

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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General Provisions

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.”

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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. 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 Deputy Chief Executive (DCE) is also responsible for ensuring that strategic partners and contractors who 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. The schemes of financial authorisation for CSG and The Barnet Group Ltd (Barnet Homes) are attached as appendices to this document.

The schemes of financial authorisation should be maintained by the strategic partners/contractors and approved by the Deputy Chief Executive on an on-going basis.

Deputy Chief Executive

The Deputy Chief Executive (DCE) has responsibility for the Customer and Place Directorate. The Deputy Chief Executive works closely with the Transformation Director who is responsible for Programmes, Performance and Risk, and Resident Experience and Digital services which sit in the Customer and Place Directorate. The Customer and Place Directorate comprises:

First, leadership, strategy and direction of the Council's social, environmental and economic objectives:

- For sustainable growth and development to meet the needs of a growing population. This is done through a combination of direct delivery and engaging in strategic and delivery partnerships to achieve the best outcomes for residents and businesses. The DCE has

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commissioned housing management, homelessness and housing advice services from Barnet Homes which is an Arm's Length Management Organisation wholly owned by The Barnet Group (which itself is a Local Authority Trading Company wholly owned by the Council). Development activity has also been commissioned from Barnet Homes and from Open Door Homes which is a Registered Provider wholly owned as a subsidiary of The Barnet Group, but not controlled by the Council. Directly delivered services supporting this objective include:

- Supporting local businesses and the borough's town centres
 - Skills and employment
 - Sustainability
 - Delivery of the council's capital programme
 - Incubation and delivery of development schemes on council land, including Brent Cross
 - Estates and acquisitions
- To make Barnet's local environment clean, attractive, and safe with well-maintained roads and pavements, flowing traffic, increased recycling and less waste. This is done through direct delivery of services and through engaging in strategic and delivery partnerships in order to achieve the best outcomes for residents and businesses. Services delivering this objective include:
- Street Scene Services (including Recycling and Waste, Street Cleansing, Ground Maintenance, Highways DLO, Fleet and Passenger Transport, Parking, Street Lighting and Electric Vehicle charging)
 - Highways and Transportation (including Development Control, Development Control Brent Cross, Asset Management, Traffic and Travel, Traffic and Compliance and Business Operations)

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➤ Some elements of Regulatory Services are delivered via the Customer and Place Directorate:

- Planning
- Building Control
- Strategic Planning
- Private Sector Housing
- Land Charges
- Street Naming & Numbering

Finally, the DCE also has responsibility for the leadership, strategy and direction of the following Corporate Services:

- Commercial (including: oversight of the council's key commercial relationships and procurement);
- Information and Communications Technology (ICT) and Digital Services;
- Resident Experience

Elements of some of these services are commissioned from Capita.

Should any of the Directors, Assistant Directors or Head of Service listed within this Scheme of Delegation be unavailable to discharge their duties and delegated powers, the DCE is empowered to make the decision as the Senior Officer within this scheme. Directors may assume the duties and delegated powers of Assistant Directors and Heads of Service reporting to them; and Assistant Directors may assume the duties and delegated powers of Heads of Service reporting to them.

In the absence of the DCE, the authorities contained within this scheme of delegation will revert back to the Chief Executive, who may decide to delegate authority to another Chief Officer.

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Review of Schemes of Delegation

Schemes of Delegation should 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	Deputy Chief Executive	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	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Authorisation is via: Cabinet Report; or	

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procurement process £500,000 and above								Procurement Forward Plan
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		✓	✓					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 acceptance £25,001 - £214,904		✓	✓	✓				Procurement method and recording requirements as set out in Contract Procedure Rules
Variation or extension acceptance £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

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Variation or extension acceptance £500,000 and above		✓	✓					Officer decision only when witing approved budget. If not 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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Management of Asset, Property and Land Rules

Part 4B1 (Land and Property Transactions Authorisation and Delegated Powers) of the Council's Constitution sets out the authorisation limits for the management of assets, property and land. This is available here: [Agenda for Constitution on Tuesday 23rd May, 2023 \(moderngov.co.uk\)](#)

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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	Deputy Chief Executive	Director	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	N/A	✓	✓					N/A	N/A

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Directors and Head of Service									
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					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					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					HR form/ Letter/ Core HR	Audit trail
Agree settlement/instruct lawyers to defend Employment Tribunal	N/A	✓	✓ includes Assistant Director Human Resources and					N/A	N/A

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			OD and the Monitoring Officer						
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				N/A	Yes
Service restructures – authorisation (less than 20 officers)	N/A	✓	✓	includes Assistant Director Human Resources and OD				N/A	Yes

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

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			Resources and OD						
Pensions discretions as defined and agreed by the Pensions Fund Committee	N/A	✓	✓ includes Assistant Director Human Resources and OD					N/A	N/A

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INFORMATION MANAGEMENT								
	Deputy Chief Executive	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 Commercial & Customer Services, Human Resources, Strategy & Communications and Growth & Development	✓	✓	✓				Statutory requirement to respond within 20 working days	N/A
Approval of responses to Subject Access Requests (SAR) for Commercial & Customer Services , Human Resources, Strategy & Communications and Growth & Development	✓	✓	✓				Statutory requirement to respond within 1 month	N/A
Business continuity decisions for Growth and Corporate Services	✓	✓	✓				N/A	N/A

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Decision/power	Officer with delegated authority
To make decisions for private sector grant repayments to be repaid	Deputy Chief Executive Director Head of Service if less than £25,000
To make decisions about the acquisition of properties under the private sector leasing scheme, for £20,800 per annum or less or as a one-off consideration	Deputy Chief Executive Director
Authority to sign the private sector leases as detailed above	Deputy Chief Executive Director Assistant Director Estates
All disposals of freehold interests and leases where a capital premium is obtained for the interest	Deputy Chief Executive Director Assistant Director Estates
Authority to sign off Officer level and Council/Cabinet/Committee reports on strategic issues in relation to the Customer & Place portfolio of services	Deputy Chief Executive Director Assistant Director Head of Service
Authority to sign off discretionary relief in exceptional circumstances from the payment of CIL, in relation to Category A-G applications	Deputy Chief Executive Director Deputy Chief Finance Officer
Authority to recommend to Deputy Chief Executive bids for external funding	Deputy Chief Executive Director Assistant Director Head of Service
Authority to recommend to Deputy Chief Executive insight projects for the Customer & Place portfolio of services	Deputy Chief Executive Director Assistant Director Head of Service
Authorise spending in accordance with the Brent Cross Cricklewood Budgets up the amount shown in brackets	Director Growth & Development (£1m) Brent Cross Cricklewood Programme Director (£500K) Thameslink Programme Director (£213K)

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Customer and Place – Senior Management Structure

Cath Shaw, Deputy Chief Executive who manages:

- Stephen McDonald who is Director of Growth
- Craig Miller who is Street Scene Director
- Ian Edser who is Director of Highways and Transportation
- Tim Campbell who is Acting Assistant Director of Commercial

Deborah Hinde, Director of Transformation who manages:

- Alaine Clarke who is Head of Programmes, Performance and Risk
- Barry May who is Assistant Director of Resident Experience and Digital

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Delegations to officers

Tier 1

- Deputy Chief Executive
- Director of Transformation
- Director of Highways & Transportation
- Director of Growth
- Director of Street Scene
- Assistant Director Growth & Development
- Assistant Director Capital Delivery
- Brent Cross Programme Director
- Director of Planning and Building Control (Chief Planner)
- Service Director

Tier 2

- Operations Director
- Assistant Director of Planning and Building Control
- Assistant Director Business Operations
- Assistant Service Director
- Head of Building Control (Class 4 Technical)
- Head of Planning Enforcement & Compliance
- Head of Development Management
- Heads of Service
- Head of Housing Strategy

Tier 3

- Operations Managers
- Transformation Managers
- Highways Managers
- Deputy Head of Building Control (Class 3 Specialist)

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Major Developments Managers
Planning and Transport Manager (Brent Cross)
Planning Performance & Development Managers
Planning Managers
Planning Enforcement Managers
Commissioning Leads
Performance & Development Managers
Group Managers

Tier 4

Deputy Planning Manager
Deputy Manager
Specialist Building Inspector (Class 3 Specialist)
Building Inspector (Class 2 Inspector)
Structures Manager
Principal Structural Engineer
Technical Support Manager
Senior Inspector
Senior Coordinator
Public Rights of Way Officer
Member Liaison Officer
Manager

Tier 5

Trainee Building Inspector (Class 1 Trainee)
Structural Engineer
Travel Advisor
Engineer
Inspector
Coordinator

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Assistant Engineer
Graduate Engineer
Environmental Health Officer
Housing Enforcement Officer
Housing Technical Officer
Party Wall Officer
Team Leaders
Officers

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Decision/Power	Legislation covered	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ Officer Decision
GENERAL							
Authority to :							
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.	✓	✓				
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.		✓	✓	✓			
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.		✓	✓	✓			
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.		✓	✓	✓	✓	✓	

ENVIRONMENTAL CONTROL

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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:						
	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
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, sign and serve notices.	✓	✓	✓	✓	✓	
Prepare licences, authorisations, approvals and other statutory documentation	✓	✓	✓	✓	✓	
Prepare and serve certificates, licences, orders, authorisations, notifications, approvals and other statutory documents	✓	✓	✓			
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.	✓	✓	✓	✓	✓	
	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision

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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.	✓	✓				
Execute works in default without the need for senior authorisation otherwise required by this scheme of delegation in relation to noise abatement where an officer is working out of hours.	✓	✓	✓	✓	✓	

**GENERAL PUBLIC HEALTH
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
 Mobile Homes Act 2013
 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)

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Any regulations, orders or other statutory provisions made under the above Authority to:							
		<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
Enter and inspect premises or land for compliance with legal requirements		✓	✓	✓	✓	✓	
Take samples, make tests, take measurements, monitor and otherwise gather evidence		✓	✓	✓	✓	✓	
Prepare, issue, sign, serve, vary and revoke notices.		✓	✓	✓	✓	✓	
Prepare and serve certificates, licences, orders, authorisations, notifications, approvals and other statutory documents		✓	✓	✓	✓	✓	
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.		✓	✓	✓	✓	✓	
Prepare, sign and serve, certificates, licences, orders,,authorisations,,notifications, approvals and other statutory documentation		✓	✓	✓	✓	✓	
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		✓	✓	✓			

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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.		✓	✓	✓	✓		

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

CONTROL OF ANIMALS INCLUDING THE FOLLOWING LEGISLATION 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 Authority to:						
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ Officer Decision
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.	✓	✓	✓			

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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.		✓	✓	✓			
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FOOD SAFETY INCLUDING THE FOLLOWING LEGISLATION 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; (i) made there under or (ii) having effect by virtue of the European Communities Act 1972 and relating to food safety or animal feedstuffs; and (c) any modification or re-enactment of the foregoing Regulation (EC) No.178/2002– principles of food law Regulation (EC) No.852/2004– general hygiene requirements Regulation (EC) No.853/2004– hygiene requirements for approved premises Regulation (EC) No.2073/2005 – microbiological criteria of foodstuffs Authority to:							
		<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
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 referral to HB Law for legal proceedings.		✓	✓	✓	✓	✓	
		✓	✓	✓			

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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.	✓	✓	✓			

DRINKING WATER QUALITY INCLUDING THE FOLLOWING LEGISLATION Water Industry Act 1991 Private Water Supplies Regulations 2009 Authority to:						
	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
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 which fall within the local authority remit.	✓	✓	✓	✓	✓	
Carry out all other relevant duties conferred by this legislation	✓	✓	✓	✓	✓	
Recover expenses	✓	✓	✓			
Maintain records	✓	✓	✓	✓	✓	

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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
 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:

	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
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Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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, 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	✓	✓	✓	✓		
<p>RELEVANT LEGISLATION</p> <p>Health Act 2006</p> <p>The Smoke Free (Premises and Enforcement) Regulations 2007</p> <p>The Smoke Free (Signs) Regulations 2007</p> <p>The Smoke Free (Exemptions and Vehicles) Regulations 2007</p> <p>The Smoke Free (Penalties and Discounted Amounts) Regulations 2007</p> <p>The Smoke Free (Vehicle Operators and Penalty Notices) Regulations 2007</p>						
	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision

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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.	✓	✓	✓	✓	✓	
Prepare, sign 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 Health and Safety at Work Act 1974</p> <p>Authority to:</p>						
	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
<p>Authority to:- Act as an inspector and to exercise the powers of an inspector listed below: 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 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</p>	✓	✓	✓	✓	✓	

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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	✓	✓	✓	✓	✓	
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	✓	✓	✓			

RELEVANT 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

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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
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

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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 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							
		<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking		✓	✓	✓			

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due consideration of the prevailing legal requirements and the CPS code for Prosecutors.							
<p>Act as an inspector and exercise the powers of an Inspector listed below in relation to the Manufacture and Storage of explosives Regulations only.</p> <p>Carry out all other relevant duties conferred by the legislation.</p> <p>Recommend legal proceedings.</p>	<p>s20(2)a, power to enter premises etc</p> <p>s20(2)b, power to take a constable etc</p> <p>s20(2)c, power to take authorised person etc</p> <p>s20(2)d, power to make examination and investigation etc</p> <p>s20(2)e, power to make direction with regard to premises etc</p> <p>s20(2)f, power to take measurements and photographs etc</p> <p>s20(2)g, power to take samples etc</p> <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>	✓	✓	✓	✓	✓	

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	<p>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 cause of imminent danger etc. s38, power to institute proceedings s39, power to prosecute for an offence etc</p>						
<p>Enter into relevant consultations, Make applications for enforcement orders, Accept under takings</p>	<p>The Enterprise Act 2002; s.124- consultation s.215- application to make an enforcement order s.219- trader offer enforcer undertaking</p>	✓	✓	✓	✓	✓	
<p>Appear before Magistrates Court in relation to an application under</p>	<p>Section 37 & 38 of the Protection of Freedoms Act 2012 in accordance with Section 223 of the Local Government Act 1972.</p>	✓	✓	✓	✓	✓	

DEVELOPMENT MANAGEMENT (Relevant to the Deputy Chief Executive)

INCLUDING THE FOLLOWING LEGISLATION

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
Planning and Compensation Act 1991
Planning and Compulsory Purchase Act 2004
Planning Act 2008

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Localism Act 2011 Growth and Infrastructure Act 2013 Enterprise and Regulatory Reform Act 2013 Infrastructure Act 2015 The Housing and Planning Act 2016 The Building Safety Act 2022							
Decision/Power		Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ COD
Determine any application of planning permission (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓		
Determine any application for the approval of details required by a condition imposed on a grant of planning permission		✓	✓	✓	✓	✓	
Determine any application for listed building and conservation area consent (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
Determine any application for prior approval		✓	✓	✓	✓		
Determine licence applications		✓	✓	✓	✓	✓	
Determine any applications for a Certificate of Lawfulness of Existing Use or Development or Certificate of Lawfulness of Proposed use or Development		✓	✓	✓	✓	✓	
Determine any application made under the Town and Country Planning (Control of Advertisements) Regulations		✓	✓	✓	✓	✓	
To decline to determine planning applications (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓		
To make representations in respect of development of the land in the area of another local planning authority		✓	✓	✓	✓	✓	
To make representation in respect of a development notified to the Council by a Government Department or statutory undertaker		✓	✓	✓	✓	✓	

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Determine an application for a screening or scoping opinion: or application for approval of an environment statement		✓	✓	✓	✓	✓	
To take appropriate action and make appropriate decisions in respect of compensation claim under the provisions of a tree preservation order		✓	✓	✓	✓		
To take appropriate action to defend the Council's determination of an application		✓	✓	✓	✓	✓	
Determine any application for the approval of details required by a condition imposed on a grant of planning permission (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
Determine any planning application of planning permission for alterations or extension to a dwelling (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
Determine any application for prior approval involving an extension to a dwelling (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
Agreeing a PPA above 51 residential units or greater than 4000m2 commercial floorspace		✓	✓	✓			
Agreeing a PPA up to 50 residential units 4000m2 commercial floorspace		✓	✓	✓	✓		
Determine applications for work to protected trees		✓	✓	✓	✓	✓	
The making and serving of tree preservation orders; the confirmation of tree preservation orders, the revocation of tree preservation orders, except where objections are received; the variation of tree preservation orders, except where objections are received (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
Determine any application for consent or notices relating to the removal or treatment of trees the subject of a tree preservation order or within a		✓	✓	✓	✓	✓	

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conservation area, and approval of replacement planting (Subject to the exceptions) (except for those required under the Constitution to be determined by a committee)							
Determine an application to dispense with a requirement or obligation to plant a replacement tree under the provisions of a tree preservation order (except for those required under the Constitution to be determined by a committee)		✓	✓	✓	✓	✓	
To authorise, issue, vary or withdraw Planning Enforcement Notices		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary, withdraw notices under Section 215 of the Town & Country Planning Act 1990 (as amended)		✓	✓	✓	✓	✓	
To authorise, issue, vary or withdraw Listed Building Enforcement Notices		✓	✓	✓	✓	✓	
To authorise, issue, vary or withdraw Listed Building Repairs Notices		✓	✓				
To authorise, issue and, where necessary withdraw notices requiring the discontinuance of the display or an advertisement		✓	✓	✓	✓	✓	
To authorise, issue or withdraw a Fixed Penalty Notice in respect of any offence under Section 224 of the Town and Country Planning Act 1990 of displaying advertisements without consent		✓	✓	✓			
To authorise, issue, vary or withdraw Listed Building Urgent Works Notices		✓	✓	✓			
To authorise, issue and, where necessary withdraw Stop Notices and temporary Stop Notices		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw Breach of Condition Notices		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw Planning Contravention Notices		✓	✓	✓	✓	✓	
To authorise and take direct action, where appropriate, in respect of breaches of planning control		✓	✓	✓	✓	✓	

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To authorise the Head of Legal HBPL (London Borough of Harrow) to apply to the court for an injunction		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw completion notices		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw discontinuance notices		✓	✓	✓	✓	✓	
To instruct the Head of Legal HBPL to issue legal proceedings in relation to a planning enforcement notice or to advise.		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw notices requiring the removal/obliteration of an advertisement		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary, withdraw Listed Building Notices		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary, withdraw Repairs Notices		✓	✓	✓	✓	✓	
To authorise and take direct action, where appropriate, in respect of breaches of listed building/conservation area control		✓	✓	✓	✓	✓	
To issue and serve any Tree Replacement Notice		✓	✓	✓	✓	✓	
To take appropriate action and make appropriate decisions in respect of failure to comply with the requirements of Tree Replacement Notice		✓	✓	✓	✓	✓	
To authorise and take direct action, where appropriate, in respect of failure to comply with the requirements of a Tree Replacement Notice		✓	✓	✓	✓	✓	
To authorise, issue and, where necessary withdraw notices for failure to replace a tree or to comply with a condition attached to a report under a tree preservation order		✓	✓	✓	✓	✓	
To take appropriate action to defend the Council's determination of a Notice		✓	✓	✓	✓	✓	
To determine a formal complaint about a high hedge		✓	✓	✓	✓		
To issue, and where necessary, withdraw, waive or relax requirements of, Remedial Notice		✓	✓	✓	✓	✓	

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The issue of a hedgerow retention notice or permission for a hedgerow to be removed		✓	✓	✓	✓	✓	
Authorisation to appear in court and represent the Council. NB/ is the only party The Head of Legal HB Public Law can only authorise this		✓	✓	✓	✓		
Authorised to enter any land on behalf of the Council		✓	✓	✓	✓		
Authorised to serve Notices on behalf of the Council		✓	✓	✓	✓		
Authorised to instruct HB Law to make appropriate arrangements for the amendment of an existing S106 agreement or unilateral undertaking		✓	✓	✓	✓		DPR
To authorise, issue, vary or withdraw any other planning remedial notice or exercise any other power as detailed in the Town & Country Planning Act 1990		✓	✓				
To authorise, issue, vary or withdraw any other planning remedial notice or exercise any other power as detailed in the Planning (Listed Building & Conservation Areas) Act 1990		✓	✓				
Power to undertake the functions of the Accountable Person as detailed in the Building Safety Act 2022		✓ (Deputy Chief Executive)					

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

STREET NAMING AND NUMBERING							
INCLUDING THE FOLLOWING LEGISLATION:							
London Building Acts (Amendment) Act 1939 (as amended/applied by the Local Government Act 1985)							
London Government Act 1963							
London Government Order 1965							
Local Government Act 1985							
		Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	
Serve Notice of objection to proposed name	Section 5	✓	✓	✓	✓	✓	
Make an order to assign any name	Section 6	✓	✓	✓	✓	✓	
Serve a Notice require an owner to set up, substitute or remove any name. If Notice not complied with my set up, substitute or remove any name. Where marking has been destroyed, pulled down, defaced or obliterated Serve a Notice on the owner requiring them to remark	Section 8	✓	✓	✓	✓	✓	
Make an order specifying the name or number of any building shall be marked, may also by order rename	Section 11	✓	✓	✓	✓	✓	
Shall keep a record of names and numbers	Section 14	✓	✓	✓	✓	✓	
Recovery of costs	Section 15	✓	✓	✓	✓	✓	

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BUILDING CONTROL						
INCLUDING THE FOLLOWING LEGISLATION						
London Building Acts (Amendment) Act 1939 (as amended/applied by the Local Government Act 1985) Local Government (Miscellaneous Provisions) Act 1976 The Building (Local Authority) Charges Regulations 2010 The Building Act 1984 The Building Regulations 2010 The Building Regulations (Amendment) Regulations 2012 The Building etc. (Amendment) Regulations 2023 The Building (Approved Inspector) Regulations 2010 The Building and Approved Inspector (Amendment) Regulations 2010 The Building Safety Act 2022 The Building Safety Act 2022 (Consequential Amendments etc.) Regulations 2023 The Building (Restricted Activities and Functions) Regulations 2023 The Party Wall etc. Act 1996						
Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ Officer Decision
Power to dispense with or relax Building Regulations in any particular case	✓	✓	✓	✓		
Power to declare plans deposited under the Building Regulations to be of no effect after interval of three years if work has not been commenced	✓	✓	✓	✓		
Power to pay expenses reasonably incurred for a report relating to a contravention	✓	✓	✓	✓		
Power to make representation to Minister in respect of appeals against refusal to relax regulations	✓	✓	✓	✓		
To receive on behalf of the Council Initial Notices served on the Council	✓	✓	✓	✓		
To exercise the powers of the Council relating to Initial Notices and Public Body's Notice Sections	✓	✓	✓	✓		
Power to require the raising of chimney and flue heights	✓	✓	✓	✓		
Duty to maintain a statutory register	✓	✓	✓	✓		
Power to carry out works in default and recover expenses involved	✓	✓	✓	✓		
Power to approve or reject plans submitted under the Building Regulations	✓	✓	✓	✓		
Power to reject plans deposited under the Building Regulations using short-lived materials or approve subject to time limiting or other conditions	✓	✓	✓	✓		
Power to reject plans of new buildings without satisfactory provision for drainage	✓	✓	✓	✓		

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Power to require two or more buildings to be drained in combination		✓	✓	✓	✓		
Power to reject plans of public and other buildings if no satisfactory exits or entrances are provided		✓	✓	✓	✓		
Power to reject plans submitted under the Building Regulations if not provided with a sufficient supply of water		✓	✓	✓	✓		
Power to test for conformity with the Building Regulations		✓	✓	✓	✓		
Power to instigate proceedings in court for breach of the Building Regulations		✓	✓	✓	✓		
Power to issue notice for removal or alteration of works contravening the Building Regulations and to carry out works in default and recover costs		✓	✓	✓	✓		
Power to serve notices regarding demolition works		✓	✓	✓	✓		
Power to enforce Building Regulations		✓	✓	✓	✓		
Power to enter premises		✓	✓	✓	✓		
Power to serve requisitions for information		✓	✓	✓	✓		
Power to deal with dangerous structures		✓	✓	✓	✓		
Authorisation to use the Council's existing "Dangerous Structures Framework Agreement", or other suitable contractor in order to make safe identified dangerous structures		✓	✓	✓	✓		
Power to act as the Council's Appointing Officer under the Party Wall etc, Act 1996 - Section 10(8)		✓	✓	✓	✓		
Power to carry out restricted activities and functions		✓	✓	✓	✓		

REGENERATION (General)		<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>
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Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Appointment of officers or nomination of other person to exercise powers for any legislation listed.		✓	✓		
Issue credentials and authorise in writing any officer or other person to exercise powers for any legislation listed.		✓	✓		
Authority to act as a proper officer, authorised officer, inspector or other designation and exercise powers for legislation listed after being appropriately nominated and subject to any limitation in individual authorisation.		✓	✓		
Authority to nominate a Regeneration Manager to deputise for the Head of Regeneration for selected delegated authorities.		✓	✓		
Authority to take all reasonable steps to progress the Brent Cross Cricklewood Development in accordance with decisions of the Assets, Regeneration and Growth Committee and the LBB officer group known as the Brent Cross Governance Board.	Brent Cross Cricklewood Programme Director only	✓	✓		
Compulsory purchase orders					
Authority to:- Enter and inspect premises for inspection/valuation Prepare, serve and publish notices and issue licences and other documentation Carry out all other relevant duties conferred by this legislation.		✓	✓		
Authority to :- Sign notices and licences. Recommend legal proceedings. Approve statutory payments and compensation payments, including disturbance claims		✓	✓		
Authority to:- Agree to acquire land either by agreement or compulsorily for statutory purposes and to appropriate land for planning purposes		✓			
Acquisition of rights and other statutory purposes		✓			
LOCAL LAND CHARGES (Relevant to the Deputy Chief Executive)					

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INCLUDING THE FOLLOWING LEGISLATION

[Local Land Charges Act 1975](#)
[The Local Land Charges Rules 2018](#)

Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ COD
Authority to:- Register a local land charge	✓	✓	✓	✓	✓	
Authority to: Recommend legal proceedings Instruct HBPL to advise and/or take legal proceedings	✓	✓	✓	✓		

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PRIVATE SECTOR HOUSING

Including the following legislation:

Housing Acts 1985
 Housing Acts 1996
 Housing Grants, Construction and Regeneration Act 1996
 Housing Acts 2004
 Energy Act 2011
 Housing Grants, Construction and Regeneration Act 1996
 Housing and Planning Act 2016
 Smoke and Carbon Monoxide Alarm (England) Regulations 2015
 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020
 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
 Energy Act 2011
 Public Health Act 1936
 Public Health Act 1961
 Environmental Protection Act 1990 Part III
 Building Act 1984
 Caravan Sites and Control of Development Act 1960
 Mobile Homes Act 2013
 Prevention of Damage by Pests Act 1949
 Local Government (Miscellaneous Provisions) Acts 1976
 Local Government (Miscellaneous Provisions) Act 1982
 Any Regulations, Orders or other relevant statutory provisions made under or incorporated into the above.

Decision/Power	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>	<u>Tier 5</u>	DPR/ Officer Decision
Authority to:						
Enter and inspect premises or land for compliance with legal requirements.	✓	✓	✓	✓	✓	
Take samples, make tests, take measurements monitor and otherwise gather evidence.	✓	✓	✓	✓	✓	

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Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ Officer Decision
Authority to:						
Prepare, sign, serve, issue, vary, revoke, withdraw notices (excluding those relating to Temporary Exemption, work in default, Financial Penalties, Compulsory Purchase, Management Orders and Enforced Sale).	✓	✓	✓	✓	✓	
Prepare and serve Temporary Exemption Notices, orders (including Prohibition, Emergency Prohibition, Interim and Final Management Orders, Interim and Final Empty Dwelling Management Order) notices relating to work in default, licences, authorisations, approvals, Financial Penalty Notices and other statutory documentation.	✓	✓	✓	✓	✓	
Prepare, sign, serve, issue, vary, revoke, withdraw all notices, authorisations, approvals, orders (including those relating to Temporary Exemption, work in default, Financial Penalties, Compulsory Purchase, Management Orders and Enforced Sale) and other statutory documentation.	✓	✓	✓			
Seize or detain documents, articles or equipment.	✓	✓	✓	✓	✓	

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Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	DPR/ Officer Decision
Authority to:						
Carry out all other relevant duties conferred by this legislation.	✓	✓	✓	✓	✓	
Recommend legal proceedings.	✓	✓	✓	✓	✓	
Recommend the issuing of financial penalty notices.	✓	✓	✓	✓	✓	
Recommend execution of work in default of a notice.	✓	✓	✓	✓	✓	
Recommend enforced sale and other debt recovery linked to housing enforcement activity	✓	✓	✓	✓	✓	
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 and sign financial penalty notices	✓	✓	✓			
Authorise enforced sale and other debt recovery linked to housing enforcement activity.	✓	✓	✓			
Authorise execution of work in default of a notice.	✓	✓	✓			
Approve grants and authorise grant payments and reclamations.	✓	✓	✓			

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Delegations relating to functions discharged through the Management Agreement with Barnet Homes

Barnet Homes provides housing management and housing advice and homelessness services to the Council. The separation of functions is set out in the Management Agreement between the Council and Barnet Homes. Barnet Homes operates its own internal Scheme of Delegations for discharging its functions and this is in line with the Council's procedures for Procurement, Human Resources, Financial and information management. The Barnet Homes scheme of delegation is approved and reviewed by the Barnet Homes Board.

The table below sets out the functions that are reserved for the Council and the officers that have the delegated powers in each instance. Where Barnet Homes is indicated the Barnet Homes Scheme of Delegations sets out which officers have the powers. In many cases although the work may be carried out by Barnet Homes the responsibility rests with the Council.

FUNCTION	DELEGATED TO			
	Deputy Chief Executive	Director / Assistant Director	Head of Service	Barnet Homes
Housing strategy and related documents				
Housing Strategy incorporating homelessness strategy and related policies	✓	✓	✓	
Housing allocations and band scheme				
Reviewing Housing Allocations Scheme: LBB lead, in consultation with Barnet Homes	✓	✓	✓	✓
Allocation of housing and award of banding, including: <ul style="list-style-type: none"> Award of exceptional priority for rehousing through housing management or technical grounds To make determinations under the Housing Act 1996 and other relevant legislation, whether a person is homeless or threatened with homelessness; whether such state of affairs is intentionally caused; whether there exists a "priority need" or "local connection" and any other decisions related to the Council's statutory homelessness responsibilities To deal with applications for the rehousing of resident staff. 				✓
To approve mutual exchanges between council tenants and authorisation for entry onto housing mobility schemes (e.g.: Housing Moves)	✓	✓		✓
To rehouse occupiers of dwellings which have been made the subject of demolition or closing orders	✓	✓		✓
Housing advice, assessment, prevention and solutions	✓	✓		✓

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

FUNCTION	DELEGATED TO			
	Deputy Chief Executive	Director / Assistant Director	Head of Service	Barnet Homes
Temporary accommodation procurement and management Including hostels and emergency accommodation)	✓	✓		✓
Homelessness review function under Section 202 of the Housing Act 1996	✓	✓		Barnet Homes and RMG Ltd
To write off former tenants arrears for those placed into temporary accommodation up to the value of £4,999	✓	✓		✓
Barnet Homes Governance				
Appointment of TBG/BH Board Members – Council approval required	✓			✓
Changes to TBG structure, including mergers and acquisitions – Council approval required	✓			✓
Asset Management				
Housing Revenue Account model Housing Revenue Account 30 year business plan (for submission to Housing Committee)	✓	✓		✓
Council Housing Asset Management – Council approval required	✓			✓
Council Housing Asset management database and accurate stock condition database Asset register for all HRA properties, land and other assets managed by BH or its subsidiaries.				✓
Asset register for all HRA properties and other assets managed by LBB	✓	✓		✓
Barnet Homes business plan and financial plan	✓			✓
Treasury Management Strategy – Council approval required	✓			✓

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Housing Act 1985 and related legislation				
Generally to manage council dwellings and other Housing Revenue Account estate land and buildings				✓
Set rent policy for council dwellings	✓	✓	✓	
To let council dwellings, garages, etc, in accordance with the council's approved tenancy strategy				✓
To approve in suitable cases applications from council tenants to sub-let parts of dwellings				✓
To approve successions applications				✓
To notify council tenants of the rents payable to them (gross) in consultation with Commissioning Director	✓			✓
Recovery of arrears and other charges				✓
To fix concessionary rents for garages on housing estates in appropriate cases				✓
To enforce tenancy conditions in relation to council homes				✓
Tenancy management and tenancy sustainment				✓
To serve notices of Seeking Possession under the Housing Act 1985 and Notices to Quit and/or to vacate on tenants of council dwellings				✓
To serve Notices to Quit				✓
Evictions and court action consulting Deputy Chief Executive on costs	✓			✓
Inspection and repair of empty council homes Voids management				✓
Housing Act 1985-Right to Buy				
Right to Buy Valuations				
Sale of council housing, including: <ul style="list-style-type: none"> To determine eligibility of purchase under the "Right to Buy" and to ensure all relevant Statutory Notices To serve notices to complete under the Housing Act 1985 				✓
To authorise the disposal of dwelling houses vested in the council in accordance with the statutory requirements or any voluntary sales scheme that the council may adopt				✓
To approve the use of those community buildings on housing land	✓			✓

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Housing premises and land				
To authorise the boarding up or demolition of dilapidated premises managed by Barnet Homes				✓
To authorise the process of decanting council homes and estates	✓			
To authorise the process the clearance of council homes and estates	✓			✓
To sign agreements and licences relating to council dwellings, garages, etc.	HBPL			✓
Where appropriate to grant tenancies for allotments on land held for housing purposes and execute agreements in a form that is approved by HBPL.				✓
To select from the appropriate list of selected Building contractors those persons who shall be sent invitations to tender for work to council dwellings, in accordance with the relevant standing orders.				✓
To place contracts for minor works to council dwellings in accordance with Standing Orders and Financial regulations				✓
To determine applications received from residents on housing estates to purchase small areas of land or buildings, for example: <ul style="list-style-type: none"> Land adjoining their boundaries for the purpose of extending their gardens or A room, store or roof void, or roof surface of a building divided into flats but not being part of a flat or garage 				✓
On proper professional advice, where appropriate, as to the implications for the council's interest, to authorise the grant of all consents under and variations to the terms of leases, transfers or other instruments relating to housing land or property and to determine any consequential matters.				✓
Undertake major and cyclical works to council homes				✓
Undertake mechanical and electrical works to council homes				✓
Neighbourhood and estate management				✓
Caretaking				✓
Environmental services and grounds maintenance on housing land				✓
Energy efficient works on HRA and applicable GF properties				✓
Development of new affordable housing	✓			✓

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Housing Act 1985 Leasehold management				
To carry out tenant and leaseholder consultation under the statutory requirements				✓
To determine service charges payable by leaseholders of properties managed by Barnet Homes.				✓
Prepare Deed of variation for leaseholders				✓
Consent to alter or carry out work to leasehold dwelling.				
Leasehold and Freehold management				✓
Building Safety Act 2022				
To carry out the functions of the Accountable Person	✓ (Deputy Chief Executive)			✓
Others				
Assist service (Sheltered call centre(Lifeline)) Barnet Group Assist				✓
Five Year Business Plans and Financial Plans - Council approval required	✓			✓
Biennial satisfaction survey of council tenants and leaseholders				✓
Annual report for tenants and leaseholders				✓
Financial management and financial returns to HCA				✓
Compliance with HCA regulatory requirements				✓
Compliance with relevant European and British Standards, building regulations, good industry practice and health and safety regulation-in relation to landlord functions				✓
Compliance with statutory, legislative and contractual obligations in relation to housing including equalities in relation to landlord functions				✓
Compliance with equalities legislation				✓
Processing Freedom of Information requests in relation to housing; and Member and VIP Enquiries				✓

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Parking: Decision and Powers

The decision and powers for officers in Parking are set out in the table below.

Decision/Power	Officer with Delegated Authority (to lowest relevant level)						Recording of Delegated Powers	
	Tier 1	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Other requirements	DPR / Officer Decision
PARKING AND INFRASTRUCTURE								
Determining policy and procedure on issuing of penalty charge notices for parking, bus lanes and moving traffic contraventions in compliance with statutory requirements and guidance issued under the TMA 2004, LLA 1996, LLA 2003.	✓	✓	✓	✓	✓			
Issuing of penalty charge notices in accordance with the above.							Civil Enforcement Officer and trained reviewing staff	
Decisions on outcomes of penalty charge notices in accordance with statutory requirements and Council policy and procedures. Includes authority to cancel.				✓	✓	✓	Must be trained as per SOS guidance. Includes all staff involved in notice processing.	
Write-off of debts deemed unrecoverable as a result of statutory limitations, Court instructions or death of the debtor.	✓	✓	✓	✓	✓			
Write off of debts where recovery process would not be appropriate.	✓	✓	✓	✓				
Periodic review of on street parking fees and charges in line with requirements of the RTRA 1984 and associated legislation (including when	✓							

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regulations implemented the Parking Places (Variation of Charges) Act 2017)								
Periodic review of off street parking fees and charges in line with requirements of RTRA 1984 and associated legislation.	✓							
Contract Award and Contract Term Extension of primary parking contract.	✓							
Monitoring of primary enforcement and associated services contract including decisions on KPIs and performance related payments to the contractor.	✓	✓	✓	✓				
Issuing of operational instructions for day to day management of contractors.	✓	✓	✓	✓	✓	✓		
Determining policy and procedure for accessing paid parking schemes and parking charged services (permits, pay and display, suspensions, dispensations etc).	✓	✓	✓	✓	✓			
Granting of on street permits and permissions along standard procedures.	✓	✓	✓	✓	✓	✓	Also trained permit processing staff	
Granting of on street permits and permissions outside of standard procedures	✓	✓	✓	✓	✓			
Issuing of blue badges in line with standard procedures	✓	✓	✓	✓	✓	✓	Also trained badge processing staff	
Issuing of blue badges outside of standard procedures and dealing with appeals	✓	✓	✓	✓	✓			
Issuing of freedom passes in line with standard procedures	✓	✓	✓	✓	✓	✓	Also trained freedom pass processing staff	
Issuing of freedom passes outside of standard procedures and dealing with appeals	✓	✓	✓	✓	✓			
Authorising refunds of penalty charge notices	✓	✓	✓	✓	✓			
Authorising refunds of permits, permissions and other parking payments	✓	✓	✓	✓	✓			

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Ensure that The Council's Parking Enforcement Plan (PEP) forms part of the Council's Local Implementation Plan (LIP) and is consistent with the Mayor's Transport Strategy (MTS), and supports the Barnet Corporate Plan	✓	✓	✓	✓				
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Network & Infrastructure: Decision and Powers

The decision and powers for officers in the Network & Infrastructure are set out in the table below.

Decision/Power	Officer with Delegated Authority (to lowest relevant level)						Recording of Delegated Powers	
	Tier 1	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Other requirements	DPR / COD
Ensure that in maintaining every street lighting column, illuminated traffic sign, or bollard, maintained by the Authority (including those funded through the Street Lighting PFI Contract) this is conducted in compliance the current version of any relevant legislation and/or standards, including: The Management of Health and Safety Regulations (1999); The Electricity at Work Regulations (1989); The Electricity Supply Regulations (1988); The Environmental Protection Act (1990); Control of Substances Hazardous to Health Regulations (2002); CDM Regulations (2015); Traffic Signs Regulations & General Directions (TSRGD) (2002); Road Traffic Regulations Act 1984; London Local Authorities and Transport for London Act 2003; Highways Act 1980; Traffic Management Act 2004; New Roads and Street Works Act 1991; BS5489-1:2013 & BS EN 13201 and all other relevant European and British Standards for road lighting.	✓ Deputy Chief Executive	✓	✓	✓	✓			
Ensure that every street lighting column and illuminated traffic sign, or bollard, maintained by the	✓	✓	✓	✓	✓			

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Decision/Power	Officer with Delegated Authority (to lowest relevant level)						Recording of Delegated Powers	
	Tier 1	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Other requirements	DPR / COD
Authority (including those funded through the Street Lighting PFI Contract) complies with the relevant lighting standards as defined in BS5489-1:2013 & BS EN 13201 and all other relevant European and British Standards for road lighting, including any revisions and updates arising.	Executive Director for Environment							
Ensure within the remit of Network and Infrastructure responsibility that the Council complies with its obligations under other Legislation including but not limited to, the Data Protection Act 1998, the Equality Act 2010 and the Freedom of Information Act 2000	✓ Executive Director for Environment	✓	✓	✓	✓			
Ensure that budget management takes place with monthly budget monitoring and reporting. Addressing budget variances and agreeing virements where necessary	✓ Executive Director for Environment	✓	✓	✓	✓			

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Street Scene Services: Decision and Powers

The decision and powers for officers in Street Scene Services are set out in the table below.

The officers within each tier of delegation are as follows:

Tier 1 (Delivery/Director)

Street Scene Director
Deputy Chief Executive

Tier 2 (Street Scene Leadership Team)

Interim Head of Parking/Senior Lead Parking

Head of Fleet, Transport, and Logistics and Operations
Head of Street Scene Service Support
Commercial Sales Manager
Head of Network & Infrastructure

Tier 3 (Service/Operations Manager)

Operations Manager Recycling & Waste
Operations Manager Street Cleansing
Operations Manager Grounds Maintenance
Service Change Manager
Data & Systems Manager
Service Support Manager
Fleet Operations Manager
PTS Coordinator
Office Manager
Assistant Operations Manager Grounds Maintenance
Parking Enforcement Operations Manager
Parking & Highways Programme Manager
Controlled Parking Zone Project Manager
Highways Supervisor (DLO)

Tier 4 (Team Manager/Supervisors)

Operations Supervisor
Staffing Supervisor

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Greenspace Supervisor
 Contract Supervisor
 Account Manager
 Workshop Controller
 PTS Supervisor

Decision and Powers relating to Street Scene Services

Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Other requirements	DPR / Officer Decision
Environment Act 2021 in relation to obligations re: Waste Management.	✓	✓	✓			
Ensure that the Council complies with its obligations under the Environmental Protection Act 1990 (relating to waste and cleansing), the EU Waste Framework Directive, The Controlled Waste (England and Wales) (Amendment) Regulations 2012	✓	✓	✓			
Ensure that the Council complies with its obligations under the following legislation in relations to its Street Scene Services duties <ul style="list-style-type: none"> • Waste Electrical and Electronic Equipment (WEEE) regulation 2013 • Environmental Permitting (England and Wales) Regulations 2010 • Restriction of Hazardous Substances in electrical and electronic equipment (RoHS) 2012 • Environment Act 1995 • Producer responsibility obligations (packaging waste) regulations 1997 • The Waste (England and Wales) Regulations 2011. 	✓	✓	✓	✓		
Provide on behalf of the Authority any information, which the Secretary of State may by regulation require, including through the Environmental Protection Act (1990), and comply with requirements on setting of annual targets in respect of environmental performance.	✓	✓				
Ensure compliance with the Clean Neighborhoods and Environment Act 2005 the London Local Authority Act sections relevant to street scene services.	✓	✓	✓	✓		

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Maintain the Councils' Operators "O" License and comply with the Public Passenger Vehicles Act 1981, The Transport Act 1985, The Public Service Vehicles (Operators' Licences) Regulations 1995, The Road Transport Operator Regulations 2011 Dept. Transports directives as issued	✓	✓	✓			
Maintain the Councils' Operators "O" license for the carriage of controlled waste. A duty of care exists to protect the environment and human health by making sure that waste is handled safely and only passed to people authorised to receive it.	✓	✓	✓			
Ensure within the remit of Street Scene that the Council complies with its obligations under other Legislation including but not limited to, the Data Protection Act 1998, the Equality Act 2010 and the Freedom of Information Act 2000	✓	✓	✓	✓		
Recruitment and Employment						
Authorise voluntary redundancy	✓				Advised by HR	✓
Authorise compulsory redundancy	✓				Advised by HR	✓
Sign off Establishment changes within the financial envelope	✓				Advised by HR	
Sign off Establishment changes outside the financial envelope	✓				Advised by HR	
Change a post designation within the organisation structure without any change in grade	✓				Advised by HR	
Change a post designation within the organisation structure with a change in grade	✓				Advised by HR	
Deletion of vacant posts	✓				Advised by HR	

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Decisions and Powers relating to Highways and Transportation

Decisions and powers relating to Highways and Transportation are set out in the table below within this document.

The officers within each tier of delegation are as follows:

Tier 1

Deputy Chief Executive
Director of Highways and Transportation

Tier 2

Operations Director
Assistant Director Business Operations
Heads of Service

Tier 3

Operations Manager
Highways Managers

Tier 4

Senior Engineer
Senior Inspector
Senior Coordinator
Public Rights of Way Officer
Member Liaison Officer

Tier 5

Travel Advisor
Engineer

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Inspector
Coordinator
Assistant Engineer
Graduate Engineer

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HIGHWAYS AND TRANSPORTATION

INCLUDING THE FOLLOWING LEGISLATION

Highways Act 1980
 Traffic Management Act 2004
 New Roads and Street Works Act 1991
 Road Traffic Act 1991
 Traffic Signs Regulations and General Directions 2016
 Construction (Design and Management) Regulations 2015
 Equality Act 2010
 Public Services (Social Value) Act 2012
 Town and Country Planning Act 1990
 Wildlife and Countryside Act 1981
 Countryside and Rights of Way Act 2000
 Flood and Water Management Act 2010
 Land Drainage Act 1991
 Public Health Act 1936
 Environmental Protection Act 1990
 Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996

Decision/Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Other Requirements	DPR/Officer Decision
Appointment of officers or nomination of other person to exercise powers for any legislation listed.	✓	✓					
Issue credentials and authorise in writing any officer or other person to exercise powers for any legislation listed.	✓	✓					
Authority to comply with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 i	✓	✓					

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Authority to act as a proper officer, authorised officer, inspector, traffic manager or other designation and exercise powers for legislation listed after being appropriately nominated and subject to any limitation in individual authorisation.	✓	✓	✓	✓	✓		
Enter and inspect premises and sites for compliance with legal requirements.	✓	✓	✓	✓			
Take samples, make tests, take measurements, monitor and otherwise gather evidence.	✓	✓	✓	✓	✓		
Carry out all other relevant duties conferred by this legislation.	✓	✓	✓	✓	✓		
Prepare, sign and serve notices, licences, authorisations, approvals and other documentation, including fixed penalty notices.	✓	✓	✓				
Make recommendations relating to charges, including consideration of costs incurred	✓	✓	✓				
Recommend legal proceedings.	✓	✓	✓				
Prepare and sign Section 278 agreement		✓	✓				
Prepare, authorise the making of an order for Stopping up Orders for highways and footways	✓	✓					
Authority to adopt Highways	✓	✓					
Approve charges as appropriate.	✓	✓					
Approve fines, including the issuing of FPN's.	✓	✓	✓				
Instruct HBPL to take legal proceedings subject to the relevant HBPL legal officer taking due consideration of the prevailing	✓	✓	✓				

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legal requirements and the CPS code for Prosecutors.							
Deal with disputes, objections and appeals.	✓	✓	✓				
Approve works and recovery of costs	✓	✓	✓				
Consider, agree and/or reject Permit and licence requests, including amendments and attaching conditions as deemed appropriate.	✓	✓	✓	✓			
Direct specific requirements as appropriate, including timings, locations, measures, restrictions, etc.	✓	✓	✓	✓	✓		
Prepare notices, licences and other documentation.	✓	✓	✓	✓			
Prepare reports and evidence to justify activity/compliance	✓	✓	✓	✓	✓		
Approve charges as appropriate, including any waivers.	✓	✓	✓				
Enter negotiations relating to charges and recommend charges, including any waiver of charges.	✓	✓	✓				
Consider applications and recommend approval/rejection.	✓	✓	✓	✓			
Prepare cost estimates.	✓	✓	✓	✓	✓		
Consider and agree actions relating to challenges in respect to rejected applications and licences.	✓	✓	✓	✓			
Approve levels of compensation where appropriate.	✓	✓					
Approve the recovery of costs in accordance with prepared estimates.	✓	✓					
Appointment of officers or nomination of other person to	✓	✓					

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

exercise powers for any legislation listed.							
Issue credentials and authorise in writing any officer or other person to exercise powers for any legislation listed.	✓	✓					
Authority to act as a proper officer, authorised officer, inspector, traffic manager or other designation and exercise powers for legislation listed after being appropriately nominated and subject to any limitation in individual authorisation.	✓	✓	✓	✓	✓		
Signing of traffic regulation orders	✓	✓	✓				
Keep bridge maintenance obligations	✓	✓	✓	✓			
Keep, maintain and review definitive map and statement	✓	✓	✓	✓			
Keeping sewer maps	✓	✓	✓	✓	✓		
Investigate flooding, produce flood risk plans and maps, corporate with other agencies and maintain a register of assets	✓	✓	✓	✓	✓		

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

Decision / Power	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Other requirements	DPR/Officer Decision
Enter and inspect premises and sites for compliance with legal requirements.	✓	✓	✓	✓			
Take samples, record evidence and otherwise monitor.	✓	✓	✓	✓	✓		
Prepare notices, licences and other documentation.	✓	✓	✓	✓			
Prepare reports and evidence to justify activity/compliance	✓	✓	✓	✓			
Carry out all other relevant duties conferred by this legislation.	✓	✓	✓	✓	✓		
Sign and Serve notices, warnings, licences, authorisations, approvals and other documentation.	✓	✓	✓	✓			
Approve fines, including the issuing of FPN's.	✓	✓	✓				
Authority to: Approve charges as appropriate, including any waivers.	✓	✓	✓				
Consider and agree actions relating to challenges in any respect.	✓	✓	✓				
Approve levels of compensation where appropriate.	✓	✓	✓				

* NB This scheme of delegation includes all current and/or new law including Acts of parliament, regulations, Byelaws and Orders relevant to the exercise of the powers and functions of the Council.

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

LB Barnet Scheme of Financial Delegation – Deputy Chief Executive

	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.
Virements between different Directorates (excluding contingency allocations) up to £50,000 must be approved by the relevant Chief Officers of both Directorates.

Deputy Chief Executive Scheme of Delegation including Statutory & Regulatory Duties and Powers – Updated April 2024

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

Virements between different Directorates (excluding contingency allocations) over £500,000 and up to £25m must be approved by Cabinet.

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:

- 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.