

Scheme of Delegation

SCHEME OF DELEGATION

1. INTRODUCTION

- 1.1 The need for rapid decision making and the efficient delivery of services to the public in a wide range of matters means that it is not possible for elected Councillors to become directly involved in the detail of all decisions. Accordingly it is necessary for the proper management and delivery of services to delegate decision making for many matters to officers. This document and the attached tables form the Scheme of Delegation of St Albans City and District Council and are collectively referred to as “the Scheme”.
- 1.2 The Council comprises fifty-six elected Councillors. It is a corporate body in that the Councillors collectively form the legal entity known as St Albans City and District Council. The Council as a whole mainly decides key strategic matters such as the major policy framework and approval of the annual budget. Most decision making in the Council is conducted by Service & Scrutiny Committees and regulatory activities such as planning and licensing are carried out by Regulatory Committees.
- 1.3 The Council may delegate its authority to take decisions in respect of the matters it is responsible for, not only to Committees and Sub-Committees but also to officers to undertake duties and tasks on its behalf. Individual Councillors have no decision-making powers.
- 1.4 This Scheme of Delegation should be read in conjunction with the service plans of the Council’s departments. These set out the general priorities for the Council’s activities and are agreed by the Council on an annual basis. Strategic Directors are delegated to carry out the activities described in the service plans with overview by the Council being carried out through its performance management and budget monitoring framework.
- 1.5 All delegated powers are derived from the Council. In the attached tables (unless otherwise indicated) the Scheme sets out the allocation of functions to officers. The main delegations are to the Chief Executive, Strategic Directors and officers authorised to carry out specific functions which are defined below.
- 1.6 The power to act within this Scheme of Delegation is subject to the proposed action being
 - (i) within the statutory duties or powers of the Council
 - (ii) in compliance with the Council’s Financial Regulations and other Standing Orders
 - (iii) within the Council’s established policy and budget framework
 - (iv) within the overall budgetary provision of the Service.

1.7 The Chief Executive in consultation with the relevant Chair/Vice-Chair of Committee **or in their absence** with Group Leaders, has full authority to deal with urgent business between meetings, with the provision that a special meeting may be called if it is considered necessary. Decisions taken under the urgency procedure shall be reported to the next relevant Committee/Sub-Committee for information and record.

Note

- (a) A detailed list of specific delegations to officers is maintained.
- (b) Within the Scheme of Delegation to Officers, where specific Acts or Regulations are referred to, and these Acts or Regulations have been superseded by more recent Acts or Regulations containing like provisions, the Scheme of Delegation shall have effect as if it referred to those more recent Acts or Regulations.
- (c) In relation to the day to day conduct of decision making by the Council, the Monitoring Officer's ruling on questions relating to the interpretation of the Scheme of Delegation shall be final.

STRATEGY & RESOURCES COMMITTEE

The following functions are the responsibility of the Strategy & Resources Committee:

- (a) Recommendations to Council on overall objectives, policy, priorities and budget (revenue and capital).
- (b) Monitoring of the overall budget, including consideration of supplementary estimates within set financial limits.
- (c) Advice to other Committees and officers on budget preparation.
- (d) Recommendations to Council on the level of Council Tax, Council Tax discount, housing rent levels, borrowing limits and treasury management policy and policy on discretionary rate relief.
- (e) Setting policy and strategy on any matter not specifically reserved or delegated elsewhere under the Council's policy and budget framework.
- (f) Reviewing the Council's Standing Orders and Financial Regulations and making recommendations to Council.
- (g) Appointments to and liaison with outside bodies not within the province of other Committees.
- (h) Receiving reports from the annual/bi-annual conference between the District, Town and Parish Councils.
- (i) To provide guidance to the Council in the promotion of its vision for the social, economic and environmental well-being of the City and District.
- (j) To develop partnerships with business, voluntary, public and other appropriate bodies in the furtherance of the Council's objectives.
- (k) To make recommendations to Service & Scrutiny Committees, the District Strategic Partnership, the County Health and Wellbeing Board, the Council Health Scrutiny Committee, and Government as appropriate.

1 SCHEME OF DELEGATION

Delegation means that certain responsibilities of the Council have been entrusted to individuals or other bodies to carry out on behalf of the Council. Those with delegated responsibility will be fully accountable to the Council for their actions/non-actions.

Delegation to Officers

Strategic Directors and Assistant Directors have general delegated responsibility for all operational matters (except where there are specific exceptions, budget limits) needing action to ensure the smooth day to day running of the Council and effective customer service. Where authority is delegated to Strategic Directors and Assistant Directors it will normally be exercised by Assistant Directors.

Significant decisions

There will however be some operational matters/decisions where the officers are aware that there is a high public profile or significant political dimension. These would include previous representations by one or more Ward Councillors, residents' organisations or amenity organisations or evidence of strongly-diverging points of view on previous occasions or in relation to previous proposals. In these cases, the Strategic Director must consult the relevant Committee Chair or Lead Councillor(s) and Ward Councillors (where area specific). Following consultation, the relevant officer may decide to action under delegated authority, formally recording their decision as significant, the reasons for the decision and the relevant consultations or they may decline delegation and refer the decision to a higher decision-making body, i.e. the relevant Committee.

Where a decision is the operational responsibility of a Strategic Director, the Strategic Director should consult with the Monitoring Officer where it is unclear whether the decision is significant or not.

Ward Councillors

Under the Scheme of Delegation officers have a duty to keep Ward Councillors informed of matters relating to their area. If a matter has local significance, but no general significance for the Council, the officer shall inform or consult, as appropriate, the local Councillors and proceed.

Consultation

Consultation with Councillors will ideally be in writing (e-mail) and must allow sufficient time for Councillors to reply. The time for consultation will normally be at least two clear days. This may vary depending on the urgency of decision to be taken. The named officer to whom powers are delegated has a personal responsibility to ensure that they consult as appropriate with Councillors, and to consider the corporate implication of any action, before taking action under these delegated powers.

Declining delegation of operational decisions

An officer may decline to exercise delegated powers and instead refer a decision to the appropriate Committee. Senior officers of the Council however are generally expected to take decisions which are commensurate with their level of responsibility within the organisation and therefore the number of times delegation is declined is expected to be low.

Extent of delegated powers to officers

Where an officer is referred to within this Scheme they may at their own discretion authorise another named officer to act on their behalf. Any authorisation to another named officer will be formally recorded in a Departmental Register of Delegated Powers and that named officer shall have the power to act for the purposes of these delegated matters as if they were the officer to whom the delegation was made within this Scheme.

Recording of significant decisions under delegated powers

All 'significant' decisions will be recorded in a form prescribed by the Monitoring Officer. The record will state the basis, reasons, options considered and consultees for each decision. Decision makers will be personally responsible for ensuring this information is recorded in the Register of Significant decisions (originals to be held with Democratic Services), within two working days of the decision being made.

Virement

All delegation is subject to the Council's virement rules which can be found within the Council's Financial Procedures. All virements should be formally recorded in a form prescribed by the Section 151 Officer.

The Strategic Director / Assistant Director/Service Manager box lists which officer is specifically responsible for that matter.

Note: A copy of the form to be used for recording all significant decisions taken by officers, including decisions involving virement and decisions taken under the urgency procedure, is set out on pages G8-G9 below.

Key

1. CEX – Chief Executive
2. HoPS – Head of Paid Service
3. SD – Strategic Director
4. MO – Monitoring Officer
5. S151 – Section 151 Officer
6. DCBCS – Director of Customer, Business and Corporate Support
7. DCPD – Director of Community and Place Delivery
8. TSPM – Tenancy Services and Performance Manager
9. SHM – Strategic Housing Manager
10. AM – Asset Manager Housing
11. RO – Returning Officer
12. ERO – Electoral Registration Officer
13. ADH – Assistant Director - Housing
14. ADBE – Assistant Director – Built Environment
15. ADPR – Assistant Director – Public Realm
16. ATHCM - Arts, Tourism, Heritage and Culture Manager
17. DM - Development Manager
18. SPM – Spatial Planning Manager
19. ADR – Assistant Director – Regulatory and Compliance
20. HoLSS – Head of Legal Shared Services
21. SRTL – Solicitor – Regulatory Team Leader
22. EHM L Environmental Health Manager (Licensing)
23. S&PM Strategy & Policy Manager

ST ALBANS CITY AND DISTRICT COUNCIL

DECISION REGISTER

Committee (s) decision relates to:						
Name of decision maker:		Signature of decision maker:				
Date of decision:						
Type of decision (<i>please tick</i>)	Significant		Virement		Other	
Scheme of delegation reference under which decision is taken:						
Has this decision drawn upon confidential information? (If yes – please set out what confidential information has been taken into account on a separate sheet)			Yes / No			
<p>DECISION (<i>Note this should be written in the style of a Committee minute and should not include confidential information</i>):</p> <p>In arriving at my decision I have properly and thoroughly taken into account the legal, financial and workforce implications for the Council. My decision is within the Council's policy and budget framework and complies with the regulations and procedures set out in the Constitution. I have explicitly considered the Council's corporate objectives in arriving at my decision. In coming to my decision I have consulted with all relevant parties as appropriate and in accordance with the scheme of delegation.</p>						

REASON/S FOR THE DECISION

The basis for this decision is ...

This should include a short opening summary of the reason for the decision. This is likely to be supported by additional narrative. Supporting and background information should not be directly replicated. These should be fully cross referenced at the end of the report under background papers – Local Government (Access to Information Act 1985)

OTHER OPTIONS CONSIDERED:

REASONS FOR REJECTING THESE OPTIONS

- 1.
- 2.
- 3.

CONSULTEES

In making this decision, I have consulted the following people:

Name and Signature	Position	Date of consultation	Outcome of consultation (may cross reference to supplementary/backg round sheets)

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985

Bibliography	Custodian	File location

Confidential information under paragraph (*insert number*) of **Part 1 of Schedule 12A** to the Local Government Act 1972 (as amended) was taken into account in reaching this decision, as included on a separate summary sheet supplied with this decision sheet but not available to the public.

TABLE OF DELEGATED FUNCTIONS

Ref	CHIEF EXECUTIVE/HEAD OF PAID SERVICE	Comment
HoPS1	Full authority in consultation with the Chair of the Committee and Group Leaders to deal with urgent business between Committee meetings, with the provision that the Chair may call a special meeting if he considers it necessary. (Note: Where the urgent business related to a decision concerning the approved amount for a capital scheme under paragraph 5.5 of the Capital Projects Protocol, the Strategy & Resources Committee will be consulted.)	
HoPS2	Power to make payments or provide other benefits in cases of maladministration.	
HoPS3	In the absence of the Monitoring Officer, to act as “qualified person” for the purposes of Section 36 of the Freedom of Information Act 2000.	
HoPS4	Authority to determine whether to approve or refuse request for the display or use of the District Armorial Bearings, in consultation with the Mayor.	
HoPS5	Authority to represent the Council on partnership and external bodies (where Councillor representation is not required).	
HoPS6	Overall responsibility for ensuring that the Council’s responsibilities under the Equality Act 2010 are adhered to in the provisions of services and the employment of staff.	

Employment Procedure Rules in the Constitution

Employment Procedure Rules – pages Q1-Q5 of the Constitution	Functions incorporated into the Officer Employment Procedure Rules, which are compliant with the Local Authority Standing Order (England) Regulations 2001. These provisions stipulate that the appointment and dismissal and the taking of disciplinary action against members of staff must be discharged on behalf of the authority by CEX or his/her nominee. (These functions do not extend to the Chief Executive, Monitoring Officer, Section 151 Officer and Strategic Directors which are dealt with by the Employment Committee).	To be retained within the remit of CEX
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Ref	STRATEGIC DIRECTORS/ASSISTANT DIRECTORS OR, IN THEIR ABSENCE, THE CHIEF EXECUTIVE	Comment
SD1	Authorisation of expenditure in accordance with Council, or Committee decision or in other cases within the Council’s estimates where the expenditure does not require a further executive decision.	
SD2	Responding to consultation papers on matters which are routine and do not have significant political implications. All major consultation documents to be sent to relevant Committee Chair as matter of course.	Consulting with Ctte Chair/Vice-Chair as appropriate.
SD3	Appointment of staff below Strategic Director/Assistant Director level; similarly, suspension for misconduct and termination of employees’ contracts of employment within the departmental structure.	
SD4	Disposal of surplus equipment and materials subject to Financial Regulations.	
SD5	Authority to make decisions to refuse applications for licences, consents etc where approval or refusal depends on the requisite specific conditions being fulfilled.	

Ref	STRATEGIC DIRECTORS/ASSISTANT DIRECTORS OR, IN THEIR ABSENCE, THE CHIEF EXECUTIVE	Comment
SD6	Authority to accept reasonable variation in contracts and orders where such variations are based on recognised 'rise and fall' clauses.	
SD7	Authorisation of works of general maintenance which are within the budgeted estimates.	
SD8	Authorisation for overtime.	
SD9	Employment of casual labour urgently needed.	
SD10	Service responsibility for ensuring the health and safety of staff and ensuring adherence to safe practices in the provision of services.	
SD11	Service responsibility for ensuring the Council meets its responsibilities under the Equality Act 2010 in the provision of services and the employment of staff.	
SD12	Dealing with grievances, within existing policy, from staff within their own Service, consulting with the Director of Customer, Business and Corporate Support as appropriate.	
SD13	Ensuring that all staff receive appropriate training and development, within existing policies, to enable them to carry out their job effectively and safely.	
SD14	Authorisation of attendance on courses, seminars and meetings within budget, consulting the Director of Customer, Business and Corporate Support as appropriate.	
SD15	Approval of leave e.g. annual, special, in line with current policy.	
SD16	Recording, monitoring and control of sickness absence in line with Council policy and best practice.	
SD17	Service responsibility for maintaining an appropriate framework and environment conducive to maintaining positive employee relations. In consultation with the Director of Customer, Business and Corporate Support, day to day employee relations and consultation with staff and recognised trade union in relation to Service matters.	
SD18	Authority to set charges subject to consultation with Committee Chair/Vice Chair of relevant Service & Scrutiny Committee in accordance with Financial Regulation 4.30	
SD19	Authority for the Director of Customer, Business and Corporate Support or his or her nominee, in consultation with the Chairs or Vice-Chairs of the Strategy & Resources Committee and the Planning Policy & Climate Committee be authorised to approve applications for funding from S106 employment related funds up to £25,000.	
SD20	For the Director of Community and Place Delivery, overall responsibility for ensuring that the Council maintains safe working conditions and safe practices in the provision of its services.	
SD21	To contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under Section 70 of the Deregulation and Contracting Out Act 1994 or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles.	
SD22	Authority to approve the settlement of claims against the Council. (Chair of relevant Committee to be consulted where the claim, including legal costs, is for greater than £25,000 and the outcome to be reported to that Committee.)	

Ref	<u>ALL STAFF</u>		
S1	Responsibility for personally adhering to the Council's responsibilities under the Equality Act 2010 and taking appropriate action to prevent inappropriate discrimination in the delivery of service and as an employee.		
S2	Responsibility for adhering to the Council's policies and procedures and for personally ensuring their own safety and the safety of others.		

1. **PLANNING FUNCTION**

1.1 Ref	GENERAL – PLANNING	Service & Scrutiny Committee	Strategic Director/Assistant Director/Service Manager
1.1.1	Recommendations on overall town and country planning policy, including the preparation of the Authorities Local Development Scheme and related documents.		DCPD/Spatial Planning Manager
1.1.2	Planning studies, briefs etc on policy detail.		DCPD/Spatial Planning Manager
1.1.3	Protection of areas and buildings of architectural or historic interest and environmental enhancement (including designation of conservation areas, listed building repairs notices and tree preservation).		DCPD/Development Manager
1.1.4	To monitor the progress of the Council's Tree Strategy, which aims to provide long term planning to ensure that trees are maintained and replanted so that they continue to play an important role in the environment for future generations.		DCPD/ADPR
1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assistant Director/Service Manager
1.2.1	Determination of grant applications under Sections 57 and 58 of the Planning (Listed Buildings and Conservation Areas) Act 1990, subject to report to the Committee on any action taken.		DCPD/Development Manager
1.2.2	Provision of supplementary planning guidance.	Planning Policy & Climate Committee	

1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
1.2.3	Designation of conservation areas/identification of locally listed buildings for inclusion in local list.	Planning Policy & Climate Committee	Where no significant objections have been received and the officer recommendation is for approval
1.2.4	Designation of areas of archaeological importance and nature reserves.	Planning Policy & Climate Committee	Where no significant objections have been received and the officer recommendation is for approval
1.2.5	Approval of Article 4 Directions.	Planning Policy & Climate Committee	Where no significant objections have been received and the officer recommendation is for approval
1.2.6	Compulsory purchase orders.	Strategy & Resources Committee	
1.2.7	Authority to deal with and determine Building Regulation applications and relaxations or dispensations from Building Regulations under the Building Act 1984.		DCPD/Development Manager
1.2.8	Power to serve notices pursuant to Regulation 14 (6) of the Building Regulations 1991 (as amended), to require the cutting into, laying open or pulling down so much of the work within a reasonable time to ascertain whether any of the Regulations have been contravened.		DCPD/Development Manager
1.2.9	Authority to respond to consultations received in connection with the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994.		DCPD/Development Manager
1.2.10	Authority, in consultation with the Section 151 Officer, to set and fix the level of Building Control charges utilising the LGA Model Fee Scheme.		DCPD/Development Manager
1.2.11	Determination of applications under Section 17 of the Land Compensation Act 1961 for Certificates of Appropriate Alternative Development.		DCPD/Development Manager
1.2.12	To respond to consultations from adjoining Local Planning Authorities on development proposals within their area of a minor nature.		DCPD/Development Manager

1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
1.2.13	Authority to determine applications for “prior approval” in accordance with Schedule Two of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and any order re-enacting or revoking that Order.		DCPD/Development Manager
1.2.14	Authority, in consultation with the Head of Legal Shared Services, to issue planning contravention notices where appropriate in accordance with Sections 171C and 171D of the Town and Country Planning Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.15	Authority to make decisions, in consultation with the Head of Legal Shared Service on applications in respect of Certificates of lawfulness of existing use or development, and Certificates of lawfulness of proposed use or development.		DCPD/Development Manager
1.2.16	Determination of applications for development in accordance with the protocol set out at Appendix 1.		DCPD/Development Manager
1.2.17	Service of Notices under Section 330 of the Town and Country Planning Act 1990, requiring the giving of information as to the ownership of, and other interests in, land or premises.		Planning Enforcement Manager (Watford Borough Council)
1.2.18	The determination of applications made under Section 192 of the Town and Country Planning Act 1990, for a Certificate as to the established Use of Land.		DCPD/Development Manager
1.2.19	Authority to issue a Temporary Stop Notice under Section 171E of the Town and Country Planning Act 1990, in consultation with the Chair of Planning Policy & Climate Committee.		Planning Enforcement Manager (Watford Borough Council)
1.2.20	The service, in terms of Article 4(2) of the Town and Country Planning General Development Management Procedure Order 2010 and Regulation 4(a) of the Town and Country Planning (Applications) Regulations 1988 (as amended), and by any Order or Regulations revoking or re-enacting that Order or Regulation,		DCPD/Development Manager

1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
	of Notices requiring further information for the purposes of arriving at a decision in respect of an application for outline permission for the erection of a building or buildings.		
1.2.21	Determination of details pursuant to conditions attached to the grant of permissions and consents.		DCPD/Develop ment Manager
1.2.22	Authority to issue Fire Safety Completion Certificates in appropriate cases and in accordance with the Building Regulations 1991 and the Fire Precautions Act 1971.		DCPD/Develop ment Manager
1.2.23	Authority, in consultation with the Head of Legal Shared Service to issue Breach of Condition Notices where considered appropriate in accordance with Part I, Section 2 of the Planning and Compensation Act 1991.		Planning Enforcement Manager (Watford Borough Council)
1.2.24	Authority to issue Enforcement Notices under Section 172 of the Town and Country Planning Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.25	Authority to issue Notices in respect of replacement trees under Section 207 of the Town and Country Planning Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.26	Authority to issue Maintenance of Land Notices under Section 215 of the Town and Country Planning Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.27	Authority to issue Discontinuance Notices under Regulation 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.		Planning Enforcement

1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
			Manager (Watford Borough Council)
1.2.28	Authority to issue Building Preservation Notices under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.29	Authority to issue Listed Building Enforcement Notices and Conservation Area Enforcement Notices under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.30	Authority to issue Notices requiring urgent works to preserve unoccupied Listed Buildings under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.31	Authority to issue Notices requiring urgent works to preserve unoccupied buildings in Conservation Areas under Section 76 of the Planning (Listed Buildings and Conservation Areas) Act 1990.		Planning Enforcement Manager (Watford Borough Council)
1.2.32	Authority to issue Notices under the Building Act 1984.		DCPD/Develop ment Manager/ADR

1.2 Ref	SPECIFIC – PLANNING	Service & Scrutiny Committee	Strategic Director/Assistant Director/Service Manager
1.2.33	Authority to serve Notices in respect of Tree Preservation Orders under Part VIII of the Town and Country Planning Act 1990.		DCPD/Development Manager
1.2.34	Authority to confirm unopposed Tree Preservation Orders after conclusion of the 28 day consultation period, including the revocation of any Order(s) and any minor correction of fact (e.g. Road for Avenue).		DCPD/Development Manager
1.2.35	Authority to deal with applications and appeals in relation to consent for protected trees under the Town and Country Planning Act 1990.		DCPD/Development Manager
1.2.36	Matters in connection with Public Relations		DCPD
1.2.37	To prepare, regularly update, publish and consult on a draft 'Brownfield Land Register' (Parts 1 and 2) and to approve Part 1 only, under the Town and Country Planning Act 1990 and Planning and Compulsory Purchase Act 2004.		DCPD/Spatial Planning Manager
1.2.38	Matters affecting Unauthorised Encampments		DCPD/Development Manager
1.2.39	Street naming and numbering, after consultation with the Parish Council, where appropriate, and Ward representatives.		DCPD/Development Manager
1.2.4	Authority to respond to consultations under s62A Town and Country Planning Act 1990		DCPD; Development Manager

2. CLIMATE, ENVIRONMENT AND TRANSPORT FUNCTION

2.1 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Promotion of Environmental Sustainability of Council Services and Organisation	Service & Scrutiny Committee	Strategic Director/Assistant Director
2.1.1	The promotion of environmental sustainability of Council services and organisation (including work on carbon emissions) through the Environmental Management and Audit Scheme for Local Government.		DCBCS/ ADBE
2.1.2	Overseeing the monitoring and policy formulation in relation to the overall Environmental System.	Planning Policy & Climate Committee	DCBCS/ ADBE
2.1.3	Consider the significance of environmental issues for the authority, including new and potential legislation and reports on local, national and global environmental topics.		DCPD/ADCRS
2.1.4	Initiate proposals for the new environmental activities to be implemented by the authority and the review of current initiatives.		DCBCS/ ADBE

2.1 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Promotion of Environmental Sustainability of Council Services and Organisation	Service & Scrutiny Committee	Strategic Director/Assistant Director
2.1.5	To consider and approve policies, programmes and audit reports relating to the environment and sustainability.	Planning Policy & Climate Committee	DCBCS/ADBE
2.2 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Waste collection, recycling and cleaning	Service & Scrutiny Committee	Strategic Director/Assistant Director
2.2.1	Refuse and recycling collections, street and other environmental cleansing.		DCPD/ADPR
2.2.2	The protection and enhancement of the environment of the City and District, including matters related to sustainability.		DCPD
2.2.3	Responsibility for receiving consultation documents and carrying out all necessary internal procedures regarding any applications received by the Waste Disposal Authority and submitted to the District Council for consideration.		DCPD/ADPR
2.3 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Health and safety	Service & Scrutiny Committee	Strategic Director/Assistant Director
2.3.1	The protection and enhancement of the environment of the City and District, including matters related to air quality, defective drainage and environmental pollution.		DCPD/ADR
2.3.2	Authority to act on behalf of the Council in respect of the Land Drainage Act 1991 and the Flood and Water Management Act 2010.		DCPD

2.4 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Various	Service & Scrutiny Committee	Strategic Director/Assist ant Director
2.4.1	The exercise of the Council's powers and duties found in Part IIA of the Environmental Protection Act 1990 relating to contaminated land.		DCPD/ADR
2.4.2	The exercise of the provisions set out in the Clean Neighbourhoods and Environment Act 2005		DCPD/ADR
2.4.3	To take the lead on investigation of and enforcement action against fly tipping. General Enforcement Officers, Environmental Compliance Officers and Environmental and Business Compliance Managers will be authorised to serve Fixed Penalty Notices, under The Environmental Protection Act 1990 (as amended), following consultation and approval from an officer senior to them. General Enforcement Officers, Business Compliance Officers and Environmental Compliance Officers are authorised to serve Fixed Penalty Notices under The Littering From Vehicles outside London (Keepers: Civil Penalties) Regulations 2018. General Enforcement Officers, Business Compliance Officers and Environmental Compliance Officers are authorised to sign Abatement Notices under section 80 of the Environmental Protection Act 1990.		DCPD/ADR
2.4.4	Authority to determine chimney heights under the Clean Air legislation.		DCPD/ADR
2.4.5	Authority to remove abandoned vehicles obstructing the public highway under Section 3(5) and 4(1) of the Refuse Disposal (Amenity) Act 1978, and under Sections 99-103 of the Road Traffic Regulation Act 1984.		DCPD/ADR/AD PR
2.4.6	Community Leadership, including the Community Strategy and relations with the Local Strategic Partnership.	Strategy & Resources Committee	
2.4.7	To take the lead in relations with Hertfordshire County Council, Town and Parish Councils and other public sector bodies.	Strategy & Resources Committee	
2.4.8	Enterprise Zone Programme Board		DCPD
2.4.9	To be responsible for car parking policy, maintenance and charges, including penalty charges, relating to the District.		DCPD/ADR
2.4.10	Matters relating to the needs of residents for parking in the District and the needs of visitors and workers within the District, including, in consultation with the Chair of Public Realm Committee and in accordance with the Road Traffic Act 1991 (Traffic Management Act 2004 Part VI from 31 March 2008), making changes to parking restrictions.		DCPD/ADR

2.4 Ref	GENERAL – CLIMATE, ENVIRONMENT AND TRANSPORT Various	Service & Scrutiny Committee	Strategic Director/Assistant Director
2.4.11	Authority to act in all respects for the Council under the current Off Street Parking Places Order including the initiation of legal proceedings. Authority to make any changes to the Order in consultation with the Chair of the Public Realm Committee		DCPD/ADR/ DCPD/ADR In consultation with the Chair of the Public Realm Committee

3. **LEISURE, HERITAGE AND PUBLIC REALM FUNCTION**

3.1 Ref	GENERAL – LEISURE, HERITAGE AND PUBLIC REALM Museums	Service & Scrutiny Committee	Strategic Director/Assistant Director
3.1.1	To collect and preserve the cultural and natural artefacts of the City and District and to provide public access to these.		DCPD/ATHCM
3.1.2	To formulate and implement policies for the preservation and enhancement of the local heritage and environment.		DCPD/ATHCM
3.1.3	To attract support from the National Lottery, the private sector, Government grant-aid and other forms of income generation.		DCPD/ATHCM
3.1.4	Authority to dispose of museums items not relevant or surplus to the City and District Council's requirements.		DCPD/ATHCM
3.2 Ref	GENERAL – LEISURE, HERITAGE AND PUBLIC REALM Arts	Service & Scrutiny Committee	Strategic Director/Assistant Director
3.2.1	Authority to approve grant applications up to a sum of £2,000.00 in relation to the Small Arts Grants Scheme, subject to the submission of periodic reports listing the approved applications.		DCPD/ATHCM
3.2.2	To ensure good quality and affordable theatre and cinema facilities throughout the City and District.		DCPD/ADPR
3.3 Ref	GENERAL – LEISURE, HERITAGE AND PUBLIC REALM Leisure	Service & Scrutiny Committee	Strategic Director
3.3.1	To ensure good quality and affordable leisure, sporting and cultural facilities throughout the City and District, so as to improve the quality of life and health of the local community.		DCPD/ADPR

3.3 Ref	GENERAL – LEISURE, HERITAGE AND PUBLIC REALM Leisure	Service & Scrutiny Committee	Strategic Director
3.3.2	To consult with and inform residents and visitors about the District's leisure facilities, activities and events, using all appropriate means.		DCPD/ADPR
3.3.3	To respond to identified needs and form appropriate partnerships, to develop new and enhance existing facilities and services.		DCPD/ADPR
3.3.4	To specify, let, manage and monitor the Council's leisure contracts to ensure that a continued level of effective management and high quality of service is provided.		DCPD/ADPR
3.3.5	To enable opportunities for children and young people to enjoy safe and formal yet unsupervised play, with appropriate equipment in reasonable proximity to their homes.		DCPD/ADPR
3.3.6	Authority to take decisions on the use of accommodation where precedent has been established.		DCPD/ADPR
3.3.7	Authority to act, where appropriate, as the Supervising Officer for the "Contract for Management of Leisure Related Facilities and Services".		DCPD/ADPR
3.3.8	Authority to agree level of charges for leisure and arts facilities in consultation with the Chair of Public Realm Committee.		DCPD/ADPR
3.3.9	In consultation with the Vice Chair of Housing and Inclusion Committee, fostering mechanisms for involving and consulting with the youth of the District.		DCPD
3.4	GENERAL – LEISURE, HERITAGE AND PUBLIC REALM Various	Service & Scrutiny Committee	Strategic Director
3.4.1	To maintain and improve the environment through the provision, sympathetic maintenance and enhancement of parks, gardens, allotments and open spaces, and in particular to encourage the creation, protection, preservation and conservation of wildlife habitats.		DCPD/ADPR
3.4.2	Authority to act in all matters relating to the management of allotments.		DCPD/ADPR
3.4.3	To establish or review appropriate forums for the organisation and management of areas of public open space.	Public Realm Committee	
3.4.4	To specify, let, manage and monitor the Council's grounds maintenance contracts and waste (etc) contract to ensure that a continued level of effective management and high quality of service is provided.		DCPD/ADPR
3.4.5	Authority to act, where appropriate, as the Supervising Officer for both the "Contract for the provision of Grounds Maintenance Services" and the "Contract for Refuse Collection, Recycling, Street Cleaning & management of the materials recycling facility".		DCPD/ADPR
3.4.6	Provision of finance and District Council representation on the Bricket Wood Common Management Committee and the Nomansland Common Management Committee.	Public Realm Committee	
3.4.7	To ensure the management, provision, upkeep, maintenance and continual improvement of Council cemeteries throughout the City and District.		DCPD/ADPR

3.4.8	Section 106 delivery		DCPD/ADPR/ADR
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4 **HOUSING, INCLUSION AND PROTECTION FUNCTION**

4.1 Ref	GENERAL – HOUSING, INCLUSION AND PROTECTION	Service & Scrutiny Committee	Strategic Director/Assistant Director/Service Manager
4.1.1	All matters relating to the occupation of individual Council-owned properties, including special hardship situations.		DCPD ADH
4.1.2	Activities in the private housing sector, including houses in multiple occupation, unfit housing, mobile home sites, empty properties and improvement areas.		SHM ADH
4.1.3	To establish effective forums for liaison with other housing and voluntary organisations such as Housing and Residents Associations.		DCPD ADH
4.1.4	To consider and advise upon matters of general interest to all tenants relating to the management and maintenance of the Council's housing stock within the District.		DCPD ADH
4.1.5	To seek the views of tenants on new proposals for modernisation, improvement, repair, development and management of the Council's housing stock wherever possible before final decisions are made.		DCPD ADH AM SHM
4.1.6	To generally encourage tenant involvement in the running of the Council's housing estates.		DCPD ADH TSPM
4.1.7	To consider and advise upon matters of general interest to all tenants relating to the management of the Council's mobile home sites.		DCPD ADH SHM
4.1.8	To seek the views of tenant representatives concerning the management, repair, improvement and development of mobile home sites prior to decisions being taken.		DCPD ADH SHM
4.1.9	To generally encourage tenant involvement in the running of the Council's mobile home sites.		DCPD ADH SHM

4.1 Ref	GENERAL – HOUSING, INCLUSION AND PROTECTION	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
4.1.10	Approval of future Homelessness Strategies.	Housing and Inclusion Committee	
4.1.11	To monitor, liaise with and make representations to the statutory providers of primary and hospital health services on behalf of the Council.		/DCPD
4.1.12	To consult with and encourage good communication with the providers of health services within or used by the District regarding proposed changes to health care provision, strategies or services, in order to ensure the highest practicable standards of health are achieved throughout the District.		DCPD/
4.1.13	To work in partnership with statutory and voluntary organisations providing health services in the District and undertake joint initiatives.		/DCPD
4.1.14	To receive reports in the event of public health emergencies or outbreaks in relation to matters such as notifiable diseases and to make appropriate recommendations or take such action as may be within the Council's powers.		/DCPD
4.1.15	To undertake an audit of Services provided by the District Council to assess their impact on the public and private health of the local community.		/DCPD
4.1.16	To exercise responsibility for the Council's functions relating to health promotion and projects, including the development of appropriate consortium bids.		CEX
4.2 Ref	SPECIFIC – HOUSING, INCLUSION AND PROTECTION	Service Scrutiny Committee	& Strategic Director/Assist ant Director
4.2.1	All matters pertaining to rent collection.		DCPD ADH TSPM
4.2.2	<p>Allocation of houses within the Council's policy.</p> <ul style="list-style-type: none"> • Management matters including the approval of applications to take in lodgers, for mutual exchanges and transfers and for the approval of installation of equipment in Council dwellings; • Minor changes, not requiring consultation; • Changes caused by new legislation, to be included within the Housing Allocations Policy to be made by the Director of Community and Place Delivery in consultation with the Chair of Housing and Inclusion Committee; • Major changes, requiring consultation, to be approved by Housing and Inclusion Committee. 		DCPD ADH SHM

4.2 Ref	SPECIFIC – HOUSING, INCLUSION AND PROTECTION	Service Scrutiny Committee	& Strategic Director/Assistant Director
4.2.3	Authority to authorise the service of a Notice to Quit and Notices of Seeking Possession in accordance with the Council's policy.		ADH TSPM
4.2.4	Authority to deal with matters relating to garages, parking spaces and caravan standards and to approve tenants' applications for the erection of outbuildings within the curtilage of Council properties.		DCPD ADH SHM AM TSPM
4.2.5	Authority to deal with applications for alterations to property for disabled tenants in accordance with the Code of Practice agreed with the Hertfordshire County Council.		DCPD ADH AM
4.2.6	The management of Council house properties within the approved estimates.		DCPD ADH
4.2.7	Discussion with tenants on management, maintenance and development of Council Estates.		DCPD ADH
4.2.8	Authority regarding the service of Notices under the Housing Act 1985.		TSPM
4.2.9	Authority to seek permission for the carrying out of development under Regulations 3 and 4 of the Town and Country Planning General Regulations 1992 in respect of alterations or extensions to existing Council houses and flats.		DCPD ADH AM
4.2.10	Authority to enter into Nomination Agreements with Housing Associations where the Council has no direct involvement in the development and providing the Agreement in any individual case is no lower than the minimum required by the Homes and Communities Agency at the appropriate time.		DCPD ADH SHM
4.2.11	Subject to the Chair of the Housing and Inclusion Committee being given 5 working days' notice, authority to authorise evictions.		DCPD ADH TSPM
4.2.12	Approval and refusal of improvement, intermediate, repairs and special grant applications, subject to statistics being periodically reported to the Housing and Inclusion Committee and the Chair of that Committee, and subject to conditions there laid down.		DCPD ADH AM
4.2.13	Authority to determine Orders made under Section 264 of the Housing Act 1985, in consultation with the Chair of the Housing and Inclusion Committee.		DCPD ADH
4.2.14	Authority to revoke a Direction made under Section 354 of the Housing Act 1985.		DCPD ADH
4.2.15	Authority regarding the service of Notices under the Housing Acts 1985 and 2004.		DCPD ADH
4.2.16	Authority to carry out work in default in the event of non-compliance.		DCPD ADH

4.2 Ref	SPECIFIC – HOUSING, INCLUSION AND PROTECTION	Service Scrutiny Committee	& Strategic Director/Assist ant Director
			AM
4.2.17	In relation to improvement grants: (a) The award of an additional 15% grant in cases of hardship; (b) The approval of second applications; (c) The recovery of grant monies in the event of: i) Failure to complete works. ii) Breach of grant conditions.		DCPD ADH SHM
4.2.18	Authority to administer Home Repairs Assistance Grants under Part 1 of the Housing Grants, Construction and Regeneration Act 1996, acting in accordance with advice issued from time to time by the Secretary of State.		DCPD ADH SHM

4.2 Ref	SPECIFIC – HOUSING, INCLUSION AND PROTECTION	Service Scrutiny Committee	& Strategic Director/Assist ant Director
4.2.19	Authority to administer the House Renovation Grant Scheme under Part 1 of the Housing Grants, Construction and Regeneration Act 1996, and to initiate legal proceedings for recovery of grant monies and in cases of breaches of grant conditions, subject to the Solicitor to the Council being satisfied as to the evidence, and acting in accordance with advice issued from time to time by the Secretary for State.		DCPD ADH SHM
4.2.20	Approval of Housing Act advances.		DCPD ADH
4.2.21	Matters in connection with Housing Strategy, including social and affordable housing, namely: - to keep under review the housing needs of the District and advise the Council on ways of meeting those needs; - all aspects of housing (including residential caravan sites) provision and management, including revenue and capital investment programmes; - to ensure formal mechanisms are in place for consulting with tenants about housing management issues that concern all or a significant number of tenants; - to provide a line of communication with the Council for Housing Associations who are actively working in the District to facilitate discussion of housing issues of relevance to Associations generally and to enable views and recommendations to be forwarded to the relevant decision maker; - to provide a line of communication with the Council for Network organisations who are active in the District to encourage the active participation of Network organisations in meeting the District's housing needs and to discuss housing issues of local concern and make appropriate representations and recommendations to the relevant decision maker;		DCPD ADH DCPD ADH DCPD ADH DCPD ADH

4.2 Ref	SPECIFIC – HOUSING, INCLUSION AND PROTECTION	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
	<ul style="list-style-type: none"> - Supporting asylum seekers and refugees in accordance with Government Relocation Programmes; - to enter into grant agreements with the Homes and Communities Agency (or any successor body). 			DCPD ADH DCPD DCPD in consultation with Chair of the Housing and Inclusion Committee
	Matters in connection with			
4.2.22	- Housing and Council Tax Benefits			DCBCS
4.2.23	- Benefit Fraud Investigation			DCBCS
4.2.24	Community protection, including Closed Circuit Television (CCTV)			DSPT
4.2.25	Property and asset maintenance (housing assets only)			DCPD ADH
4.2.26	Matters relating to private caravan/mobile home sites under the Caravan Sites and Control of Development Act 1960, Caravan Sites Act 1968 & Mobile Homes Act 2013.			DCPD ADH SHM
4.2.27	Authority to reduce or waive fees and charges paid by owners claiming dogs seized by the Council under the Environmental Protection Act 1990, if considered reasonable to do so.			S151
4.2.28	Authority to issue civil penalty notices in respect of offences under the Housing Acts and penalty charge notices under Smoke and Carbon Monoxide Regulations.			SHM
4.3 Ref	GENERAL – HOUSING, INCLUSION AND PROTECTION Inclusion and Equalities	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
4.3.1	Formulation of equality policies for ratification by the Housing & Inclusion Committee required by the Equality Act 2010.			DCPD
4.3.2	To formulate, establish, monitor, review and promote all the Council's equality policies on a regular basis.			S&PM
4.3.3	To determine and implement the indicators to be used for monitoring and reviewing of the outcomes of all the Council's activities against the equality policies.			S&PM

4.3 Ref	GENERAL – HOUSING, INCLUSION AND PROTECTION Inclusion and Equalities	Service Scrutiny Committee	& Strategic Director/Assist ant Director
4.3.4	To monitor and review if necessary in consultation with the Chair of Strategy & Resources Committee the functioning of the grievance and complaints procedures insofar as the equality issues are concerned.		DCBCS
4.3.5	To exercise, promote and perform all powers and duties of the Council in relation to all matters concerned with its equal opportunity employment policies.		S&PM
4.3.6	To assist effective communications between the Council on the one hand and on the other interested groups, and individuals representing women, people with disabilities, and ethnic minorities, and other recognised disadvantaged groups within the District.		S&PM
4.3.7	To ensure equality of access to the facilities being provided by the Council to all disadvantaged groups, wherever reasonably practicable.		S&PM
4.3.8	To formulate, guide and keep under regular review by reference to establish performance indicators, the Council's strategies and policies in relation to the achievement of equality as required by the Equality Act 2010.		S&PM, Where major, in consultation with the Chair of Strategy & Resources Committee
4.3.9	To encourage positive race relations.		S&PM
4.3.10.	To vary Conditions of Service or employment procedures where necessary, to reflect the requirements of the Council's responsibilities under the Equality Act 2010.		DCBCS
4.3.11	To benefit from research carried out elsewhere into the needs of <ul style="list-style-type: none"> – women – people with disabilities – ethnic minorities within the District and to consider ways and means in which they can be met to create an environment which is conducive to continuous harmonious relations between all sections of the community. 		S&PM

5. BUSINESS, TOURISM AND CULTURE FUNCTION

5.1 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE	Service Scrutiny Committee	& Strategic Director/Assistant Director/Service Manager
5.1.1	Authority to approve applications for the use of the Town Hall Square in consultation with the Vice-Chair of Strategy & Resources Committee as appropriate on the basis that the conditions applying to the Civic Square be similarly applied.		DCPD/ ADPR
5.1.2	Authority to approve applications for the use of public areas for the purposes of filming and related activities.		DCPD/ADPR/ ADBE
5.1.3	Management of Visitor Information Centre.		DCPD
	Matters in connection with:		
5.1.4	- Community Safety		S&PM
5.1.5	- Crime and Disorder		S&PM
5.1.6	All decisions required to be taken under the Anti-Social Behaviour, Crime and Policing Act 2014, including approval of Public Space Protection Orders and Community Protection Notices, to be delegated to the Chief Executive in consultation with the Chair of the Housing and Inclusion Committee. The ability to authorise officers in the Community Safety team to issue Fixed Penalty Notices (FPNs) in accordance with Public Space Protection Orders and Community Protection Orders to be delegated to the Chief Executive. The ability to authorise officers in the Community Safety team and designated Principal Officers in the Housing team to issue Community Protection Notices (CPNs) and Fixed Penalty Notices (FPNs) in accordance with CPNs to be delegated to the Chief Executive.		CEX in consultation with Chair of Housing and Inclusion Committee/ CEX
5.1.7	Authority to approve the making of temporary street closure orders under Section 21 of the Town Police Clauses Act 1847		DCPD DCBCS ADBE
5.1.8	To develop an inclusive community by seeking to ensure that minorities within the City and District, including ethnic minorities, those with physical or sensory loss and those with learning difficulties, have appropriate access to quality health information.		S&PM
5.1.9	To take the lead for matters in connection with emergency planning, disaster recovery, business continuity and community resilience.		S&PM
5.1.10	To promote the regeneration of the local economy by working in partnership with others, including employers, business organisations, the Market Traders Federation, tourist attractions, neighbouring district councils, Hertfordshire County Council and the East of England Development Agency, to promote the development of new and existing businesses. By working in conjunction with other organisations, the Council will seek to assist with the creation of conditions which will:		DCPD/ADPR

5.1 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE	Service Scrutiny Committee	& Strategic Director/Assist ant Director/ Service Manager
	<ul style="list-style-type: none"> i) Reduce levels of unemployment in the City and District ii) Promote the development of Tourism for the benefit of residents and visitors alike iii) Improve the quality of life in the City and District for residents, visitors and workers iv) Maintain and improve the commercial attractiveness of the St Albans street markets v) Provide a high quality of infrastructure vi) Enable local businesses to have access to a workforce with relevant skills and training opportunities vii) Create a framework for high quality and relevant business support and advice services viii) Seek and secure funding from other agencies such as The European Commission, the East of England Development Agency and Central Government for economic regeneration initiatives ix) Facilitate the provision of electronic services to enable the objectives of the Council's Economic Development Strategy to be fulfilled x) Ensure that the commercial interests of the communities outside the City Centre of St Albans are promoted fully to improve the vitality of the businesses and employment opportunities they represent xi) Assist those in the local community who face economic and social disadvantage to overcome these difficulties xii) To establish a mechanism for consulting businesses located in the District 		
5.1.11	Preparing plans for economic development and employment initiatives in consultation with local business and the community and approving expenditure on appropriate projects and programmes.		CEX
5.1.12	To encourage the continuation of existing festivals and the establishment of new ones.		DCPD in consultation with the Vice-Chair of the Public Realm Committee
5.1.13	Authority to approve grant applications in accordance with Council policy up to the total amount of grant funding previously agreed by Council in the budget, without a maximum limit being applied to any single organisation, subject to the submission of twice yearly information reports to Strategy & Resources Committee listing the awards approved.	Grants above £5k - Housing and Inclusion Committee	DCPD £5k limit in consultation with the Vice Chair of the Housing and Inclusion Committee

5.1 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE	Service Scrutiny Committee	& Strategic Director/Assist ant Director
5.1.14	Authority to approve applications for discretionary business rates relief in accordance with Council policy up to a maximum in the case of any one item, subject to the submission of twice yearly information reports listing the awards approved.	Applications above £5k Strategy & Resources Committee	S151 £5k limit in consultation with the Vice-Chair of the Strategy & Resources Committee.
5.1.15	To monitor the performance and satisfaction levels for St Albans residents in relation to the Highways Partnership.		DCPD
5.1.16	Residual matters in connection with Concessionary Fares. (This function was transferred to Hertfordshire County Council in April 2011.)		S151
5.1.17	To establish or review appropriate forums for the organisation and management of the St Albans Festival.		DCPD
5.1.18	Authority to act on behalf of the City and District in respect of the duties and provisions of the Food Safety Act 1990 and to initiate legal proceedings where necessary.		DCPD
5.1.19	Matters affecting the health, safety and protection of the inhabitants of the District, including elderly and disabled persons.		DCPD
5.1.20	Authority to appoint inspectors under Section 19 of the Health and Safety at Work Act 1974.		DCPD
5.1.21	To exercise responsibility for the discharge of the Council's own statutory and discretionary services as they relate to the health of individuals and in particular matters relating to food safety, health and safety at work and infectious disease.		DCPD
5.1.24	Authority to designate officers to enforce the requirements of the Health Protection (Coronavirus, Restrictions) (No.2) (England) Regulations 2020/684 including the giving of prohibition notices and the issue of fixed penalty notices.		CEX, DCPD
5.1.25	Authority to designate officers to enforce the requirements of Health Protection Regulations issued in connection with the Coronavirus pandemic, including the issue of fixed penalty notices.		CEX, DCPD
5.2 Ref	SPECIFIC – BUSINESS, TOURISM AND CULTURE	Service Scrutiny Committee	& Strategic Director/Assist ant Director
5.2.1	The undertaking of work in default of compliance with notices.		/DCPD
5.2.2	The instigation of legal proceedings for non-compliance with notices and offences against legislation.		/HoLSS

5.2 Ref	SPECIFIC – BUSINESS, TOURISM AND CULTURE	Service Scrutiny Committee	& Strategic Director/Assist ant Director
5.2.3	Delegated powers for the purposes of the control of sex establishments and appointing authorised officers for the purposes of control of such establishments.		DCPD
5.2.4	The licensing or registration of dealers and premises under appropriate acts and the issue of street trading consents but reserving the right in the case of refusal of any licence, registration or consent for the applicant to appeal		DCPD
5.2.5	Authority to make representations on behalf of the Council on the granting or renewal of Goods Vehicle Operators licences.		DCPD
5.2.6	Authority to appoint testers to carry out tests on Hackney Carriages and Private Hire Vehicles preparatory to the issue of Certificates of Compliance.		DCPD
5.2.7	The granting and all associated decisions (renewal, suspension, revocation, refusal, etc) in respect of the licences for Hackney Carriages, Private Hire Vehicles, Drivers of Hackney Carriages and/or Private Hire Vehicles and Operators within the Council's policy.		DCPD
5.2.8	Authority to impose such conditions on Caravan Site Licences as may be reasonably necessary for the control of the sites (Planning).		DCPD
5.2.9	Authority to appoint inspectors under paragraph 2 of Schedule 2 of the Sunday Trading Act 1994.		DCPD
5.2.10	Authority to appoint suitably qualified officers of the of the Health Protection Agency to be "Proper Officers" for the discharge of the Council's duties under the Public Health (Infectious Diseases) Regulations 1988 and the National Assistance Act 1948 Section 47.		DCPD
5.2.11	Authority to make enforcement decisions and to take action with regard to premises, places and vehicles in relation to which the Council has enforcement functions as defined in the Health Act 2006 and the Smoke-free Premises and Enforcement Regulations 2006.		DCPD
5.2.12	Authority to grant, refuse, renew, or revoke site licences and Collector Licences pursuant to sections 2, 4, 9 and 16 of the Scrap Metal Dealers Act 2013 and all associated decisions in respect of site collectors' licences.		DCPD
5.2.13	Delegated powers for the purposes of determining all matters relating to zoo licensing under the Zoo Licensing Act 1981, including setting and varying the level of fees and the inspection of zoos.		DCPD
5.2.14	Delegated powers for the purposes of determining all matters relating to licensing functions under The Animal Welfare Act 2006 and The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 relating to the determination of licences and enforcement action.		DCPD
5.2.15	Delegated powers for the purposes of determining appeals in relation to the rating scheme under The Animal Welfare Act 2006 and The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.		DCPD
5.2.16	Exercise of the Council's powers and duties in respect of meat inspections, rodent control, nuisance control, including in this expression defective drains, defective or overflowing cesspools etc as well as nuisances defined as such by statute.		DCPD

5.3 Ref	SPECIFIC – BUSINESS, TOURISM AND CULTURE Legal Services	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
5.3.1	Matters relating to the enforcement of legislation in respect of private sector housing concerning the safety and state of the property, nuisance, pests, drainage and defects. To include inspection of the property and service of notices (including notices requiring information), works in default and recovery of costs. Including authority to issue civil proceedings in respect of private sector housing offences and to include proceedings to secure recovery.			DCPD
5.3.2	Matters relating to the enforcement of legislation in respect of the regulation of private sector housing and associated businesses. To include the regulation of landlords, letting agents and managing agents.			DCPD
5.4 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE Property and Asset Management	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
5.4.1	To decide, in consultation with the Chair of the Strategy & Resources Committee if a nominated asset is an asset of community value under the Localism Act 2011.			DCBCS/ADBE
5.4.2	Management of the Maltings Arts Theatre including authority to vary the prices charged.			DCBCS/ADBE in consultation with the Vice Chair of Public Realm Committee
5.5 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE Various	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
5.5.1	Transport Subsidies including the Taxi voucher scheme.			DCPD
5.5.2	To be responsible for consultation on transportation and traffic management with Hertfordshire County Council.			DCBCS/ADBE
5.5.3	To establish and maintain good partnership links with Hertfordshire County Council with the aim of developing and implementing a sustainable local transport plan.			DCBCS/ADBE
5.5.4	Administration of markets.			DCPD
5.5.5	Authority to make amendments regarding St Albans Market Christmas and New Year Trading.			DCPD
5.5.6	Authority to make appropriate arrangements for the burial of deceased persons for whom no other burial arrangements can be made.			DCPD
5.5.7	The protection and enhancement of the environment of the City and District, including matters related to noise control and noxious accumulations.			DCPD

5.5 Ref	GENERAL – BUSINESS, TOURISM AND CULTURE Various	Service Scrutiny Committee	&	Strategic Director/Assist ant Director
5.5.8	St Peter's and George Street Planning			DCPD

6. RESOURCES FUNCTION (including Human Resources, Customer Services, IT and Financial Services)

6.1 Ref	GENERAL – RESOURCES Human Resources	Service Scrutiny Committee	&	Strategic Director/Assista nt Director/Service Manager
6.1.1	To be responsible for the delivery and promotion of the Council's strategic aim 'to be a good employer'.			DCBCS
6.1.2	To ensure that the Council fully complies with all employment legislation and best practice guidance.			DCBCS
6.1.3	To take actions to recruit and retain sufficient suitably qualified and motivated staff to enable the Council to deliver appropriate, quality services.			DCBCS
6.1.4	To take actions as necessary to ensure that the Council is free from inappropriate discrimination, and makes positive steps to promote diversity and equality of opportunity both as employer and service provider.			DCBCS
6.1.5	Recommending to Strategy & Resources Committee any major changes in the staffing structure.			DCBCS
6.2 Ref	SPECIFIC – RESOURCES Human Resources	Service & Scrutiny Committee		Strategic Director/Assist ant Director/Service Manager
6.2.1	On request from a Strategic Director, authorisation of expedited salary increments as provided within the National Scheme of Conditions of Service.			DCBCS
6.2.2	Administration of Car Allowances scheme in conjunction with Payroll Services contractor.			DCBCS
6.2.3	Implementation of National or Regional decisions on Conditions of Service of staff and employees.			DCBCS
6.2.4	Negotiations with individual officers of terms relating to voluntary redundancy, including additional periods of service for pension purposes and improved redundancy payments, within existing policy guidelines.			DCBCS
6.2.5	Authority, in conjunction with the relevant Strategic Director, to consider any regrading claim by staff and to agree the re-grading of any post (other than those of/to Strategic Director and above) where the approved criteria is met and within existing recurring Service/Division budget.			DCBCS. Lower of 10% or £3k – excluding on

6.2 Ref	SPECIFIC – RESOURCES Human Resources	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
			costs pa, per claim. In consultation with the Vice-Chair of Strategy & Resources Committee - Sums greater than the lower of 10% or £3k – excluding oncosts pa, per claim
6.2.6	Authority, in conjunction with the relevant Strategic Director, to approve minor structural changes to the staff establishment where the cost of such changes can be accommodated within the total salary recurring budget for the Service concerned or which can be funded by on-going savings within that Service/Division.		DCBCS
6.2.7	Approval, following request from Strategic Director or above, of dismissal on grounds of redundancy and/or early retirement or efficiency or some other substantial reason subject to consultation with the Section 151 Officer and the Vice Chair of Strategy & Resources Committee and within existing Service budget. [Note: £25k – £100k total Strategy & Resources Committee, > £100k total Council]		DCBCS £25k total (excluding compulsory redundancy)
6.2.8	Approval, following request from Strategic Director or above, of early retirement on compassionate grounds, subject to consultation with the Section 151 Officer and within existing Service budget.		DCBCS £25k voluntary redundancy only
6.2.9	Approval of request from a Strategic Director for acting up allowances and similar e.g. honoraria in recognition of work done outside postholder's normal role, subject to being within Service/Division budget		DCBCS lower of 10% or £3k exclusive of on-costs per annum, per claim. In consultation with the Vice-

6.2 Ref	SPECIFIC – RESOURCES Human Resources	Service & Scrutiny Committee	Strategic Director/Assist ant Director/Service Manager
			Chair of Strategy & Resources Committee – Up to £10k per employee per annum.
6.2.10	Approval of request from a Strategic Director for other special payments in recognition of needs of posts where no policy exists and matter is urgent, subject to being within Service/Division budget		DCBCS in consultation with the Vice-Chair of Strategy & Resources Committee – Up to £10k per employee per annum.
6.2.11	Approval of closure on efficiency grounds for Christmas and other holidays, in consultation with Chief Executive.		DCBCS ½ day. In consultation with the Vice-Chair of Strategy & Resources Committee – 1 day.
6.2.12	Revision/updating existing procedures /policies to bring in line with legislation.		DCBCS
6.2.13	Approval of new procedures to bring in line with legislation / best practice.		CEX
6.2.14	Approval, subject to medical advice, of early retirement on grounds of ill health, following consultation with Strategic Director and Section 151 Officer and within existing Service/Division budget.		DCBCS
6.2.15	Day to day corporate employee relations and consultation with staff and recognised trade union.		DCBCS
6.2.16	Approval of request from Strategic Director for other special payments in recognition of needs of posts within existing policy.		DCBCS

6.3 Ref	GENERAL – RESOURCES Financial Services	Service Scrutiny Committee	& Strategic Director/Assist ant Director
	Matters in connection with		
6.3.1	- Council Tax		S151
6.3.2	- Business Rates		S151
6.3.3	- Treasury Management		S151
6.3.4	- Financial Services including allocations of expenditure, income and overheads		S151
6.3.5	- Collection of Sundry Income		S151
6.3.6	– Special Expenses Scheme		S151
6.3.7	Authority to operate banking accounts.		S151
6.3.8	Authority to sign indemnity in standard form in respect of losses arising from the use of printed signature cheques and other indemnities as appropriate.		S151
6.3.9	Authority to write off individual unpaid debts (cumulative amount to one debtor must not exceed limits).		£10k S151 SD £500 limit S151 in consultation with the Vice-Chair of Strategy & Resources Committee – £25k limit.
6.3.10	Authority to effect all necessary borrowing, investment, leasing and other financing arrangements including arranging new loans/investments/leases, repayment of loans and investments, payment of interest and lease rental, and termination of leases.		S151
6.3.11	Authority to determine the rate of interest and to negotiate terms in respect of loans, administration and legal bonds, from time to time in consultation with the Vice-Chair of the Strategy & Resources Committee.		S151
6.3.12	Authority to make payment on accounts certified for payment by authorised officers.		S151
6.3.13	Authority to borrow from bank up to the prescribed overdraft limits.		S151
6.3.14	Authority to take any action necessary to make proposals for the alterations of the valuation list or rating lists and to instruct private valuers to act on behalf of the Council with regard to rating matters where considered necessary.		S151
6.3.15	Authority to award Mandatory Rate Relief on behalf of the Council.		S151
6.3.16	Authority to enter into valuation agreements on behalf of the Council.		S151
6.3.17	Authority to take legal action to recover arrears in respect of Council Tax, Rates and Sundry Debts.		S151
6.3.18	Authority to arrange the Council's insurance cover and manage all aspects of insurance as may be necessary.		S151

6.3 Ref	GENERAL – RESOURCES Financial Services	Service Scrutiny Committee	& Strategic Director/Assist ant Director
6.3.19	Authority to vary mortgage interest rates in line with rates set by the Secretary of State for the Environment under the provisions of Section 438 and Schedule 16 of the Local Government and Housing Act 1989.		S151
6.3.20	Authority to determine the award of mandatory rural rate relief in respect of properties qualifying for relief under Section 43 of the Local Government Finance Act 1988 (as amended).		S151
6.3.21	Authority to appoint consultants to act in respect of rating revaluations of corporate properties where non-domestic rates are paid by the Council, subject to being within Service/Division budget or self-financing.		S151
6.3.22	Authority to administer car loans and leases within Council policy.		S151
6.3.23	Authority to award Council Tax and Housing Benefits and administer scheme in accordance with legislation and Council policy.		S151
6.3.24	Authority to maintain/amend on approved list of institutions for investment purposes, subject to inclusion in HCC list of approved institutions and having a rating of F1 or better from Fitch IBCA or similar.		S151
6.3.25	Administration of all provisions relating to grants, loans or subsidies for any housing purpose.		DCPD
6.3.26	Approval of loans to hotels and boarding houses under the Fire Precautions (Loans) Act 1973 at a rate of one quarter per cent higher than that prescribed by H M Treasury, subject to loans above £25,000 being approved in consultation with the Section 151 Officer and the Vice-Chair of the Strategy & Resources Committee.		DCPD
6.4 Ref	GENERAL – RESOURCES Value for Money and Efficiencies	Service Scrutiny Committee	& Strategic Director/Assist ant Director
6.4.1	Development of the corporate performance management system.		CEX in consultation with the Chair of Strategy & Resources Committee.
6.5 Ref	GENERAL – RESOURCES Information Technology and Freedom of Information	Service Scrutiny Committee	& Strategic Director
6.5.1	Matters in connection with Information Technology		DCBCS/ CEX
6.5.2	Approval of the Council's Publications Scheme under the Freedom of Information Act 2000 and any subsequent amendments		DCBCS

6.6 Ref	GENERAL – RESOURCES Various	Service Scrutiny Committee	& Strategic Director
6.6.1	Matters in connection with Civic Activities.		DCBCS
6.6.2	Authority to vary lettings charges at the District Council Offices.		ADBE/DCBCS
	Matters in connection with		
6.6.3	- Elections		RO
6.6.4	- Electoral Registration		ERO
6.6.5	- Democratic Services (including Councillors' Allowances and Expenses) and Mayoralty		DCBCS
6.6.6	- Town Twinning		DCBCS

7. COMMERCIAL, DEVELOPMENT AND WELLBEING FUNCTION

7.1 Ref	GENERAL – COMMERCIAL, DEVELOPMENT AND WELLBEING Various	Service Scrutiny Committee	& Strategic Director/Assist ant Director
7.1.1	Development of large capital projects		DCBCS/ADBE
7.1.2	Commercial and development strategy		DCBCS/ADBE
7.1.3	Delivery of social housing		DCBCS/ADBE
7.1.4	Estate, buildings and facilities management		DCBCS/ADBE
7.1.5	Green Triangle		DCBCS/ADBE
7.1.6	Infrastructure and engineering		DCBCS/ADBE
7.1.7	Matters in connection with Land Charges		DCBCS/ADBE
7.1.8	Landlord and tenant services (non-housing)		DCBCS/ADBE
7.1.9	Procurement		DCBCS
7.1.10	Property and asset management (non-housing)		DCBCS/ADBE
7.1.11	Valuations		DCBCS/ADBE
7.1.12	Acquisition and disposal, management and use of all land and property other than the statutory Council housing or residential caravan sites and the provision of advice concerning property matters to all departments and functions of the Council, its Councillors and officers.		DCBCS/ADBE
7.2 Ref	GENERAL – COMMERCIAL, DEVELOPMENT AND WELLBEING Property and Asset Management	Service Scrutiny Committee	& Strategic Director/Assist ant Director
7.2.1	Determination of rents of new lettings of properties other than housing dwellings.		DCBCS/ADBE
7.2.2	The agreement of revised rent for an existing lease.		DCBCS/ADBE. To be reported to Vice Chair of Strategy & Resources Committee
7.2.3	The approval of sub-lettings.		DCBCS/ADBE

7.2.4	Alterations and additions to corporate property subject to planning permission (if applicable) having first been obtained.		DCBCS/ADBE
7.2.5	Authority to grant easements, wayleaves or other licences to householders provided the use is for domestic purposes.		DCBCS/ADBE
7.2.6	Authority to grant easements, wayleaves, and licences to Statutory Undertakers.		DCBCS/ADBE
7.2.7	Authority to grant all other easements, wayleaves, and licences subject to the Chair of Strategy & Resources being given 5 working days' notice.		DCBCS/ADBE in consultation with Chair of Strategy & ResourcesComm tee.
7.2.8	Authority to agree terms of temporary licences for contractors' compounds.		DCBCS/ADBE
7.2.9	Authority to proceed with disposals of land where the purchaser/leaseholder has a legal right to require the freehold to be transferred to him/her.		DCBCS/ADBE
7.2.10	Authority to renew leases for electricity sub-stations and gas governor kiosks to Public Utility Companies in cases where a statutory right of renewal applies.		DCBCS/ADBE
7.2.11	Grant of a new lease or licence will be delegated to the Director of Customer Business and Corporate Support and either/or the Assistant Director Built Environment. Where the grant of a new lease or licence involves the receipt of a premium, the financial limits specified in 7.2.15 shall apply.		DCBCS/ADBE
7.2.12	Authority to renew existing lease or licence, where leaseholder/licensee has statutory rights to renewal.		DCBCS/ADBE
7.2.13	Authority to renew existing lease or licence. Authority to enter into new leases with existing tenants subject to the following - no complaints having been received and no problems being anticipated; - the achievement of full rack rental values; - the leases being on standard terms of 30 year maximum length.		DCBCS/ADBE
7.2.14	To enter into a lease/ licence with a third party landlord/ licensor subject to: The agreement being for 5 years or less (10 years in consultation with Vice Chair of Strategy & Resources Committee); The agreement being at market rental or below.		DCBCS/ADBE in consultation with Vice Chair of Strategy & ResourcesComm tee. - up to annual rental of £25,000. DCBCS/ADBE in consultation with Chair of Strategy & ResourcesComm tee and Vice

			Chair of Strategy & Resources Committee – up to annual rental of £100,000.
7.2.15	<p>To agree to hold over under the terms of an existing lease or to enter into a temporary lease/licence/tenancy at will with a third party landlord/ licensor subject to:</p> <p>1a. Where it is necessary to enter into a temporary agreement with an existing landlord/licensor to effectively ‘extend’ an existing lease/licence the temporary lease/licence/tenancy at will should be on terms equal to or more favourable than the existing lease/licence or</p> <p>1b. Where a temporary agreement is to be entered into with a new landlord/licensor, the total rental payable should not exceed £25,000 (£100,000 in consultation with Chair of Strategy & Resources Committee and Vice Chair of Strategy & Resources Committee.) and</p> <p>2. The term of the lease/licence/tenancy at will or period of holding over should not exceed 12 months, and</p> <p>3. The Section 151 Officer should be notified of any financial implications.</p>		DCBCS/ADBE in consultation with Vice Chair of Strategy & Resources Committee.
7.2.16	Deeds of variation of leases, licences and conveyances/transfers.		DCBCS/ADBE
7.2.17	Surrender of leases and licences.		DCBCS/ADBE
7.2.18	Change of user clause in leases or licences of commercial property.		DCBCS/ADBE
7.2.19	Rent rebate or rent concession where required for good estate management.		DCBCS/ADBE £5k limit, £8K in consultation with Vice Chair of Strategy & Resources Committee
7.2.20	Transfer / sale of land where Council is legally required to proceed.		DCBCS/ADBE
7.2.21	Sale of property up to estimated value.		DCBCS/ADBE £25k limit £100k limit - in consultation with Vice Chair of Strategy & Resources Committee
7.2.22	Relaxation of restrictive covenants.		DCBCS/ADBE
7.2.23	Acquisition and sale of land under Section 106 agreement or for amenity space/ operational purposes, subject to written instruction of relevant Strategic Director.		DCBCS/ADBE £50k limit

			£100k limit - in consultation with Vice-Chair of Public Realm Committee
7.2.24	Acquisition of land other than under Section 106 agreement, amenity spaces or operational purposes, subject to request from Strategic Director and within existing Service/Division budget.		DCBCS/ADBE £25k limit £50k limit - in consultation with Vice Chair of Strategy & Resources Committee
7.2.25	Approval of Asset Management Plan.	Strategy & Resources Committee	
7.2.26	Approval of property policy statements and protocols, except where reserved by Strategy & Resources Committee	Strategy & Resources Committee – unless Housing land, in which case Housing and Inclusion Committee	
	(Note: Where references are made within this section to consultation with the Vice Chair of Strategy & Resources Committee, in the case of Housing land the Chair of the Housing and Inclusion Committee must also be consulted.		
7.2.27	To consider, in consultation with the Leader (or in his or her absence the Deputy Leader), any reviews of the original decision to list a nominated asset as an asset of community value under the Localism Act 2011.		MO
7.3 Ref	GENERAL – COMMERCIAL, DEVELOPMENT AND WELLBEING Legal Services	Service Scrutiny Committee	& Strategic Director/Assistant Director/senior officer
7.3.1	Authority generally to defend or pursue legal action against or by the Council and in particular authority to take action to recover debts owed to the Council and to take action against persons responsible for damage to Council property.		/ HoLSS

7.3 Ref	GENERAL – COMMERCIAL, DEVELOPMENT AND WELLBEING Legal Services	Service Scrutiny Committee	& Strategic Director/Assist ant Director/senior officer
7.3.2	Authority to prosecute on behalf of the Council for contravention of any Council byelaws or for the breaches of any other legislation or regulations where the responsibility for enforcement lies with the City and District Council.		HoLSS
7.3.3	The giving or serving of notices required by any legislation or administrative function which is not otherwise delegated.		HoLSS
7.3.4	The consideration of complaints about high hedges and the issue, withdrawal and relaxation of notices under sections 65 to 88 (Part 8) of the Anti-Social Behaviour Act 2003.		DCPD
7.3.5	Approval of applications for House to House and Street Collection permits in accordance with the policy approved.		CDM
7.3.6	Authority, in consultation with the Vice-Chair of Strategy & Resources Committee to instigate prosecutions on behalf of the Council for breaches of the Protection from Eviction Act 1977.		HoLSS
7.3.7	The service of Notices in respect of Tree Preservation Orders including the Notices under Section 330 of the Town and Country Planning Act 1990.		DM
7.3.8	The service of Notices under Section 330 of the Town and Country Planning Act 1990, requiring the giving of information as to the ownership of, or other interests in, land or premises.		DM
7.3.9	The service of Notices for proposed adoption of private streets and other statutory notices required to be served under the Highways Acts other than the service of notices by the Director of Community and Place Delivery.		DCPD
7.3.10	Authority to give Directions to unauthorised campers under Section 77 of the Criminal Justice and Public Order Act 1994 and to make complaints to the Magistrates Court under Section 78 of the 1994 Act for Orders requiring the removal of persons, vehicles and caravans.		SRTL
7.3.11	Commencement of legal action necessary as a matter of urgency to protect the Council's land ownership interests.		HoLSS. To be reported to Vice Chair of Strategy & Resources Committee and Chair/Vice-Chair of land-holding Committee
7.3.12	Sealing of documents as provided for under Article 14.05.		MO

8. AUDIT AND GOVERNANCE

Ref	AUDIT AND GOVERNANCE COMMITTEE	Comments
8.1	To review the Council's corporate governance arrangements	
8.2	To review the Annual Governance Statement prior to approval	
8.3	To consider the Council's arrangements to secure value for money	
8.4	To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.	
8.5	To monitor the effective development and operation of risk management in the Council.	
8.6	To monitor progress in addressing risk related issues reported to the committee.	
8.7	To consider reports on the effectiveness of internal controls.	
8.8	To review the assessment of fraud risks and potential harm to the Council from fraud, bribery and corruption and monitor the counter-fraud bribery and corruption strategy, actions and resources.	
8.9	To review the governance and assurance arrangements for significant partnerships or collaborations.	
8.10	To approve the Internal Audit Charter.	
8.11	To approve the risk-based Internal Audit plan,	
8.12	To consider reports from the Head of Internal Audit on Internal Audit's performance during the year,	
8.13	To consider the Head of Internal Audit's annual report,	
8.14	To consider summaries of specific Internal Audit reports as requested.	
8.15	To provide free and unfettered access to the Audit & Governance Committee Chair for the Head of Internal Audit, including the opportunity for a private meeting with the committee.	
8.16	To support the independence of external audit through consideration of the external auditor's annual assessment of its independence	
8.17	To consider the External Auditor's annual letter, relevant reports, and the report to those charged with governance.	
8.18	To comment on the scope and depth of External Audit work and to ensure it gives value for money	
8.19	To review the annual statement of accounts.	
8.20	To consider the External Auditor's report to those charged with governance on issues arising from the audit of the accounts.	
8.21	To be responsible for the scrutiny of the Council's Treasury Management Strategy and To comment on the draft Treasury Management Strategy on an annual basis before presenting to Council for approval.	
8.22	To report annually to Full Council on the Committee's findings, conclusions and recommendations; providing its opinion on the adequacy and effectiveness of the Council's governance, risk management and internal control frameworks; Internal and External Audit functions and financial reporting arrangements.	
8.23	To report to Full Council on the Committee's performance in relation to its Terms of Reference and the effectiveness of the Committee in meeting its purpose.	

9. LICENSING AND REGULATORY COMMITTEE

Ref	SPECIFIC – LICENSING AND REGULATORY COMMITTEE	Comments
9.1	Taxi, and licensing and registration functions as in Schedule 1B to the Functions Regulations 2000 (as amended).	
9.2	Health and Safety at Work functions	
9.3	Functions relating to elections.	
9.4	Functions relating to alcohol consumption in designated public places.	
9.5	All licensing functions under the Licensing Act 2003 except for functions conferred by Section 5 of the Act (Statement of Licensing Policy) (see Appendix 2).	
9.6	Functions relating to premises licences, notices, permits and fees under the Gambling Act 2005 and Regulations except for functions conferred by Section 349 of the Act (Statement of Principles) (see Appendix 3).	
9.7	Functions relating to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 (sex cinemas, sex shops and sexual entertainment venues).	

10. DEVELOPMENT MANAGEMENT COMMITTEES

Ref	DEVELOPMENT MANAGEMENT COMMITTEE	Comments
10.1	All Town and Country Planning and Development Management functions listed in Schedule 1A to the Functions Regulations 2000.	
10.2	Authority to determine applications for tree work under Part VIII of the Town and Country Planning Act 1990	
10.3	Authority to make and confirm Tree Preservation Orders	
10.4	Authority to issue Hedgerow Retention Notices and Consents to Remove where appropriate in accordance with the Hedgerow Regulations 1997	
10.5	To make recommendations to the Planning Policy & Climate Committee on the preparation of the Development Plan.	

12. APPEALS (EMPLOYMENT AND LICENSING) COMMITTEE

Ref	SPECIFIC - APPEALS COMMITTEES	Comments
12.1	Appeals against decisions of the Director of Community and Place Delivery in respect of allocations or transfers of Council accommodation and renewal of flexible tenancies.	
12.2	Appeals against the decision of officers in pursuit of Council policy where such decision, if implemented, would result in the suspension of a market letting where such suspension would result from unauthorised or unexplained	

Ref	SPECIFIC - APPEALS COMMITTEES	Comments
	absenteeism and appeals against termination of market lettings either for persistent breaches of market regulations or in respect of the Council's policy on long term absence through sickness.	
12.3	Appeals in respect of dismissal of Council staff.	

13. CITY NEIGHBOURHOODS COMMITTEE

Ref	CITY NEIGHBOURHOODS COMMITTEE	Comments
13.1	To review policy and budget decision making annually for non-strategic city centre assets including smaller parks, war memorials, allotments, public conveniences, playgrounds and open spaces. The list of non-strategic city centre assets to be presented to the Committee annually.	
13.2	To support the development of Neighbourhood Forums, if requested.	
13.3	To explore opportunities to devolve assets to Neighbourhood Forums and community groups as they come forward.	
13.4	To make recommendations to Service & Scrutiny Committees as appropriate.	
13.5	To consider wider agenda items put forward by co-opted members as appropriate.	
13.6	To share good practice and experiences across the unparished areas of the District.	
13.7	To coordinate the delivery of localism in the unparished areas, where appropriate, including the Community Right to Challenge and Community Right to Bid.	
13.8	To support groups to develop Resident Associations through the development of template constitutions and Terms of Reference, if requested.	
13.9	To allow time at each meeting for consideration of questions from members of the public at the discretion of the Chair.	

14. CONSTITUTION COMMITTEE

Ref	CONSTITUTION COMMITTEE	Comments
14.1	To monitor and review the Council's constitution and recommend any changes to Council.	
14.2	To receive reports from the Monitoring Officer, Chief Executive, and Council bodies in relation to proposed amendments to the constitution.	
14.3	Review and evaluate changes to the council's governance structure and recommend any changes to Council.	

15. JOINT ARRANGEMENTS

Ref	WEST HERTFORDSHIRE CREMATORIUM JOINT COMMITTEE	Comments
15.1	To manage and operate joint arrangements with Dacorum, Hertsmere, Three Rivers and Watford Councils to operate a crematorium at Garston, Hertfordshire. The Council nominates a Councillor to serve on the Joint Management Committee.	

16. JOINT ARRANGEMENTS

Ref	BRICKET WOOD COMMON JOINT MANAGEMENT COMMITTEE	Comments
16.1	Administration of common land in accordance with a scheme of management. The Council appoints two Councillors to serve on the Joint Management Committee with three members of St. Stephen Parish Council and one co-opted member from the Bricket Wood Residents' Association.	

17. JOINT ARRANGEMENTS

Ref	NOMANSLAND COMMON JOINT MANAGEMENT COMMITTEE	Comments
17.1	Administration of common land in accordance with a scheme of management. The Council appoints three representatives to serve on the Joint Management Committee with representatives of Sandridge and Wheathampstead Parish Councils.	

18. JOINT ARRANGEMENTS

Ref	HERTFORDSHIRE GROWTH BOARD AND HERTFORDSHIRE GROWTH BOARD SCRUTINY COMMITTEE	Comments
18.1	With the County Council and the other district councils in Hertfordshire, to ensure the effective coordination of strategic planning and delivery and to ensure that the objectives of a future Growth Deal for Hertfordshire are met and to be responsible for the commissioning of projects funded by money provided through a Growth Deal, and for overall control of that programme of projects. The Council appoints one Councillor to the Growth Board and one to the Growth Board Scrutiny Committee. As set out in the Integrated Governance Framework at 08.5 Appendix 4 of this Constitution.	

APPENDIX 1**PLANNING SCHEME OF DELEGATION TO OFFICERS**

The making of decisions or representations on all planning and other applications falling to be considered by the District, as Local Planning Authority, are delegated to the Director of Community and Place Delivery / Development Manager.

1. All decisions initially are delegated, as per the current scheme which includes all types of application submitted under the Town and Country Planning Act 1990, the Planning (Listed Building and Conservation Areas) Act 1990 and all related legislation.
2. The District Councillor call-in procedure is maintained for Major, Minor and Householder Planning Applications and applications for demolition of a Listed Building or an unlisted building in a Conservation Area, but subject to the following criteria:

A call-in on an original Major, Minor or Householder planning application and applications for demolition of a Listed Building or an unlisted building in a Conservation Area

- There is a 28 day strict deadline (no deviation) following the publication of the weekly list. Where no neighbour notifications, site notice or press notice are required, the call-in deadline will be 21 days from the date that the weekly list is published.
 - All call-ins to be in writing (e-mail/letter).
 - The 'call-in' is made by a Planning Committee councillor/named substitute and supported by any two of the following:
 - A relevant ward councillor
 - Another Planning Committee councillor/named substitute
 - The relevant Town/Parish Council
 (For the avoidance of doubt any one of the above can initiate the call-in process.)
 - All call-ins must be made on material planning grounds. This can be achieved by consulting with officers, prior to call-in, that the grounds are material, should the Councillor be in any doubt. If they are not, the Development Manager should work with the Councillor to agree, where possible, an appropriate form of wording that is both material in planning terms and reflects the Councillor's concerns.
 - The relevant material planning considerations, and if possible applicable policies in the District Plan and the Neighbourhood Plan, should be included in a call-in. If the District Local Plan Review or the Neighbourhood Plan is silent with regard to any policies relating to material planning considerations, then reference to the appropriate sections and paragraphs of the National Planning Policy Framework must be included. Councillors shall be provided with electronic and paper copies of a standard call-in form to assist in identifying these material considerations and policy numbers, but failure to use the standard form will not invalidate the call-in.
 - An application that has received a Councillor or Town / Parish Council call-in where objections have been received (in writing to the Planning Officer, within the consultation period on material planning grounds) and officers are recommending approval shall be considered by Committee.
 - The reason for call-in shall be provided and included in the Committee report.

- Councillors can withdraw their call-in at any stage, up to 2 weeks before the Committee due to consider that application. Councillors wishing to withdraw their call-in must do so in writing (email/letter).
- Call-ins from more than one Councillor can be received for any application.

3. Following determination under the Scheme of Delegation, the District Councillors and Parish/Town Councils shall be sent a copy of the officer's delegated report which will specifically address the concern expressed.
4. All Major SADC applications and applications submitted by Councillors and officers of the Council are to be reported to Committee (where objections have been received and the officer recommendation is for approval) – to ensure probity of procedure.
5. All applications considered by the Director of Community and Place Delivery / Development Manager to be of significant public interest, or which would have a significant impact on the environment, shall be determined by Committee. All other applications shall be determined under delegated powers.
6. The following definitions are applicable in respect of amendments to plans and applications submitted to the Council:

Minor = 'of lesser importance, seriousness or significance' applications (including Permission in Principle):

- For dwelling/houses, minor development is one where the number of dwelling/houses to be provided is between one (including replacement of an existing dwelling house) and nine inclusive on a site having an area of less than one hectare.
- Where the number of dwelling/houses to be provided is not known, a site area of less than 0.5 hectares.
- For all other uses (such as commercial), a minor development is one where the floor space to be created is less than 1,000 square metres or where the site area is less than one hectare.

Significant or Major = 'sufficiently great or important to be worthy of attention' or planning applications (including Permission in Principle and Technical Details Consent) involving any one or more of the following:

- The number of dwelling/houses to be provided is 10 or more; or
- The development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the number of dwelling/houses to be provided is 10 or more.
- The provision of a building or buildings where the floor space to be created by the development is 1000 square metres or more; or
- Development carried out on a site having an area of one hectare or more.

Material = 'significant or relevant, especially to the extent of determining a cause or affecting a judgement'.

'Householder' developments = those within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house which require an application for planning permission and are not a change of use.

'Demolition of a Listed Building' under Planning (Listed Buildings and Conservation Areas) Act 1990

‘Demolition of an unlisted building in a Conservation Area’ under section 70 of the Town and Country Planning Act 1990)

Decisions concerning the receipt and acceptance of amended plans shall be as follows:

- a. Current (live) applications:
 - (i) Amended plans making significant or material changes to schemes which have been deposited but not yet determined, and which have been the subject of public consultation, shall not be accepted, and a new application will be required.
 - (ii) That in all cases, amended plans received after the Committee report is written, or after 2 weeks before the date of the relevant Committee, whichever is later, shall not be considered at that meeting.
- b. Applications no longer current (live):
 - (i) Amended plans making minor changes to schemes previously considered under the Scheme of Delegation to Officers, shall continue to be dealt with under the Scheme of Delegation.
 - (ii) That in all other cases, the Director of Community and Place Delivery / Development Manager shall use his or her discretion and report those minor amendments relating to contentious schemes to Committee for consideration and decision. Amended plans making significant or material changes shall not be accepted and a new application will be required.

APPENDIX 2

Table of Delegated Functions

		Column 1	Column 2
Matters to be Dealt With	Licensing and Regulatory Committee	Licensing Sub Committee	Officers – ADR and Environmental Health Manager (Licensing)
Application for personal licence		If a police objection	If no objection
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation	If no relevant representation
Application for provisional statement		If a relevant representation	If no relevant representation
Application to vary premises licence/club premises certificate		If a relevant representation	If no relevant representation
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Application for Interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises registration		All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious etc			All cases
Decision to object when local authority is a consultee and not relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	

APPENDIX 3

TABLE OF DELEGATIONS OF GAMBLING LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Final approval of three year licensing policy	All cases		
Policy not to permit casinos	All cases		
Fee setting – when appropriate		All cases (if delegated by full council)	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations have been received or been withdrawn
Application for variation to a licence		Where representations have been received and not withdrawn	Where no representations have been received or been withdrawn
Application for a transfer of a licence		Where representations have been received from the Gambling Commission or Responsible Authority	Where no representations have been received from the Gambling Commission or Responsible Authority
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations have been received or been withdrawn
Review of a premises licence		All cases	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations have been received or been withdrawn
Cancellation of club gaming/club machine permits		All cases	
Applications for other permits			All cases
Licensed premises gaming machine permits		Four or more machines	Up to four machines

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Cancellation of licensed premises gaming machine permits		All cases	
Registration of small society lotteries			All cases
Consideration of Temporary Use Notices			All cases
Decision to give a counter notice to a temporary use notice		All cases	