

APPENDIX 1

CITIZENS' RIGHTS OF ACCESS TO INFORMATION, MEETINGS, ETC

1. **Vote at Local Elections**

Voting takes place on the first Thursday in May in three out of every four years. All Citizens' registered on the Electoral Role are notified in advance by poll card.

Citizens can register at their own address throughout the year.

For further information regarding the Electoral Role please contact the electoral registration officer on Ext. 1060.

2. **Contact Local Councillors**

Members are available by phone

At Members' Surgeries

By E-mail using the following convention

Firstname.surname@halton.gov.uk

Details are also available on the Council's WEB Site WWW.halton.gov.uk

For further details please contact Members' Services Ext. 1116

3. **Inspect or obtain a copy of the constitution**

Copies are available at the Municipal Building, Kingsway, Widnes at the Information Centre, Church Street, Runcorn and at the Reception, Runcorn Town Hall, Heath Road, Runcorn.

Inspection is free of charge however, a reasonable fee will be charged for a copy to be obtained.

4. **Attend meetings of Council etc.**

For details of meetings contact Committee Services Section Ext. 1023.

Copies of Agenda for meetings are published five days prior to any meeting at Municipal Building, Kingsway, Widnes.

Copies of Agenda for meetings are also available at Rutland House, Halton Lea, Runcorn, or Halton Direct Offices, during normal office hours.

Agenda are also available on the Council's WEB Site WWW.halton.gov.uk five days prior to any meeting.

5. Petition to request a referendum on a Mayoral form of Executive

Citizen's may submit a petition requesting a referendum on a Mayoral Executive 5% of the electorate would be required in order that a referendum would be required to take place.

6. Contribute to Policy and Performance Boards by Public Question Time

At the start of each Policy and Performance Board a total of 30 minutes will be allocated for members of the public who are residents of the Borough, to ask questions which relate to items on the agenda.

Public questions cannot relate to a planning or licensing application or to any matter which is not dealt with in the public part of a meeting. Written notice of questions must be submitted by 4.00 p.m. on the day prior to the meeting of the Board.

The Chairperson will ask for people to indicate that they wish to ask a question. One supplementary question (relating to the original question) may be asked by the questioner which may or may not be answered at the meeting. The maximum amount of time each questioner will be allowed is 3 minutes.

If a response is not given at the meeting, a written response may be given.

To help make the most of Public Question Time it is requested that questions are as concise as possible and should not repeat or make statements on earlier questions as this reduces the time available for other issues to be raised.

The Question-time form is available on the Council's Website.

To ask a question at any of the Policy and Performance Boards please contact the Committee Services Section Ext 1125.

7. Submit questions to Area Forums

Each Area Forum agenda will include an item called "Public Questions" where questions submitted regarding local issues will be addressed.

Questions must be submitted by 4.00 pm three working days prior to the date on which the meeting is to be held. However, urgent issues may be considered at the meeting at the Chairman's discretion.

If it is not possible to provide an answer at the meeting, a written response will be given.

To ask a question at any of the Area Forums, contact Committee Services on Ext 1065.

8. Speak on planning applications

Public speaking on planning applications has also been introduced at the Development Control Committee.

9. Find out from forward plan what major decisions are to be discussed.

Forward plans will be prepared to cover an initial period of four months, beginning with the first day of any month. They will then be prepared on a monthly basis and subsequent plans will cover a period beginning with the first day of the second month covered by the preceding plan.

The Plan will contain matters which the leader has reason to believe will be the subject of key decision.

10. Attend meetings of the Executive where Key decisions are being discussed or decided;

A Key decision is a decision which is likely.

(a) to result in a local authority incurring expenditure which is significant, or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates;

or

(b) to be significant in terms of its effects on communities living or working in an area comprising 2 or more wards or electoral divisions in the area of the local authority.

For details of meetings contact Committee Services Section Ext. 1023.

Copies of Agenda for the meetings are published five days prior to any meeting.

Copies of Agenda for meetings are available as detailed in Section 4.

11. See reports and background papers, and any record of decisions made by the Council and Executive

Copies of reports relating to forthcoming meetings are published 5 days prior to any meeting and are available during normal office hours as stated in Section 4 of this Appendix.

12. Complain to Council

If Citizen's are dissatisfied with the response from any Directorate the Council has a corporate complaints procedure, please refer to Article 3 of this constitution.

13. Complain to Ombudsman

A Citizen may have recourse to the Ombudsman on the grounds of maladministration.

The appropriate address is:-

Local Government Ombudsman,
Beverley House,
17 Shipton Road,
York YO30 5FZ.

14. Complain to Standards Board for England

Further details are available on request from the Council's Monitoring Officer.

15. Inspect the Council's accounts

The Council's accounts are published annually.

Notice of publication is submitted in the local press.

The accounts can be inspected at:-

Corporate and Policy Directorate,
Halton Borough Council,
Municipal Building,
Kingsway
Widnes WA8 7QF.

APPENDIX 2

CODE OF CONDUCT RELATING TO MEMBERS' ACCESS TO COUNCIL DOCUMENTS

1. MEMBERS' RIGHTS OF ACCESS TO COUNCIL DOCUMENTS

- 1.1 A Councillor is entitled by virtue of his/her office to have access to all documents in the possession of the local authority of which she/he is a member provided she/he has good reason for such access. *

2. RIGHTS OF ACCESS: GENERALLY

- 2.1 A Councillor whilst serving on the Council is entitled to see all documents relating to a matter he wishes to investigate provided he has a genuine interest in the matter in question.
- 2.2 In the case of a Councillor with a bona fide and reasonably based concern, the bias, if any, should be in favour of allowing access to information rather than concealing information.
- 2.3 Councillors must be able to do their jobs properly as a member of the Council and to perform their duties adequately on behalf of their constituents. It is unacceptable to refuse access to documents on the grounds that there are "other ways of finding out about such matters".
- 2.4 A Councillor with a legitimate ward problem may well be able to show that he has the necessary "need to know" to enable him to see Council documents that are relevant.
- 2.5 An Officer (or indeed the Council itself) in judging whether a Councillor requesting information has a right to it is entitled to know his reason for wanting it.
- 2.6 On every occasion a Councillor wishing to see files and papers will certainly need to show that the request is a proper one and give reasons for requiring the information. Any request regarding access to a personal file will require the prior consent of the person who is the subject of the file before this disclosure can be made.

3. RIGHTS OF ACCESS: COMMITTEE MEMBERSHIP

- 3.1 A Councillor as a general rule will have good reason for access to all written material relating to any Committee/Board on which he serves. So for example each member of the Social Services Committee is in general entitled by virtue of his office to see all the papers which have come into the possession of a Social Worker in the course of his duties as an employee of the Council.

"There is no room for any secrecy between a Social Worker and a member of the Social Services Committee". (House of Lords decision R v Birmingham City Council, Ex parte, O).

- 3.2 An exception needs to be made for child care proceedings. All documentation relating to these proceedings is confidential. Any request for access to documentation would require a separate application to be made to the Court. Councillors should be aware that the duty of confidentiality to the child who is the subject of care proceedings is paramount and that therefore disclosure will rarely be granted.
- 3.3 A Councillor has no automatic right of access to documents of a Committee/Board of which he is not a member.
- 3.4 To gain such access he has to establish that the information sought was needed to enable him properly to carry out his duties.
- 3.5 A Councillor is entitled to see documents of a Committee/Board on which he does not serve provided he can establish "a need to know".
- 3.6 A Councillor has no right to a roving commission to go and examine books or documents simply because he is a Councillor. Mere curiosity or desire to see and inspect documents is not enough.
- 3.7 The decision whether access to a document is to be allowed or refused is an administrative decision. It is ultimately one to be taken by the Members themselves sitting in Council. If the appropriate Officer of the Council refuses a request for access and if upon application to the relevant Committee/Board and, on its refusal, application to the whole Council is of no avail, the Councillor can in the last resort bring proceedings for judicial review. Where disclosure would involve confidential or sensitive reports, correspondence or information supplied by third parties the Chief Executive, in consultation with the Leader of the Council, shall instigate a review to consider whether the express consent of affected third parties should be obtained. Selective disclosure may be deemed appropriate in certain circumstances. The decision whether to allow access to a document is ultimately one to be taken by the Standards Committee.

4.0 RIGHTS OF ACCESS: LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

- 4.1 Of course in addition to their special powers Councillors have the same rights as any other member of the public. They have a right to see Council papers relating to any business to be transacted at a future meeting, other than those containing certain exempt information.
- 4.2 Councillors have the right to see other papers including confidential or exempt information if they can establish their "need to know" in order to perform properly their duties as Councillors and this need is not outweighed by any public interest requiring non-disclosure.

- 4.3 Councillors have the right to see the Council's accounts (or, indeed, the accounts prepared by a proper officer of the authority) and they may also take advantage of the more general right to see all books, deeds, contracts, bills, vouchers and receipts relating to the accounts.
- 4.4 Councillors have a duty not to disclose any information classified as exempt unless publicity would have occurred as a normal incidence of Council activity.
- 4.5 Rights to information will vary from Member to Member and will arise and change at different times. Each application for access must be judged on its merits taking account of the evidence and circumstances of the case.
- 4.6 The Data Protection Act 1998 extends registration and access rights and confidentiality duties to written records. Previously these controls applied only to information held on computer. The 1998 Act is not yet fully in force. The implications of the Act will need to be considered in each case.
- 4.7 A further exception will apply in relation to disclosure of reports, correspondence or information provided by third parties typically health professionals, the police or other groups or individuals who supply information to the Council often pursuant to different disclosure rules. Such third party data cannot be disclosed to Members without the express consent of the relevant third party.

*** This Protocol is intended to be gender neutral; the masculine includes the feminine and vice versa.**

APPENDIX 3

COUNCIL'S DISPUTE SOLVING PROCESS

In the event of a dispute between the Executive and full Council in setting the budget & policy framework the matter will be dealt with in accordance with the Council's Standing Orders relating to proceedings and business.

Standing Orders relating to Proceedings and Business

1. In these Standing Orders –

"executive" and "executive leader" have the same meaning as in Part II of the Local Government Act 2000; and

"plan or strategy" and "working day" have the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001.
2. Where the executive of the authority has submitted a draft plan or strategy to the authority for its consideration and, following consideration of that draft plan or strategy, the authority has any objections to it, the authority must take the action set out in paragraph 3.
3. Before the authority –
 - (a) amends the draft plan or strategy;
 - (b) approves, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his approval, any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted; or
 - (c) adopts (with or without modification) the plan or strategy,it must inform the executive leader of any objections which it has to the draft plan or strategy and must give to him instructions requiring the executive to reconsider, in the light of those objections, the draft plan or strategy submitted to it.
4. Where the authority gives instructions in accordance with paragraph 3, it must specify a period of at least five working days beginning on the day after the date on which the executive leader receives the instructions on behalf of the executive within which the executive leader may –
 - (a) submit a revision of the draft plan or strategy as amended by the executive (the "revised draft plan or strategy"), with the executive's reasons for any amendments made to the draft plan or strategy, to the authority for the authority's consideration; or

(b) inform the authority of any disagreement that the executive has with any of the authority's objections and the executive's reasons for any such disagreement.

5. When the period specified by the authority, referred to in paragraph 4, has expired, the authority must, when –

(a) amending the draft plan or strategy or, if there is one, the revised draft plan or strategy;

(b) approving, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his approval, any plan or strategy (whether or not in the form of a draft or revised draft) of which any part is required to be so submitted; or

(c) adopting (with or without modification) the plan or strategy,

take into account any amendments made to the draft plan or strategy that are included in any revised draft plan or strategy, the executive's reasons for those amendments, any disagreement that the executive has with any of the authority's objections and the executive's reasons for that disagreement, which the executive leader submitted to the authority, or informed the authority of, within the period specified.

6. Subject to paragraph 10, where, before 8th February in any financial year, the authority's executive submits to the authority for its consideration in relation to the following financial year –

(a) estimates of the amounts to be aggregated in making a calculation (whether originally or by way of substitute) in accordance with any of sections 32 to 37 or 43 to 49, of the Local Government Finance Act 1992;

(b) estimates of other amounts to be used for the purposes of such a calculation;

(c) estimates of such a calculation; or

(d) amounts required to be stated in a precept under Chapter IV of Part I of the Local Government Finance Act 1992,

and following consideration of those estimates or amounts the authority has any objections to them, it must take the action set out in paragraph 7.

7. Before the authority makes a calculation (whether originally or by way of substitute) in accordance with any of the sections referred to in paragraph 6(a), or issues a precept under Chapter IV of Part I of the Local Government Finance Act 1992, it must inform the executive leader of any objections which it has to the executive's estimates or amounts and must give to him

instructions requiring the executive to reconsider, in the light of those objections, those estimates and amounts in accordance with the authority's requirements.

8. Where the authority gives instructions in accordance with paragraph 7, it must specify a period of at least five working days beginning on the day after the date on which the executive leader receives the instructions on behalf of the executive within which the executive leader may –
 - (a) submit a revision of the estimates or amounts as amended by the executive ("revised estimates or amounts"), which have been reconsidered in accordance with the authority's requirements, with the executive's reasons for any amendments made to the estimates or amounts, to the authority for the authority's consideration; or
 - (b) inform the authority of any disagreement that the executive has with any of the authority's objections and the executive's reasons for any such disagreement.
9. When the period specified by the authority, referred to in paragraph 8, has expired, the authority must, when making calculations (whether originally or by way of substitute) in accordance with the sections referred to in paragraph 6(a), or issuing a precept under Chapter IV of Part I of the Local Government Finance Act 1992, take into account –
 - (a) any amendments to the estimates or amounts that are included in any revised estimates or amounts;
 - (b) the executive's reasons for those amendments;
 - (c) any disagreement that the executive has with any of the authority's objections; and
 - (d) the executive's reasons for that disagreement,which the executive leader submitted to the authority, or informed the authority of, within the period specified.
10. Paragraphs 6 to 9 shall not apply in relation to –
 - (a) calculations or substitute calculations which an authority is required to make in accordance with section 52I, 52J, 52T or 52U of the Local Government Finance Act 1992; and
 - (b) amounts stated in a precept issued to give effect to calculations or substitute calculations made in accordance with section 52J or 52U of that Act.

APPENDIX 4

STANDING ORDERS RELATING TO POWERS AND DUTIES OF EXECUTIVE BOARDS, POLICY AND PERFORMANCE BOARDS, COMMITTEES AND FORUMS AND PANELS

1. Council
2. Executive Board, Executive Board Sub-Committee, 3MG Executive Sub-Board and Mersey Gateway Executive Board
3. Corporate Services Policy and Performance Board
4. Healthy Halton Policy and Performance Board
5. Urban Renewal Policy and Performance Board
6. Employment, Learning and Skills Policy & Performance Board
7. Children and Young People Policy & Performance Board
8. Safer Halton Policy and Performance Board
9. Policy & Performance Boards (Criteria for all Boards)
10. Business Efficiency Board
11. Development Control Committee
12. Appeals Panel
13. Standards Committee
14. Appointments Committee
15. Regulatory Committee

1. MATTERS RESERVED TO THE COUNCIL

BEST VALUE

1. To pursue the principles of Best Value at all times.

POLICY

2. Adopt council strategic development plans.
3. To consider and approve the Community Plan and the Council's Corporate Plan.
4. To approve policies and the policy framework, and to make such changes as may be required by new legislation.
5. To make decisions in connection with the Council's functions in relation to Parishes and Parish Councils.
6. To decide to dissolve small Parish Councils.
7. To make orders for grouping parishes, dissolving groups and separating parishes from groups.
8. To appoint a returning officer for local government elections.
9. To divide the constituency into polling districts.
10. To exercise power in respect of holding elections.
11. To declare vacancy in office under the provisions of S86 Local Government Act 1972.
12. To give public notice of a casual vacancy.
13. To make temporary appointments to parish councils.
14. To appoint an electoral registration officer.
15. To make decisions concerning district boundaries, electoral divisions, wards or polling districts.
16. To apply to change the name of the area, or confer the title of honorary alderman or freedom of the Borough.

SERVICE PROVISION

17. To institute new services and discontinue or alter existing services.

18. To consider and make recommendations to United Utilities and the health authority and any other relevant bodies relating to services provided by those bodies within the district.
19. To exercise the Council's powers and duties in relation to Halton Transport.
20. Determining schemes for local lotteries.
21. To be responsible for admission to maintained schools of which the authority are the admissions authority.

FINANCIAL

22. The adoption or approval of the budget and any plan or strategy for the control of the local authority's borrowing investments, or capital expenditure (the Capital Plan and Treasury Management Statement).
23. To maximise opportunities for securing external funding.
24. Approve capital programmes and revenue estimates.
25. Setting Council Tax and tax bases.
26. To approve the Authority's Prudential Indicators.

CONSTITUTIONAL

27. To adopt the Constitution and to make and agree Standing Orders and agree amendments when appropriate.
28. To appoint eligible persons for the position of Mayor/Deputy Mayor [upon recommendation from the Executive Board Sub-Committee].
29. Appointing the Leader, Policy and Performance Boards, Quasi-Judicial Committees, Development Control Committee, Regulatory Committee, Business Efficiency Board, Standards Committee, Appointment Committee and Closure of Accounts Committee.
30. Appointing to other bodies where only the Council can make the appointment.
31. To appoint Members to sit on external bodies on recommendation from the Executive Board.
32. To consider any strategic plan or policy referred to full Council by the Executive Board.
33. Approve the principles of agency arrangements.
34. Making and amending bye-laws.

35. Promoting or opposing new legislation.
36. To receive an 'Annual State of the Borough' speech by the Leader of the Council.
37. Determining the scheme and amounts of Members' allowances.

PLANS

38. To be responsible for the approval of the following plans:
 - (a) Annual Library Plan
 - (b) Best Value Performance Plan
 - (c) Children and Young People Plan
 - (d) Community Strategy
 - (e) Corporate Plan
 - (f) Crime and Disorder Reduction Strategy
 - (g) Food Law Enforcement Service Plan
 - (h) Local Transport Plan
 - (i) Plans and alterations which together comprise the Development Plan
 - (j) Youth Justice Plan
 - (k) Strategy and plan comprising the Housing Investment Programme
 - (l) Local Agenda 21 Strategy
 - (m) Lifelong Learning Development Plan
 - (n) Quality Protects Management Action Plan
 - (o) Social Exclusion Strategy
 - (p) Adult Learning Plan
 - (q) Contaminated Land Strategy
 - (r) Licensing Authority Policy Statement

REPORTING

39. Considering the Head of Paid Service's report in accordance with Section 4 of the Local Government and Housing Act 1989.
40. Considering the Monitoring Officer's report in accordance with Section 5 of the Local Government and Housing Act 1989.
41. To approve any draft plans and strategies which require ministerial approval.
42. Considering the Financial Officer's report in accordance with Section 115 of the Local Government and Finance Act 1988.
43. Considering External Auditor's Public Interest Report.
44. Considering and if appropriate approving a code of conduct as recommended by the Standards Committee.

STAFFING

45. To appoint the Chief Executive on recommendation from the Appointments Committee
46. To deal with the dismissal of the Chief Executive in accordance with the Standing Orders relating to staffing.
47. To ensure equality of opportunity for all applicants for employment, existing employees and inhabitants of the borough, including equality in the delivery of services by the Council.

2. POWERS AND DUTIES OF THE EXECUTIVE BOARD

The following matters are reserved to the Executive Board:

BEST VALUE

- 1) To pursue the principles and practice of Best Value at all times.

SERVICES

- 2) To determine and publish the programme of work in accordance with the provisions of the Local Government Act 2000.
- 3) To undertake all functions in respect of which the terms of reference of the full Council refer to recommendations from the Executive Board.
- 4) To be responsible for implementing and monitoring the Council's Equal Opportunities Policy with a particular reference to service delivery.

FINANCE, RESOURCES AND CENTRAL SUPPORT SERVICES

- 5) To maximise opportunities for securing external funding.
- 6) To allocate the financial, manpower and land resources of the Council.
- 7) To recommend to the Council the amount of Council Tax for the ensuing year.
- 8) To consider the Council's capital programme and revenue budget and to make recommendations thereon to the Council.
- 9) To be responsible for the corporate Risk Management functions and strategy (with the exception of functions under "any relevant statutory provision" within the meaning of Part I (health, safety and welfare in connection with work and control of dangerous substances) of the Health and Safety at Work Act 1974 to the extent that those functions are discharged otherwise than in the authority's capacity as an employer).
- 10) To consider the Council's medium term financial forecasts.

- 11) To consider requests for supplementary estimates over £250,000 and approve as necessary.

STRATEGIC AND POLICY

- 12) To maintain effective links with the European Union and subsidiary organisations.
- 13) To approve Directorate's service plans for the forthcoming year .
- 14) To consider strategies in connection with the powers and duties of the Council and refer these to the Council for approval.
- 15) To consider and approve Agreements/Undertakings with other authorities, bodies or persons for all areas of the Council activities.
- 16) To ensure equality of opportunity for all employees and inhabitants of the borough including equality in the delivery of services by the Council.
- 17) Where a function or action includes preparation of a strategic plan, to draft such a plan for submission to full Council.
- 18) To amend, modify or vary any plan outlined in paragraph 38 of the matters reserved to Council in these Standing Orders, and any plan or strategy which requires amendment after Ministerial approval has been sought and granted subject to such amendment.

CONSTITUTIONAL

- 19) To recommend to Council appointments to outside bodies.
- 20) To maintain effective liaison arrangements with all relevant external bodies and be responsible for arrangements relating to the Council's twinning activities.
- 21) To act as the Council's Selection Committee and to recommend to Council on membership of the Forums and Panels, Boards and Committees and in relation to the Council's constitutional arrangements.
- 22) To authorise expenditure on civic hospitality.

STAFFING

- 23) To consider and determine policy matters in relation to staffing including the conduct of employees, and the consultation arrangements with the exception of any appeals lodged by employees under the Council's employment procedures and excluding the determination of terms and conditions of service and procedures for dismissal.
- 24) To receive reports on the administration of the Investors in People Scheme.

25) To be responsible for implementing and monitoring the Council's Equal Opportunities Policy with a particular reference to employment issues.

26) To have responsibility for corporate policy in relation to industrial relations within the Council.

27) To consider any matters referred to Executive Board by any Strategic Director.

POWERS AND DUTIES OF THE SUB-COMMITTEE OF THE EXECUTIVE BOARD (GENERAL PURPOSES)

To secure the economic, efficient and effective discharge of Executive Board business, the Sub-Committee shall be responsible for determining any matters in the competence of the Executive Board which the Leader in consultation with the Chief Executive shall delegate to it.

PROVIDED that all such operational decisions are determined consistently and objectively within the terms of all relevant Council policies and agreed plans and programmes and that no strategic policy decisions shall be so delegated.

To recommend to the Council the appointment of eligible persons for the position of Mayor/ Deputy Mayor and the level of compensation applicable.

To receive the Annual Report of the Area Forums.

To deal with all matter relating to the tendering for goods and services and to authorise the awarding of contracts.

POWERS AND DUTIES OF THE 3MG EXECUTIVE SUB-BOARD

1. To assist the Executive Board through monitoring the overall progress of the programme (against the HBC approved Masterplan and Delivery Strategy) and helping to refine the detail of the programme as it progresses.
2. To that end, developing a detailed understanding of the Ditton Strategic Rail Freight Park Regeneration Scheme, and assisting officers in the task of reviewing and rolling forward the programme annually.
3. To provide officers of the Council with a political steer on any local consultation and community issues arising as the Scheme progresses.
4. To support the officers of the Council in engaging with the other partners (NWDA, NR, SRA/ DfT, ERDF, Landowners, Developers) and the public as the Scheme progresses.
5. To maintain an overview of progress in respect of the Council's own specific tasks, roles and contribution to the Ditton Strategic Rail Freight Park's implementation of the HBC agreed/ approved Masterplan/ Delivery Strategy.

6. To authorise actions necessary to implement the project within the capital and revenue budgets approved by the Council and within the available funding derived from external sources.

POWERS AND DUTIES OF THE MERSEY GATEWAY EXECUTIVE BOARD

1. To determine the strategic direction for the Mersey Gateway Project.
2. To monitor and oversee progress against the project timetable.
3. To develop and refine the detail of the project as it progresses.
4. To procure the Mersey Gateway Project securing Best Value terms for the Council.
5. To support the officers of the Council in engaging with the other partners, stakeholders and the public as the Scheme progresses.
6. To take and authorise such action as is necessary to implement the project within the capital and revenue budgets approved by the Council and within the available funding derived from external sources.
7. To provide regular progress reports to the Council's Executive Board.

3. POWERS AND DUTIES OF THE CORPORATE SERVICES POLICY AND PERFORMANCE BOARD

Strategic Priority – To develop policy and monitor performance in relation to the Council's objective of being a modern, fit for purpose, fully effective local authority.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- Corporate Strategy
- Community Strategy
- Performance Plan
- Corporate Risk Management Strategy
- Equality and Diversity Plan
- Communication (internal and external) and Marketing Strategies
- Customer Care/Customer Relations
- Policy and Approach to Area Forums/Local Neighbourhood Renewal Strategies (including Neighbourhood Management)

Functions

- Policy and Performance
- Financial Services
- Exchequer and Customer Services
- Legal and Member Services
- Property Services

- ICT Services
- Organisational Development/Personnel
- Halton Stadium
- Civic Catering

the Board will:-

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
 - (ii) monitor and comment on performance;
 - (iii) review and make recommendations on existing policies;
 - (iv) promote public confidence in the Council's services;
 - (v) hold Executive Board Members and senior officers to account;
 - (vi) monitor Executive Board compliance with agreed policies;
 - (vii) ensure adherence to the priorities in the Council's Corporate Plan.
 - (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).
2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;
 3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.
 4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.
 5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.
 6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.
 7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.
 8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.
 9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and performance monitors to ensure quality in all the Council's dealings with the public and external organisations.
 10. To consult with the Executive on any plan or strategy including strategic policy.

11. To monitor the citizens' charter and complaints procedure and make recommendations to the Executive Board.

12. To establish a Panel of 5 Members to hear and determine complaints under the Corporate Complaints Procedure (Members of the Panel to be chosen by the Committee Services Manager in consultation with the Chairman).

13. To monitor the Authority's Prudential Indicators.

14. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.

15. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

4. POWERS AND DUTIES OF THE HEALTHY HALTON POLICY AND PERFORMANCE BOARD

Strategic Priority – To develop policies and monitor performance in relation to the Council's objectives for a healthy Halton.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- To oversee the Council's external relationships with Health Authorities, Trust and private care groups
- To oversee Health aspects of the Local Area Agreement

Functions

- To examine health promotion activity and effectiveness in the Borough and develop ways to improve provision and healthy outcomes for local people
- To examine healthcare provision within the area in relation to all residents of the Borough and to participate in initiatives for improving it
- To carry out the Council's statutory role in relation to health scrutiny, to call officers from the health Authority and Health Trusts to account, and to request them to appear before the PPB when appropriate
- Adult Social Services
- Older People's Services

the Board will:

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
- (ii) monitor and comment on performance;
- (iii) review and make recommendations on existing policies;
- (iv) promote public confidence in the Council's services;
- (v) hold Executive Board Members and senior officers to account;

- (vi) monitor Executive Board compliance with agreed policies;
 - (vii) ensure adherence to the priorities in the Council's Corporate Plan.
 - (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).
2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;
 3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.
 4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.
 5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.
 6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.
 7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.
 8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.
 9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and performance monitors to ensure quality in all the Council's dealings with the public and external organisations.
 10. To consult with the Executive on any plan or strategy including strategic policy.
 11. To monitor the citizens charter and complaints procedure and make recommendations to the Executive Board.
 12. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.
 13. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

5. POWERS AND DUTIES OF THE URBAN RENEWAL POLICY AND PERFORMANCE BOARD

Strategic Priority – To develop policies and monitor performance in relation to the Council's objectives for urban renewal in Halton.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- All aspects of the Council's planning policies, eg Unitary Development Plan/Local Development Framework
- Economic Regeneration and Tourism Strategies
- Derelict/Contaminated Land Strategy
- Biodiversity Strategy
- Transportation Policies, eg Local Transport Plan
- Sustainability Strategy and Climate Change
- Strategic Housing policy (including homelessness, liaison with RSLs, private sector groups, gypsies/travellers)
- Strategic Housing policy (area renewal, availability/choice and mix)
- Urban renewal aspects of the Local Area Agreement

Functions

- Major Projects
- Highways and Transportation
- Economic Regeneration
- Landscape Services
- Parks and Countryside

the Board will:

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
- (ii) monitor and comment on performance;
- (iii) review and make recommendations on existing policies;
- (iv) promote public confidence in the Council's services;
- (v) hold Executive Board Members and senior officers to account;
- (vi) monitor Executive Board compliance with agreed policies;
- (vii) ensure adherence to the priorities in the Council's Corporate Plan.
- (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).

2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;

3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.

4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.
5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.
6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.
7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.
8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.
9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and performance monitors to ensure quality in all the Council's dealings with the public and external organisations.
10. To consult with the Executive on any plan or strategy including strategic policy.
11. To monitor the citizens charter and complaints procedure and make recommendations to the Executive Board.
12. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.
13. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

6. POWERS AND DUTIES OF THE EMPLOYMENT, LEARNING AND SKILLS POLICY AND PERFORMANCE BOARD

Strategic Priority – To develop policy and monitor performance in relation to the Council's objectives for employment, learning and skills in Halton.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- Arts and Cultural Policy
- Sports Strategy
- Adult Learning and Skills Enhancement
- Worklessness Strategy and improving access to employment, eg skills preparation for work
- Employment, learning and skills aspects of the Local Area Agreement
- Voluntary Sector Liaison

Functions

- Library Services
- Education (non-children)
- Culture and Leisure Services
- Business Development
- Community Development and Capacity Building

the Board will:

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
- (ii) monitor and comment on performance;
- (iii) review and make recommendations on existing policies;
- (iv) promote public confidence in the Council's services;
- (v) hold Executive Board Members and senior officers to account;
- (vi) monitor Executive Board compliance with agreed policies;
- (vii) ensure adherence to the priorities in the Council's Corporate Plan.
- (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).

2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;

3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.

4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.

5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.

6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.

7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.

8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.

9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and

performance monitors to ensure quality in all the Council's dealings with the public and external organisations.

10. To consult with the Executive on any plan or strategy including strategic policy.

11. To monitor the citizens charter and complaints procedure and make recommendations to the Executive Board.

12. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.

13. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

7. POWERS AND DUTIES OF THE CHILDREN AND YOUNG PEOPLE POLICY AND PERFORMANCE BOARD

Strategic Priority – To develop policy and monitor the Council's objectives for children and young people in Halton.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- Children and Young People's Plan
- Youth Justice Plan
- Children and Young People's aspects of the Local Area Agreement

Functions

- All educational functions
- Schools
- Youth Service and Connexions
- Children's Social Care
- 14-19 Years
- Children's Centres and Extended Schools
- Youth Offending Team
- Children's Mini Trusts

the Board will:

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
- (ii) monitor and comment on performance;
- (iii) review and make recommendations on existing policies;
- (iv) promote public confidence in the Council's services;
- (v) hold Executive Board Members and senior officers to account;
- (vi) monitor Executive Board compliance with agreed policies;
- (vii) ensure adherence to the priorities in the Council's Corporate Plan.
- (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).

2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;
3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.
4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.
5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.
6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.
7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.
8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.
9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and performance monitors to ensure quality in all the Council's dealings with the public and external organisations.
10. To consult with the Executive on any plan or strategy including strategic policy.
11. To monitor the citizens charter and complaints procedure and make recommendations to the Executive Board.
12. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.
13. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

8. POWERS AND DUTIES OF THE SAFER HALTON POLICY AND PERFORMANCE BOARD

Strategic Priority - To develop and monitor performance in relation to the Council's objectives for a safer Halton.

1. In relation to the following policies, responsibilities and functions of the Council:

Corporate Policies/Responsibilities

- Crime and Disorder
- Alcohol Reduction Strategy
- Drugs Strategy
- Emergency and Contingency Planning
- Domestic Violence Strategy
- Safer and Stronger aspects of the Local Area Agreement
- Waste Strategy

Functions

- To carry out, on behalf of the Council, the scrutiny of the policies and activities of the following services so far as they have an impact on the residents of the area:
 - Police
 - Fire
 - Probation/Community Punishment Service
 - Criminal Justice System
- Community Safety Team
- Drug and Alcohol Action Team
- Registration Service
- Consumer Protection (including employees in the workplace) and Trading Standards
- Risk and Emergency Planning
- Cemeteries and Crematoria
- Environmental and Regulatory Services
- Road Safety

the Board will:

- (i) initiate new policy proposals for consideration by the Executive Board/Council;
 - (ii) monitor and comment on performance;
 - (iii) review and make recommendations on existing policies;
 - (iv) promote public confidence in the Council's services;
 - (v) hold Executive Board Members and senior officers to account;
 - (vi) monitor Executive Board compliance with agreed policies;
 - (vii) ensure adherence to the priorities in the Council's Corporate Plan.
 - (viii) receive a report on any petitions received by the Council relating to the Board's policy area and on any action taken or proposed to be taken by the Executive (or Executive Board Sub-Committees, Portfolio Holder, or an officer acting under delegated powers).
2. To receive representation, evidence or expert opinion from outside the Council and to draw conclusions from such representations to the attention of the Executive Board/Council as appropriate;
 3. To consult the public where appropriate in relation to Council services which fall within the terms of reference of the Policy and Performance Board.

4. To review any area of income and expenditure which falls within the remit of the Policy and Performance Board.
5. To make recommendations to the Executive Board on the financial aspects of the proposals, which fall within the remit of the Policy and Performance Board.
6. To require the Executive Board where appropriate to make a report to the Council on any decision not included in the Forward Plan which the Policy and Performance Board consider should have been included in the Forward Plan.
7. The Chair of the Policy and Performance Board will receive papers relating to a decision which is on the Forward Plan when this Forward Plan is finalised and published.
8. To examine systematically the services of the Council, within the remit of the Board, in order to assess their efficiency, effectiveness, economy, quality and value for money.
9. To draw up an annual programme of performance review to respond to briefs on performance review of specified activities and to develop programmes and performance monitors to ensure quality in all the Council's dealings with the public and external organisations.
10. To consult with the Executive on any plan or strategy including strategic policy.
11. To monitor the citizens' charter and complaints procedure and make recommendations to the Executive Board.
12. To receive an annual report on CCTV issues.
13. To provide informed input in response to requests from the Executive Board for advice, options and appraisal on matters falling within the remit of the Policy and Performance Board.
14. To authorise expenditure on civic hospitality up to maximum of £500 per annum.

9. CRITERIA FOR ALL POLICY AND PERFORMANCE BOARDS

In carrying out their functions, policies and responsibilities the Policy and Performance Boards shall have regard to:-

1. The need to maintain effective and beneficial relationships with the European Community and subsidiary organisations.
2. The principles and practice of Best Value, value for money and economy, efficiency and effectiveness at all appropriate times.
3. The need to ensure equality of opportunity in the delivery of services by the Council.

4. The Plans referred to in paragraph 38 of the matters reserved to the Council including the strategic policy framework of the Council.

10. POWERS AND DUTIES OF THE BUSINESS EFFICIENCY BOARD

1. To draw up an Efficiency Strategy for the Authority based on Gershon principles ensuring that it meets its statutory requirements for securing Best Value in all that it does and complies with the requirements placed on it in relation to Annual Efficiency Statements.

2. To draw up and oversee a programme of reviews aimed at securing continuous improvement in the efficiency and effectiveness of Council services.

3. To promote partnership working and collaboration with other public and private bodies where that supports the Council's Efficiency Strategy.

4. To oversee the Council's preparations for any Comprehensive Performance Assessment (CPA) or subsequent corporate assessment process.

5. To monitor performance against the Council's Efficiency Strategy, particularly in relation to the identification of cashable and non-cashable gains.

6. To ensure the Council has processes in place to benchmark its activities and to learn from best practice to ensure continuous improvement in its performance.

7. To monitor the implementation of the Council's Procurement Strategy.

8. To act as the Council's Audit Committee with the following terms of reference:

- To ensure that the Council's arrangements for audit (both internal and external) are satisfactory for ensuring a high standard of corporate governance.
- To consider summaries of all internal and external audit activity (including the Head of Audit's annual report and opinion and the external auditor's annual audit letter) and to oversee the implementation of agreed recommendations.
- To make recommendations to the Council, the Executive Board and Chief Executive as necessary on the Council's audit and governance arrangements.
- To maintain an overview of the Council's constitution in respect of contract standing orders, financial regulations and matters of corporate governance, and to ensure that the Council's governance arrangements comply with best practice.
- To monitor the effective development of risk management and corporate governance in the Council.
- To review the annual statement of accounts and consider the external auditor's report arising from the audit of the accounts, and to raise any issues or concerns that need to be brought to the attention of the Council in relation to the same.

9. To act as the Council's Closure of Accounts Committee.

11. POWERS AND DUTIES OF THE DEVELOPMENT CONTROL COMMITTEE

Except where delegated to officers in respect of individual applications and particular cases:-

Development Control

1. To exercise the powers and duties of the Council as local planning authority including those set out in (or in Regulations made thereunder) the Town and Country Planning Act 1990, the Planning (Listed Buildings) and Conservation Areas Act 1990, the Planning (Consequential Provisions) Act 1990, the Hazardous Substances Act 1990, the Planning and Compensation Act 1991, the Environment Act 1995, the Town and Country Planning (General permitted Development Order 1995), the Environmental Protection Act 1990, the Planning and Conservation Act 1991 as amended and the Planning and Compulsory Purchase Act 2004. In addition to exercise the functions of the Council in respect of archaeology and ancient monuments.
2. To exercise the powers and duties of the Council in respect of building control, building safety, demolition, fire precautions and safety of sports grounds under the Building Act 1984, the Building Regulations, and the Cheshire County Council Act 1980.
3. To determine observations on particular applications and other specific matters affecting land within the Borough which are requested by central government, other authorities and statutory undertakers.

General

4. To pursue the principles and practice of Best Value at all times.
5. To consult the public where appropriate in relation to matters which fall within the terms of reference and powers and duties of the Committee.
6. To ensure equality of opportunity in the delivery of services by the Committee.
7. To produce an annual report on matters lying within the Committee's remit.

12. TERMS OF REFERENCE FOR THE APPEALS PANEL

1. To pursue the principles of Best Value at all times.
2. To be responsible for monitoring, implementing and upholding the Council's Equal Opportunities Policy with particular reference to employment issues.
3. To hear and determine appeals in relation to any disciplinary, grievance, dispute or regrade processes (including appeals from teachers working in schools with

or without a delegated budget) and any other appeals made in connection with employment issues.

4. To hear and determine all other appeals and decision review processes including the following appellate and decision review functions:-

1. Housing Homelessness and Housing Discretionary Awards
2. School Transport
3. Contracts

13. STANDARDS COMMITTEE

1. To promote and maintain high standards of conduct by the members and co-opted members of the authority .
2. To assist members and co-opted members of the authority to observe the authority's Code of Conduct.
3. To advise the authority on the adoption or revision of the Code of Conduct.
4. To monitor the operation of the authority's Code of Conduct.
5. To advise, train or arrange to train members of the authority on matters relating to the authority's Code of Conduct.
6. To consider matters referred to it by ethical standards officers in accordance with the relevant statutory enactments.
7. To investigate or arrange investigation of any complaints made by members, officers or members of the public in relation to the authority's Code of Conduct.
8. To decide disciplinary matters within the competence of the Committee.

14. APPOINTMENTS COMMITTEE

1. To deal with Appointments, Disciplinary Matters and Dismissals relating to the Head of Paid Service, Strategic Directors, and Operational Directors, the Council Solicitor and Monitoring Officer and Operational Director - Human Resources as set out in the Officer Employment Procedure Rules and subject to the Standing Orders relating to Staff.
2. To deal with all matters concerning the pay and terms and conditions of staff (including procedures for dismissal), except to the extent that such matters are delegated to others under the Standing Orders relating to Powers of Proper Officers and Delegation to Officers or fall to be dealt with by the Council's Appeals Panel under the Standing Orders relating to Powers and Duties of Executive Boards, Policy and Performance Boards, Committees and Forums and Panels.

3. To consider and deal with requests for ill-health retirement in respect of the Head of Paid Service, Strategic Directors and Operational Directors, the Council Solicitor and Monitoring Officer, and the Operational Director - Human Resources and to approve any redundancy/severance arrangements in accordance with the Council's Policy (subject to the approval of full Council in the case of matters relating to the Chief Executive).

15. REGULATORY COMMITTEE

15A Licensing matters within the scope of the Licensing Act 2003 and Gambling Act 2005 (where the Regulatory Committee acts as statutory Licensing Committee under that legislation)

1. To act as the Council's Licensing Committee for the purposes of Section 6 Licensing Act 2003 (including its application to the Gambling Act 2005) and to discharge all of the licensing functions of the Council which are not reserved by statute for determination only by full Council in accordance with Section 7 Licensing act 2003 and Section 154 Gambling Act 2005.

15B Licensing matters not within the scope of the Licensing Act 2003 or the Gambling Act 2005

The scope of these licensing matters is set out at Regulatory Committee Table 1. Note that those items shown in italics in the Table will become regulated by the Committee under the Gambling Act 2005 as from 1st September 2007.

1. To be responsible for determining and implementing the Council's policies in connection with the grant, variation, suspension or revocation of licences, permits or consents.
2. To decide upon individual applications relating to the grant, variation suspension or revocation of licences, permits or consents.
3. To take appropriate action in connection with breaches of conditions attached to licences, permits, consents or registrations.
4. To exercise the regulatory powers and duties of the Council in respect of safety of sports grounds under the Safety of Sports Grounds Act 1975.

General

5. To pursue the principles and practice of Best Value at all times.
6. To consult the public where appropriate in relation to matters which fall within the terms of reference and powers and duties of the Committee.
7. To ensure equality of opportunity in the delivery of services by the Committee.
8. To produce an annual report on matters lying within the Committee's remit.

15C Regulatory Sub-Committees – Licensing matters within the Scope of the Licensing Act 2003 but excluding matters within the scope of the Gambling Act 2005

1. To determine an application for a personal licence if an objection is made.
2. To determine an application for a personal licence with unspent convictions.
3. To determine applications for premises licence/club premises certificate if a representation is made.
4. To determine an application for a provisional statement if a representation is made.
5. To determine an application to vary premises licence/club premises certificate if a representation is made.
6. To determine an application to vary designated premises supervisor if there is a police objection.
7. To determine an application for a transfer of premises licence if there is a police objection.
8. To determine applications for interim authorities if there is a police objection.
9. To determine applications to review premises licences/club premises certificates.
10. To object, if necessary, when the local authority is a consultee and not the relevant authority considering the application.
11. To determine a police objection to a temporary event notice.

15D Regulatory Committee Sub-Committees – Licensing matters within the scope of the Gambling Act 2005 but excluding matters within the scope of the Licensing Act 2003

1. To determine an application for a premises licence in respect of which representations have been made under section 161 (and not withdrawn).
2. To determine an application for the variation of a premises licence in respect of which representations have been made under section 161 as applied by section 187 (and not withdrawn).
3. To determine an application for transfer following representations by the Gambling Commission.

4. To determine an application for a provisional statement under section 204 in respect of which representations have been made under section 161 as applied by section 204 (and not withdrawn).
5. To determine a review of a premises licence under section 101.

Regulatory Committee Table 1
(Jurisdiction other than within the Licensing Act 2003 and the Gambling Act 2005)

Licence etc. type	What these licences etc. deal with
Animal Boarding Establishments	Boarding establishments for dogs and cats.
Bingo (Amusements with Prizes)	Amusements with prizes (not involving gaming machines) which are within the monetary limits set out in section 16 Lotteries and Amusements Act 1976. Bingo is the most common example.
Dangerous Wild Animals	Keeping dangerous wild animals.
Dog Breeding	Keeping breeding establishments for dogs.
Game (Dealing in)	Dealing in game.
Game (killing)	Killing Game.
Gaming Machines	Gaming machines (fruit machines or one armed bandits) within the categories listed in section 34 Gaming Act 1968.
Hawkers	In designated places - touting for hotels and restaurants etc; hawking, selling or offering things for sale; trade photography; hiring vehicles, chairs, seats or animal rides.
Hypnotism	Exhibitions of hypnotism.
House to House Collections	Collections house to house for charitable purposes. "Collection" means an appeal to the public whether for consideration or not to give money or other property. "Charitable" includes charitable, benevolent or philanthropic purposes.
Lotteries	Societies' Lotteries which are within the monetary limits set down. Qualifying societies must be conducted wholly or mainly for charitable purposes; or the

	participation in or support of athletic sports or games or cultural activities; or other purposes which are neither for private gain nor for the purposes of a commercial undertaking.
Motor Salvage Operators	Recovery for re-use or sale of salvageable parts from motor vehicles and subsequent sale of scrap; purchase of written-off vehicles and their subsequent repair and re-sale.
Pet Shops	Keeping a pet shop.
Performing Animals	Exhibiting or training performing animals.
Riding Establishments	Keeping horses for being let out on hire for riding or instruction in riding.
Scrap Metal Dealers	Carrying on business of scrap metal dealer.
Sex Establishments	This includes sex cinemas and sex shops.
Street Collections	Collecting money or selling articles for charitable or other purposes in any street or public place.
Street Trading	Selling or exposing or offering for sale of any article (including a living thing) in a street. Note that there are nine categories of activity (e.g. news vending) which are excluded from the definition. But also note that some of these exceptions may still be caught by the Hawking category listed above.
Taxi and Private Hire	Licensing hackney carriage (taxis) vehicles and drivers and private hire vehicles, drivers and operators.

**STANDING ORDERS
RELATING TO DUTIES OF PROPER OFFICERS
AND DELEGATION TO OFFICERS**

DUTIES OF PROPER OFFICERS

1. The Halton Borough Council hereby appoints the Chief Executive, the Strategic Director – Corporate and Policy, Strategic Director – Children and Young People, Strategic Director – Environment and Strategic Director – Health and Community as the Proper Officers in relation to any reference in any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any instruments made before 26th October 1972 to the Clerk of a Council or Town Clerk of a Borough Council respectively (in appropriate cases regard being had to the distribution of functions between them of functions previously undertaken by the Engineer to the Council) which by virtue of any provision of the said Act is to be construed as a reference to the proper officer of the Council.
2. The Halton Borough Council hereby appoints the following Officers (shown in column 3 below) to be the proper officers with respect to the associated functions described in columns 1 and 2 below (NB all references to the Council Solicitor in this Constitution shall include the Council Solicitor, and the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources). In addition, all references to the Operational Director – Human Resources in this Constitution shall include the Operational Director – Human Resources, and the Operational Director and Monitoring Officer (Legal, Organisational Development and Human Resources)):-

KEY

SD-E	Strategic Director - Environment
SD-CaP	Strategic Director - Corporate and Policy
SD-CaYP	Strategic Director - Children and Young People
SD-HaC	Strategic Director - Health and Community
OD-HT	Operational Director - Highways Transportation and Logistics
OD - R	Operational Director – Economic Regeneration
OD - MP	Operational Director - Major Projects
OD-ERS	Operational Director – Environmental and Regulatory Services
OD-PP	Operational Director - Policy and Performance
OD-PrS	Operational Director - Property Services
OD-ECS	Operational Director - Exchequer and Customer Services
OD-FS	Operational Director - Financial Services
OD-HR	Operational Director – Human Resources
OD-HaP	Operational Director – Health and Partnerships
OD-CLS	Operational Director - Culture and Leisure
OD-AWA	Operational Director – Adults of Working Age

OD - OP	Operational Director – Older People/Physical and Sensory Disability Services
OD-LSI	Operational Director - Learning and School Improvement
OD-VC	Operational Director - Vulnerable Children
OD-CS	Operational Director – Community Services
OD-BPR	Operational Director – Business Planning and Resources

Provisions of the Local Government Act 1972

Section 83	Receipt and taking of Declarations and Acceptance of Office by Members	Chief Executive
Section 84	Receipt of resignation from Members	Chief Executive
Section 88 (2)	To convene a meeting of the Council for the election of Chairman/Mayor of the Council where the Office of Chairman/Mayor is vacant as a result of a casual vacancy.	Chief Executive
Section 89(1)(b)	To receive Notice in writing from two local government electors for the area in connection with election to fill casual vacancy	Chief Executive
Section 96	Receipt of general notices and recording of disclosures of interests under Section 94	Chief Executive
Section 100(B)(2)	To exclude from public inspection documents which relate to items likely to be considered in private.	Chief Executive
Section 100 (B)(7)(c)	To supply to the press copies of documents supplied to Members of the Council.	Chief Executive
Section 100(C)(2)	To summarise business considered in private and report thereon to the Leader and Deputy Leader of the Council.	Chief Executive
Section 100(D)(1)(a)	To compile a list of background papers.	Chief Executive
Section	To determine which documents	Chief Executive

100(D)(5)	constitute background papers.	
Section 100(F)(2)	To decide which documents are to be made available to Members.	Chief Executive
Section 115	Receipt of money due from officers	OD-ECS
Section 146(1)	Statutory declarations and certificates relating to transfer of securities.	OD-FS
Section 151	Responsibility for the administration of the financial affairs of the Council.	OD-FS
Section 191	Receipt of applications under Section 1 Ordnance Survey Act 1841	OD-ERS
Section 204(3)	To receive Notice of application for a Justices' Licence under Schedule 2 to the Licensing Act 1964.	Council Solicitor
Section 210(6) and (7)	Responsibility for charity functions	OD-FS
Section 225	Receipt of and retention of official documents	Council Solicitor
Section 228	Arrangements for inspection of Minutes of Authority	Chief Executive
Section 229(5)	Certification of photographic copies of documents in legal proceedings	Council Solicitor
Section 234	Authentication of documents	All Operational Directors and Council Solicitor
Section 236(9) and (10)	Sending copies of every byelaw made by the Borough Council to relevant Parish Councils.	Council Solicitor
Section 238	Certification of byelaws	Council Solicitor
Section 248	To keep the roll of Freemen of the Borough.	Chief Executive
Section 249	Maintenance of Roll of Honorary Alderman	Chief Executive

Schedule para. 4(2)(b), and para 4(3)	12	Issue of summons to Members to attend Council meetings and receipt of notices regarding addresses.	Chief Executive
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Schedule para. 25(7)	14	To certify copy resolution of the Council as a true copy in connection with legal proceedings.	Council Solicitor
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Schedule para. 41	29	Exercise of functions under Section 9 (1) and (2), 13 (2) (h) and 3 (b) and 20 (b) of the Registration Services Act 1953.	SD-CaH
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Local Government Act 1974

Section 30 (5)		Publication of reports of Local Commissioner	Chief Executive
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Local Government (Miscellaneous Provisions) Act 1976

Section 41		Certification of copies of resolutions, Minutes and other documents	Council Solicitor
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Provision of the Highways Act 1980

Sections and 211	205	Private Street Works Code	OD-HT
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Local Elections (Principal Areas) Rules 1973

Rule 47		Receipt from Returning Officer of the names of persons elected to the Council.	Chief Executive
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Rule 49		Receipt from Returning Officer of election documents	Chief Executive
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Rule 51		Retention of election documents and making them available for public inspection.	Chief Executive
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Provisions of the Building Act 1984

Section 78		Dangerous buildings – emergency measures	OD-ERS
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(a) Various purposes with regard to drainage, water supply, and sanitary accommodation.	OD-ERS
(b) Purposes relating to building control.	OD-ERS

Provisions of the Housing Act 1985

Section 351	Authentication of copies of registration schemes in connection with legal proceedings.	Council Solicitor
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Provisions of the Local Government and Housing Act 1989

Section 2	Receipt of list of politically restricted posts.	Operational Director - Human Resources
Section 4	Head of Paid Service	Chief Executive
Section 5	Monitoring Officer	Council Solicitor
Sections 15 to 17	Receipt of various notices relating to political groups under relevant regulations.	Chief Executive
Section 18	Implementation of Scheme of Members' Allowances	Chief Executive
Section 19	Receipt of Notices regarding Members' interests.	Chief Executive

Registration Service Act 1953

Section 13	Discharging the functions of the proper officer with regards to the local organisation of the registrars' service.	Divisional Manager – Consumer Protection
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Civil Partnership Act 2004

Overall legal and operational responsibility for the delivery of civil partnership registrations and related issues.	Divisional Manager – Consumer Protection
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Environmental Protection Act 1990

Section 149	Discharging the functions in the section for dealing with stray dogs.	SD-E
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The Chief Executive, or any officer designated to be the Proper Officer of the Council for a particular purpose, may give authority in writing to another officer of the Council to act on behalf of the said proper officer for any of the purposes specified in such written authority for which the said proper officer was appointed.

The Chief Executive may appoint another officer to be the acting Chief Executive in his/her absence.

References in this part of the Standing Orders to a particular piece of legislation shall extend to legislation that replaces or amends that legislation.

DELEGATIONS TO OFFICERS

Officers named shall carry out the following functions on behalf of the appropriate Forums and Panels, boards or committees, in accordance with the following principles and conditions:

- (i) Powers shall be exercised in accordance with Standing Orders and Financial Regulations of the Council, and are additional to those conferred in Standing Orders and Financial Regulations.
- (ii) The Officer exercising such power shall give effect to any resolution of the Council upon any matter of principle or policy in relation to the functions concerned.
- (iii) Where an Officer is authorised to make a decision such decision need not necessarily be taken personally by that Officer and may be further delegated provided that a suitable record shall be kept of all Officers so authorised such record to be copied to the Monitoring Officer.
- (iv) In any case, where the Officer exercising the power considers that a new departure in policy is likely to be involved or if the implications are such that the Officer considers, after consulting the appropriate Strategic Director or Chief Executive, that reference should be made to Members the matter shall be referred to the appropriate panel, board or Committee for consideration.
- (v) That the Chief Executive and each Strategic Director be authorised to incur expenditure up to a maximum of £500 for the purposes of providing civic hospitality.
- (vi) Delegated powers be granted to the Leader in consultation with the Chief Executive to amend the Terms of Reference of the Council, Executive Board, Policy and Performance Boards and related Committees by addition, adjustment or deletion of functions in the interests of ensuring fully accountable provision of local services consistent with the principles of best value, economy, efficiency and effectiveness.

The above power may be exercised either to change the scheme generally or specifically in relation to a particular case or set of facts.

Where this power is exercised a report shall be submitted to the next meeting of the Council.

- (vii) All the delegations to officers may be exercised by the named officer, officer of the same grade within the directorate and any officer on a more senior grade within the directorate or the Chief Executive (or his/her nominee) in the absence of the named officer.
- (viii) References in this part of the Standing Orders to a particular piece of legislation shall extend to legislation that replaces or amends that legislation.
- (ix) All delegations relating to Personnel matters will be exercised in consultation with the Operational Director - Human Resources or his delegated representative (including grievances and disciplinary matters)

(Matters relating to Council Policy)

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| 1. To manage the Council's Local Land Charges Function and the Registration of Commons and Village Greens. | Council Solicitor |
| 2. To receive notices by Officers disclosing pecuniary interests in contracts and other matters in accordance with Section 117 Local Government Act 1972. | Operational Director - Human Resources |
| 3. To implement the Community Strategy. | Chief Executive |
| 4. To implement the Local Area Agreement. | All SDs, Chief Executive and OD-PP |
| 5. To implement the Council's Corporate Plan. | Chief Executive |
| To take all necessary administrative and operational steps to implement Neighbourhood Management in Halton Lea, Castlefields, Windmill Hill and Central Widnes. | OD-PP |
| 4. To implement the Council's Communications and Marketing Strategy. | OD-PP |
| 5. To implement the Council's European and Regional Strategies. | OD-PP |
| 6. To progress the Council's twinning activities. | OD-PP |

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| 7. To take all necessary administrative and operational steps to deliver the Council's Corporate Risk Management Strategy and Business Continuity Strategy. | OD-PP |
| 8. To exercise voting rights on behalf of the Council where the Council is the shareholder of a company. | Chief Executive |
| 9. To implement the Council's Community Safety Strategy and to exercise the powers and duties of the Council under the Crime and Disorder Act 1998 | Chief Executive |
| 10. To act as authorising officer and issue authorisations under the Regulation of Investigations Powers Act 2000 | Chief Executive and such other Officers as he may nominate for this purpose |
| 11. To implement the Council's Procurement Strategy. | SD-CaP |
| To implement the Council's Accommodation Strategy. | SD-CaP in consultation with the Executive Board Member for Corporate Services |
| 12. To implement the Council's Equal Opportunities Policy | Council Solicitor |
| 13. To implement the Council's Strategic Risk Management Strategy | Council Solicitor |
| 14. To authorise, institute, defend and conduct on behalf of the Council any legal proceedings (whether criminal or civil) and to take all other action necessary to protect and/or further the Council's interests. Without limiting the powers delegated under this paragraph, this delegation shall be taken to include the power to initiate, prosecute, defend and conduct proceedings on behalf of the Council under the Acts of Parliament (and Regulations made thereunder) and Regulations listed in Appendices A and B to these Standing Orders and such other Acts of Parliament and Regulations as may from time to time confer powers, duties or functions on the Council or Officers of the Council. | Council Solicitor (in consultation with the Executive Board Member for Corporate Services in Cases of sensitivity). |

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| 15. To act as the Council's money laundering reporting officer under the Proceeds of Crime Act 2002. | Council Solicitor (or the Chief Internal Auditor in the Council Solicitor's absence). |
| ? To institute legal proceedings for the Council under the Proceeds of Crime Act 2002. | Council Solicitor (with the Trading Standards Officers/Consumer Protection Officers delegated as investigating officers). |
| 16. To make decisions in relation to the public interest under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. | Council Solicitor |
| 17. To make appointments to fill casual vacancies in respect of outside bodies. | Chief Executive in consultation with the Council Leader. |
| To approve and amend the Publication Scheme under section 19 Freedom of Information Act 2000 | SD-CaP |
| In cases of urgency where it is not practicable to call an urgent meeting of the Mersey Gateway Executive Board, to take such action as may be necessary on behalf of the Mersey Gateway Executive Board in accordance with its terms of reference (see Appendix 4 of this Constitution), in consultation with the Leader of the Council, subject to the matter being reported to the first available meeting of the Mersey Gateway Executive Board. | Chief Executive |

(Matters relating to Economic Development and Regeneration)

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| 18. To implement the Council's Economic Development and Tourism Strategy. | OD-R |
| 19. To implement the Council's Urban Renewal Strategy | SD-E |
| 20. To implement the Council's involvement in its various Joint Venture Companies | OD-MP/OD-PS in consultation with the Council Solicitor |

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| 21. To take all necessary administrative and executive steps to implement the Council's strategies in relation to the economic and social development of the Borough. | Appropriate Strategic Director |
| 22. To approve payments made pursuant to aid programmes and to issue grants funded by any governmental agency whether regional, national or European. | Appropriate Operational Directors |

(Matters relating to Finance)

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| 23. To manage all of the property portfolio of the Council, including the maintenance of Council buildings and the authorisation of transactions involving the acquisitions and disposal of interests in land where the value of the transaction does not exceed £100,000. | OD-Pr.S |
| 24. To exercise the powers, functions and duties of the Council, as Landlord in relation to applications for consent to assignments or underlettings of premises. | OD- Pr.S. in conjunction with the Council Solicitor |
| 25. To exercise the Council's powers and duties in respect of markets. | OD-Pr.S |
| 26. To raise and repay loans including bank overdraft to meet the capital requirements of the Council for such amounts and on such terms as considered necessary. In addition to borrow or lend on a short-term basis in the most effective way to maximise the Council's cash flow position. | OD-FS |
| 27. To take all necessary steps relating to the demand, collection and recovery of rates, Community Charge and Council Tax and to issue all necessary notices and statements and to sign any documents and to institute civil and criminal proceedings on behalf of the Council as rating and Community Charge and Council Tax billing authority. | OD-ECS |
| 28. To take decisions on applications under Section 44A Local Government Finance Act 1988 for adjustments to rates payable. | OD-ECS |

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| 29. To serve on the Valuation Officer Notices of Objection to any proposals for alteration to valuation list. | OD-ECS |
| 30. To make proposals for the alteration of the valuation list or for inclusion of particular properties in the valuation list. To sign valuation agreements. | OD-ECS |
| 31. To pay sums due from the Council. | OD-ECS |
| 32. To write off debts deemed to be irrecoverable not exceeding £100,000 in any one case and to write off debts which become necessary as a result of bankruptcy, dissolution, liquidation or where the debt becomes irrecoverable by operation of law. | OD-FS |
| 33. To deal with all insurance matters, including the settlement of claims. | OD-ECS |
| 34. To arrange for the investment of any Council funds, subject to the requirements of the law. | OD-FS |
| 35. To approve applications for loans not exceeding £10,000. | OD-FS |
| 36. To take any action against any debtor which is considered appropriate in connection with the recovery of any debt owed to the Council. | OD-ECS in consultation with the Council Solicitor |
| 37. To deal with the Council's operating and financial leasing arrangements. | OD-FS |
| 38. To implement annual wage/salary increases in accordance with National Conditions. | OD-HR |
| ? To trade for Landfill Allowances in consultation with the SD-E and the Portfolio Holders for Environment, Leisure and Sport, and Corporate Services. | OD-FS |

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| <p>? For the purpose of LATS (Landfill Allowance Trading Scheme), to purchase or sell LATS provided that the cumulative face value of all such transactions (disregarding whether purchases or sales) in any financial year does not exceed £100,000 and subject to adequate budgetary provision having been made.</p> | <p>OD-FS</p> |
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<p>To approve funding decisions in respect of Area Forums.</p>	<p>Lead OD/SD in consultation with the Area Forum's Ward Members</p>
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(Matters relating to Personnel)

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| <p>39. To advertise vacancies on the establishment in accordance with the existing grade of the post.</p> | <p>Operational Director - Human Resources</p> |
| <p>40. To select, interview and appoint to all posts other than Operational Director and Divisional Manager.</p> | <p>Relevant Divisional Manager In consultation with the Operational Director - Human Resources</p> |
| <p>41. To select, interview and appoint Divisional Managers.</p> | <p>Relevant OD in consultation with the Operational Director – Human Resources</p> |
| <p>42. To authorise overtime working within approved budgets.</p> | <p>Relevant Divisional Manager in consultation with the Operational Director - Human Resources</p> |
| <p>43. To appoint temporary and casual staff within approved budgets and after ensuring that normal recruitment procedures including advertising of posts are followed.</p> | <p>Relevant Divisional Manager in consultation with the Operational Director - Human Resources</p> |
| <p>44. To authorise attendances of employees at training and study courses and to make arrangements for post entry training, including financial assistance and special leave for examination and revision.</p> | <p>Relevant Divisional Manager in consultation with the Operational Director - Human Resources</p> |
| <p>45. To make decisions on applications for car purchase, loans or other arrangements approved by the Council.</p> | <p>OD-ECS</p> |

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| 46. To grant concessionary leave on compassionate grounds up to seven days a year, in respect of any employee. | Appropriate Divisional Manager in consultation with the Operational Director - Human Resources |
| 47. To grant additional or accelerated increments to employees within their existing grade as a result of appropriate examination success and each year. | Operational Directors within their respective directorates in consultation with the OD-HR |
| 48. To award honoraria under the Scheme of Conditions of Service within approved budget | Chief Executive and Strategic Directors within their respective directorates in consultation with the OD-HR |
| 49. To exercise the functions of the Council in relation to the agreed grievance/disciplinary and appeals procedures. | Appropriate Divisional Managers in consultation with the Operational Director - Human Resources |
| 50. To consider requests for early retirement other than in respect of the Chief Executive, Strategic Directors and Operational Directors and approve appropriate severance/redundancy arrangements in accordance with Council policy. | Strategic Director in consultation with relevant Executive Board Member for Corporate Services and the Operational Director - Human Resources |
| 51. To consider requests for ill-health retirement other than Chief Executive, Strategic Directors and Operational Directors in accordance with Council policy. | Strategic Director in consultation with Executive Board Member for Corporate Services and the Operational Director - Human Resources |
| 52. To approve amendments to the establishment of the Council, including the creation and deletion of posts, within approved budgets and Council policies. | Relevant Divisional Manager in consultation with Executive Board Member for Corporate Services and the Operational Director - Human Resources |

(Matters relating to Council Tax and Housing Benefit)

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| 53. To determine and grant applications for Council Tax Benefit. | OD-ECS |
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54. To administer the Housing Benefit System. OD-ECS

(Matters relating to Housing)

55. To be responsible for housing nominations to Registered Social Landlords in accordance with the Council's Housing Allocations Policy. OD-HaP

56. To determine applications for caravan site licences in accordance with the Council's policy. OD-HaP

57. To determine applications for housing grants and loans under the Council's Private Sector Renewal Policy and approve applications for Disabled Facilities Grants up to £40,000. OD-HaP

58. To waive repayments of grant or to demand a reduced repayment if appropriate under relevant legislation. OD-HaP in consultation with the relevant Executive Board Member and the Council Solicitor and OD- ECS

59. To implement the Council's duties relating to the homeless and the provision of housing advice under relevant legislation. OD-HaP

60. To serve notices under Part VI and IX of the Housing Act 1985, and to take all requisite steps to ensure compliance with the notices (including carrying out work in default and legal proceedings, repair notices and slum clearance). OD-HaP in conjunction with the Council Solicitor.

61. To serve notices and maintain records in relation to Houses in Multiple Occupation as required under the Housing Act 2004, and to take necessary steps to ensure compliance with such notices. (Houses in multiple occupation.) OD-HaP in conjunction with the Council Solicitor

62. To exercise on behalf of the Council the powers of entry in Sections 54 and 395 of the Housing Act 1985. OD-HaP

63. To take emergency action in respect of any premises in such a state or condition as to constitute a danger or nuisance to the occupier or owners of such premises or to members of the public in general. OD-HaP

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| 64. To allocate pitches at Riverview Gypsy site in accordance with the Council's policy. | OD-HaP |
| 65. To take action to serve notice on unauthorised persons staying at Riverview Gypsy Site. | OD-HaP in conjunction with the Council Solicitor |
| ? To exercise the Council's powers to licence Houses in Multiple Occupation under the Housing Act 2004. | OD-HaP |

(Matters relating to Culture and Leisure Services)

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| 66. To manage and regulate the use of the Council's parks, allotments, recreation grounds, open spaces, picnic grounds, play centres, tourist information centres, public halls, and all other places made available by the Council for the purpose of exhibitions, conferences or other social or community functions, including leisure and swimming pools. | OD-CLS |
| 67. To manage and regulate the use of the Council's play centres. | OD-CS |
| 68. To manage and regulate the use of the Council's tourist information centres. | OD-R |
| 69. To manage and regulate the use of public libraries. | OD-CLS |
| 70. To make suitable provision for the takeover and future maintenance of areas of open space in any agreement under Section 106 of the Town & Country Planning Act, 1990 and under the Open Spaces Act, 1906, or by negotiation. | OD-ERS |

(Matters relating to Planning and Transportation)

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| 71. To determine applications for an approval required by a development order or by a condition imposed on the grant of planning permission. | OD-ERS |
| 73. To determine applications for consent under Section 198 of the Town & Country Planning Act, 1990 for the cutting down, topping, lopping, or destruction of trees. | OD-ERS |

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| 74. To make Orders and confirm unopposed Orders under Section 198 of the Town & Country Planning Act, 1990 (Tree Preservation). | OD-ERS |
| 75. To determine applications for consent under regulations under Section 220 of the Town & Country Planning Act, 1990 (Advertisements). | OD-ERS |
| 76. To determine any matters under the Building Act, 1984, or any re-enactment thereof, or any Statutory Instruments, Regulations or Orders made thereunder or continued in force thereby in relation to building regulations. By way of illustration these matters include:
Sections 1, 8 and 16 – Determination of applications for Building Regulation Consent; applications for dispensation from, or relaxation of, Building Regulation requirements.
Sections 35 and 36 – Prosecution of offences (and removal of offending work) under the Building Regulations in consultation with the Council's Solicitor.
Sections 77 and 78 – Notices and action in respect of dangerous buildings and structures.
Section 81 – Notices in respect of demolition.
Sections 47-54 – Monitoring of building work supervised by approved inspectors.
Sections 10, 15, 18, 19, 20, 21, 24, 25, 32, 33, 71, 72, 73, 74, 95, 96 and 107. | OD-ERS |
| 77. To serve Notices under Section 330 of the Town & Country Planning Act 1990 (information as to interests in premises). | OD-ERS |
| 78. To determine variations to plans approved for the purposes of planning control. | OD-ERS |
| 79. To exercise the functions of the Council as hazardous substances authority under the Hazardous Substances Act 1990. | OD-ERS |
| 80. To exercise the Council's powers, functions and duties under the provision of Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976 relating to dangerous trees. | OD-ERS |

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| <p>81. To exercise the Council's powers and duties and to determine all matters having regard to approved Council policies, standards and guidance within the powers and duties of the Development Control Committee under the Principal Act and the consolidating Acts as defined by the Planning (Consequential Provisions) Act 1990 together with any Regulations made thereunder other than (in relation to an application) which:</p> <ul style="list-style-type: none"> (a) is a notifiable departure from the approved development plan; (b) any Member requests (for planning purposes) in writing should be presented to the Committee; (c) is submitted by or on behalf of a Member (d) is submitted by or on behalf of an employee within the Environment Directorate or any other employee of the Council who is directly involved in the planning process; (e) is submitted by the Council for development of land or other Council assets involving a disposal of a Council interest; (f) involves more than 10 residential units; (h) involves non-residential development exceeding 1,000 square metres of building footprint. | <p>OD-ERS</p> |
| <p>82. To determine applications for approval of reserved matters.</p> | <p>OD-ERS</p> |
| <p>83. To give effect to Committee decisions to include conditions and reasons for refusal by drafting conditions, grounds of refusal, etc. consequent upon Committee decisions..</p> | <p>OD-ERS</p> |
| <p>84. To determine applications for grants for listed buildings.</p> | <p>OD-ERS</p> |
| <p>85. To take emergency action in respect of contraventions of Tree Preservation Orders and Listed Building Orders.</p> | <p>OD-ERS in consultation with the Council Solicitor</p> |
| <p>86. To issue and serve Enforcement Notices, Stop Notices and Waste Land Notices in respect of Sections 172, 183 and 215 of the Town & Country Planning Act, 1990.</p> | <p>OD-ERS in consultation with the Council Solicitor.</p> |

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| 87. To exercise the Council's powers under Article 3 Town and Country Planning (General Development Procedure) Order 1995 (to require further details on an application for outline permission). | OD-ERS |
| 88. To serve Notices under Section 54 of the Town & Country Planning (Listed Buildings & Conservation Areas, Act 1990 (urgent repairs to listed buildings). | OD-ERS
in consultation with the
Council Solicitor |
| 89. To effect urgent preservation works on listed buildings. | OD-ERS |
| 90. To serve Repairs Notices under Section 48 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990. | OD-ERS in consultation
with the Council Solicitor |
| 91. To serve Building Preservation Notices. | OD-ERS in consultation
with the Council Solicitor |
| 92. To exercise the Council's powers, functions and duties under the provisions of Section 16 of the Local Government (Miscellaneous Provisions) Act, 1976 relating to the power to require information as to interests in land. | Council Solicitor in
consultation
with the OD-ERS |
| 93. To exercise the Council's powers and duties under the Safety of Sports Grounds Act including the powers of entry conferred by Section 11 of that Act. | Chief Executive |
| 94. To determine whether an environmental assessment is required for any planning application under the appropriate regulations. | OD-ERS |
| 95. To seek but except as otherwise authorised, not to determine permission for development under the Town & Country Planning General Regulations 1992 (applications by the Local Planning Authority). | OD-ERS |

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| <p>96. To exercise the provisions of
 Section 196B (Obtaining Warrants for Rights of Entry)
 Section 196C(2) (Prosecution of Persons Wilfully Obstructing Right of Entry)
 Section 214C (Obtaining Warrant for Rights of Entry in connection with preservation of trees).
 Section 187A (Breach of Condition Notices)
 Sections 191 to 194 (Certificates of Lawful Use or Development)
 Section 171C (Planning Contravention Notices)</p> | <p>OD-ERS in consultation with the Council Solicitor</p> |
| <p>97. To exercise the following provisions of the Town & Country Planning Act 1990 as amended.
 Section 173A (Withdrawal and Variation of Enforcement Notices)
 Section 196A and Section 196C(1) and (3) to (A) (Rights of Entry for Enforcement Purposes)
 Section 214B and Section 214D(1) and (2) (Rights of entry in Connection with Preservation of Trees).</p> | <p>OD-ERS in consultation with the Council Solicitor</p> |
| <p>98. To deal with applications, to erect overground wires, to place structures on or under the footway, to place cables and pipes under the highway and to erect directional signs.</p> | <p>OD-HT</p> |
| <p>99. To erect traffic warning and informative signs.</p> | <p>OD-HT</p> |
| <p>100. To deal with dangerous trees on or abutting the highway.</p> | <p>OD-HT</p> |
| <p>101. To deal with the dedication or transfer of land into the public highway.</p> | <p>OD-HT in consultation with the Council Solicitor</p> |
| <p>102. To make minor amendments to parking schemes for redevelopment purposes.</p> | <p>OD-HT in consultation with the Council Solicitor</p> |
| <p>103. To agree the adoption of roads and sewers.</p> | <p>OD-HT in consultation with the Council Solicitor</p> |

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| 104. To exercise the powers and duties of the Council under Part II of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction of traffic on roads, including prohibition or restriction in connection with certain special events) and Section 21 of the Town Police Clauses Act 1847 (power to make orders for preventing obstructions in the streets during public processions, etc.). | OD-HT |
| 105. To exercise the Council's powers and duties under the provisions of the following sections of the Local Government (Miscellaneous Provisions) Act 1976:-

Section 2 (Control of Scaffolding on Highways)
Section 8 (Power to take emergency action in relation to derelict buildings)
Section 25 (Control of dangerous excavations) | OD-HT |
| 106. To exercise the powers and duties of the Council relating to the naming of streets and the allocation of house numbers | OD-HT |
| 107. To exercise the Powers and Duties of the Council under Part 9 of the Highways Act, 1980 (Prevention of damage to or interference with Highways). | OD-HT |
| 108. To operate the provisions of the New Roads and Street Works Act 1991. | OD-HT |
| 109. To exercise the powers and duties of the Council under of the Land Drainage Acts 1991 and 1994 | OD-HT |
| 110. To exercise the powers and duties of the Council under the Water Industry Act 1991. | OD-HT |
| 111. To exercise the powers and duties of the Council under the Transport Act 1985 and Transport Act 2000 in accordance with the policies of the Council. | OD-HT |
| 112. To exercise the powers and duties of the Council under the Traffic Management Act 2004 in accordance with the policies of the Council. | OD-HT |

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| 113. To exercise the powers and duties of the Council as Highways Authority, Traffic Authority, Street Authority and Street Works Authority. | OD-HT |
| 114. To exercise the powers and duties of the Council under the Hedgerow Regulations 1997. | OD-P |
| 115. To exercise the powers and duties of the Council in connection with Common Land and Town/Village Greens. | Council Solicitor |
| 116. To determine any matters under the Reservoirs Act 1975 | OD-HT |
| 117. To exercise the Council's powers and duties under Part III of the Wildlife and Countryside Act 1981 (Public Rights of Way) | OD-HT |
| (Matters relating to Licensing) | |
| 118. To grant (but not refuse or revoke) licences, registrations consents and permits under all relevant Acts and Regulations. | Council Solicitor |
| 119. To register operators to carry on the Tattooing, Body and Ear-piercing or Electrolysis under the Local Government (Miscellaneous Provisions) Act 1982 | OD-ERS |
| 120. To issue licences to Deal in Game under The Game Act 1831 – Game Licenses Act 1860. | Council Solicitor |
| 121. To serve Notices relating to infectious diseases under the appropriate Regulations. | OD-ERS |
| 122. To serve notice and discharge duties under the Animal Health Act 1981 – articles 13 and 14 of the Rabies (Import of Dogs, Cats and Other Mammals) Order 1974 (as amended). | OD-ERS/All Environmental Health Officers |

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| <p>123. That, subject to prior notification of the names of those concerned to the SD-E, all “Cheshire and Merseyside Health Protection Team Consultants” and “nominated deputies for the Director of Public Health” be designated Proper Officers for (1) the Public Health (Control of Diseases) Act 1984 and the Public Health (Infectious Diseases) Regulations 1988, and (2) the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951 (including in all cases any amending and replacement legislation).</p> | <p>OD-ERS</p> |
| <p>124. To exercise the powers and duties of the Council under Part 8 of the Anti-Social Behaviour Act 2003 in relation to high hedges.</p> | <p>OD-ERS</p> |
| <p>125. To discharge the powers and duties of the Council under Sections 1 to 40 and 58 of the Clean Air Act 1993.</p> | <p>OD-ERS</p> |
| <p>126. To discharge the powers and duties of the Council under Sections 46 - 48 of the Public Health (Control of Disease) Act, 1984.</p> | <p>OD-ERS</p> |
| <p>127. To discharge the powers and duties of the Council under the Imported Food Regulations 1984 and any subsequent Regulations</p> | <p>OD-ERS/All Environmental Health Officers</p> |
| <p>128. To exercise the provisions of the Building Act 1984 (Sections 59, 60, 62, 64, 65, 76, 79, 80, 81, 82, 84 & 85); Local Government (Miscellaneous Provisions) Act 1976 (Section 16); Local Government (Miscellaneous Provisions) Act 1982 (Section 29); Shops Act 1950 (Section 71) Scrap Metal Dealers Act 1964 (Section 6) Public Health Act 1936 (Sections 275 & 291). Prevention of Damage by Pests Act 1949 Public Health Act 1936, Sections 35 & 50. Public Health Act 1961 Sections 17, 22, 34, 36 and 37.</p> | <p>OD-ERS</p> |

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| <p>129. To exercise the following provisions:
 Environmental Protection Act 1990 (S80 and 81) as amended by the Noise and Statutory Nuisance Act 1993
 Noise Act 1996
 Shops Act 1950 (S71)
 Refuse Disposal (Amenity) Act 1978 (S2).</p> | <p>OD-ERS</p> |
| <p>130. To exercise the provisions of Sections 57, 91 and 92 of the Control of Pollution Act 1974.</p> | <p>OD-ERS/All Environmental Health Officers</p> |
| <p>131. To exercise the provisions of Sections 60, 61, 76, 79, 80, 82 & 93 of the Control of Pollution Act 1974.</p> | <p>OD-ERS</p> |
| <p>132. To exercise the provisions of Sections 60(8), 61(5) & (10), 68, 69, 78, 80(7) and 93(3) of the Control of Pollution Act, 1974.</p> | <p>OD-ERS
 in consultation with the Council Solicitor</p> |
| <p>133. To exercise the powers and duties of the Council under the Refuse Disposal (Amenity) Act 1978.</p> | <p>OD-ERS</p> |
| <p>134. To exercise the provisions of Section 35 of the Local Government (Miscellaneous Provisions) Act 1976 (removal of obstructions from sewers).</p> | <p>OD-ERS</p> |
| <p>135. To serve notices under Section 20 of the Local Government (Miscellaneous Provisions) Act 1976 (provision of sanitary accommodation at places of public entertainment).</p> | <p>OD-ERS</p> |
| <p>136. To serve notices/issue consents under the following Sections of the Building Act 1984:

 S66 Replacement of earth closets
 S68 Erection of public conveniences
 S70 Provision of food storage.</p> | <p>OD-ERS</p> |
| <p>137. To serve notices/issue consents under Schedule 27 Water Act 1989 (Provision of Water Supply).</p> | <p>OD-ERS</p> |

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| 138. To enforce dogs byelaws and initiate proceedings under Part IV of the Environmental Protection Act 1990. | OD-ERS |
| 139. To issue authorisations and to serve notices under the Environmental Protection Act 1990. To issue permits and to serve notices under the Pollution Prevention and Control Act 1999. To exercise all the Council's powers and functions under Part IIA of the Environmental Protection Act 1990, and to appoint authorised officers under Section 108 of the Environment Act 1995 to enter premises and to exercise the powers contained in Part IIA of the Environmental Protection Act 1990 relating to contaminated land. | OD-ERS |
| 140. To nominate and authorise suitably qualified members of staff within the Environmental Health Division for carrying into effect relevant statutory provisions of, and/or to issue formal cautions for offences under, the Food Safety Act 1990 and statutes or regulations relating to food standards and food safety implemented by the European Communities Act 1972 | OD-ERS |
| To authorise any person to carry into effect and enforce the Health Act 2006 Chapter 1 and regulations made thereunder relating to smoke-free premises and vehicles. | OD-ERS |
| 141. To appoint appropriate officers as inspectors for carrying into effect relevant statutory provisions of the Health and Safety at Work etc. Act 1974 and to terminate any such appointment as necessary. | OD-ERS |
| 142. To act as a duly appointed inspector under section 19 of the Health and Safety At Work Etc Act 1974 for the purpose of instituting proceedings under section 38 of the Health and Safety At Work Etc Act 1974 | Council Solicitor |

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| 143. To authorise a person or persons to enter any premises accompanied by an inspector duly appointed by the Council under Section 19 of the Health and Safety at Work Etc Act 1974 (Expert Witness Authorisations). | OD-ERS |
| 144. To undertake the legal requirements in respect of the transfer of premises under the Health and Safety (Enforcing Authority) Regulations 1989. | OD-ERS |
| 145. To exercise all powers and functions conferred, imposed on, or transferred to the Council under the Pollution Prevention and Control Act 1999, and any regulations made under the Act, to respond to statutory consultations from the Environment Agency on Integrated Pollution Prevention and Control Permits, and to appoint authorised officers under Section 108 of the Environment Act 1995 to enter premises and exercise the powers for the purposes of Regulations made under the Pollution Prevention and Control Act 1999. | Council Solicitor/OD-ERS |
| 146. To act as the appointed Officer for the purposes of S.149(1) of the Environmental Protection Act 1990. | OD-ERS |
| 147. To act as authorised Officer for the purposes of S.149(2) of the Environmental Protection Act 1990. | All Environmental Operatives |

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| <p>148. To exercise the Council's powers, functions and duties under the Acts of Parliament listed in Appendix C to these Standing Orders, or any re-enactment thereof, or any Statutory Instruments, Regulations, Byelaws or Orders made thereunder or continued in force thereby and also such other powers and duties under such other Statutes, Statutory Instruments, Regulations, Byelaws or Orders as may from time to time be conferred upon Officers by the Council. To authorise any other Officer to exercise any of the powers granted under legislation listed in appendix C where this is necessary for the exercise of their day to day duties; to appoint and authorise suitably qualified and competent officers for the purpose of enforcement and administration of the legislation listed in appendix C; to authorise appropriately qualified officers to initiate legal proceedings necessary for the discharge of the Council's powers or duties and to respond to any appeal against the exercise of those powers or duties, subject to prior consultation with the Council Solicitor.</p> | <p>OD-ERS and such other officers authorised from time to time by the OD-ERS for this purpose</p> |
| <p>149. To deal with dangerous dogs under the Dangerous Dogs Act 1991.</p> | <p>OD-ERS</p> |
| <p>150. To serve notices under Section 77 Criminal Justice and Public Order Act 1994.</p> | <p>OD-ERS</p> |
| <p>151. To nominate and authorise officers of the Council and other persons to issue fixed penalty notices for littering offences under the Environmental Protection Act 1990 and dog fouling offences under the Dogs Fouling of Land Act 1996.</p> | <p>OD-ERS</p> |
| <p>152. To act as the Council's Chief Inspector of Weights and Measures under Section 72 of the Weights and Measures Act 1985.</p> | <p>Divisional Manager – Consumer Protection</p> |

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| 153. To act as the Council's Deputy Chief Inspectors of Weights and Measures under Section 72 of the Weights and Measures Act 1985 | All Principal Trading Standards Officer |
| 154. To act as the Council's Inspectors of Weights and Measures under Section 72 of the Weights and Measures Act 1985. | All Trading Standards Officers (Including Senior and Principal Trading Standards Officers and the Divisional Manager – Consumer Protection plus Trading Standards Officers appointed by the neighbouring Warrington Borough Council |
| 155. To exercise the statutory powers (including any relating to bereavement services, or consumer protection and trading standards) of enforcement, inspection or associated action or granting, amending, refusing, suspending and transferring any licences pursuant to the provisions of the legislation referred to in Appendix B to these Standing Orders | Divisional Manager – Consumer Protection |
| 156. To act as officers in the Borough and in the area of any other local authority for carrying out the functions devolving upon the Council under the Statutes listed in Appendix A and B to these Standing Orders, and any Statute extending or amending the same or incorporated therewith, or any re-enactment thereof, or any Statutory Instruments, Regulations, Byelaws or Orders made thereunder or continued in force thereby and also such other powers and duties under such other Statutes, Statutory Instruments, Regulations, Byelaws or Orders as may from time to time be conferred upon Officers by the Council. | Divisional Manager – Consumer Protection, Principal and Senior Trading Standards Officers, Trading Standards Officers, Consumer Protection Officers. |
| 157. To take action ancillary to and/or in the furtherance of the consumer protection and trading standards functions of the Council. | Divisional Manager – Consumer Protection |

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| 158. To issue formal cautions on behalf of the Council under the Acts of Parliament and Regulations made thereunder, set out in Appendices A and B to these Standing Orders and such other Acts of Parliament and Regulations made thereunder as may from time to time be conferred upon officers of the Consumer Protection Division by the Council. | Divisional Manager –
Consumer Protection,
Principal Trading Standards
Officers |
| 159. To appoint one or more Public Analyst under the Food Safety Act 1990 and an Agricultural Analyst/Deputy Agricultural Analyst under the Agriculture Act 1970. | SD-E/SD-HaC |
| 160. To exercise the powers, duties and functions of the Council as waste collection and waste disposal authority, and a Principal Litter authority. | OD-ERS |
| 161. To waive or vary charges for the collection of bulky household items. | OD-ERS in consultation with
the Executive Board
Member for
Environment, Leisure
and Sport |
| 162. To exercise the powers and duties of the Council in relation to the burial and cremation of the dead. | SD-HaC |
| 163. Except as otherwise provided, to determine all matters associated with, and to carry out, the consequential work associated with the discharge of the Council's Licensing functions. | Council Solicitor |
| 164. To grant (but not refuse or revoke) applications for vehicles licences; drivers and operators licences under the Local Government (Miscellaneous Provisions) Act 1976 and to sign licences and consents, in accordance with the Council's declared policy. | Council Solicitor |
| 165. To suspend vehicles, drivers or operators licences under Sections 60, 61 and 62 of the Local Government (Miscellaneous Provisions) Act 1976. | Council Solicitor |

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| 166. To grant (but not refuse) applications for registration under the Betting, Gaming, and Lotteries Act, 1963 - 1984 and the Lotteries and Amusements Act 1976. | Council Solicitor |
| 167. To relax criteria for temporary periods consequent upon medical problems of, or long term leave of, drivers' and vehicle licence holders. | Council Solicitor in consultation with the Chairman of the Regulatory Committee (all such action to be reported to the Committee) |
| 168. To grant (but not refuse) applications for street trading consents, to amend standard conditions and to renew consents with relaxation provisions under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. | Council Solicitor |
| 169. To administer the Street Collections and House to House Collections legislation. | Council Solicitor |
| 170. To exercise the Council's enforcement powers and duties relating to taxi and private hire legislation. | Legal Services Enforcement Officer(s), Legal Services Licensing Manager, Council Solicitor |

(Matters relating to the Licensing Act 2003)

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| 171. To determine an application for a personal licence if no objection has been made. | Council Solicitor |
| 172. To determine an application for premises/licence club premises certificate if no representation has been made. | Council Solicitor |
| 173. To determine an application for a provisional statement if no representation has been made. | Council Solicitor |
| 174. To determine an application to vary a premises licence/club premises certificate in no representation has been made. | Council Solicitor |
| 175. To determine applications to vary designated premises supervisor where there has been no police objection. | Council Solicitor |

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| 176. To determine requests to be removed as designated premises supervisor. | Council Solicitor |
| 177. To determine an application for transfer of premises licence where there has been no police objection. | Council Solicitor |
| 178. To determine applications for interim authorities where there has been no police objection. | Council Solicitor |
| 179. To determine decisions on whether a complaint is irrelevant, frivolous, vexatious etc. | Council Solicitor |
| 180. To call extra meetings of the Regulatory Committee and Regulatory Sub-Committees. | Council Solicitor in consultation with the Chairman and Vice Chairman |
| 181. Where matters are reserved to the Council or the statutory Licensing Committee or Licensing Sub-Committee of the Council, to determine all matters preparatory to or incidental to such matters (including, by way of illustration only, the determination of whether relevant representations have been made). | Council Solicitor |

(Matters relating to the Gambling Act 2005)

To discharge all the functions of the statutory licensing committee under the Gambling Act 2005 other than:

Council Solicitor

(a) the determination of an application for a premises licence in respect of which representations have been made under section 161 (and not withdrawn);

(b) the determination of an application for the variation of a premises licence in respect of which representations have been made under section 161 as applied by section 187 (and not withdrawn);

(c) the determination of an application for transfer following representations by the Gambling Commission;

(d) the determination of an application for a provisional statement under section 204 in respect of which representations have been made under section 161 as applied by section 204 (and not withdrawn); and

(e) a review of a premises licence under section 201.

Where matters are reserved to the Council or the statutory Licensing Committee or Licensing Sub-Committee of the Council, to determine all matters preparatory to or incidental to such matters (including, by way of illustration only, the determination of whether relevant representations have been made).

Council Solicitor

(Matters relating to Vehicle Fleet Management)

182. To manage the chief functions in respect of vehicle fleet management and maintenance services within the terms of reference of the Executive Board and to report thereon as directed by the Executive Board.

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(Matters relating to Children's Services)

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| 183. To deal with all matters relating to the operational and management aspects of the LMS Scheme. | OD-LSI |
| 184. To deal with all matters related to the management of non-LMS educational establishments. | OD-LSI |
| 185. To deal with all aspects of school admissions, exclusions and appeals processes in accordance with the Council's policy. | OD-LSI |
| 186. To appoint School Appeal Panel members. | Chief Executive |
| 187. To authorise all legal matters related to school attendance. | OD-VC |
| 188. To deal with all matters relating to the identification, assessment and support of pupils and students with special educational needs in accordance with statutory requirements, the SEN Code of Practice and the Council's policy. | OD-CS |
| 189. To deal with all matters relating to the implementation of the Early Years Development Plan. | OD-CS |
| 190. To deal with all matters relating to the implementation of continuing education in accordance with the Council's policy. | OD-LSI |
| 191. To deal with all matters relating to the operational and management aspects of the Youth Service in accordance with the Council's Policy. | OD-LSI |
| 192. To determine applications for mandatory and discretionary awards in accordance with statutory regulations and the Council's policy. | OD-LSI |

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| 193. To determine applications for benefits or remissions in relation to educational services in accordance with statutory regulations and Council's policy. | OD-LSI |
| 194. To grant licences for children to take part in public performance and to grant work permits for children. | OD-LSI |
| 195. To approve the payment of fees and expenses to occasional speakers, examiners, coaches, consultants in accordance with the Financial Regulations and within budgetary constraints. | OD-BPR |
| 196. To approve service contracts, subscriptions and licences for matters relating to education services that are consistent with the Council's policy and within budgetary constraints. | SD-CaYP |
| 197. To respond to or initiate contact with Government Departments, other public agencies and other relevant outside organisations consistent with the Council's policies. | All relevant Operational Directors/ |
| 198. Determination of rates of maintenance at homes operated by voluntary organisations providing residential or temporary accommodation within approved budgets. | SD-HaC in consultation with Executive Board Member for Children and Young People |
| 199. The payment of the cost of any application for registration as a British Citizen on behalf of a child in the care of the Council. | OD-VC |
| 200. The payment of legal fees for adopters where legal representation is necessary (and where there is no possibility of legal aid being allowed) and in appropriate circumstances the payment of medical fees in connection with adoption. | OD-VC |
| 201. To act as joint trustee (with the appropriate named Officer) in respect of trust monies held on behalf of children in the care of the Council. | OD-VC |

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| 202. To act as next friend of any child in care with regard to insurance claims. | OD-VC |
| 203. To make arrangements with or contributions to voluntary organisations providing residential or temporary accommodation in accordance with the policy of the Committee. | OD-VC |
| 204. To exercise all powers of entry vested in the Council as Social Services Authority. | OD-VC |
| 205. Subject to any court order, control visitors to and contact with children in homes provided by the Council. | OD-VC |
| 206. In relation to children who are the subject of care orders give consent for the medical treatment (including operations), marriage and absence abroad on holiday. | OD-VC |
| 207. To grant permission for the placement of a child in secure accommodation for a period not exceeding 72 hours. | OD-VC |
| 208. To act as Authorised Officer under Children's and Adoptions legislation. | OD-VC |
| 209. Power to impose requirements or prohibit the keeping of foster children at specified addresses. | OD-VC |
| 210. To seek, where necessary, placements outside of the Borough including placement for children requiring adoption and to incur the necessary expenditure, subject to finance being available. | OD-VC |
| 211. To decide upon recommendations of Adoption Panels. | OD-VC |
| 213. To approve foster parents. | OD-VC |
| 214. To provide for continued maintenance, education or support of young persons formerly in the care of the local authority. | OD-VC |

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| 215. To make grants and allowances to children, their relatives or foster parents according to the special needs involved to a maximum to be decided from time to time by the Council. | OD-VC |
| 216. Where exceptional circumstances so require, to authorise payments to fosterers in excess of the Council's approved schedule of fees and charges. | OD-VC |
| 217. To give approval to the placement of children subject to care order with their parents. | OD-VC |
| 218. To establish at least one Adoption Panel. | SD-CaYP |
| 219. To establish an Local Safeguarding Children's Board. | SD-CaYP |

(Matters relating to Community and Health)

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| 220. Determination of rates of maintenance at homes operated by voluntary organisations providing residential or temporary accommodation within approved budgets. | OD-AWA in consultation with the Executive Board Member for Health and Social Care |
| 221. To make arrangements with or contributions to voluntary organisations providing residential or temporary accommodation in accordance with the policy of the Committee. | OD-AWA in consultation with the Executive Board Member for Health and Social Care |
| 222. To administer arrangements and schemes for the welfare of persons suffering from a mental disorder, physically disabled persons, older people and those incapacitated by illness or disability including in particular the recovery of such charges as may be determined from time to time by the Council. | OD-AWA/OD-OP |
| 223. Power to make an application to act for and to act as receiver of property for persons who, by reason of mental disorder, are incapable of managing their own affairs including applications involving the Court of Protection and Appointeeship. | OD-AWA/OD-OP |

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| 224. Power to make arrangements for the temporary protection of property of persons admitted to hospital and other temporary care arrangements including making payments for the care of animals. | OD-AWA/OD-OP |
| 225. To exercise all powers of entry vested in the Council as Social Services Authority. | OD-AWA/OD-OP |
| 226. To exercise the duties imposed by the Mini Bus Act, 1977 and regulations made thereunder, in so far as they relate to the Council in its capacity as the Social Services Authority. | OD-AWA/OD-OP |
| 227. To approve social workers as having appropriate competence in dealing with persons who are suffering from mental disorders under the Mental Health Act 1983. | OD-AWA |
| 228. To act as Guardian under the Mental Health Act 1983 (Ss. 7 & 37). | OD-AWA |
| 229. To agree to Supervised Discharge Orders through the appointment of a 'Consultation Person' pursuant to Section 25 of the Mental Health Act 1983. | OD-AWA |
| 230. To provide aftercare under Section 117 of the Mental Health Act 1983. | OD-AWA |
| 231. To arrange for the supervision and aftercare of conditionally discharged restricted patients. | OD-AWA |
| 232. To consent to the making of an application for a Residence Order where required. | OD-AWA/OD-OP |
| 233. To approve adult placement carers. | OD-AWA |
| 234. Authority to withdraw, reduce or waive charges for services or the withdrawal of a contribution notice (or agree that no such notice be served) in exceptional circumstances. | OD-AWA/OD-OP/OD-HaP |

235. To administer the provision of services for the welfare of older persons.	OD-AWA/OD-OP
236. To administer the provision of aids and adaptations (including work to individual dwellings in the private sector) where the cost of the individual schemes does not exceed £15,000 and is within approved budgets	OD-AWA/OD-OP/OD-HaP
237. To investigate requests and referrals for admission to appropriate accommodation; to arrange admissions to such accommodation under the control of the Council (including transfers as appropriate to other accommodation).	OD-AWA/OD-OP
238. To manage such accommodation including the assessment and recovery of charges and the adjustment of liability with any other local authority in providing the accommodation.	OD-AWA/OD-OP
239. To administer the disabled drivers car badges scheme and travel permits for handicapped persons.	OD-AWA/OD-ECS
240. To make payments in kind and cash payments to Asylum Seekers.	OD-AWA/OD-HaP
241. To arrange for the provision of 'Appropriate Adults' under the Police and Criminal Evidence Act 1984.	OD-AWA/OD-OP
242. To exercise powers in relation to the removal of persons from house under Section 47 of the National Assistance Act 1948 and Section 1 of the National Assistance (Amendment) Act 1951 (including the power to appoint suitable registered medical practitioners as proper officers for the purposes of these provisions)	OD-AWA/OD-OP
243. To exercise powers of a Social Services Authority under the NHS and Community Care Act 1990.	OD-AWA/OD-OP/OD-HaP

244. To carry out assessments as required by the Chronically Sick and Disabled Persons Act 1970.

OD-AWA/OD-OP/OD-HaP

245. To make the necessary arrangements for the establishment of joint health scrutiny committees where required pursuant to the direction of the Secretary of State for Health dated 17th July 2003.

Chief Executive

Appendix A

Inspector of Weights and Measures under:

Weights and Measures Act 1985 S.72

Authorised Officer under:

Classification, Packaging and Labelling of Dangerous Substances Regulations 1984
Reg 15

Clean Air Act 1993

Consumer Credit Act 1974 SS. 162 and 164

Consumer Protection Act 1987 SS. 28 and 29

Control of Pollution Act 1974 SS. 75 and 91

Crystal Glass (Descriptions) Regulations 1973 Reg 8

Energy Conservation Act 1981 S.20

Estates Agents Act 1979 S.11

Fair Trading Act 1973 SS. 28 and 29

Hallmarking Act 1973 S.9

Licensing Act 1964

Materials and Articles in Contact with Food Regulations 1985 Reg 11

Motor Cycle Noise Act 1987 Schedule

Nurses Agencies Act 1957 S.3

Olympic Symbol etc. (Protection) Act 1995

Petroleum Consolidation Act 1928

Road Traffic Regulation Act 1984

Schedule Prices Act 1974

Telecommunications Act 1984 S.30

Textile Products (Indication of Fibre Content) Regulations 1986 Reg 11

Tobacco Advertising and Promotions Act 2002

Trade Descriptions Act 1968 SS. 27 and 28

Trade Marks Act 1994

Officer under:

Agricultural Produce (Grading and Marking) Act 1928 S. 5

Authorised Person under:

Criminal Law Act 1977 (common-law conspiracy to defraud)

Medicines Act 1968 S. 111

Road Traffic Act 1972 S. 160

Vehicles (Crime) Act 2001 (Part 2)

Inspector under:

Agriculture Act 1970 S. 67

Eggs (Marking Standards) Regulations 1985 Reg 3

Health and Safety at Work Etc. Act 1974
Measuring Container Bottles (EEC Requirement Regulations) 1977 Reg 8
Poisons Act 1972 S.9

Appendix B

Accommodation Agencies Act 1953
Administration of Justice Act 1970
Agricultural Produce (Grading and Marking) Act 1928
Agricultural Produce (Grading and Marking) (Amendment) Act 1931
Agriculture Act 1970
Agriculture (Miscellaneous Provisions) Act 1968
Anti-Social Behaviour Act 2003
Bankers Books Evidence Act 1879
Business Names Act 1985
Cancer Act 1939
Children and Young Persons Act 1933
Children and Young Persons (Protection from Tobacco) Act 1991
Chiropractors Act 1994
Clean Air Act 1993
Companies Act 1985
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution Act 1974
Control of Pollution (Anti-Fouling Paints and Treatments) Regulations 1987
Copyright Designs & Patents Act 1988
Criminal Attempts Act 1981
Criminal Justice Act 1993
Criminal Law Act 1977 (common-law conspiracy to defraud)
Crossbows Act 1987
Customs and Excise Management Act 1979
Development of Tourism Act 1988
Education Reform Act 1988
Energy Act 1976
Energy Conservation Act 1981
Enterprise Act 2002
Environmental Protection Act 1990
Estate Agents Act 1979
European Communities Act 1972
Explosives Act 1875
Explosives Act 1923
Explosives (Age of Purchase) Act 1976
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
Fireworks Act 1951
Fireworks Act 1964
Fireworks Act 2003
Forgery and Counterfeiting Act 1981
Hallmarking Act 1973
Health and Safety at Work Etc. Act 1974

Insurance Brokers (Registration) Act 1977
Intoxicating Substances (Supply) Act 1985
Knives Act 1997
Licensing Act 1964
Licensing (Young Persons) Act 2000
Lotteries and Amusements Act 1976
Malicious Communications Act 1988
Medicines Act 1968
Mock Auctions Act 1961
Motor Cycles Noises Act 1987
National Lotteries Act 1993
Nurses Agencies Act 1957
Offensive Weapons Act 1996
Olympic symbol etc. (Protection) Act 1995
Opticians Act 1989 S27
Osteopaths Act 1993
Petroleum (Consolidation) Act 1928
Petroleum (Transfer of Licences) Act 1936
Poisons Act 1933
Poisons Act 1972
Police and Criminal Justice Act 2001
Prices Acts 1974 and 1975
Proceeds of Crime Act 2002
Property Misdescriptions Act 1991
Protection from Harassment Act 1997
Registered Designs Act 1949
Road Traffic Act 1972
Road Traffic Act 1974
Road Traffic Act 1988
Road Traffic (Consequential Provisions) Act 1988
Road Traffic Act 1991
Road Traffic (Foreign Vehicles) Act 1972
Road Traffic Regulation Act 1984
Road Traffic Offenders Act 1988
Scotch Whisky Act 1988
Solicitors Act 1974
Tattooing of Minors Act 1969
Telecommunications Act 1984
Theft Act 1968
Theft Act 1978
Timeshare Act 1992
Tobacco Advertising and Promotions Act 2002
Trade Descriptions Act 1968
Trade Marks Act 1994
Trade Representations Act 1972
Trading Representations (Disabled Persons) Act 1958
Trading Schemes Act 1996
Trading Stamps Act 1964
Unsolicited Goods and Services Act 1971
Unsolicited Goods and Services (Amendment) Act 1975

Vehicles (Crime) Act 2001 (Part 2)
Video Recordings Act 1984
Video Recordings Act 1993
Weights and Measures Act 1976
Weights and Measures Act 1985

Appendix C

- Abandonment of Animals Act 1960
- Agricultural Act 1970
- Animal Boarding Establishments Act 1963
- Animal Health Act 1981
- Animal Health Act 2002
- Animal Health and Welfare Act 1984
- Breeding of Dogs Act 1973
- Breeding of Dogs Act 1991
- Building Act 1984
- Clean Air Acts 1956-1993
- Control of Pollution Act 1974
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Dangerous Dogs Act 1989
- Dangerous Dogs Act 1991
- Dangerous Wild Animals Act 1976
- Dogs Act 1906
- Dogs (Amendment) Act 1928
- Dogs (Fouling of Land) Act 1996
- Environment Act 1995
- Environmental Protection Act 1990 Part I, Part IIA, Part III and Sections 149-152
- European Communities Act 1972 and associated regulations Sections 2 and 9(7)
- Factories Act 1961
- Food Safety Act 1990
- Food and Environmental Protection Act 1985 Part I, Part III and Part IV
- Game Act 1831
- Game Licenses Act 1860
- Guard Dogs Act 1975
- Health Act 2006
- Health and Safety at Work etc Act 1974
- Home Safety Act 1961
- Land Compensation Act 1973
- Late Night Refreshment Houses Act 1969
- The Local Government Act 1894 (game licenses)
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Local Government Acts 1953-1989
- Noise Act 1996
- Noise and Statutory Nuisance Act 1993
- Offices, Shops and Railway Premises Act 1963
- Performing Animals (Regulation) Act 1925

- Pesticides Act 1996
- Pet Animals Act 1951
- Pollution, Prevention and Control Act 1999
- Prevention of Damage by Pests Act 1949
- Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002
- Protection of Animals Act 1911
- Protection of Animals (Amendment) Acts 1954 and 1988
- Protection of Animals (Amendment) Act 2000
- Protection Against Cruel Tethering Act 1988
- Public Health (Control of Diseases) Act 1984
- Public Health Acts 1936, 1961
- Radioactive Substances Act 1993
- Rag Flock Act 1961
- Refuse Disposal (Amenity Act) 1978
- Regulation of Investigatory Powers Act 2000
- Riding Establishments Act 1964/1970
- Scotch Whisky Act 1982
- Scrap Metal Dealers Act 1964
- Shops Act 1950
- Slaughter of Poultry Act 1967
- Slaughterhouses Act 1974
- Sunday Trading Act 1994
- Town Police Clauses Acts 1847-1889
- Trade Descriptions Act 1968
- Trade Marks Act 1994
- Water Acts 1945-1989
- Water Industry Act 1991
- Welfare of Animals at Slaughter Act 1991
- Zoo Licensing Act 1981