

Cumberland Council

Local Schemes of Sub-Delegation

Version Control

Version No:	Effective Date	Notes/Amendments to Scheme	Approved by	Approved by Chief Legal Officer/MO
V1	31/03/2023	Initial Scheme of Delegation on establishment of Cumberland Council, 01/04/2023	Andrew Seekings, Chief Executive, 31/03/2023	Clare Liddle 31/03/2023
V2	19/06/2023	Minor amendments for the Director of Place, Sustainable Growth & Transport	Darren Crossley, Director of Place, Sustainable Growth & Transport 19/06/2023	Clare Liddle, 19/06/2023
V3	19/03/2024	Minor amendments for the Director of Resources	Simon Higgins, Director of Resources 19/03/24	Clare Liddle 20/03/24
V4	28/06/2024	Minor amendments for the Director of Public Health and Communities	Colin Cox, Director of Public Health and Communities 28/06/24	Clare Liddle 2/07/2024

1. Cross Directorate matters

In the Constitution, the Leader and full Council delegate certain powers and functions to the Chief Executive and Chief Officers. This is set out in the Officer Scheme of Delegation at Part 2, Section 6 of the Constitution.

The responsibility for the exercise of non-executive functions rests with Council and is delegated to its Committees and to officers of the Council.

Likewise, responsibility for the exercise of executive functions rests with the Leader and these powers are delegated in accordance with the Leader's scheme of delegation.

Except for those matters that are delegated to a specific officer due to their statutory role or designation, the approach of the Officer Schemes of Delegation is to delegate all matters that have not been reserved to Council, Leader and Executive or a Committee to the appropriate Chief Officer. Each Chief Officer must then develop and maintain their own local scheme of sub-delegation which will be published on the Council's website and sets out how powers are

delegated at the appropriate level.

This is the Local Scheme of Delegation to officers. It describes how each Chief Officer has delegated these powers and functions to officers in their Directorate to exercise on their behalf.

The purpose of this scheme is to provide a streamlined, clear and simple decision-making process. Directors should therefore avoid detail and assign delegations to posts/levels rather than individual officers.

This scheme is subject to restrictions and requirements in the Council’s Constitution, including the Contract Procedure Rules, the Financial Procedure Rules and other Procedure Rules, and any specific reservations or delegations determined by the Council, Committee or Leader and Executive.

General Notes

Except for matters that are delegated to an officer due to their Statutory Role or where a specified professional qualification is required, the authority delegated to an officer within a team for any matter is automatically delegated to any officer within the team at a more senior level. Proper Officer functions may be discharged by other officers duly authorised by Directors and/or Chief Officer(s) to act in the name of the Proper Officer concerned.

In the event of the Director not being available for whatever reason then the next most senior officer of the Directorate shall be authorised to implement these delegated powers. Where a delegation is to be exercised by an officer threshold which does not exist within that directorate, the decision is automatically delegated to the next lower threshold of officer. For example, if a decision were to be taken by an Assistant Director and a directorate did not have an Assistant Director, the decision would automatically be delegated to a Head of Service within that directorate. Where any new duty is given to the Council which does not fall within this Scheme of Delegation, the exercise of that duty shall be undertaken by the relevant Director until such time as the Council or Leader has allocated responsibility.

Where a function is delegated to an officer, they may authorise the carrying out of that function in their name by other officers within their department, directorate, team, unit or section (or such other officers as report to them directly or indirectly) either fully or under the general supervision and control of the authorising officer.

It is impossible and impractical to capture all decisions which are taken by an officer; this scheme focuses on high level decisions and does not cover many of the day-to-day decisions individual officers take which are essential to business continuity. When contemplating making a decision under delegated powers, therefore, the officer should consider whether the proposed decision:

- is sufficiently important and/ or sensitive so that it is reasonable for a member of the public to expect it to be taken by an elected, decision-making body (in which case the officer should arrange for it to be taken by that body)?
- is purely administrative and is only remotely connected with the Executive function/relevant committee (in which case an officer decision notice is unlikely to be required)?
- is so minor or routine that it is reasonable to consider it to be of no interest to a member of the public (in which case an officer decision notice is unlikely to be required)?

In in doubt, officers should seek advice from the Monitoring Officer.

These cross-directorate matters have been authorised as follows:

Authorised by	Date last updated
Andrew Seekings, Chief Executive	19/06/2023

(a) Management of staff

Refer to the relevant HR policy for matters not delegated below

Decision	Officer Level
Approval of HR policies	Chief Executive following consultation with the Senior Leadership Team
Approval of Special Severance Payments (excluding maintained schools) in accordance with the Local Government Act 1999 and associated legislation under £20,000	Director following consultation with Chief Finance Officer and Assistant Director HROD
Approval of Special Severance Payments (excluding maintained schools) in accordance with the Local Government Act 1999 and associated legislation between £20,000 and £99,999.99	Chief Executive with the evidenced approval of the Leader of the Council
Approval of Special Severance Payments (excluding maintained schools) in accordance with the Local Government Act 1999 and associated legislation of £100,000 or more	N/A - decision of Council
Recruitment to any role above the budgeted establishment with the exception of maternity leave and long-term sickness cover	Director following consultation with Senior Leadership Team
Appointment of any non-permanent workers outside the managed service provider contract	Director following consultation with Assistant Director HROD
Initial escalation of employment policy matter	Assistant Director HROD
Second escalation of employment policy matter	Any Director
Final escalation of employment policy matter	Chief Executive
Authority and power to take disciplinary action against and for the dismissal of employees within their area of responsibility	Assistant Director
Authorising recruitment of non-permanent workers through managed service provider contract - up to the value of £99,999.99	Head of Service
Authorising recruitment of non-permanent workers through the managed service provider contract - £100,000 and above and for workers with tenure of more than 12 months	Assistant Director
Authorising recruitment of permanent/fixed term staff	Head of Service (within approved organisational hierarchy)
Authorising overtime and expenses payments	Line Manager
Authorising acting-up payments and honoraria	Director

Decision	Officer Level
Approval of special leave and unpaid leave	Assistant Director
Approval of extension of sick pay	Director
Approval of carry over and buy-out of annual leave	Head of Service
Approval of career break applications	Assistant Director
Approval of applications for additional employment	Assistant Director
Service structure changes (including changes to the establishment)	Director (within approved budgets, otherwise following consultation with SLT)
Approval of changed and new job descriptions	Assistant Director
Authorisation for retirement and pension transfer	Director
Declaration of posts to be redundant and service of any notices or taking any steps as necessary to implement such redundancies.	Director following consultation with SLT
Any special conditions of service whether for potential or existing officers.	Director
Attendance by officers at training courses in accordance with the Council's officer training schemes or at conferences and external meetings.	Head of Service

(b) Finance

(i) Contracts

The Council's Contract Procedure Rules are set out in the constitution at Part 3 Section 7 and detail the thresholds below which officers may commence procurement and award contracts. Contracts exceeding £5,000,000 are awarded by Executive.

For advice on procurement processes, officers should contact the Procurement team. For advice on the exercising of financial powers, officers should contact the Finance team. For advice on contractual issues, officers should contact the Legal team.

Decision	Officer Level
Placing such emergency contracts/orders as necessary by means that are reasonable under the circumstances in the case of an extreme emergency where there is immediate danger to the safety of persons or serious risk of immediate loss or damage to the Council's assets or interests, or the interests of another party.	Any Chief Officer and Assistant Director Procurement NB The Portfolio Holder and Chief Finance Officer must be notified within 14 days

Decision	Officer Level
To take all steps in relation to hosted services within their area of responsibility including decisions in relation to hosted contracts	Chief Officer

(ii) Budget Management

The Council's Financial Procedure Rules are set out in the constitution at Part 3 Section 6 and detail the requirements which officers must follow when conducting financial affairs.

For advice on financial management, officers should contact the Finance team.

Authorisation of purchase orders

Decision	Officer Level
£500,000 and above	Chief Finance Officer
up to £499,999.99	Director
up to £249,999.99	Assistant Director
up to £99,999.99	Head of Service
£25,000 and under	Budget Manager

Authorisation of invoices and payments

Decision	Officer Level
£500,000 and above	Chief Finance Officer
up to £499,999.99	Director
up to £249,999.99	Assistant Director
up to £99,999.99	Head of Service
£25,000 and under	Budget Manager

Authorisation of expenditure

Requisitions

Decision	Officer Level
£100,000 and above	Assistant Director
Up to £100,000	Head of Service

Invoices: variations to requisitions

Decision	Officer Level
Variation of £100,000 and above	Assistant Director Finance
Variation of up to £1000,000 (or no requisition in agreed cases)	Assistant Director
Variation of up to £50.00 providing this does not exceed 2.5% of the total value of the invoice	No authorisation threshold is set - variations of this value are automatically approved

Treasury and banking

Decision	Officer Level
Approval of changes to account mandates	Any Head of Service in Finance
Approval of applications for GPCs or similar	Any Head of Service in Finance
Approval of Treasury investments	Chief Finance Officer
Approval of borrowing within Treasury Management Strategy	Chief Finance Officer

Capital and Revenue

Decision	Officer Level
Capital virements above £500,000	n/a – Council decision
Capital virements between £250,000 and £500,000	n/a – Executive decision
Capital virements up to and including £250,000	Director following consultation with Chief Finance Officer
Authorisation of addition of new capital schemes of up to £500,000 to the capital programme providing they are fully funded by grants or other external funding, or by virements from existing schemes	Director following consultation with Chief Finance Officer
Revenue virements above £500,000	n/a – Council decision
Revenue virements between £250,000 and £500,000	n/a – Executive decision
Revenue virements up to £249,999	Director following consultation with Chief Finance Officer
Debt write offs above £25,000	n/a – Executive decision (NB Audit Committee to be informed annually)

Decision	Officer Level
Debt write offs up to £25,000	Chief Finance Officer
Debt write offs up to £5,000 for any one item	Director following consultation with Chief Finance Officer and Chief Legal Officer
Approval of Treasury investments	Chief Finance Officer
Approval of borrowing within Treasury Management Strategy	Chief Finance Officer

(iii) Application for Grants

Decision	Officer Level
Submission of grant funding applications (provided they align with the Budget and Policy Framework)	Director following consultation with Portfolio Holder, Leader, Finance Portfolio Holder and Chief Finance Officer
Providing written confirmation of support for external partners bidding for grant funding	Assistant Director following consultation with Chief Finance Officer and Chief Legal Officer
Approval for the council to enter into grant agreements or contracts where the council is the recipient of funding	Director NB successful bids for funding to be reported to Executive NNB approval of Accountable Body status can only be made by Executive
Authorising the payment of non-statutory grants (e.g. to businesses or support organisations)	Director following consultation with Chief Legal Officer and Chief Finance Officer NB Executive decision where payment is over £150,000 and is outwith approved budget

(iv) Insurance

Decision	Officer Level
To notify the Assistant Director Insurance of variations to the extent or nature of risks to be insured to ensure the	Head of Service

Decision	Officer Level
council complies with the Duty of Fair Presentation of the Insurance Act 2015 and associated legislation. <i>Examples of such variations include: change in type of work undertaken, significant acquisitions, substantial work to property or change in its use, and other matters that materially increase the risk of loss, damage or injury that may give rise to a claim under the insurance policy.</i>	
To notify the Assistant Director Insurance (and also the Police where appropriate) any incident or loss, which could give rise to an insurance claim.	Head of Service

(c) Governance

Authorisation of reports

The following authorisation thresholds apply to reports produced by the authority. However, when the Strategic Director considers it to be appropriate, or when an officer within their directorate holds a statutory role, another officer may authorise a report.

Decision	Officer Level
Reports to Senior Leadership Team	Chief Officer
Reports to Committees	Chief Officer
Reports to Community Panels	Chief Officer
Reports to Regulatory Committees	Assistant Director
Financial implications in reports	Finance officer per report-writing guidance
Legal implications in reports	Legal officer per report-writing guidance
Equalities Impact Assessment accompanying a report (when applicable)	Assistant Director

Authorisation of Decision Notices

The following authorisation thresholds apply to records of decisions taken by officers of the authority. These matters are formally set out in the council's constitution and the legislation but are outlined here for ease of reference.

Decision	Officer Level
Delegated Decision Notices	Chief Officer

Decision	Officer Level
Express Decision Notices	By the officer to whom the decision has been expressly delegated, but no lower than Assistant Director
Urgent Decision Notices	Chief Officer following consultation with Chief Legal Officer, Chief Finance Officer and either Leader, Chair or Chair of Overview and Scrutiny Committee as appropriate See Constitution Part 2 Section 6 (2.2), Access to Information Procedure Rules and Budget and Policy Framework Procedure Rules
Shareholder's Representative	Section 151 Officer
Shareholder Decision Notices	Section 151 Officer
Financial implications in decision notices	Finance officer per report-writing guidance
Legal implications in decision notices	Legal officer per report-writing guidance
Equalities Impact Assessment accompanying a decision notice (when applicable)	Assistant Director

Communications

Decision	Officer Level
Responses to Members' enquiries	Any officer with sufficient knowledge and expertise
Responses to formal requests for information, e.g.: <ul style="list-style-type: none"> • Freedom of Information Act 2000 • Environmental Information Regulations 2004 • Subject Access Requests 	Refer to relevant procedures. In the absence of such a procedure, the officer level of authorisation is Head of Service
Responses to corporate complaints	Refer to Complaints Procedure. In the absence of such a procedure, the officer level of authorisation is Head of Service
Press releases – with potential for political or reputational impact	Head of Service for Communications

Decision	Officer Level
Press releases – without potential for political or reputational impact	Assistant Director following consultation with Head of Service for Communications
Authorisation of social media posts on council channels	Head of Service or any member of the council's Communications team as delegated by the Head of Service for Communications

(d) Legal

Decision	Officer Level
Appointment of counsel and obtaining external legal advice	Chief Legal Officer
To arrange legal representation, as may be considered appropriate	Chief Legal Officer
Authorisation of statutory notices	Chief Legal Officer
Commencement of legal proceedings	Chief Legal Officer
Recommendations to prosecute offenders	Assistant Director
To consult with the Chief Legal Officer and Chief Finance Officer where the Council is requested to give an indemnity.	Assistant Director

(e) Assets

Decision	Officer Level
Ensuring that asset registers are maintained in the appropriate format for accounting purposes for all fixed assets valued in excess of the limit set out in the Council Financial Regulations, Schedule of Financial Delegations to Officers, and that valuations are made in accordance with the local authority accounting code of practice	Director
Ensuring that all asset acquisitions and disposals are properly recorded within asset records	Director
Ensuring that all asset acquisitions and disposals are properly recorded within asset records	Director
Prescribing the records to be maintained for any stocks and stores and for inventories of moveable assets	Director

Decision	Officer Level
Approving the write off of deficiencies in any stocks, stores and inventory items subject to the limits set out in the Schedule of Financial Delegation to Officers	Director up to £5,000; Director of Resources up to £25,000; Executive above £25,000.

2. Assistant Chief Executive

Authorised by	Nik Hardy, Assistant Chief Executive
Date last updated	31 st March 2023

Delegated Matter	Officer Level
Scrutiny Officer	
To carry out all functions in relation to preparing policies and strategies	
To carry out all functions in relation to communications and marketing	
To carry out all functions in relation to the performance and analysis function	

3. Director of Adult Social Care and Housing

Authorised by	Chris Jones-King, Director of Adult Social Care and Housing (designate) and Cath Whalley, Interim Director of Adult Social Care and Housing
Date last updated	31 st March 2023

Delegated Matter	Officer Level
Deputy Director of Adult Services (to act in absence of, incapacity of or vacancy in the post of Director of Adult Social Care and Housing) <i>This is a personal delegation to a named officer(s)</i>	All ASC Assistant Directors: Assistant Director Care Services Assistant Director ASC Operations Assistant Director Quality & Resources
Nominated Individual for the purposes of Regulation 6 of the Health and Social Care Act 2008 (Regulated Activity) Regulations 2014.	Assistant Director Care Services
Approval of paperwork for court of protection orders	Client Affairs Team Manager
Signatory for paperwork on: <ul style="list-style-type: none"> • Applying for access to bank accounts • Applying for access to stocks • Writing and confirming changes in details • Applying for access to private pensions • Applying to the Department of Work and Pensions for welfare benefits • Reports to the Office of the Public Guardian 	Client Affairs Officers.
Approval of paperwork for selling of property (within Director's remit of responsibility)	Client Affairs Team Manager
Approval to rent a property and to engage a property management company (within Director's remit of responsibility)	Client Affairs Team Manager
Approval of paperwork for house clearances (within Director's remit of responsibility)	Client Affairs Team Manager
To undertake the Council's role as supervisory body in respect of deprivation of liberty in accordance with	DOLS Manager Senior Managers with necessary DOLS training

Delegated Matter	Officer Level
Schedule A1 of the Mental Capacity Act 2005 or any amending legislation.	
To accept a guardianship application and to make an order for discharge of patients subject to guardianship under the Mental Health Act 1983	Assistant Director
Make applications to the Court of Protection and to undertake the role of Deputy for property and financial affairs in accordance with the Mental Capacity Act 2005 on appointment by the Court of Protection	Client Affairs Officers Urgent Care Team Mental Health Team
<p>Apply for and undertake the role of appointeeship with the Department for Work and Pensions under the Social Security (Claims and Payments) Regulations 1987, the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 and associated legislation.</p> <p>To sign documents relevant to undertaking the roles as Deputy and appointee.</p> <p>Approval of paperwork to secure solicitors in relation to deputyship matters.</p>	Client Affairs Officers
To undertake the Council's role as supervisory body in respect of deprivation of liberty in accordance with Schedule A1 of the Mental Capacity Act 2005 or any amending legislation.	DOLS Manager Senior Managers with necessary DOLS training
Authorisation of a Deprivation of Liberty order	DOLS Manager Senior Managers with necessary DOLS training
Approval of paperwork for court protection orders	Client Affairs Team Manager
Arrange Care Packages, weekly Value up to £980	Team Manager
Arrange Care Packages, weekly Value £980 to £1,900	Service Manager
Arrange Care Packages, weekly Value above £1,900	Senior Manager
Approval of paperwork to secure solicitors on behalf of deputyships	Client Affairs Officer following consultation with Monitoring officer

Delegated Matter	Officer Level
Decision on the use of assets e.g. whether equity release is appropriate or the selling of assets such as vehicles, land, stocks, and shares.	Less than £500.00 – Client Affairs Officers Greater than £1,000 – Client Affairs Officers following consultation with s151 officer
Apply for and undertake the role of appointeeship with the Department for Work and Pensions under the Social Security (Claims and Payments) Regulations 1987, the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 and associated legislation.	Client Affairs Officer
Approval to pay in advance funeral expenses for the estate to be invoiced once probate agreed	Client Affairs Officer if it involves deputyship
Housing Grants, - mandatory assistance, discretionary assistance and Loans:	
<p>The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) provides general powers for the authority to provide assistance for housing renewal, including home adaptations. The powers, detailed in Article 3 of the order, can only be used in accordance with a published Housing Assistance Policy.</p> <p>The local authority has a duty to consider all formal Disabled Facility Grant applications and make a formal decision and notification. The approval of such applications will be in writing and signed by a suitable senior service lead or budgetary manager as delegated.</p> <p>Outside of a published RRO Housing Assistance Policy the authority has a duty to consider a discretionary top up on mandatory Disabled Facility Grants over £30,000.00 in exceptional cases. This decision will be considered on a case-by-case basis, taking into account the impact that rejecting it may have on the ability for the applicant to proceed without the additional funding in place. Approval of such applications will be made in conjunction with the relevant Director subject to budgetary allocations.</p> <p>The delegation will also:</p> <ul style="list-style-type: none"> allow Officers to process approval and make payment of individual Private Sector Renovation Grants, Disabled Facilities Grants and Home 	Assistant Director Adult Social Care and Housing following consultation with Director

Delegated Matter	Officer Level
<p>Repair Grants and any other grants under a published policy.</p> <ul style="list-style-type: none"> • To exercise (in consultation with the relevant Portfolio Holder) the powers available to the Council under the Housing Grants, Construction and Regeneration Act 1996, the Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008 and any other relevant powers available to the authority to reclaim any money paid in respect of Disabled Facilities Grant. • To grant requests for extension of the time limits for improvement and adaptation grants • Authorising expenditure on the use and allocation of all financial resources relating to housing functions within approved budget provision under the Housing assistance policy and mandatory duties under the Housing Construction and Regeneration Act 1996. • Process, approve and make payment of grants under the Sustainable Warmth Scheme 	
Hostels and Homelessness:	
<p>a) In respect of hostel and associated accommodation:</p> <ol style="list-style-type: none"> (i) Collecting rents, service charges and other monies due to the Council (ii) Enforcing tenancy conditions and preventing illegal occupation (iii) Authorising the service of any statutory, legal or other notice and any other statutory or legal action in connection with the same (iv) Authorising proceedings for possession and for the eviction of any persons. <p>b) Making all necessary determinations and taking any other action which is required to be taken by the Council in order to fulfil its duties and responsibilities relating to homelessness under Part VII of the Housing Act 1996 and any other relevant legislation.</p> <p>c) Authorising any action to be taken to enforce legislation relating to the protection of tenants from unlawful eviction or harassment by private landlords.</p> <p>d) In respect of hostel and associated accommodation, accepting rent guarantees from Social Services and direct payment of rent from the Department of Work and Pensions.</p>	<p>Assistant Director Adult Social Care and Housing</p>

Delegated Matter	Officer Level
<p>e) Increasing rents at hostels automatically when Department of Work and Pensions allowances are increased.</p> <p>f) Dealing with matters relating to the management and letting of the Council's hostel and associated accommodation including granting tenancies and licences for its use.</p> <p>g) Exercising any nomination rights which the Council may have in connection with Housing Association or similar properties.</p> <p>To exercise the powers to investigate and take enforcement action against illegal eviction and harassment of renters, as provided under Protection from Eviction Act 1977.</p>	

4. Director of Business Transformation and Change

Authorised by	Jo Atkinson, Director of Business Transformation and Change
Date last updated	30 th March 2023

Delegated Matter		Officer Level
Approving and monitoring expenditure and allocation of Better Care Fund including Disabled Facilities grants		Director of Business Transformation and Change Assistant Director – Commissioning and Procurement Service Manager
Approving Contract Modifications		Assistant Director -Commissioning & Procurement
Approving Contract Exemptions		Assistant Director -Commissioning & Procurement
Approving Permissions to Procure		Assistant Director -Commissioning & Procurement
Specific Framework and Contracts:		
AQP Framework Agreement for Homecare Services	Appointment of Providers onto Framework	Service Manager
Open Framework Agreement for the provision of Older Adults Residential and Nursing Care Services	Appointment of Providers onto Framework	Commissioning Manager
Framework Agreement for the provision of Day Opportunities	Appointment of future providers onto Framework	Service Manager
Open Framework Agreement for Supported Living for People with a Learning Disability, Mental Health Problem,	Appointment of future providers onto Framework	Service Manager

Delegated Matter		Officer Level	
Autism or a Physical/Sensory Impairment			
	Authorising the award of call-off contracts for Supported Living (following mini-competition or direct call off)	Assistant Director Adults	Contracts with a value between £100,000 and £200,000 per year
		Senior Manager Mental Health, Learning Disabilities and Autism	contracts with a value between £50,000 and £100,000 per year
		Senior Manager Long Term Interventions	contracts with a value between £50,000 and £100,000 per year
		Service Manager County Mental Health	Contracts with a value up to £50,000 per year
		Service Manager County Learning Disabilities	Contracts with a value up to £50,000 per year
		Service Manager West Long Term Interventions Team	Contracts with a value up to £50,000 per year
		Service Manager North Long Term Interventions Team	Contracts with a value up to £50,000 per year
		Service Manager South Long Term Interventions Team	Contracts with a value up to £50,000 per year

Delegated Matter		Officer Level																																					
		1. When awarding contracts, officers must ensure the Framework rules are complied with. 2. Officers are not permitted to sub-delegate or further delegate powers. Only Directors may make Key Decisions.																																					
Dynamic Purchasing System (DPS) for Transport Services	Appointment of future providers onto the DPS	Service Manager																																					
	Authorising the award of specific routes (bulk tender)																																						
	Authorising the award of adult transport contracts for day opportunities outside bulk tenders	<table border="0"> <tr> <td>Assistant Director</td> <td>- contracts with a value between £100,000 and £200,000</td> </tr> <tr> <td>Adults</td> <td></td> </tr> <tr> <td>Senior Manager</td> <td>- contracts with a value between £50,000 and £100,000</td> </tr> <tr> <td>Mental Health, Learning Disabilities and Autism</td> <td></td> </tr> <tr> <td>Senior Manager</td> <td>- contracts with a value between £50,000 and £100,000</td> </tr> <tr> <td>Long Term Interventions</td> <td></td> </tr> <tr> <td>Service Manager</td> <td>- contracts with a value up to £50,000</td> </tr> <tr> <td>County</td> <td></td> </tr> <tr> <td>Mental Health</td> <td></td> </tr> <tr> <td>Service Manager</td> <td>- contracts with a value up to £50,000</td> </tr> <tr> <td>County</td> <td></td> </tr> <tr> <td>Learning Disabilities</td> <td></td> </tr> <tr> <td>Service Manager</td> <td>- contracts with a value up to £50,000</td> </tr> <tr> <td>West</td> <td></td> </tr> <tr> <td>Long Term Interventions Team</td> <td></td> </tr> <tr> <td>Service Manager</td> <td>Contracts with a value up to £50,000 per year</td> </tr> <tr> <td>North</td> <td></td> </tr> <tr> <td>Long Term Interventions Team</td> <td></td> </tr> </table>		Assistant Director	- contracts with a value between £100,000 and £200,000	Adults		Senior Manager	- contracts with a value between £50,000 and £100,000	Mental Health, Learning Disabilities and Autism		Senior Manager	- contracts with a value between £50,000 and £100,000	Long Term Interventions		Service Manager	- contracts with a value up to £50,000	County		Mental Health		Service Manager	- contracts with a value up to £50,000	County		Learning Disabilities		Service Manager	- contracts with a value up to £50,000	West		Long Term Interventions Team		Service Manager	Contracts with a value up to £50,000 per year	North		Long Term Interventions Team	
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		<p>Officers are not permitted to sub-delegate or further delegate powers.</p> <p>Only Directors may make Key Decisions</p>			
Provider appointments to the Extra Care Housing Care and Support Framework	Appointment of future providers onto Framework	Service Manager			
Early Education & Childcare flexible Framework (CCC Commissioned)	Appointments to the Early Education & Childcare flexible Framework	Commissioning Manager			
Flexible Agreement for the provision of Fostering Agency Placements (Hosted by Lancashire County Council)	To award all services called off the open Framework	Relevant Senior Manager in Children's Services			
North West Supported and Independent Living Placement Dynamic Purchasing System (hosted by Bolton Council)	To award all services called off the open Framework	Assistant Director of Children and Families			
Flexible Purchasing System Agreement for Children and Young People's Residential Placements (Hosted by	To award all services called off the open Framework	Relevant Director			

Delegated Matter		Officer Level
Trafford Borough Council)		
Children and Young People Foster Care Flexible Purchasing System (FPS) (Hosted by Trafford Borough Council)	To award all services called off the open Framework	Relevant Senior Manager in Children's Services
Flexible Purchasing System Agreement for Educational Placements & Other Support Services for Special Educational Needs and Disabilities (SEND) (Hosted by Cheshire East Council)	To award all services called off the open Framework	Assistant Director of SEND, Education & Inclusion
Regional Adoption Agency Provider Panel Contract (Hosted By Durham Council)	To award all services called off the open Framework	Assistant Director of Children and Families
Targeted Short Break Activity Framework	Appointment of Providers onto Framework	Relevant Senior Manager in Children's Services
	Award all services called off the Framework	Assistant Director of SEND, Education & Inclusion
	Approve the start of a procurement exercise to call off the Framework	Assistant Director of Children and Families

Delegated Matter		Officer Level
Apprenticeships Framework	Open & Close Framework	Assistant Director of HR and OD
	Permission to Procure Mini Competitions	Assistant Director of HR and OD
	Permission to Award Mini Competitions	Assistant Director of HR and OD
	Withdraw Contracts	Assistant Director of HR and OD
	Authorise expenditure on the Digital Account Service (Payment of Apprenticeship training providers)	Assistant Director of HR and OD
Community Pharmacy Open Framework	Approval of additional eligible providers to the flexible framework	Commissioning Manager
General Practice Open Framework	Approval of additional eligible providers to the flexible framework	Commissioning Manager

5. Director of Children and Family Wellbeing

Authorised by	Martin Birch, Director of Children and Family Wellbeing
Date last updated	30 th March 2023

Delegated Matter	Officer Level
<p>Deputy Director of Childrens Services (to exercise the functions of the Director of Children’s Services under the Children Act 2004 and Section 22 of the Children Act 1989 in the absence of, incapacity of or vacancy in the post of Director of Children’s Services)</p> <p><i>This is a personal delegation to a named officer(s)</i></p>	Lynn Berryman
<p>The following functions and powers are reserved to the Director of Children’s Services (or in their absence the relevant Assistant Director):</p>	
<p>Approval to convene a secure panel and recommendation goes to AD & DCS</p>	Assistant Director of Children and Families.
<p>Approval to place a child or young person at a distance in accordance with the Care Planning, Placement and Case Review (England) Regulations 2010</p>	Assistant Director of Children & Families
<p>Approval for a child looked after to join the Armed Forces</p>	Assistant Director of Children & Families
<p>Deciding to cease looking after a 16 or 17 year old young person who is looked after by virtue of a Care Order</p> <p>Notification to Ofsted following the death of a child looked after/serious harm to a child in a children’s home or foster care.</p> <p>Notification to the Secretary of State and all with parental responsibility following a death of a child/serious harm in a children’s home or foster care.</p> <p>Notification to Ofsted of a serious case review.</p> <p>Decision to place a child subject to a care order or an interim care order with parents or persons with parental responsibility.</p> <p>Agree any stay with parent for more than 24 hours.</p>	Assistant Director of Children & Families

Delegated Matter	Officer Level
<p>Approval/External Residential Placement (short term), Approval for external residential or IFA (long term) Approval and sign off of unregulated provision. Agreement to authorise absence from education (CLA child) Agreement for young person over 18 years old to remain in residential placement.</p>	
<p>The following functions and powers are made exclusively to the roles identified:</p>	
<p>Responsible Individual in accordance with Regulation 26 of the Children’s Homes (England) Regulations 2015.</p>	<p>Named Responsible Individual as registered with Ofsted</p>
<p>Registered Manager of Council’s Children’s Homes in accordance with Regulation 27 of the Children’s Homes (England) Regulations 2015.</p>	<p>Named Responsible Individual as registered with Ofsted</p>
<p>The role of appointing Independent Reviewing Officers to Children’s Services files in accordance with the Children Act 1989.</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Learning Improvement service</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Inclusion service</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Schools</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Learning and skills</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Traded services</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Short break services</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Authorisation of statutory penalty notices for taking families to court for non-attendance at school</p>	<p>Assistant Director of SEND Education and Inclusion</p>
<p>Delegated Matter – Team Managers in Children’s Social Care within their areas of responsibility & in the ordinary course of their duties:</p>	

Delegated Matter	Officer Level
<p>Assessment/Care Planning – Child in Need of Support</p> <p>Approve Child & Family Assessments</p>	Team Managers
<p>Risk Management/Care Planning – Child in Need of Protection</p> <p>Convene Strategy Meetings and Initial Child Protection Conference.</p> <p>Recommendation that a CPP no longer required</p>	Team Managers
<p>Legal Gateway Court Proceedings – Child in Need of Care</p> <p>Authorise final statement</p> <p>Quality assurance of final care plan</p>	Team Managers
<p>Child/Young Person Looked After</p> <p>Agree overnight stays with parents for less than 24 hour</p> <p>Approve passport applications</p> <p>Signature of a change of name deed</p>	Team Managers
<p>Care Leavers</p> <p>Approve Pathway Assessment</p> <p>Approve Staying Put or Homestay arrangements</p> <p>Approve Pathway Plans</p>	Team Managers
<p>Access to Provision and Financial Decision Making</p> <p>Approve Section 17 expenditure below £100 or cumulative spend of £250</p> <p>Approve transport arrangements within the relevant budget.</p>	Team Managers
<p>Delegated Matter – Service Managers in Children’s Social Care within their areas of responsibility & in the ordinary course of their duties:</p>	
<p>Risk Management/Care Planning – Child in Need of Protection</p>	Service Managers

Delegated Matter	Officer Level
<p>Approve viability assessments</p> <p>Approval to be a special guardian</p> <p>Authority to apply for a deprivation of liberty order</p>	
<p>Child/Young Person Looked After</p> <p>Consent to medical examinations and treatment of CLA where the authority holds parental responsibility</p>	Service Managers
<p>Care Leavers</p> <p>Approve finance packages to provide accommodation for care leavers in higher education</p>	Service Managers
<p>Access to Provision and Financial Decision Making</p> <p>Approve Section 17 expenditure over £100 but below £1,000 or cumulative spend of £1,500</p> <p>Approve transport arrangements within their budget</p> <p>Approval of Adoption Allowance</p> <p>Approval of payment of fees to another adoption agency</p> <p>Approval of post adoption financial support arrangements</p> <p>Approve direct payments</p>	<p>Service Manager</p> <p>Service Manager</p> <p>Service Managers as part of hosted service covered by IAA</p> <p>Service Manager</p>
<p>Risk Management/Care Planning – Child in Need of Protection</p> <p>Approve an assessment under Regulation 24 of the Care Planning Placement and Review Regulations 2010</p>	Senior Managers
<p>Child/Young Person Looked After</p> <p>Approve a Local Authority Foster Placement in an emergency</p> <p>Approve out of area placements</p> <p>Consent to travel abroad</p>	Senior Managers

Delegated Matter	Officer Level
Approval for financial contribution to the cost of court ordered assessment	
<p>Access to Provision and Financial Decision Making</p> <p>Approve Section 17 expenditure above £1,000 and below £3,000</p> <p>Approve payment for an expert witness during legal proceedings</p> <p>Approve transport arrangements within their budget</p> <p>Approve Special Guardianship Orders Allowance</p> <p>Approval of financial contributions to the cost of court order assessments</p> <p>Agreement of any additional services commissioned by an IFA or residential</p> <p>Designated Officer Role</p> <p>Approve a compliant response exceeding 10 days</p>	<p>Senior Managers</p> <p>Senior Managers</p>
<p>Approve the issuing of a letter before proceedings</p> <p>Authorise proceedings under s31 of the Children Act 2004</p> <p>Approve a Local Authority CLA placement</p> <p>Approve for expert witnesses during legal proceedings</p> <p>Take such other action as the Director of Childrens Services may delegate to the Panel from time to time</p> <p>Approval to end pre proceedings (PLO)</p>	<p>Legal & Placement Panel</p>
<p>Approve the plan of permanence for a child looked after.</p> <p>Approve a support plan for Special Guardianship Order applications</p> <p>Confirm foster placement as permanent in accordance with the Council's policy on permanence</p> <p>Approve significant changes to permanent placements or special guardianship arrangements;</p> <p>To take such other decisions as the Director of Childrens Services may delegate to the Panel from time to time</p>	<p>Permanence Panel</p>

Delegated Matter	Officer Level
<p>Approve the issuing of a letter before proceedings</p> <p>Authorise proceedings under s31 of the Children Act 2004</p> <p>Approve a Local Authority CLA placement</p> <p>Approve for expert witnesses during legal proceedings</p> <p>Take such other action as the Director of Childrens Services may delegate to the Panel from time to time</p>	<p>Legal & Placement Panel</p>
<p>To bring a child or young person into emergency or immediate care via an emergency protection order or where the child or young person meets Section 20 criteria.</p>	<p>Service and Senior Managers for Emergency Duty Team</p>
<p>To nominate local authority governors to local authority maintained schools and to academies.</p> <p>To appoint governors to Pupil Referral Units.</p>	<p>Assistant Director Education SEND and Inclusion & the Governor Services Team Manager</p>

6. Director of Place, Sustainable Growth and Transport

Authorised by	Darren Crossley, Director of Place, Sustainable Growth and Transport
Date last updated	19/06/2023

Delegated Matter	Officer Level
<p>Powers of entry:</p> <p>To exercise the powers of entry set out in Sections 196A, 196B, 196C, 214B, 214C, 214D, 324 and 325 of the Town and Country Planning Act 1990 (as amended) and Sections 88, 88A and 88B of the Planning (Listed Building and Conservation Areas) Act 1990 (as amended) and section 74 of the Anti Social Behaviour Act 2003 and Regulation 12 of the Hedgerow Regulations 1997 and to authorise all other officers whose duties require such powers.</p>	All Assistant Directors within Directorate
To exercise all the powers and duties and discharge all Executive functions under any relevant legislation or otherwise in relation to economic development matters including business support and grant awards	Assistant Director of Thriving Place and Investment
The preparation of plans, strategies, policies and budgets in respect of the Council's strategic housing functions for consideration by the Executive and approval by the Council and monitoring the subsequent implementation of those policies	Assistant Director of Thriving Place and Investment
To exercise all the powers and duties and discharge all Executive functions under any relevant legislation or otherwise in relation to those powers and duties of the Council as local planning authority and in respect of building control matters which are Executive functions (other than those which are designated as Council functions under the Constitution and reserved to the Development Control Committee)	Assistant Director of Thriving Place and Investment
To approve the Council entering into an Agreement under section 106 of the Town and Country Planning Act 1990	Assistant Director of Thriving Place and Investment
To deal with all Building Regulation applications and related matters (including the service of notices and authorising the institution of legal proceedings following consultation with the Monitoring Officer)	Assistant Director of Thriving Place and Investment Head of Building Control

Delegated Matter	Officer Level
	Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
To approve within budget provision conservation grant applications and amendments	Assistant Director of Thriving Place and Investment
To approve within budget provision Local Government (Historic Buildings) Act 1962 grant applications and amendments	Assistant Director of Thriving Place and Investment
To approve within budget provision work on agreed enhancement schemes.	Assistant Director of Thriving Place and Investment
To be the Council's representative and to take decisions on behalf of the Council under the Safety of Sports Grounds Act 1975, other than in respect of those matters which are reserved to the Regulatory Panel under the Constitution.	Assistant Director of Thriving Place and Investment Head of Building Control Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
To approve or reject applications for Access Grants	Assistant Director of Thriving Place and Investment Head of Building Control Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
To negotiate individually assessed charges for Building Control fees as per the Building (Local Authority Charges) Regulations 2010	Assistant Director of Thriving Place and Investment Head of Building Control
The preparation of Local Plans and amendments thereto and supplementary planning documents for submission to the Executive and approval by the Executive or Council.	Assistant Director of Thriving Place and Investment following consultation with Assistant Chief Executive
The preparation of plans, strategies, policies and budgets in all the areas referred to above for consideration by the Executive and approval by the Council.	Assistant Director of Thriving Place and Investment
Authority to carry out on my behalf all matters necessary for the proper processing, administration, gathering of information, consultation, notification and determination of any application for planning permission.	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager

Delegated Matter	Officer Level
	Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
The enclosure of dangerous places, regulation of demolition work and other actions in respect of dangerous and or dilapidated buildings and other structures, neglected sites and injurious weeds and fire prevention and safety precaution matters	Assistant Director of Thriving Place and Investment Head of Building Control Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
The regulation of demolition work; matters in respect of dangerous and/or dilapidated buildings and other structures; neglected sites and fire prevention and safety precautions matters	Assistant Director of Thriving Place and Investment Head of Building Control Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
To exercise the Council's functions and powers relating to high hedges set out in Part 8 of the Anti-Social Behaviour Act 2003 or any statutory amendment or re-enactment thereof.	Assistant Director of Thriving Place and Investment
To exercise the Council's powers in connection with Community Protection Notices pursuant to sections 42 to 58 Antisocial Behaviour Act 2003	Assistant Director of Thriving Place and Investment
To exercise the Council's powers in connection with the naming and numbering of streets.	Assistant Director of Thriving Place and Investment Head of Building Control Business Development Manager (Building Control) Building Control Manager Principal Building Control Officer
To approve or disapprove any of the following matters when reserved or made the subject of conditions, in a Planning Consent:	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager

Delegated Matter	Officer Level
<ul style="list-style-type: none"> (i) Materials to be used externally on buildings (ii) Landscaping and tree planting proposals and tree replacements (iii) Finish of boundary walls and fences (iv) Finish of parking areas 	Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
<p>To determine applications submitted under Section 64 of the Town and Country Planning Act 1990 (whether planning permission is necessary) and to determine whether development that falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 requires an Environmental Impact Assessment</p>	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager Assistant Director of Thriving Place and Investment Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
<p>To approve or refuse works to trees including felling, pruning and requirements to replant in respect of trees subject to Tree Preservation Orders.</p>	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
<p>Following consultation with the Chief Legal Officer to make and, in the absence of any objections, to confirm Tree Preservation Orders.</p>	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development

Delegated Matter	Officer Level
	Lead Officer Development Control
To take any action which may be required to be taken by or on behalf of the Council pursuant to its duties and responsibilities under the Hedgerow Regulations 1997 made under the Environment Act 1995.	Senior Manager – Planning Planning Manager Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
Authority to carry out on my behalf all matters necessary for the proper processing, administration, gathering of information, consultation, notification and determination of any application for planning permission pursuant to the Council Scheme of Delegation.	Assistant Director of Thriving Place and Investment Senior Manager – Planning Planning Manager Head of Development Management Principal Planning Officer Head of Planning and Place Manager Development Control and Sustainable Development Lead Officer Development Control
The maintenance and operation of the local land charges register and local searches functions	Assistant Director of Thriving Places and Investment
To be responsible for all functions in respect of Local Land Charges and Searches and Enquiries and to implement any statutory increases in fees relating to Local Searches and Enquiries and to vary any supplement payable to other statutory bodies as and when that body increases its fees	Assistant Director of Thriving Places and Investment
<p>To sign all Notices of Application to amend the register of commons.</p> <p>To determine the following applications to amend the registers of common land or town or village greens when no objection has been received:</p> <ol style="list-style-type: none"> i. Declarations of entitlement to exercise a right in common ii. Apportionment of a right of common iii. Attachment of a right in common iv. Re-allocation of attached rights v. Transfer of a right in gross 	<p>Assistant Director of Neighbourhoods</p> <p>Assistant Director of Thriving Place and Investment</p> <p>Manager Development Control and Sustainable Development</p> <p>Lead Officer Historic Environment</p>

Delegated Matter	Officer Level
<ul style="list-style-type: none"> vi. Creation of a right of common over existing common land vii. Variation of a right of common where the amendment would not result in the registration of the new common land viii. Surrender and extinguishment of a right of common ix. Voluntary registration of a new town or village green by the owner x. Severance authorised by order xi. Historic severance of a right of common xii. Historic creation of a right of common over existing common land xiii. Historic transfer of a right in gross xiv. Historic apportionment of a right of common xv. Historic variation of a right of common where the amendment would not result in the registration of the new common land. xvi. Historic surrender or extinguishment of a right of common xvii. Correction for a purpose described in section 19(2)(b)(c)(d) or (e) of the Commons Act 2006 xviii. Correction for a purpose described in section 19(2)(a) of the Commons Act 2006 where the amendment would not affect the extent of any land registered as common land or as a town or village green. 	Commons Registration Officer
To exercise functions in respect of Flood and Water Management including commenting in relation to planning applications	Assistant Director of Neighbourhoods
To exercise functions in respect of highways, including rights of way, in accordance with relevant legislation including the Highways Act 1980, Road Traffic Regulation Act 1984, Road Traffic Act 1988, New Roads and Street Works Act 1991, Traffic Management Act 2004, the Wildlife and Countryside Act 1981 and any regulations made thereunder save for those specific determinations reserved to a committee.	Assistant Director of Highways and Transport Assistant Director of Neighbourhoods (in so far as function relates to Rights of Way)
To exercise discretionary powers under S.257 of the Town and Country Planning Act 1990 to stop up or divert a footpath save where those matters are to be determined by the relevant committee.	Assistant Director of Neighbourhoods
To exercise the powers in sections 25 and 26, Highways Act 1980 and to exercise powers under Part VIII Highways Act 1980 for the stopping-up and diversion of highways, save where those matters are to be determined by the relevant Committee.	Assistant Director of Neighbourhoods

Delegated Matter	Officer Level
To authorise applications to the Magistrates Court for stopping up or diversion of highways	Assistant Director of Highways and Transport
To exercise powers under the Cycle Tracks Act 1984	Assistant Director of Highways and Transport
<p>To authorise the making of orders under section 14(1) Road Traffic Regulation Act 198 in circumstances where, in the opinion of the officer following consultation with the Monitoring Officer, it is expedient to make the order:</p> <ul style="list-style-type: none"> (a) For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising, or (b) For preventing damage to the road or to any building on or near the road, or (c) For facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or (d) For preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or (e) Without prejudice to the generality of paragraph (d) above, for preserving the character of the road in a case where it is especially suitable for use by persons on horseback or on foot, or (f) For preserving or improving the amenities of the area through which the road runs, or (g) For any of the purposes specified in section 87(1) (a) to (c) Environment Act 1995 (air quality) 	<p>Assistant Director of Neighbourhoods (Rights of way only) Assistant Director of Highways and Transport Senior Countryside Officer; Countryside Access Officer; Traffic Manager Traffic Management Team Leader Traffic Management Officer Traffic Management Technician Assistant Traffic Management Technicians</p>
<p>To authorise the making of an order under section 16A Road Traffic Regulation Act 1984 in circumstances where, in the officer's opinion following consultation with the Chief Legal Officer, it is expedient to make the order for a 'relevant event' meaning any sporting event, social event or entertainment which is held on a road, if the traffic authority for a road is satisfied that traffic on the road should be restricted or prohibited for the purpose of:</p> <ul style="list-style-type: none"> (a) Facilitating the holding of a relevant event, (b) Enabling members of the public to watch a relevant event, or 	<p>Assistant Director of Neighbourhoods (Rights of way only) Assistant Director of Highways and Transport Senior Countryside Officer; Countryside Access Officer; Traffic Manager Traffic Management Team Leader Traffic Management Officer Traffic Management Technician</p>

Delegated Matter	Officer Level
(c) Reducing the disruption to traffic likely to be caused by a relevant event.	Assistant Traffic Management Technicians
To authorise the making of an order under section 21 of the Town Police Clauses Act 1847 for the purpose of preventing the obstruction of streets	Assistant Director of Highways and Transport
To authorise the making of orders under section 12D of the Road Traffic Act 1988 in circumstances where, in the officer's opinion following consultation with the Chief Legal Officer, it is expedient to make the order for the purpose of motor racing on the public highway.	Assistant Director of Highways and Transport
To authorise the issue of notices under sections 14(2)(a) and (b) of the Road Traffic Regulation Act 1984 in circumstances where, in the opinion of the officer, it is necessary for the restrictions or prohibitions sought to come into force without delay.	Assistant Director of Neighbourhoods (in so far as function relates to Rights of Way) Assistant Director of Highways and Transport Traffic Manager Traffic Management Team Leader Senior Countryside Access Officer (insofar as function relates to Rights of Way)
To enter into agreements under sections 38 and 278 of the Highways Act 1980 together with any variations, memoranda, deeds of release or supplements to such agreements, together with power to enter into Advance Payments Code Bonds under section 220(1) Highways Act 1980.	Assistant Director of Highways and Transport Local Area Network Manager Highway Network Engineer
To enter into agreements under sections 4, 6, 8 and 59 of the Highways Act 1980.	Assistant Director of Highways and Transport
To approve the adoption of roads under Section 37 of the Highways Act 1980	Assistant Director of Highways and Transport Local Area Network Manager Highway Network Engineer
To approve the placing of roadside seats, milk stands, bus shelters, telephone kiosks and other small structures within highways limits.	Assistant Director of Highways and Transport Local Area Network Manager

Delegated Matter	Officer Level
To approve the construction of vehicle crossings over footways and verges.	Assistant Director of Highways and Transport Local Area Network Manager Highway Network Engineer
To enter into agreements in relation to roundabout sponsorship	Local Area Network Manager
<p>To determine applications under the Highways Act 1980 and the New Roads and Street Works Act 1991, or other relevant legislation, including, but not limited to, the following:</p> <ul style="list-style-type: none"> (a) the placing and removal of builders skips (b) the placing and removal of apparatus in or under the highway, or the breaking open of the highway (c) the planting of trees or shrubs on the highway (d) the erection of scaffolding and hoardings on the highway (e) temporary deposits and excavations in the highway (f) services and amenities on in or under the highway (g) buildings and structures over the highway (h) wires, cables, rails and beams or other similar apparatus under, along, across and over the highway (i) laying of pipes under or in the highway (j) construction of bridges over the highway (k) erection of fences and boundary posts on the highway. (l) the approval of retaining walls (m) the installation of refuse or storage bins in Council roads. 	Assistant Director of Highways and Transport Local Area Network Manager Streetworks Manager Streetworks Senior Officer Streetworks Compliance Officer Streetworks Permits Technician Streetworks Technician
To grant consents and impose requirements in connection with works in highways or on adjacent premises and to require hoardings to be set up during building operations abutting on Council roads.	Assistant Director of Highways and Transport Local Area Network Manager
To carry out the Council's functions under section 230 of the Highways Act 1980 (relating to private streets).	Assistant Director of Highways and Transport Local Area Network Manager Highways Network Engineer
To approve development within prescribed building lines, subject to suitable undertakings being obtained from the developer.	Local Area Network Manager
To make orders and grant extensions of time under sections 134 and 135 of the Highways Act 1980 (disturbing the surface of footpaths).	Assistant Director of Neighbourhoods
To maintain and update, by the addition or adopted or previously unlisted public highways, the List of Streets under Section 36 of the Highways Act 1980.	Assistant Director of Highways and Transport

Delegated Matter	Officer Level
To approve the entry on land of employees, contractors or agents of the Council pursuant to the Council's functions relating to highways and adjacent land under the Highways Act 1980, and the Environmental Protection Act 1990 or any other relevant legislation.	Assistant Director of Highways and Transport Assistant Director of Neighbourhoods (in relation to Rights of Way)
To enter into agreements for the purposes of waste disposal, recycling, re-use and waste minimisation, including the modification and termination of such agreements	Assistant Director of Climate and Waste, following consultation with the Assistant Director of Commissioning and Procurement
The development of strategy and policy with respect to neighbourhoods, climate and waste services where they do not form part of the Policy Framework	Assistant Director of Neighbourhoods Assistant Director of Climate and Waste
<p>To appoint, carry out and authorise officers to exercise the Councils enviro-crime statutory powers and duties including power of entry and to carry out enforcement as authorised to issue civil/fixed penalty notices or any notice as appropriate pursuant to the following Acts and any regulations, orders, byelaws and other instruments made thereunder:</p> <ul style="list-style-type: none"> • Animal Welfare Act 2006 • Animal Act 1971 • Anti-Social Behaviour Act 2003 • Anti-Social Behaviour, Crime and Policing Act 2014 • Clean Neighbourhoods and Environment Act 2005 • Control of Pollution Act 1974 • Control of Pollution Amendment Act 1989 • Environment Act 1995 Including Section 108 • Environment Act 2021 • Environmental Protection Act 1990 • Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 • Police and Criminal Evidence Act 1984 • Refuse Disposal Amenity Act 1978 • The Microchipping of Dogs (England) Regulations 2015 • The unauthorised deposit of waste (fixed penalties) regulations 2016 • The Waste (Household Waste Duty of Care) (England and Wales) Regulations 2005 • The Road Traffic (Vehicle emissions) (fixed penalty) (England) Regulations 2002 Regulation 6 	Assistant Director of Neighbourhoods Head of Environment and Community Services Parking and Enforcement Manager Manager – Education and Enforcement Community Safety and Resilience

Delegated Matter	Officer Level
All matters relating to the management and maintenance of parks, green spaces, woodlands, nature reserves and children's play areas through direct services and contracts including preparation of plans.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Open Spaces Manager
All matters relating to sports and physical activity development activities including preparation of plans.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Open Spaces Manager
All matters relating to the management and supervision of contract and direct services for cultural, arts and entertainment venues and activities including preparation of plans.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Customer and Visitor Experience Manager Open Spaces Manager
All matters relating to the management and supervision of contract and direct services for leisure venues and activities including preparation of plans.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Customer and Visitor Experience Manager
To fix and vary charges at catering operations.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Open Spaces Manager Customer and Visitor Experience Manager

Delegated Matter	Officer Level
To determine and amend the charges set by the Council for the use of its parks and green spaces.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Open Spaces Manager
To authorise the grant by the Council of periodic tenancies for up to one year of individual allotments and other matters relating to their use and occupation. Such authorisation is to include signing on behalf of the Council, agreements for the grant, surrender or variation of such tenancies.	Assistant Director of Neighbourhoods Senior Specialist - Sports, Arts and Leisure Head of Communities & Wellbeing Open Spaces Manager
All matters relating to management of services for cemeteries and crematoria owned and managed by the Council including preparation of plans, strategies, policies, and budgets in the above areas for consideration by the Executive and approval by the Council.	Assistant Director of Neighbourhoods Senior Specialist - Bereavements Head of Communities & Wellbeing Open Spaces Manager
The cleansing of streets and open spaces, the removal of abandoned vehicles and other refuse and litter control and enforcement	Assistant Director of Neighbourhoods Assistant Director of Climate and Waste Head of Environment and Community Services Head of Neighbourhoods Parking and Enforcement Manager Manager – Education and Enforcement Community Safety and Resilience Waste Services Senior Manager
Following consultation with the Monitoring Officer to approve the taking of any enforcement action in relation to any Act, Statutory Instrument, contractual or regulatory provision for which the Corporate Director is responsible on behalf of the Council, including the recovery of costs, carrying out of interviews under formal caution, the service of notice upon third parties requiring information and the issue of any civil penalty.	All Assistant Directors

7. Director of Public Health and Communities

Authorised by	Colin Cox, Director of Public Health and Communities
Date last updated	28 June 2024

Delegated Matter	Officer Level
Deputy Director of Public Health (to exercise the full range of functions of the Director of Public Health in the absence of, incapacity of or vacancy in the post of Director of Public Health) <i>This is a personal delegation to a named officer(s)</i>	Public Health Consultants: Claire King, Carol Stewart
Chief Inspector of Weights and Measures	Trading Standards Manager
To authorise persons to enter premises under any enactment or power for which the Director of Public Health and Communities is responsible.	Assistant Director Regulatory Services Manager Head of Public Protection
To appoint inspectors and authorised officers (including for the issue of fixed penalty notices) as required by legislation for the purposes of public protection and health.	Assistant Director Regulatory Services Manager Head of Public Protection
Following consultation with the Monitoring Officer, to institute proceedings under any of enactment or power for which the Director is responsible.	Assistant Director Regulatory Services Manager Head of Public Protection
<u>Finance</u>	
To exercise the functions of the Director of Public Health and Communities with regard to the allocation and expenditure of the Public Health Ring Fenced Grant and associated public health budgets	Public Health Consultants
To exercise the functions of the Director of Public Health and Communities with regard to the allocation and expenditure of the Public Health and Protection budget	Assistant Director – Public Health and Protection

Delegated Matter	Officer Level
To exercise the functions of the Director of Public Health and Communities with regard to the allocation and expenditure of the Communities and Localities budget	Assistant Director – Communities and Localities
To bid for funding, enter into funding agreements and approve the award of grants made under the auspices of the Copeland Community Fund	In accordance with CCF MOU and Copeland Community Fund Advisory Board and / or Up to £100k = Fund Manager £100k - £250k = Fund Manager following consultation with Assistant Director of Communities
To approve and enter into funding agreement variations of grants made under the auspices of the Copeland Community Fund.	Copeland Community Fund Manager in accordance to CCF policies and the procedure.
To enter into funding agreement and approve the award of grants made under Copeland Community Fund, Enabling Fund.	Fund Manager Up to £10k = Copeland Community Fund Officer Deputising for Fund Manager
Approve grants payments up to £25k made under the auspices of the Copeland Community Fund.	Fund Manager Copeland Community Fund Officer Deputising for Fund Manager to in accordance to CCF policies and procedure.
To bid for funding, enter into contracts, approve the award of grants, and vary grant conditions, under the auspices of the Cumbria Social Enterprise Partnership	Social Enterprise Partnership Manager following consultation with the Chair of the Cumbria Social Enterprise Partnership
To bid for funding, enter into contracts, approve the award of grants, and vary grant conditions, under the auspices of Active Cumbria (the local Active Partnership)	Active Cumbria Senior Managers following consultation with the Active Cumbria Advisory Board
<u>Assets of Community Value:</u>	

<p>In accordance with Chapter 3 of the Localism Act 2011 and relevant regulations, power to process, consider and determine nominations to list land or property as Assets of Community Value (including administering any moratorium process) and to maintain the lists of successfully and unsuccessfully nominated assets</p>	<p>Assistant Director of Communities and Localities, following consultation with ward members and the Deputy Leader (statutory)</p>
<p>In accordance with Chapter 3 of the Localism Act 2011 and relevant regulations, power to review, consider and determine claims for compensation arising from decisions to list land or property as Assets of Community Value</p>	<p>Reserved to Director of Public Health and Communities following consultation with section 151 officer</p>
<p><u>Licensing:</u></p>	
<p>Functions in respect of all licensing matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee:</p> <p>To deal with all matters, and exercise the Council's powers, including enforcement, under the Gambling Act 2005, including:</p> <ul style="list-style-type: none"> • To determine applications for premises licences where no representations have been received or any representations made have been withdrawn. 	<p>Assistant Director Regulatory Services Manager Head of Public Protection Licensing Manager Senior Licensing and Land Charges Officer Senior Specialist - Licensing & Compliance</p>

Delegated Matter	Officer Level
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- To determine applications for a variation to a licence where no representations have been received or any representations made have been withdrawn.
- To determine applications for the transfer of a licence where no representations have been received from the Commission.
- To determine applications for a provisional statement where no representations have been received or any representations made have been withdrawn.
- To determine applications for club gaming/club machine permits where no representations have been received or any representations made have been withdrawn.
- To determine applications for other permits.
- To cancel licensed premises gaming machine permits.
- To consider any Temporary Use Notice.

To deal with all matters, and exercise the Council's powers, including enforcement, under the Licensing Act 2003 including:

- To determine applications for a personal licence where no Police objection is made.
- To determine applications for a premises licence and a club premises certificate where no relevant representation is made
- To determine applications for a provisional statement where no relevant representation is made.
- To determine applications to vary a premises licence or a club premises certificate where no relevant representation is made.
- To determine applications to vary a premises licence or a club premises certificate by way of minor variation.

Delegated Matter	Officer Level
<ul style="list-style-type: none"> • To determine applications to vary the designated premises supervisor in cases where there is no Police objection. • To determine all requests to be removed as a designated premises supervisor. • To determine applications for the transfer of a premises licence where no Police objection is made. • To determine applications for interim authorities where no Police objection is made. • To determine whether a complaint is irrelevant, frivolous, vexatious etc. • To make representations as a Responsible Authority, where appropriate, in response to Applications. Note that the Director must be consulted before making representations. <p>To determine applications under the Hypnotism Act 1952</p> <p>To issue a site licence or collectors licence (first grant, renewal, change of site or change of site manager) under the Scrap Metal Dealers Act 2013, where no relevant representations are made.</p> <p>To issue Pleasure Boat consents / licences (including first grant, renewal, transfer and variations) under the Public Health Acts (Amendment) Act 1907.</p> <p>To issue Sex Establishment licences upon renewal, transfer or variation, where no objections are received (or if objections are withdrawn) under Local Government (Miscellaneous Provisions) Act 1982</p> <p>To issue and refuse House to House and Street Collection Permits under the Police, Factories & c. (Miscellaneous Provisions) Act 1916 and House to house collections Act 1939.</p> <p>To deal with all matters, and exercise every function, and power, including enforcement, as prescribed under the Town Police Clauses Act 1847 (as amended), Local Government (Miscellaneous Provisions) Act 1976 (as amended) and other relevant legislation, relating to hackney carriage, private hire drivers, proprietors and vehicles, and private hire operators, including:</p>	

Delegated Matter	Officer Level
<ul style="list-style-type: none"> • To licence (first grant and renewal) all hackney carriage and private hire related licences (drivers, vehicles and operators) – where the application is in compliance with HC & PH Policy • To refuse (first grant and renewal) all hackney carriage and private hire related licences (drivers, vehicles and operators) – where application does not comply with the HC & PH Policy • To suspend or revoke all hackney carriage and private hire related licences but only on the grounds of public safety. <p>To exercise the Council's powers and duties with respect to tattooing, ear and body piercing and electrolysis, under the Local Government (Miscellaneous Provisions) Act 1982 and byelaws made under this legislation.</p> <p>To deal with all matters, and exercise the Council's powers, including enforcement, in respect of street trading legislation as prescribed under Local Government (Miscellaneous Provisions) Act 1982, including to issue street trading consents / licences (including first grant, renewal, transfer and variations), where no representations received, or representations have been withdrawn</p>	
<p><u>Environmental Health and Trading Standards:</u></p>	
<p>Environmental Protection</p> <p>Functions in respect of all Environmental Protection matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee, including and not limited to:</p> <p>To exercise the Council's powers with respect to the identification and remediation of contaminated land, as provided under Environmental Protection Act 1990 and associated regulations.</p> <p>The inspection of the authority's area to detect any statutory nuisance and the investigation of any complaint as to the existence of a statutory nuisance including the service of any abatement notices, as provided under Environmental Protection Act 1990 and associated regulations.</p>	<p>Assistant Director Regulatory Services Manager Head of Public Protection</p>

Delegated Matter	Officer Level
<p>Investigating offences under the Environmental Protection Act 1990.</p> <p>To exercise the Council's powers with respect to regulation of processes, and the control of emissions, with a potential impact on the environment (including the issue and revocation of any consent, licence, or permit and taking any action to enforce the provisions of this), as provided under the environment Act 1995, Pollution Prevention and Control Act 1999, and associated regulations, including the Environmental Permitting (England and Wales) Regulations 2016.</p> <p>To exercise the Council's powers and duties with respect to the burning of crop residues, as provided under Environmental Protection Act 1990 and associated Regulations.</p> <p>To exercise the Council's powers and duties with respect to cable burning, as provided under Environmental Protection Act 1990, Pollution Prevention and Control Act 1999 and associated Regulations.</p> <p>To exercise the Council's powers and duties with respect to audible alarm notification areas, as provided by Clean Neighbourhoods Act and Environment Act 2005 and associated Regulations.</p> <p>To exercise the Council's powers and duties with respect to the use of loudspeakers in streets, as provided under Control of Pollution Act 1974 and Noise and Statutory Nuisance Act 1993</p> <p>To exercise the Council's powers and duties with respect to the noise from construction sites, as provided under Control of Pollution Act 1974</p> <p>To exercise the Council's powers and duties with respect to noise from certain premises at night, as provided by Noise Act 1996, as amended.</p> <p>To exercise the Council's powers and duties with respect to the seizure of equipment used to make noise unlawfully as provided by Noise Act 1996, as amended, and Environmental Protection Act 1990.</p> <p>To exercise the Council's powers with respect to smoke emissions from chimneys and premises, as provided under the Clean Air Act 1993 and associated regulations.</p> <p>To exercise the Council's powers with respect to the control of noise levels on construction or demolition sites.</p>	

Delegated Matter	Officer Level
<p>To exercise the Council's powers with respect to the control of emissions from furnaces, as provided under the Clean Air Act 1993 and associated regulations.</p> <p>To exercise the Council's powers to determine chimney heights as provided under the Clean Air Act 1993 and associated regulations.</p> <p>To exercise the Council's powers with respect to obtaining information about air pollution or other information to protect the environment.</p> <p>To exercise the Council's powers to prevent pollution of land, water or air or harm to human health, as provided under the Clean Air Act 1993 and associated regulations.</p> <p>To exercise the Council's powers with respect to the review and assessment of air quality, as provided under the Environment Act 1995 and associated regulations.</p> <p>To exercise powers with respect to the control of Anti-Social Behaviour, as provided under the Anti-social Behaviour Act 2003 and associated regulations, including Anti-Social Behaviour, Crime and Policing Act 2014.</p>	
<p>Food Safety and Food Standards</p> <p>Functions in respect of all Food Safety and Food Standards matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee, including and not limited to:</p> <p>To exercise the Council's powers with respect to securing the safety of food throughout the food chain, including imported food, and the condition of food premises (including, but not limited to, powers of licensing and registration), as provided by the Food Safety Act 1990 and any associated Regulations</p> <p>To exercise the Council's powers with respect to water supplies, including private water supplies as provided by the Water Industry Act 1991 and associated Regulations including The Private Water Supplies (England) Regulations 2016.</p> <p>To exercise the Council's powers relating to the closure or restriction of polluted water supply, as provided under Public Health Act 1936.</p>	<p>Assistant Director Regulatory Services Manager Head of Public Protection Trading Standards Manager</p>

Delegated Matter	Officer Level
<p>To exercise the Council's powers in relation to the control of animal by products.</p>	
<p>Trading Standards Functions in respect of all Trading Standards matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee, including:</p> <ul style="list-style-type: none"> • Weights & Measures • Food Standards and labelling • Consumer Protection • Consumer Safety • Animal Health & Welfare • Animal Feed • Agriculture • Fair Trading • Health & Safety <p>Taking decision to commence prosecutions</p>	<p>Assistant Director of Public Health and Communities Trading Standards Manager</p> <p>Assistant Director Public Health and Protection Trading Standards Manager</p> <p>each following consultation with Head of Trading Standards (Westmorland and Furness) and Monitoring officer (Cumberland Council)</p>
<p>Health and Safety</p> <p>To exercise the Council's functions relating to health and safety including the service of any Improvement or Prohibition Notices, the appointment of Inspectors and the institution of legal proceedings under the Health and Safety at Work etc Act 1974 and enforcement of any regulation made under the 1974 Act.</p>	<p>Assistant Director of Public Health and Communities Regulatory Services Manager Head of Public Protection Trading Standards Manager</p>
<p>Public Health</p> <p>Functions in respect of all Public Health matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee, including and not limited to:</p>	<p>Assistant Director Regulatory Services Manager Head of Public Protection</p>

Delegated Matter	Officer Level
<p>To exercise the Council's powers with respect to defective sanitary conveniences, as provided under Public Health Act 1936.</p> <p>To exercise the Council's powers with respect to overflowing and leaking cesspools, as provided under Public Health Act 1936.</p> <p>To exercise the Council's powers with respect to the provision, replacement and conversion of sanitary conveniences, as provided under Building Act 1984.</p> <p>To exercise the Council's powers with respect to blocked private sewers as provided under Local Government (Miscellaneous Provisions) Act 1976 and Public Health Act 1961.</p> <p>To exercise the Council's powers concerning defective drainage to existing buildings (including unsatisfactory provision of drainage, drainage prejudicial to health or nuisance, soil pipe / ventilating shaft) as provided under Building Act 1984 and Public Health Act 1961.</p> <p>To exercise the Council's powers with respect to unsatisfactory drainage to paving of yards and passages as provided under Building Act 1984.</p> <p>To exercise the Council's powers relating to controlled waste, litter, rubbish, obnoxious matter or anything on land in the open air, as provided under the Public Health Act 1961, Public Health Act 1936, Refuse Disposal (Amenity) Act 1978 & Environmental Protection Act 1990.</p> <p>To exercise the Council's powers for the prevention of smoking in designated places and vehicles, as provided under Health Act 2006 and associated regulations.</p> <p>To exercise the Council's powers with respect to the control of infectious and notifiable diseases, as provided under the Public Health (Control of Diseases) Act 1984 and associated regulations.</p> <p>To exercise the Council's powers with respect to filthy or verminous premises, articles or persons, as provided under Public Health Act 1936 and 1961.</p> <p>To exercise the Council's powers in respect of burial of the dead where there are no relatives who will fund the cost, as provided under Public Health (Control of Diseases) Act 1984 and exhumations as sanctioned under by Ministry of Justice (Burial Act 1857).</p>	

Delegated Matter	Officer Level
<p>To exercise the Council's powers for the control of pest and vermin and the prevention of damage by pests, as provided under the Prevention of Damage by Pests Act 1949.</p> <p>To exercise the Council's powers to direct unauthorised campers to leave land, as provided under Criminal Justice and Public Order Act 1994 (including gypsy and traveller encampments and including making a determination as to whether or not to tolerate the encampment).</p> <p>To exercise the Council's powers with respect to port health duties, including control of infectious disease in ships and ship sanitation controls, as provided Public Health Act 1936, including Public Health (Ships) Regulations 1979.</p> <p>To deal with all matters, and exercise the Council's powers, including enforcement, in respect of animal welfare for the licensing of animals and animal associated activities, as provided by the Animal Welfare Act 2006 and associated regulations.</p> <p>To exercise the Council's powers in relation to the protection of buildings, including those which are not effectively secured against unauthorised entry or likely to become a danger to public health, as provided by the Local Government (Miscellaneous Provisions) Act 1982.</p>	
<p>Housing and Health</p> <p>Functions in respect of all Housing & Health matters, including the service of any notice or order, the exercise of any powers of entry and the taking of any other action, but only to the extent that they have not been reserved to Council, Leader and Executive or a Committee, including and not limited to:</p> <p>To exercise powers with respect to housing conditions, as provided under Part 1 Housing Act 2004, including the enforcement of housing standards, service of notices and orders, undertaking emergency measures, demolition orders and slum clearance declaration and the power recover expenses relating to enforcement action.</p> <p>To exercise powers with respect to the licensing of houses in multiple occupation (HMOs), provided under Part 2 Housing Act 2004.</p> <p>To exercise the powers with respect to the selective licensing of other residential accommodation as provided under Part 3 Housing Act 2004.</p>	<p>Assistant Director Regulatory Services Manager Head of Public Protection</p>

Delegated Matter	Officer Level
<p>To exercise the powers with respect to the additional control provisions in relation to residential accommodation, as provided by Part 4 Housing Act 2004, including the provisions of Interim and Final Management Orders, Interim and Final Empty Dwelling Management Orders, Over Crowding Notices.</p> <p>To exercise any powers and provisions required in Part 7 of the Housing Act 2004, to cover functions within Parts 1 - 4</p> <p>To exercise any duties as provided by the Housing Act 1985.</p> <p>To exercise powers to address any premises in such a state as to be prejudicial to health, as provided under Building Act 1984.</p> <p>To exercise the Council's powers to ensure a minimum level of energy efficiency for privately rented properties, as provided under the Energy Act 2011 and associated regulations including Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.</p> <p>To exercise the Council's powers relating to the Electrical Safety Standards in Private Rented Housing, as provided under Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020.</p> <p>To exercise powers to ensure rented dwellings are provided with smoke and carbon monoxide alarms, as provided under the Smoke and Carbon Monoxide Alarm (England) Regulations 2015.</p> <p>To exercise the Council's powers with respect to ruinous and dilapidated buildings, dangerous buildings and the demolition of buildings, as provided under Building Act 1984.</p> <p>To exercise the Council's powers with respect to means of escape from certain high buildings, as provided under Building Act 1984.</p> <p>To exercise powers with respect to the control of caravan sites including powers under the Caravan Sites Act 1968, the Caravan Sites and Control of Development Act 1960 and the Mobile Homes Act 2013.</p> <p>To exercise relevant powers in relation to the Housing and Planning Act 2016.</p>	

Delegated Matter	Officer Level
To exercise powers as provided by Part 4 of the Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014.	

8. Director of Resources

Authorised by	Simon Higgins, Director of Resources
Date last updated	19 th March 2024

(a) Legal

Delegated Matter	Officer Level
Senior Information Risk Owner	Director of Resources
Deputy Senior Information Risk Owner	Chief Legal Officer
Senior Responsible Officer for codes of practice and guidance related to the Regulation of Investigatory Powers Act 2000	Chief Legal Officer
To initiate, defend, participate, or to authorise an officer to participate and represent the Council in any legal proceedings in respect of any matter relating to the functions of the Council or Executive (including the service of any notice or order or the exercise of any power of entry) in any case where such action is necessary to give effect to decisions of the Council, its Committees, Executive, any Portfolio Holder or any person exercising delegated powers under this Scheme or in any case where the Chief Legal Officer considers that such action is necessary to protect the Council's interests	Chief Legal Officer
To authorise officers in writing to represent the Council in proceedings before the Court for the grant and renewal of authorisations relating to: <ul style="list-style-type: none"> • directed surveillance; • use of covert human intelligence sources; and • acquisition of communications data <p>Pursuant to S23A, S23B, S32A, and S32B of the Regulation of Investigatory Powers Act 2000.</p>	Chief Legal Officer
To authorise officers to represent the council in the magistrates court for all matters relating to the recovery of council tax and non domestic rates. including; <ul style="list-style-type: none"> • Institute or defend proceedings for the recovery of council tax, or in connection with liability for the application of discounts and exemptions, • Requests for statutory information for distraint, attachment of earnings orders, attachment of benefit orders, committal to prison, application and issue of charging orders, issue proceedings for winding up or bankruptcy. 	Chief Legal Officer

Delegated Matter	Officer Level
To exercise any powers and duties in relation to matters relating to electoral registration or elections, except always those matters reserved to the Council under the Constitution	Chief Legal Officer
In accordance with Chapter 3 of the Localism Act 2011 and relevant regulations, power to review any decision to, and to consider and determine appeals against decisions to, list land or property as Assets of Community Value	Chief Legal Officer
In accordance with Chapter 3 of the Localism Act 2011 and relevant regulations, power to conduct an internal review of a claim for compensation arising from decisions to list land or property as Assets of Community Value	Reserved to Director of Resources

(b) Finance

Delegated Matter	Officer Level
To authorise officers to: <ul style="list-style-type: none"> Determine, impose and quash penalties on behalf of the charging authority. Refund overpayments plus interest, as appropriate. Grant discretionary rate relief under section 47, Local Government Finance Act 1988 in accordance with any council agreed scheme. 	Chief Finance Officer
To assess the insurable risks of the council and ensure the council has adequate insurance cover	Chief Finance Officer
To enter into new insurance service arrangements subject to the satisfactory outcome of a due diligence process	Chief Finance Officer
To determine the decision-making authority limits for claims within the council's insurance programme	Chief Finance Officer

(c) Management of property and assets

Delegated Matter	Officer Level
To act as the Port of Workington Duty Holder	Director
To act as the Council's corporate property officer and commissioner of all property and related facilities management services	Assistant Director of Assets and Fleet
To be responsible, in accordance with any Council policies, for all land and property asset management matters in respect of all land and property asset	Assistant Director of Assets and Fleet Head of Property Services

Delegated Matter	Officer Level
management matters in respect of all land, buildings and property held by the Council	
To determine land and property is disposed of in accordance with section 123 of the Local Government Act 1972	Head of Property Services Property & Estates Manager Estate & Valuation Team Manager following consultation with a suitably qualified legal officer
To authorise the freehold or leasehold acquisition and disposal of land where value is less than £1,000,000 (save that where any prescribed legal procedure has been followed no objections have been received)	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager following consultation suitably qualified legal Officer
To authorise any disposal at an undervalue	N/A – decision for Council
To agreeing licences or short term rental or membership of workspace (ie where a lease will not be created and there is no security of tenure)	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To authorise terms of leases of above 125 years	N/A –decision for Executive
To authorise terms for new leases of up to 125 years	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To authorise terms for new leases of less than seven years	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To authorise and approve rent reviews and lease negotiations	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To authorise terms of licences, wayleaves, easements and rights of way and to grant permission for the waiver of restrictive covenants	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To approve routine requests for assignment or consents under the terms of an existing lease subject to the principals of good estate management	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager

Delegated Matter	Officer Level
To authorise the termination of leases or other interests in council land and property where desirable in delivery of approved projects or the Council's Asset Management Strategy	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To sign property valuations and assessments	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To sign any Right To Buy valuations or redetermination submissions	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To deal with lettings or such other basis of occupation of any Council accommodation to outside bodies and organisations within criteria for charging determined by the Executive from time to time and to approve applications for the use of space within Council buildings.	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
Responsibility for the discounting of rental figures for tenancies at will granted to new tenants	Head of Property Services
To take all operational decisions in respect of the management and maintenance of the Council's buildings and facilities	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager Facilities Team Manager
Maintaining up to date records of all land and buildings, including values and plans, for inclusion in the corporate fixed asset register in the format prescribed by the chief Finance Officer	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager Facilities Team Manager
Ensuring that all land and buildings are maintained so as to best protect and safeguard the Council's interests	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager Facilities Team Manager
To be responsible for developing and delivering an Asset Management Strategy that details short, medium and long term use of assets, and establishes arrangements for monitoring and reporting asset performance.	Assistant Director of Assets and Fleet Head of Property Services

Delegated Matter	Officer Level
Arranging for the regular valuation of assets for accounting purposes to meet the requirements specified by the Chief Finance Officer	Head of Property Services Estates & Valuation Property & Estates Manager Estates & Valuation Team Manager
Arranging the disposal of surplus assets and . the acquisition of land and buildings on behalf of the Council subject to the necessary approvals	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
Undertake insurance valuations as and when required by the officer responsible for insurance	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager
To undertake repairs and maintenance of the Council's assets.	Head of Property Services Property & Estates Manager Estates & Valuation Team Manager Facilities Team Manger
Specific Contracts:	
Authorising expenditure from Corporate Maintenance budget and Schools Maintenance budget to deliver Maintenance Measured Term Contract:	<p>Head of Property Services Property & Estates Manager Estates & Valuation Team Manager Facilities Team Manger</p> <p>Lead Compliance Surveyor up to £25K for e-procurement and over £25K for accounts payable</p> <p>Building Management Coordinator up to £25K for e- procurement and over £25K for accounts payable</p> <p>Technical Property Support Officer up to £10K for e- procurement and up to £10K for accounts payable</p> <p>Programme Assistant up to £10K for e-procurement</p>
Authorising expenditure from Maryport Business Centre budget, Millom Hub budget, MOBET budget and Children's	Head of Property Services Property & Estates Manager

Delegated Matter	Officer Level
Centre budget to deliver Maintenance Measured Term Contract	Estates & Valuation Team Manager Facilities Team Manager Technical Property Support Officer up to £10K for e-procurement and up to £10K for accounts payable Programme Assistant up to £10K for e-procurement

(d) Management of Fleet and Transport

Delegated Matter	Officer Level
Ensure compliance with the Council's Heavy Goods Vehicles and Public Service Vehicles Operator's Licences	Assistant Director Assets & Fleet Head of Fleet Services Standards & Compliance Manager (Fleet)
Maintenance of the Council's vehicle fleet in accordance with legal requirements and industry standards	Assistant Director Assets & Fleet Head of Fleet Services Workshop Operations Manager
Fleet management functions including bulk fuel and fuel cards procurement and administration, the vehicle telematics systems, the Safer Driving Programme and vocational driver reports	Assistant Director Assets & Fleet Head of Fleet Services Business Manager (Fleet) Standards & Compliance Manager (Fleet)
Management of the Council's pool cars fleet and Business Travel Needs function	Assistant Director Assets & Fleet Head of Fleet Services Business Manager (Fleet)
Driving and vehicle maintenance education and training for the Council workforce	Assistant Director Assets & Fleet Head of Fleet Services

Delegated Matter	Officer Level
	Standards & Compliance Manager (Fleet)
Ownership and implementation of the Management of Occupational Road Risk requirements	Assistant Director Assets & Fleet Head of Fleet Services Business Manager (Fleet)
Fleet procurement and disposal support	Assistant Director Assets & Fleet Head of Fleet Services Fleet Manager
Delivery of the in-house transport service	Assistant Director of Assets & Fleet

9. Chief Legal Officer

Authorised by	Clare Liddle, Chief Legal Officer
Date last updated	30 March 2023

Delegated Matter	Officer Level
Deputy Monitoring Officer (authorised to act in the absence of, incapacity of or vacancy in the post of Chief Legal Officer) <i>This is a personal delegation to a named officer(s)</i>	Kate Turner Elizabeth Hore
All matters in relation to the Charter Trustees of the City of Carlisle	Senior Manager Lead Senior Lawyer
Institute defend and settle legal proceedings on behalf of the council under s222 Local Government Act 1972	Senior Manager Lead Senior Lawyer Senior Lawyer Solicitor
Instruction of Legal Counsel	Senior Manager Lead Senior Lawyer Senior Lawyer Solicitor
To authorise any officer of the authority to prosecute or defend or otherwise appear in proceedings before a Magistrates' Court under s223 of the Local Government Act 1972	Senior Manager
To authenticate and serve statutory notices and to place public notices and advertisements, as may be necessary or expedient for the discharge of functions	Senior Manager Lead Senior Lawyer Senior Lawyer Solicitor
To prepare and execute (by hand or under seal) any contract, agreement, conveyance or other document necessary to give effect to a decision of the Council, a Committee, Sub-Committee or officer acting under delegated functions	Senior Manager Lead Senior Lawyer Senior Lawyer Solicitor
To exercise functions as the Senior Responsible Officer for the Regulation of Investigatory Powers Act 2000	Senior Manager
To approve the Council's response to any investigation carried out by the Local Government Ombudsman	Senior Manager
Issue Notice of meeting and issue summons to members	Democratic Services Manager

Delegated Matter	Officer Level
Clarification and authentication of documents, byelaws and copy minutes and signing of other relevant formal notices	Senior Manager Lead Senior Lawyer Senior Lawyer Solicitor
To exercise any powers and duties which the Executive may have in relation to matters relating to electoral registration or elections, except always those matters reserved to the Council under the Constitution.	Elections Manager Senior Specialist – Elections Electoral Services Officer
To develop and maintain the effectiveness of the Council's Counter Fraud and Corruption Strategy and associated procedures, ensuring fraud and corruption risks are routinely considered as part of the Council's risk management arrangements	Head of Internal Audit Audit Manager
To manage the Council's compliance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR)	Data Protection Officer
Administration of Freedom of Information and Data Protection related matters	Data Protection Officer
To provide the functions, facilities and arrangements for providing citizenship ceremonies, and the registrar to conduct them, under Section 3 and Schedule 1 of the Nationality, Immigration and Asylum Act 2002	Superintendent Registrar and Manager
To exercise the council's functions under the Registration Service Act 1953 regarding the registration of births, deaths and marriages	Superintendent Registrar and Manager
To exercise the functions of the Coroners Service in support of HM Coroner	Manager and Professional Lead – HM Coroners Service, Cumbria

10. Chief Finance Officer

Authorised by	Catherine Nicholson, Chief Finance Officer
Date last updated	31 st March 2023

Delegated Matter	Officer Level
<p>Deputy s151 Officer (to act in absence of, incapacity of or vacancy in the post of Chief Finance Officer)</p> <p><i>This is a personal delegation to a named officer(s)</i></p>	
<p>General Expenditure</p> <p><i>NB This should be read in conjunction with the delegation levels on E5 financial management system</i></p> <p>Power to incur expenditure within approved budget, provided it is within the relevant area of responsibility, legally incurred, within council policy, and procured in accordance with the Council's procurement procedures</p> <p>This covers all revenue and capital expenditure including the award of contracts for supplies, works and services.</p> <p>These financial delegation levels are built into the workflow approval process in the financial systems and inherited through the officers position</p>	<p>Directors and AD Deputy S151 Group Finance Managers</p>
<p>Treasury Management</p> <p>The Section 151 Officer is responsible for treasury management and no other employees, unless named in the officer delegation, must borrow or invest council monies, make loans to or acquire interest in companies, joint ventures or other enterprises</p>	<p>Deputy S151 Officer Group Finance Manager</p>
<p>Fees and Charges</p> <p>All new fees and amendment to existing charges will be reviewed annually and subject to formal approval in accordance with the fees and charges policy</p>	<p>As per policy</p>
<p>Write Off of Income</p>	<p>In line with the Debt Write off Policy and authorisations contained within</p>
<p>Emergency / Urgent Payments</p>	

Delegated Matter	Officer Level
<p>Emergency / urgent payments in this instance are those made in extenuating circumstance, arising as a consequence of unforeseen circumstances (eg a natural disaster, a civil emergency or a court order etc) and where budget provision has not been made and the payment cannot be covered within the relevant service's existing budget.</p> <p>A full report will be produced explaining the decision, the reasons for it and why the decision was treated as a matter of urgency</p>	<p>Up to £250,000 relevant Director in consultation with Portfolio Holder. Over £250,000 Chief Executive in consultation with S151 Officer.</p>
<p>Submission of plans and bids to government / external bodies</p> <p>Plans and bids submitted for external funding must go through the Council's governance process and in accordance with the Grant bid terms and conditions, and with any associated match funding identified prior to submission.</p>	<p>Finance analysis must be approved by the relevant Group Finance Manager (Finance Business partnering team) and the Section 151 where specified.</p> <p>The relevant Director and S151 to comply with audit requirements in respect of external funding claims.</p>