection with the Council's functions.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	Sealing and execution of documents – to jointly affix the Common Seal and execute under seal any deed or document subject to at least two of the named officers of the Council being present and being signatories	As detailed in Part 2F (Delegation to Officers) of the Constitution	N/A
<u>Specific Powers</u>			
Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	To serve notices, including notices to quit, on allotment holders To serve notices requesting information as to the use of as to interests in land.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To serve notices and take steps in connection with the making and promotion of Compulsory Purchase Orders of land which, or in areas in relation to which, the Council has resolved to purchase compulsorily, and to proceed with the acquisition of such land in accordance with the statutory procedures or by agreement on terms negotiated by the relevant officer.	DCE	
Section 140 and 141 of the Housing Act 1985	To serve notices.	All (Legal in accordance with HOL scheme of delegation)	Housing
	To make licensing and regulation applications of all kinds and to object to such applications and renewals on behalf of the Council.	All (Legal in accordance with	Relevant Service

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

		HOL scheme of delegation)	
	To appear in person through any duly qualified or authorised member of staff or through Counsel in all legal proceedings.	All (Legal in accordance with HOL scheme of delegation)	
	To authorise members of staff who do not have rights of audience to represent the Council in courts.	All (Legal in accordance with HOL scheme of delegation)	
	To prosecute subject to the Code of Conduct for Prosecutors for offences where the Council or one of its officers is the enforcing authority or where the Council has so resolved or where a Director of Head of Service has determined in accordance with a policy approved by the Council.	All (Legal in accordance with HOL scheme of delegation)	
	To institute and take all appropriate steps in legal proceedings either for the recovery of land and property, including dwellings or in connection with debts to the Council, and to enforce agreements, contracts, conveyances, positive and restrictive covenants, transfers, leases, and any like arrangements to which the Council is a party.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To make applications to the Court in respect of leases included under the provisions of the Landlord and Tenants Act 1954	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
Landlord and Tenants Act 1954	To apply to the Court in respect of leases included under the provisions of the Landlord and Tenants Act 1954	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To deal with applications for enfranchisement or lease extension.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To vary or waive or grant any licence or consent under, any provision of any agreement, contract, conveyance, transfer, lease, or other like arrangement deed or document to which the Council is a party.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
Section 47 of the Landlord and Tenants Act 1948	To apply for an Order under Section 47 of the National Assistance Act 1948.	All (Legal in accordance with	Relevant Service

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

		HOL scheme of delegation)	
	To sign discharges for mortgages which were granted by the Council	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To prepare, execute and/or sign mortgage deeds and legal changes of all kinds, which have been authorised by the Council or under delegated powers, whether the Council is the borrower or the lender, including those securing the cost of work to property carried out by the Council	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To enter into and execute all deeds, documents, memoranda, deeds of postponement and other like arrangements ancillary to mortgages of legal charges entered into by the Council and to determine and issue consents waivers or variations thereto, provided that officers are thereto, provided that officers are satisfied that the Council's security is not prejudiced.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To dispose of properties where the Council is in possession of the mortgage.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
Consumer Protection Act 1987	To apply for an Order of Forfeiture of Goods under the Consumer Protection Act 1987.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	Jointly, with the CFO, to write off claims by the Council where, in the officer's opinion, it would be uneconomical and against the Council's general interest to pursue them, subject to such financial limits as the Council may from time to time prescribe.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	Jointly, with the CFO, to treat as irrecoverable and write off National Non-Domestic Rate and general rates owing to the Council as the Council may from time to time prescribe.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To dispose of land, including the sale of Council dwellings, in accordance with any scheme or resolution approved by the Council, Cabinet or a committee or officer acting under delegated powers.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To repurchase former Council dwellings in accordance with any schemes approved by the Council.	All (Legal in accordance with	Relevant Service

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

		HOL scheme of delegation)	
Section 2 of the Local Authorities Social Services Act 1970	To institute and take part in proceedings in all cases where the Council is empowered so to do in discharge of its functions.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To grant licences for the cultivation and use of Council land as part of an adjacent garden, permitting the installation of gates giving access to Council land, for advertising hoardings, for vehicle parking, and other licences, agreements, easements and rights, including rights of way and to light and cable and pipe easements.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To grant permission to sublet, part with possession of or alter or add to premises leased by the Council.	Relevant service	Relevant Service
	To serve notices to terminate business or agricultural tenancies.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To approve the form of a contract.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To direct that Legal must approve a contract under £5,000.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To dispense with a sealed contract over £50,000 or direct that a sealed contract is needed below £50,000.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service
	To dispense with a bond if the contract is over £200,000	All (Legal in accordance with HOL scheme of delegation)	Relevant Service and EDoSR
	Any legal proceeding not referred to above.	All (Legal in accordance with HOL scheme of delegation)	Relevant Service

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

INFORMATION MANAGEMENT							
Decision/Power	Officer with Delegated Authority (to lowest relevant level)					Recording of Delegated Powers	
	Chief Officer / Executive Director	Assistant Director	Head of Service	Service Manager	Team Leader	Other requirements	DPR / Officer Decision
Authorisation of final responses and decision on redactions for contentious or high profile Freedom of Information (FOI) / Environmental Regulation (EIR) requests within Assurance Directorate	✓	✓	✓			Requirement to respond within 20 working days	N/A
Approval of responses to Subject Access Requests (SAR) for Assurance Directorate	✓	✓	✓			Statutory requirement to respond within 1 month	N/A
Business continuity decisions for Assurance Services	✓	✓				N/A	N/A
Senior Information Risk Officer (SIRO)/Chief Information Officer responsibilities including decisions on the acceptance of information risk	✓	✓	✓				
In incidence of data breach authorisation to notify the Information Commissioner's Office (ICO)	✓				Data Protection Officer (DPO) in consultation with the Chief Executive and Executive Director of Assurance.	Statutory requirement to report within 72 hours where considered high risk	
In incidence of data breach powers to work alongside the Data Protection Officer to: <ul style="list-style-type: none"> assess risks decide on data recovery process 	✓	✓	✓	✓			

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

• decide on notifying affected parties							
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COMPLAINTS							
Decision on whether a complainant falls under policy as an unreasonably persistent complainant	N/A ✓	✓	✓				

EMERGENCY PLANNING							
Emergency planning – decision on incident response for Gold category incidents. Use of resources to mitigate the effects of an emergency (up to £1,000,000)	✓ (may be delegated to Council Gold or Chief Executive depending on responding officer)						
Emergency planning – decision on incident response for Silver category incidents Use of resources to mitigate the effects of an emergency (up to £50,000)	✓	✓	✓				

Executive Director of Assurance and Public Protection Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decisions and Powers Relating to Community Safety

Decisions and powers relating to Community Safety are set out below.

Community Safety

Tier 1:

Executive Director Assurance

Assistant Director Counter Fraud, Community Safety and Protection

Head of Community Safety, Enforcement, CCTV and Intelligence

Tier 2:

Community Safety Operations Manager

Community Safety CCTV Intelligence Manager

Prevent Co-Ordinator

Tier 3:

Team Leaders

Investigation and Enforcement Officers (including CCTV enforcement)

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COMMUNITY SAFETY

Including the following legislation and associated legislation

Anti-Social Crime and Policing Act 2014
Anti-social Behaviour Act 2003
Clean Neighbourhoods and Environment Act 2005
Crime and Disorder Act 2005
Criminal Justice and Public Order Act 1994
Environmental Protection Act 1990
Great London Council (General Powers) Act 1973, 1976, 1979, 1984, 1986
Health & Safety at Work etc Act 1974
Health Act 2006
Highways Act 1980
Licencing Act 2003
Local Government and Housing Act 1989
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
London Local Authorities Acts 1990 (as amended)
London Local Authorities & Transport for London Act 2003 (as amended)
Noise and Statutory Nuisance 1993
Noise Act 1996
Police and Justice Act 2006
Proceeds of Crime Act 2002
Refuse Disposal (Amenity) Act 1978
The Regulation of Investigatory Powers Act 2000
Road Traffic Act 1988
Sexual Offences Act 2003
Sunday Trading Act 1994
Traffic Management Act 2004 Part V
Vehicles (Crime) Act 2001
Vehicle Excise Duty Regulations as amended
Violent Crime Reduction Act 2006
Wildlife and Countryside Act 1981

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Decision / Power	Legislation Covered	Tier 1	Tier 2	Tier 3	Other requirements	DPR
<p>Authority to appoint officers, inspectors or nominate other persons to exercise powers for any legislation listed, this includes;</p> <p>Nominate a person to issue Fixed Penalty Notices under:</p> <p>Environmental Protection Act 1990</p> <p>Anti-social Behaviour Act 2003</p> <p>Anti-social Behaviour Crime and Policing Act 2014</p> <p>Control of Pollution (Amendment) Act 1989</p> <p>Refuse Disposal (Amenity) Act 1978</p> <p>Cleaner Neighbourhoods and Environment Act 2005,</p> <p>Highways Act 1980</p> <p>Health Act 2006</p>	<p>Environmental Protection Act 1990, Section 87/88 - Littering</p> <p>Environmental Protection Act 1990, Section 46 - Domestic Waste Presentation Notices</p> <p>Environmental Protection Act 1990, Section 33(1)(a) - Unauthorised deposit waste (Fly tipping)</p> <p>Environmental Protection Act 1990, Section 47 - Business and Commercial Waste Presentation Notices</p> <p>Environmental Protection Act 1990, Schedule 3A, paragraph 7 - Distributing Free Literature without Consent</p> <p>Environmental Protection Act 1990 Section 34 - Failing to Produce Authority</p> <p>Environmental Protection Act 1990, Section 34 (2A) - Failing to Produce Waste Transfer Notes</p> <p>Control of Pollution (Amendment) Act 1989, Section 5B Household Duty of Care Breach - Unauthorised Deposit of Waste</p> <p>Anti-Social Behaviour, Crime and Policing Act</p>	✓	✓			

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

	<p>2014, Section 48 - Breach of a Community Protection Notice Anti-Social Behaviour, Crime and Policing Act 2014, Section 63 and 67 - Breach of a Public Spaces Protection Order (PSPO) Refuse Disposal (Amenity) Act 1978, Section 2A – Abandoned Vehicles Anti-Social Behaviour Act 2003, Section 43 - Graffiti and Fly Posting (S.4) Repairing vehicles upon the road. Highways Act 1980 Section 137 (1) - Wilful obstruction of the highway Highways Act 1980 Section 148(c) - Interruption of user Cleaner Neighbourhoods and Environment Act 2005, Section 3 & 4 S.3) Exposing vehicles for sale upon a road; Health Act 2006 Section 7- Smoking in Smoke free premises or Business vehicle</p>					
<p>Authority to issue Fixed Penalty Notices under: Environmental Protection Act 1990 Anti-social Behaviour Act 2003</p>	<p>Environmental Protection Act 1990, Section 87/88 - Littering Environmental Protection Act 1990, Section 46 - Domestic Waste Presentation Notices</p>	✓	✓	✓		

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

<p>Anti-social Behaviour Crime and Policing Act 2014 Control of Pollution (Amendment) Act 1989 Refuse Disposal (Amenity) Act 1978 Cleaner Neighbourhoods and Environment Act 2005, Highways Act 1980 Health Act 2006</p>	<p>Environmental Protection Act 1990, Section 33(1)(a) - Unauthorised deposit waste (Fly tipping) Environmental Protection Act 1990, Section 47 - Business and Commercial Waste Presentation Notices Environmental Protection Act 1990, Schedule 3A, paragraph 7 - Distributing Free Literature without Consent Environmental Protection Act 1990 Section 34 - Failing to Produce Authority Environmental Protection Act 1990, Section 34 (2A) - Failing to Produce Waste Transfer Notes Control of Pollution (Amendment) Act 1989, Section 5B Household Duty of Care Breach - Unauthorised Deposit of Waste Anti-Social Behaviour, Crime and Policing Act 2014, Section 48 - Breach of a Community Protection Notice Anti-Social Behaviour, Crime and Policing Act 2014, Section 63 and 67 - Breach of a Public Spaces Protection Order (PSPO)</p>					
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Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

	<p>Refuse Disposal (Amenity) Act 1978, Section 2A – Abandoned Vehicles</p> <p>Anti-Social Behaviour Act 2003, Section 43 - Graffiti and Fly Posting (S.4) Repairing vehicles upon the road.</p> <p>Highways Act 1980 Section 137 (1) - Wilful obstruction of the highway</p> <p>Highways Act 1980 Section 148(c) - Interruption of user</p> <p>Cleaner Neighbourhoods and Environment Act 2005, Section 3 & 4</p> <p>S.3) Exposing vehicles for sale upon a road;</p> <p>Health Act 2006 Section 7- Smoking in Smoke free premises or Business vehicle</p>					
Authority to disclose information for the purpose of preventing and detecting crime.	<p>Crime and Disorder Act 1998 (Section 115)</p>	✓	✓	✓	<p>Disclosure to be logged.</p> <p>Community Safety Team to be notified</p>	
Show due regard to the statutory duty set out in the Counter Terrorism Act 2015 in order to prevent individuals from being radicalised	<p>Counter -Terrorism Act 2015</p>	✓	✓	✓		
Statutory duty to deliver on Section 17 of the Crime and Disorder Act 1998 – ensuring strategy, policy and services take into account how they will	<p>Crime and Disorder Act 1998 (Section 17)</p>	✓	✓	✓		

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contribute towards the reduction of crime, disorder and substance misuse.						
Authority to apply for injunction	Anti Social Behaviour Crime & Policing Act 2014 (Sections 5 & 6)	✓	✓	✓	Community Safety Team to be notified	
Authority to apply for injunction excluding person from home if there is a risk of violence of harm (over 18 only)	Anti Social Behaviour Crime & Policing Act 2014 (Section 13)	✓	✓	✓	Community Safety Team to be notified	
Authority to apply for discharge or variation of injunction	Anti Social Behaviour Crime & Policing Act 2014 (Section 8)	✓	✓	✓	Community Safety Team to be notified	
Authority to be consultee on injunction application	Anti Social Behaviour Crime & Policing Act 2014 (Section 14)	✓	✓		Community Safety Team to be notified	
Authority to be responsible person to ensure compliance with injunction of under 18 year old and supervision of compliance for over 18 year old	Anti Social Behaviour Crime & Policing Act 2014 (Section 3)	✓	✓	✓	Community Safety Team to be notified	
Authority to instigate proceedings for breach of injunction	Anti Social Behaviour Crime & Policing Act 2014 (Sections 9-12)	✓	✓		Community Safety Team to be notified	
Authority to request/instigate application for Criminal behaviour Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 22)	✓	✓	✓	Community Safety Team to be notified	
Authority to be consultee for application for Criminal behaviour Order against under 18 year old	Anti Social Behaviour Crime & Policing Act 2014 (Section 22)	✓	✓		Community Safety Team to be notified	
Authority to be responsible person to supervise compliance with Criminal behaviour Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 24)	✓	✓	✓	Community Safety Team to be notified	
Authority to participate in review of Criminal behaviour Order for under 18 year old	Anti Social Behaviour Crime & Policing Act 2014 (Sections 28 & 29)	✓	✓		Community Safety Team to be notified	

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Authority to instigate proceedings for breach of Criminal behaviour Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 30)	✓	✓		Community Safety Team to be notified	
Authority to apply for discharge or variation of Criminal behaviour Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 27)	✓	✓		Community Safety Team to be notified	
Authority to issue Closure Notice on relevant premises for up to 24 or 48 hours, and to vary or cancel notice. To extend 24 hour notice by a further 24 hours	Anti Social Behaviour Crime & Policing Act 2014 Sections 76-78)	✓			Community Safety Team to be notified	
Authority to apply for Closure Order or extension to existing order	Anti Social Behaviour Crime & Policing Act 2014 (Sections 80 & 82)	✓			Community Safety Team to be notified	
Authority to authorise proceedings for breach of Closure Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 86)	✓			Community Safety Team to be notified	
Authority to be consultee on application for extension by Police	Anti Social Behaviour Crime & Policing Act 2014 (Section 82 (30 & (4))	✓			Community Safety Team to be notified	
Authority to apply for discharge of Closure Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 83)	✓			Community Safety Team to be notified	
Authority to enforce Closure Order	Anti Social Behaviour Crime & Policing Act 2014 (Section 85)	✓	✓	✓	Community Safety Team to be notified	
Authority to make, vary, discharge or extend period of Public spaces Protection Order	Anti Social Behaviour Crime & Policing Act 2014 (Sections 59-61)	✓			Community Safety Team to be notified	
Authority to enforce Public spaces protection Orders	Anti Social Behaviour Crime & Policing Act 2014 (Sections 67 & 68)	✓	✓	✓	Community Safety Team to be notified.	
Authorise proceedings for breach of Public spaces protection Order		✓	✓		Cabinet agree when more than 3 bordering wards, or 2 or	

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					more separate wards	
Authority to agree terms of Community Protection Notice, to issue warning letters and to issue Notice	Anti Social Behaviour Crime & Policing Act 2014 (Section 53)	✓	✓	Team Leaders only	Community Safety Team to be notified	
Authority to issue and enforce Fixed penalty notice for a breach of a Community protection Notice	Anti Social Behaviour Crime & Policing Act 2014 (Section 52)	✓	✓	✓	Community Safety Team to be notified	
Authority to take remedial action for noncompliance with Community Protection Notice	Anti Social Behaviour Crime & Policing Act 2014 (Section 47)	✓	✓		Community Safety Team to be notified	
Authority to instigate proceedings for non-compliance with Community protection Notice	Anti Social Behaviour Crime & Policing Act 2014 (Section 48)	✓	✓		Community Safety Team to be notified	
Authority to determine whether threshold for case review as result of the community trigger has been met save for S 104 complaints	Anti Social Behaviour Crime & Policing Act 2014 (Section 104)	✓	✓		Community Safety Team to be notified	
Authority to conduct ASB review following complaint	Anti Social Behaviour Crime & Policing Act 2014 (Section 104)	✓	✓		Community Safety Team to be notified	

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Section 7 - Decisions and Powers relating to Commercial Premises and Scientific Services

Decisions and powers relating to Commercial Premises (including Trading Standards, Licensing and Food Safety) and Scientific Services (including Public Health & Nuisance (Noise), Environmental Consultancy and Pest Control) are set out in the table below. The officers within each tier of delegation are as follows:

Tier 1

Executive Director Assurance

Tier 2

Assistant Director Counter Fraud, Community Safety and Protection

Tier 3

Group Managers
Managers

Tier 4

Team Leaders

Tier 5 (Officers)

Environmental Health Officers
Technical Officers Graduate Engineer
Health and Safety Officers

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Scientific Officers
Food Safety Officers
Noise and Nuisance Officers
Trading Standards Officers
Licensing Officers
Trading Standards Enforcement Officers
Trading Standards and Licensing Technical Officers
Pest Control Officers
Veterinary Surgeons*
Veterinary Practitioners*
Animal Health Inspectors*
Consultants in Communicable Disease Control**
Consultants in Health Protection**

* **Officer of the City of London contracted by the authority to exercise animal health and welfare functions**

** **Employed by Public Health England**

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Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
GENERAL							
Authority to:							
Appoint Officers, Inspectors or nominate other person to exercise powers for any legislation listed as provided for in Section 112 of the Local Government Act 1972.	Local Government Act 1972	✓					
Issue credentials and authorise in writing any Officer, Inspector or other person to exercise powers for any legislation listed.		✓					
Act as a Proper Officer, Authorised Officer, Inspector or other designation and exercise powers for legislation listed after being appropriately appointed and subject to any limitation in individual authorisations.		✓	✓	✓	✓	✓	
Authorise as a 'Proper Officer' any of the Consultants in Communicable Disease Control/Consultants in Health Protection) of Public Health England for relevant purposes under the Public Health (Control of Diseases) Act 1984.	Public Health (Control of Disease) Act 1984	✓					
Authorise any other persons accompanying Inspectors when exercising powers under Section 20 of the Health & Safety at Work etc Act 1974.	Health & Safety at Work etc Act 1974.	✓	✓				

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Appoint Public Analysts and Food Examiners under Section 27 Food Safety Act 1990	Food Safety Act 1990	✓					
Appoint a Chief Inspector of Weights and Measures under Section 72	Weights and Measures Act 1985	✓					
Direct the keeping of registers as may be required by legislation specified in this scheme of delegation.		✓	✓	✓			
ENVIRONMENTAL CONTROL INCLUDING THE FOLLOWING LEGISLATION Environmental Protection Act 1990 Environment Act 1995 Clean Air Act 1993 Noise Act 1996 Noise and Statutory Nuisance Act 1993 Control of Pollution Act 1974 Water Industry Act 1991 Pollution Prevention and Control Act 1999 Clean Neighbourhoods and Environment Act 2005 Any regulations, Orders or other relevant statutory provisions made under or incorporated into the above Noise Act 1996 Authority to:							
Enter and inspect premises for compliance with legal requirements		✓	✓	✓	✓	✓	
Take samples, make tests, take measurements, monitor and otherwise gather evidence.		✓	✓	✓	✓	✓	
Seize or detain documents, articles or equipment.		✓	✓	✓	✓	✓	
Prepare and serve notices.		✓	✓	✓	✓	✓	

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Prepare licences, authorisations, approvals and other statutory documentation		✓	✓	✓	✓	✓	
Carry out all relevant duties conferred by this legislation		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓		
Execute works in default without the need for senior authorisation otherwise required by this scheme of delegation in relation to noise abatement.		✓	✓	✓	✓	✓	
Recommend execution of works in default of a notice		✓	✓	✓	✓		
Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation.		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for prosecutors.		✓	✓	✓			
Authorise execution of work in default of a notice.		✓	✓	✓			
In relation to noise abatement where an officer is working out of hours they can execute works without the need for senior authorisation otherwise required by this scheme of delegation		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Environmental Health and scientific Services INCLUDING THE FOLLOWING LEGISLATION

Public Health Act 1961
Environmental Protection Act 1990 Part II, III and IV
Building Act 1984
Caravan Sites and Control of Development Act 1960
Prevention of Damage by Pests Act 1949
Refuse Disposal (Amenity) Act 1978
Anti-Social Behaviour Act 2003
Anti-Social Behaviour Crime and Policing Act 2014
Town and Country Planning Act 1990, Section 215
Public Health (Control of Disease) Act 1984
Local Government (Miscellaneous Provisions) Acts 1976
Local Government (Miscellaneous Provisions) Act 1982
National Assistance Act 1948, Section 47
Criminal Justice and Public Order Act 1994 Sections 77-79
Control of Pollution Act 1974
Food and Environment Protection Act 1985
(where authorised by a designating authority)
Mobile Homes Act 2013
Any regulations, orders or other statutory provisions made under the above

Authority to:

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Enter and inspect premises or land for compliance with legal requirements		✓	✓	✓	✓	✓	
Take samples, make tests, take measurements, monitor and otherwise gather evidence		✓	✓	✓	✓	✓	
Prepare, sign and serve notices.		✓	✓	✓	✓	✓	
Prepare licences, authorisations, approvals and other statutory documentation.		✓	✓	✓	✓	✓	
Seize or detain documents, articles or equipment.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓		
Recommend execution of work in default of a notice.		✓	✓	✓	✓	✓	
Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation.		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for prosecutors.		✓	✓	✓			
Authorise execution of work in default of a notice		✓	✓	✓			

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Enter and inspect premises for the purposes of enforcement of the legislation.	Public Health (Control of Diseases) Act 1984	✓	✓	✓	✓		
Sign notices, certificates and other statutory documentation.		✓	✓	✓	✓		
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓		
Carry out all relevant duties conferred by Sections 61 and 62 on a Proper Officer under this Act. Recommend legal proceedings.		✓	✓	✓	✓		
Carry out all relevant duties conferred by this legislation (Mobile Homes Act 2013)		✓	✓	✓	✓	✓	
<p>CONTROL OF ANIMALS INCLUDING THE FOLLOWING LEGISLATION</p> <p>Animal Welfare Act 2006 Animal Health Act 2002 Breeding of Dogs Act 1973 and 1991 The Breeding and Sale of Dogs (Welfare) Act 1999 Dangerous Wild Animals Act 1976 Pet Animals Act 1951 Riding Establishments Act 1964 Performing Animals (Regulations) Act 1925 Zoo Licensing Act 1981 Any regulations, Orders or other relevant statutory provisions made under or incorporated into the above</p> <p>Authority to:</p>							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Take samples, make tests, take measurements, monitor, and otherwise gather evidence.		✓	✓	✓	✓	✓	
Enter and Inspect		✓	✓	✓	✓	✓	
Prepare, sign and serve notices.		✓	✓	✓	✓	✓	
Granting licences, Prepare licences, authorisations, approvals and other statutory documentation.		✓	✓	✓	✓	✓	
Seize or detain documents, articles or equipment.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓	✓	
To seize and detain Dangerous Wild Animals.		✓	✓	✓	✓	✓	
Recommend legal proceedings		✓	✓	✓	✓		
Authority to :- Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation.		✓	✓	✓			
Authority to :- Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code of conduct for prosecutors.		✓	✓	✓			
FOOD SAFETY INCLUDING THE FOLLOWING LEGISLATION							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
<p>The Food Safety Act 1990; and any Orders, or Regulations or other instruments (whether dated before or after the date of execution of any instrument of appointment;</p> <p>(i) made there under or</p> <p>(ii) having effect by virtue of the European Communities Act 1972 and relating to food safety or animal feedstuffs;</p> <p>and</p> <p>(c) any modification or re-enactment of the foregoing</p> <p>Regulation (EC) No.178/2002– principles of food law</p> <p>Regulation (EC) No.852/2004– general hygiene requirements</p> <p>Regulation (EC) No.853/2004– hygiene requirements for approved premises</p> <p>Regulation (EC) No.2073/2005 – microbiological criteria of foodstuffs</p> <p>The Trade in Animals and Related Products Regulations 2011</p> <p>The Official Feed and Food Controls (England) Regulations 2009</p> <p>Official detention in accordance with the provisions of Article 65, assimilated Regulation (EU) 2017/625</p> <p>Food Information Regulations 2014</p> <p>Authority to:</p>							
Enter and inspect food, premises or land for compliance with legal requirements.		✓	✓	✓	✓	✓	
Take samples of food, substance, food source or article		✓	✓	✓	✓	✓	
Seize and detain food, articles or equipment.		✓	✓	✓	✓	✓	
Recommend to Senior Management/Commissioners		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
referral to HB Law for legal proceedings.							
Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation.		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
<p>DRINKING WATER QUALITY INCLUDING THE FOLLOWING LEGISLATION</p> <p>Water Industry Act 1991</p> <p>Private Water Supplies Regulations 2009</p> <p>Authority to:</p>							
Enter and inspect premises or land and/or inspect installations for compliance with legal requirements.		✓	✓	✓	✓	✓	
Take samples of water and articles, make tests, take measurements, monitor and otherwise gather evidence		✓	✓	✓	✓	✓	
Prepare notices, and other documentation and certificates		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
which fall within the local authority remit.							
Carry out all other relevant duties conferred by this legislation		✓	✓	✓	✓	✓	
Recover expenses		✓	✓	✓			
Maintain records		✓	✓	✓	✓	✓	
Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements		✓	✓	✓			
MISCELLANEOUS INCLUDING THE FOLLOWING LEGISLATION Fire Safety and Safety of Places of Sport Act 1987 Local Government Act 1972 Greater London Council (General Powers) Act 1986 Local Government and Housing Act 1989 London Local Authorities Act 1990 London Local Authorities Act 1991 London Local Authorities Act 1996 London Local Authorities Act 2000 London Local Authorities Act 2004 London Local Authorities Act 2007 Slaughterhouses Act 1974							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Safety of Sports Grounds Act 1975 Licensing Act 2003 Environment and Safety Information Act 1988 Caravan Sites Act 1968 Highways Act 1980 Regulatory Enforcement and Sanctions Act 2008 Local Land Charges Act 1975 Authority to:							
In relation to matters within the purview of Environmental Health; Authority to:-		✓	✓	✓	✓	✓	
Enter and inspect premises/vehicles for compliance with legal requirements		✓	✓	✓	✓	✓	
Take samples, make tests, take measurements, monitor and otherwise gather evidence		✓	✓	✓	✓	✓	
Prepare, sign and serve notices. Prepare licences, authorisations, approvals and other statutory documentation.		✓	✓	✓	✓	✓	
Seize and detain documents, articles or equipment.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓	✓	
Authority to:- Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications,		✓	✓	✓			

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
approvals and other statutory documentation.							
Authority to:- Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
Make an application for a local land charge		✓	✓	✓	✓		
REVELANT LEGISLATION Health Act 2006 The Smoke Free (Premises and Enforcement) Regulations 2007 The Smoke Free (Signs) Regulations 2007 The Smoke Free (Exemptions and Vehicles) Regulations 2007 The Smoke Free (Penalties and Discounted Amounts) Regulations 2007 The Smoke Free (Vehicle Operators and Penalty Notices) Regulations 2007							
Enter and inspect premises (other than premises used only as a private dwelling house not open to the public) for compliance with legal requirements and exercise the powers under Chapter 1 of Part 1 of the Health Act 2006 and exercise all of the powers under Schedule 2 of that Act, including the taking of samples.		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Prepare and serve Fixed Penalty Notices.		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
<p>HEALTH AND SAFETY AT WORK INCLUDING THE FOLLOWING LEGISLATION</p> <p>Health and Safety at Work Act 1974</p> <p>Authority to:</p>							
<p>Authority to:- Act as an inspector and to exercise the powers of an inspector listed below:</p> <p>s20(2)a, power to enter premises etc s20(2)b, power to take a constable etc s20(2)c, power to take authorised person etc s20(2)d, power to make an examination and investigation etc s20(2)e, power to make direction with regard to premises etc</p>		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
s20(2)f, power to take measurements and photographs etc s20(2)g, power to take samples etc s20(2)h, power to dismantle and test any article of substance etc s20(2)i, power to take possession of and detain any article or substance etc s20(2)j, power to require answers to questions etc s20(2)k, power to require production of documents etc s20(2)l, power to require any person to afford facilities and assistance etc s20(2)m, any other power that is necessary s21, power to serve an improvement Notice etc s22, power to serve a Prohibition Notice etc s23(5), power to withdraw or alter a Notice etc S25, power to deal with a cause of imminent danger etc							
Monitor and otherwise gather evidence.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by the legislation.		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓		
Take a prosecution as an Inspector under Section 39		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Institute proceedings as an Inspector under Section 38		✓	✓	✓	✓	✓	
Authorise, issue, sign, serve, vary, revoke, withdraw; notices, certificates licences, orders, authorisations, notifications, approvals and other statutory documentation		✓	✓	✓			
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors		✓	✓	✓			
TRADING STANDARDS INCLUDING THE FOLLOWING LEGISLATION Agriculture Act 1970 Children and Young Persons (Protection from Tobacco) Act 1991 Anti-social Behaviour, Crime and Policing Act 2014 Accommodation Agencies Act 1953-s.1 Children and Young Persons Act 1933 Consumer Credit Act 1974 Consumer Protection Act 1987 Consumer Protection from Unfair Trading Regulations 2008/1277 Consumer Rights Act 2015-s.87 Court and Legal Services Act 1990-s.8 Companies Act 2006- schedule 2 part 2 para 36-disclosure for purpose of duty under s.230 Enterprise Act 2002 Companies Act 1985- schedule 15D disclosures Copyright, Designs and Patents Act 1988 Criminal Damage Act 1971-s.6							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Criminal Justice Act 1988 Criminal Justice and Police Act 2001 Crossbows Act 1987-3A, 4 Development of Tourism Act 1969- sch 2 para 1 & 2 Education Reform Act 1988 Employment of Women, Young Persons, and Children Act 1920 Energy Act 1976 Enterprise Act 2002 Explosives Act 1875 Fireworks Act 2003 Food Safety Act 1990 Forgery and Counterfeiting Act 1981- s.24 Hallmarking Act 1973 Health and Safety At Work etc Act 1974 Any other Health and Safety Regulation and the provisions of the Acts mentioned in Schedule 1 to the Act which are specified in the third column of that Schedule, and of the Regulations, order or other instruments of a legislative character made or having effect under any provisions so specified, or in force from time to time Housing Act 2004 Hypnotism Act 1952 Knives Act 1997 Legal Services Act 2007 Licensing Act 2003 Local Government Act 1972 Local Government (Miscellaneous Provisions) Act 1982 Localism Act 2011 London Local Authorities Act 1990 London Local Authorities Act 1991 London Local Authorities Act 1996 Local Authorities Act 2000 London Local Authorities Act 2004 London Local Authorities Act 2007 Magistrates' Court Act 1980 Malicious Communications Act 1988 Medicines Act 1968							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Mobile Telephones (Re-Programming) Act 2002 Motor Cycle Noise Act 1987 Offensive Weapons Act 1996 Olympic Symbol Etc. (Protection) Act 1995 Opticians Act 1989 Poisons Act 1972 Prices Act 1974 Protection Of Children (Tobacco) Act 1991 Protection From Harassment Act 1997 Road Traffic Act 1988 Road Traffic (Foreign Vehicles) Act 1972 Road Traffic Offenders Act 1988 Road Traffic Regulation Act 1984 Scotch Whisky Regulations 2009 Scrap Metal Dealers Act 2013 Solicitors Act 1974 Sunday Trading Act 1994 Telecommunications Act 1984 Trade Descriptions Act 1968 Trade Marks Act 1994 Tobacco Advertising and Promotion Act 2002 Unsolicited Goods & Services Act 1971 Unsolicited Goods & Services (Amendment) Act 1975 Video Recordings Act 1984 Video Recordings Act 1993 Authority to:							
Enter and inspect premises for compliance with legal requirements		✓	✓	✓	✓	✓	
Make test purchases, search seize and inspect goods or documents.		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Request production of documentation and take copies.		✓	✓	✓	✓	✓	
Prepare and serve notices.		✓	✓	✓	✓	✓	
Prepare licences, authorisations, approvals and other statutory documentation.		✓	✓	✓	✓	✓	
Apply for a warrant at the Magistrate Courts		✓	✓	✓	✓	✓	
Test products for conformity.		✓	✓	✓	✓	✓	
Notify OFT of proceedings.		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation		✓	✓	✓	✓	✓	
<ol style="list-style-type: none"> 1. Enter any premises within the Authority's area 2. Enter any business premises, whether within or outside the Authority's area 3. Apply for a warrant for authorised officer to enter premises, if needs be by reasonable force 4. Access and inspect records relating to a food business 5. Officer may seize and detain records 6. Documents can be printed off computer and taken away 	Food Safety Act 1990 under Section 32 – Powers of Entry etc.	✓	✓	✓	✓	✓	
Exercise the powers of suspension and forfeiture provided by the Consumer Protection Act 1987 and the European Communities Act 1972.	Consumer Protection Act 1987- s.14 suspension notices- prohibiting persons from supplying goods, offering to supply	✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
	them, agreeing to supply them or exposing them for supply. Consumer Protection Act 1987-s.16 forfeiture of any goods						

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

REVELANT LEGISLATION

Agriculture Act 1970
Anti-Social Behaviour Crime and Policing Act 2014
Cancer Act 1939
Charities Act 2006
Children and Young Persons (Protection from Tobacco) Act 1991
Accommodation Agencies Act 1953-s.1
Children and Young Persons Act 1933
Consumer Credit Act 1974-s.162
Consumer Protection Act 1987
Consumer Protection from Unfair Trading Regulations 2008/1277
Consumer Rights Act 2015-s.87
Court and Legal Services Act 1990-s.8
Consumer Credit Act 1974-s.162
Companies Act 2006- schedule 2 part 2 para 36-disclosure for purpose of duty under s.230 Enterprise Act 2002
Companies Act 1985- schedule 15D disclosures

Copyright, Designs and Patents Act 1988
Criminal Damage Act 1971-s.6
Criminal Justice Act 1988
Criminal Justice and Police Act 2001
Crossbows Act 1987-3A, 4
Development of Tourism Act 1969- sch 2 para 1 & 2
Education Reform Act 1988
Employment of Women, Young Persons, and Children Act 1920
Energy Act 1976
Enterprise Act 2002
Explosives Act 1875
Fireworks Act 2003
Food Safety Act 1990
Forgery and Counterfeiting Act 1981- s.24
Hallmarking Act 1973
Health and Safety At Work etc Act 1974 Any other Health and Safety Regulation and the provisions of the Acts mentioned in Schedule 1 to the Act which are specified in the third column of that Schedule, and of the Regulations, order or other instruments of a legislative character made or having effect under any provisions so specified, or in force from time to time

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Housing Act 2004
Hypnotism Act 1952
Education Reform Act 1988
Fireworks Act 2003
Knives Act 1997
Legal Services Act 2007
Licensing Act 2003
Local Government Act 1972
Local Government (Miscellaneous Provisions) Act 1982
Localism Act 2011
London Local Authorities Act 1990
London Local Authorities Act 1991
London Local Authorities Act 1996
Local Authorities Act 2000
London Local Authorities Act 2004
London Local Authorities Act 2007
Magistrates' Court Act 1980
Malicious Communications Act 1988
Medicines Act 1968
Mobile Telephones (Re-Programming) Act 2002
Motor Cycle Noise Act 1987
Offensive Weapons Act 1996
Olympic Symbol Etc. (Protection) Act 1995
Opticians Act 1989
Poisons Act 1972
Prices Act 1974
Protection Of Children (Tobacco) Act 1991
Protection From Harassment Act 1997
Road Traffic Act 1988
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Offenders Act 1988
Road Traffic Regulation Act 1984
Scotch Whisky Regulations 2009
Scrap Metal Dealers Act 2013
Solicitors Act 1974
Sunday Trading Act 1994
Telecommunications Act 1984

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Trade Descriptions Act 1968
 Trade Marks Act 1994
 Tobacco Advertising and Promotion Act 2002
 Unsolicited Goods & Services Act 1971
 Unsolicited Goods & Services (Amendment) Act 1975
 Video Recordings Act 1984
 Video Recordings Act 1993

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
Act as an inspector and exercise the powers of an Inspector listed below in relation to the Manufacture and Storage of explosives Regulations only. Carry out all other relevant duties conferred by the legislation. Recommend legal proceedings.	s20(2)a, power to enter premises etc s20(2)b, power to take a constable etc s20(2)c, power to take authorised person etc s20(2)d, power to make examination and investigation etc s20(2)e, power to make direction with regard to premises etc s20(2)f, power to take measurements and photographs etc s20(2)g, power to take samples etc	✓	✓	✓	✓		

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
	<p>s20(2)h, power to dismantle and test any article or substance etc</p> <p>s20(2)i, power to take possession of and detain any article or substance etc</p> <p>s20(2)j, power to require answers to questions etc</p> <p>s20(2)k, power to require production of documents etc</p> <p>s20(2)l, power to require any person to afford facilities and assistance etc</p> <p>s20(2)m, any other power that is necessary</p> <p>s21, power to serve an Improvement Notice etc</p> <p>s22, power to serve a Prohibition Notice etc</p> <p>s23(5), power to withdraw or alter a Notice etc</p> <p>s25, power to deal with cause of imminent danger etc.</p> <p>s38, power to institute proceedings</p> <p>s39, power to prosecute for an offence etc</p>						
Enter into relevant consultations,	The Enterprise Act 2002; s.124- consultation	✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Make applications for enforcement orders, Accept under takings	s.215- application to make an enforcement order s.219- trader offer enforcer undertaking						
Appear before Magistrates Court in relation to an application under	Section 37 & 38 of the Protection of Freedoms Act 2012 in accordance with Section 223 of the Local Government Act 1972.	✓	✓	✓	✓	✓	
<p>LICENSING INCLUDING THE FOLLOWING LEGISLATION</p> <p>Animal Health Act 1981 Explosives Acts 1875 Scrap Metal Dealers Act 2013 Vehicles (Crime) Act 2001 Licensing Act 2003 London Local Authorities Acts 1990 London Local Authorities Acts 1991 London Local Authorities Act 2007 Hypnotism Act 1952 Pedlars Act 1871</p> <p>Any Regulations, Orders or other relevant statutory provisions made under or incorporated into the above.</p>							
Authority to:- Enter and inspect premises for compliance with legal requirements.	Animal Health Act 1981 Explosives Acts 1875	✓	✓	✓	✓	✓	
Recommend to register, licence or approve premises and people	Scrap Metal Dealers Act 2013 Vehicles (Crime) Act 2001	✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
following the appropriate enquiries and inspection in accordance with the legislation.	Licensing Act 2003 London Local Authorities Acts 1990						
Prepare and serve notices. Prepare licences, authorisations, approvals and other statutory documentation.	London Local Authorities Acts 1991	✓	✓	✓	✓	✓	
Prescribe standard conditions. Reinstate licences. Serve counter notices. Accept surrender of licences	Hypnotism Act 1952	✓	✓	✓	✓	✓	
Seize and detain documents, articles or equipment	Any Regulations, Orders or other relevant statutory provisions made under or incorporated into the above.	✓	✓	✓	✓	✓	
Obtain warrants		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓	✓	
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
To instruct the Head of HBPL (London Borough of Harrow) or their nominated officer and to make decisions as the client in relation to appeal cases under the Acts that are remitted to the Magistrate's Court.		✓	✓	✓			
Revoke or recommend to the appropriate Council Committee to revoke licences		✓	✓	✓	✓		

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Reject an application.		✓	✓	✓	✓		
Determine whether a representation is a relevant representation.		✓	✓	✓	✓		
Determine an application that is not required to be determined by the Licensing & General Purposes Committee and grant a licence.		✓	✓	✓	✓		
Make representations on behalf of the Council as a 'Responsible Authority'.		✓	✓	✓			
Sign licences, authorisations, approvals and other statutory documentation		✓	✓	✓	✓		
WEIGHTS AND MEASURES INCLUDING THE FOLLOWING LEGISLATION: Weights & Measures Act 1985 Weights and Measures (Packaged Goods) Regulations 2006 Measuring Container Bottles (EEC Requirements) Regulations 1977							
Exercise the powers which the Council are empowered to confer on authorised Officers under the Act and Regulations.	Weights & Measures Act 1985 Weights and Measures (Packaged Goods) Regulations 2006	✓	✓	✓	✓	✓	
Test or to make such test purchases of goods and to secure the provision of such services, accommodation and facilities as are expedient for the purpose of determining whether or not the		✓	✓	✓	✓	✓	

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
Acts, Orders or Regulations concerned are being complied with.							
Enter and inspect premises for compliance with legal requirements.		✓	✓	✓	✓	✓	
Prepare and serve notices. Prepare licences, authorisations, approvals and other statutory documentation.		✓	✓	✓	✓	✓	
Seize and detain documents, articles or equipment		✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation.		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓		
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors		✓	✓	✓			
Any Regulations, Orders or other relevant statutory provisions made under or incorporated into the above Consumers, Estate Agents and Redress Act 2007) Section 23B - Failure of an estate agent to be a member of an approved redress scheme		✓	✓	✓			
Any Regulations, Orders or other relevant statutory provisions made		✓	✓	✓			

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision/Power	Legislation covered	Tier 1 Executive Director	Tier 2 Assistant Director	Tier 3 Group Manager	Tier 4 Team Leaders	Tier 5 Officers	DPR
<p>under or incorporated into the above</p> <p>London Local Authorities Act 1990 (as amended)</p> <p>34(1) - Contravention of condition of street trading licence or temporary licence</p> <p>34(2) - Making false statement in connection with application for street trading licence or temporary licence</p> <p>34(3) - Resisting or obstructing authorised officer</p> <p>34(4) - Failure to produce street trading licence on demand</p> <p>38(1) - Unlicensed street trading</p> <p>Any Regulations, Orders or other relevant statutory provisions made under or incorporated into the above</p>							

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

SAFETY AT SPORTS GROUND INCLUDING THE FOLLOWING LEGISLATION Safety of Sports Grounds Act 1975 Fire Safety and Safety of Places of Sport Act 1987 Safety of Sports Grounds Act 1975 Safety of Sports Grounds Act 1975 Fire Safety and Safety of Places of Sport Act 1987 Safety of Sports Grounds Act 1975 Safety of Sports Grounds Act 1975 Fire Safety and Safety of Places of Sport Act 1987 Safety of Sports Grounds Act 1975 Fire Safety and Safety of Places of Sport Act 1987 Authority to:							
Prepare, issue and review safety certificates.		✓	✓	✓	✓	✓	
Prepare and issue prohibition notices. Recommend legal proceedings.		✓	✓	✓	✓	✓	
Enter and inspect premises for compliance with legal requirements		✓	✓	✓	✓	✓	
Recommend to approve applications for safety certificates		✓	✓	✓	✓	✓	
Recommend legal proceedings.		✓	✓	✓	✓		
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing legal requirements and the CPS code for Prosecutors.		✓	✓	✓			
Sign licences, authorisations, approvals and other statutory		✓	✓				

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

documentation (including safety certificates).							
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Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

LB Barnet Scheme of Financial Delegation – Executive Director Assurance and Public Protection

	Purchasing		Debt
Role	Authorising Supplies and Service Order and Invoices	Purchase Cards	Bad Debt Write off
Cabinet Approval	Approval in accordance with the Constitution	New Purchase Cards must be approved by the Head of Service: Exchequer (or above) and the Senior Business Partner for Procurement (or above). As Budget Managers will have approved the business case for the allocation of a card to a member of staff within their service, Budget Managers are responsible for the spend on p-cards.	Individual debts over £5K
Chief Executive AND Deputy Chief Executive or S151 Officer	Over £10,000,000		Individual debts under £5K approved via Chief Officer DPR.
Two Chief Officers	£1,000,001 to £9,999,999		
Director	£500,001 to £1,000,000		
Assistant Director	£214,905 to £500,000		
Head of Service	£214,904		
Team Manager	£25,000		

Virement Rules

Amendments to the revenue budget can only be made with approval as per the scheme of virement table below:

Virements for allocation from contingency for amounts up to and including £250,000 must be approved by the Chief Finance Officer
Virements for allocation from contingency for amounts over £250,000 must be approved by Cabinet
Virements within a service in a Directorate that do not alter the approved bottom line are approved by the Service Director of that Directorate.
Virements between services within the same Directorate (excluding contingency allocations) must be approved by the relevant Chief Officer of that Directorate.

Executive Director of Assurance Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Virements between different Directorates (excluding contingency allocations) up to £50,000 must be approved by the relevant Chief Officers of both Directorates.
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Virements between different Directorates (excluding contingency allocations) over £50,000 and up to and including £499,999 must be approved by the relevant Chief Officer(s) and Chief Finance Officer in consultation with the Leader and reported to the next meeting of Cabinet
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Virements between different Directorates (excluding contingency allocations) over £500,000 and up to £25m must be approved by Cabinet.
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Article 7 - Table of Chief Officers details which posts within the council are designated as Chief Officers.

No revenue virement is allowed between the following budgets without approval of Cabinet:

- Financing charges
- Rates and other taxes

Amendments to the capital budget can only be made with approval as per the table below:

Capital Virements
Cabinet approval is required for all capital budget and funding virements and yearly profile changes (slippage or accelerated spend) between approved capital programmes i.e., as per the budget book. The report must show the proposed: <ol style="list-style-type: none"> i) Budget transfers between projects and by year; ii) Funding transfers between projects and by year; and iii) A summary based on a template approved by the Chief Finance Officer.
Cabinet approval is required for all capital additions to the capital programme. Cabinet may only approve additions up to £50M. Additions above this should be approved by Council. All Capital additions are reviewed by senior officers prior to being recommended for approval to Cabinet. Capital additions should also be included in the quarterly budget monitoring report to Cabinet for noting.
Funding substitutions in order to maximise funding are the responsibility of the Chief Finance Officer.

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