

THE CONSTITUTION – SECTION 13

TABLE 6: SCHEME OF DELEGATION TO OFFICERS

The Chief Executive and each Chief Officer is authorised to act in relation to workforce matters within the delegations are set out below and also include reference to when any matter may be reserved to the Council or a specific appointments committee, or provisions are made in a policy.

General Provisions

1. The Chief Executive and Chief Officers shall discharge the functions and powers of the Council as specified herein and within the following Scheme of Delegation subject to:-
 - 1.1 Expenditure or income being within the approved revenue budget or the prior approval of the Council being received.
 - 1.2 Compliance with Council Policies, Standing Orders and Financial Regulations.
 - 1.3 Promotion of required standards and compliance with legislation e.g. Data Protection Act, Freedom of Information Act 2000, Human Rights Act 1998, Equality Act 2010, Health and Safety at Work Act 1974 (including the provision of personal/protective equipment and practices), Environmental Information Regulations 2004.
2. The Chief Executive, or as directed by the Chief Executive, a Chief Officer are authorised, in the absence or inability to act of the Chief Officer reporting to them, to exercise all powers delegated from time to time to those Chief Officers except where specifically prevented from so acting by limitation of statute, professional qualification or where other arrangements have been made in the relevant delegation.
3. The Chief Executive and Chief Officer are authorised to take or authorise in consultation with the relevant Committee or Sub-Committee Chair or Vice-Chair, or in their absence the Chair or Vice-Chair of the Executive Board, any action on any matter within the Terms of Reference of the relevant Committee or Sub-Committee which they consider to be of such urgency that it cannot await a meeting of that Committee or Sub-Committee provided that such action shall be reported for information to the next available meeting of the relevant Committee or Sub-Committee.
4. The Chief Executive or designated first point of contact in his/her absence are authorised to take or authorise in consultation with the Chair and Vice-Chair of the Executive Board, any action on any matter within the Terms of Reference of the Executive Board which they consider to be of such urgency that it cannot await a meeting of the Executive Board provided that such action shall be reported for information to the next available meeting of the Executive Board.
5. The Chief Executive, Chief Officers, and Head of Service posts that report directly to the Chief Executive have the power:-

- 5.1 to recruit and appoint staff to posts below Chief Officer or designate to Managers who have the relevant skills in recruitment.
- 5.2 to approve the carry forward of annual leave in extenuating circumstances and Special Leave in accordance with the Time Off Work and Worklife balance policies.
- 5.3 to determine eligibility of employees to receive the following payments in accordance with Council's pay and reward policy and other related policies:-
 - 5.3.1 honorarium payments for temporarily undertaking additional responsibilities as described in the Pay and Reward policy
 - 5.3.2 to authorise payments for advances of pay, in exceptional circumstances
 - 5.3.3 to determine a starting salary for new appointments, which is higher than the bottom incremental point, only in exceptional circumstances as set out in the Pay and Reward Policy.
 - 5.3.4 to invoke the relocation scheme for specific senior/ hard to fill posts, in exceptional circumstances in line with policy.
- 5.4 to extend contractual sick pay periods in exceptional circumstances, in accordance with the Council's policy and where the application is supported by significant medical evidence, and in consultation with the Head of Service, HR & OD.
- 5.5 to approve settlement agreements, authority for payments in consultation with Head of Service, HR & OD, and based on legal advice.
- 5.6 to suspend, dismiss employees, or take action short of dismissal where appropriate, in accordance with the Council's policies and procedures, where applicable in respect of:
 - Conduct
 - Capability
 - Redundancy
 - Legal restriction
 - Some other substantial reason.
- 5.7 to dismiss on grounds of ill health retirement having considered an opinion from an Independent Registered Medical Practitioner appointed by the pension fund, that states the employee is unable to immediately partake in gainful employment and appropriate tier, in consultation with the Head of Service, HR & OD.
6. The Chief Executive and Chief Officers to have power to exercise such functions, powers and duties as may be specified in Standing Orders or Financial Regulations.
7. The Chief Executive and Chief Officers to have power to submit applications for planning permission in accordance with the Town and Country Planning General Regulations 1992.
8. The Chief Executive or his/her nominated alternate to have authority to amend or authorise amendment of all departmental structures below Chief Officer level in response to management needs including service or budgetary pressures provided that the Leader and Deputy Leader have been consulted on proposed amendments involving Heads of Service reporting to Chief Officers.

9. The Chief Executive and Chief Officers to have the power in an emergency in consultation with the Chair or Vice-Chair of the Executive Board to approve the attendance of Members at conferences, seminars and other similar meetings for the purposes of the payment of subsistence and travel allowances when it is considered that such would be in accordance with Council policy.
10. In cases of urgency the Chief Executive and Chief Officers to have the power to submit bids for resources in line with Council policy.

CHIEF EXECUTIVE

1. To determine all matters relating to the corporate identity of the Council, including the grant of permission for the use of the Council Coat of Arms etc.
2. Where necessary, as a matter of urgency, to express the views of the Council with regard to local government and the functions associated therewith within the general policy laid down from time to time by the Council and to act thereon provided that such action shall be reported to the next meeting of the Executive Board.
3. To take all such action as is considered appropriate as a matter of urgency or in any emergency (as defined by the Chief Executive) in consultation with such Members and officers as he/she considers the circumstances will allow, subject to report to Members on action taken.
4. To manage the town twinning budget and make such arrangements and take such steps as are necessary to give effect to the policies of the Council as established from time to time.
5. To manage the Chief Executive's Department.
6. In consultation with the Mayor, to take all such action as he/she (the Chief Executive) may deem appropriate for the promotion and protection of the mayoralty and the image of the Borough.
7. To represent the views of the Council in responding to consultations with the Council by any outside body.
8. As Returning Officer, to apply the annually agreed uplift in respect of election fees for local government purposes in consultation with colleagues in other unitary authorities in North Wales.
9. To determine, in consultation with the Chief Officer Governance & Corporate, the Chief Officer Finance & ICT and each Member of the Executive Board, decisions required pursuant to the Council's policies in relation to the exercise of the Council's functions under the following regulations contained in the Local Government Pensions Scheme Regulations (Benefits, Membership and Contributions) Regulations 2007:-
 - Regulation 12 (power to increase total membership of active members)
 - Regulation 13 (power to award additional pension)
 - Regulation 18 (flexible retirement)
 - Regulation 30 (choice of early payment of pension)
10. To approve in consultation with the Monitoring Officer, the Chief Finance Officer, the Head of Service, HR & OD and Members of the Executive Board, voluntary early retirement/redundancy below Chief Officer level which accord with Council policy.

11. In the absence or inability of the Chief Executive to act he/she will designate a Chief Officer or other senior officer to exercise the above delegations and other functional responsibilities as he/she deems appropriate.

CHIEF OFFICER EDUCATION & EARLY INTERVENTION

Designation or delegation by Council

1. To be the “Chief Education Officer” appointed under Section 532 of the Education Act 1996 or any re-enactment of that provision (with or without modification).
2. To have the power to license the employment of children.

Executive Functions

To have the power:-

3. to monitor and evaluate the provision and performance of schools;
4. to monitor the curriculum in all maintained schools and report on it as necessary;
5. to agree targets set by schools for pupil attainment;
6. to prepare a written statement of action to be taken in light of the report following an inspection of a maintained school where a school is placed in the statutory category of “in need of significant improvement” or “in need of special measures”;
7. to intervene to prevent the breakdown or continuing breakdown of discipline at a school, or where there is concern about standards of management;
8. to ensure that the performance management of teachers and Headteachers is carried out according to the National Assembly for Wales directions and regulations;
9. to investigate complaints made under Section 409 of the Education Act 1996;
10. to manage and operate the Education Psychology Service;
11. to arrange appeals against exclusions and redirect excluded pupils;
12. to determine and deal with all arrangements for the admission of pupils to community and voluntary controlled schools in accordance with the Council’s policy, including authority to:-
 - publicise information for parents of admission arrangements;
 - comply with parental preferences, with certain exceptions;
 - determine allocations of pupils to community and voluntary controlled primary and secondary schools, subject to the parental right of appeal;
13. to make arrangements to enable parents to appeal against decisions regarding admissions;

14. to appear or make written representations on behalf of the Authority in any appeal against a refusal to admit;
15. to give directions to admit a child to a specified school;
16. jointly with the Chief Officer Finance & ICT, to suspend the right of the governing body to have a delegated budget in circumstances permitted by the legislation;
17. to determine any matters relating to the Council's policy regarding charges and remissions and to authorise the recovery of any sums owed to the Council;
18. to determine the policy for uniform grants, the determination of applications being dealt with by the Chief Officer Finance & ICT;
19. to approve the acceptance of gifts on trust for education purposes;
20. to determine, where necessary in consultation with the trustee, applications received for financial support from charitable trust funds where the Authority is either itself trustee, or where the fund is administered on behalf of trustees;
21. to inspect and maintain schools for the purposes of an LA function;
22. to respond to changes in pupil numbers by making appropriate accommodation available;
23. to maintain joint use and/or transfer of control agreements with partners;
24. to authorise persons at educational establishments to exercise the power of removal of persons from school premises who are causing a nuisance or disturbance;
25. to authorise Officers to appear on behalf of the LA in proceedings being conducted in the Magistrates Court by Section 547 of the Education Act 1996 or any re-enactment of that provision;
26. to issue directions to County Borough and voluntary controlled schools with regard to health and safety;
27. to deal with nominations for LA governors making an appointment in instances where a single suitable nomination is received for any vacancy or otherwise reporting to the relevant Lead Member for determination and appointment;
28. to establish temporary governing bodies;
29. to determine questions as to who are to be considered parents of registered pupils;
30. to consider any resolutions sent to him/her from an annual parents meeting and to respond accordingly;
31. to act on behalf of the LA in any consultations initiated by the governors of any school, in relation to the times of school sessions and, if he/she considered it appropriate to do so,

to require the governors to include his/her written comments on the proposals in the next governors' report to be prepared by the governors;

32. to manage governor training;
33. to deal with the staffing matters of community voluntary controlled and community special schools where the decision is that of the LA (rather than the governing body);
34. to determine the school term and holiday dates including in service training days for any community, community special or voluntary controlled schools;
35. to appoint sufficient education practitioners and governors in accordance with the arrangements approved by the Executive Board, who may be called upon to be required to serve as members on future Independent Appeal Panels;*

*in the absence or inability of the Chief Officer Education & Early Intervention to act his designated officer is authorised to exercise this function.

36. to constitute and maintain a Standing Advisory Council on Religious Education;
37. to review and make Instruments of Government for maintained schools within the County Borough where there is no disagreement with the draft Instrument;
38. to exercise powers under the Education Acts in accordance with the Code of Practice, to identify, assess and arrange provision for pupils special educational needs, including the admission of pupils to out of county schools (including non maintained special schools and independent schools providing for pupils with special education needs) and transport where appropriate, in accordance with the Council's Transport Policies;
39. to provide aids for use by pupils with special needs;
40. to authorise officers to represent the Education Authority in tribunal proceedings dealing with special educational needs;
41. to make arrangements for the provision of suitable education otherwise than in school, in accordance with Section 319 of the Education Act 1996;
42. to make arrangements for the provision of suitable education at school or otherwise for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not receive it unless such arrangements were made;
43. to recoup the costs of providing education for persons not belonging to the Council's own area;
44. to exercise the powers of the Education Authority, with the exception of initiating legal proceedings, under the Education Act 1996 and the Children Act 1989 in respect of school attendance orders, non school attendance and education supervision orders.
45. to authorise in writing Officers of the Education & Early Intervention Department to issue Fixed Penalty Notices pursuant to Section 444B(4)(b) of the Education Act 1996 under the Council's Local Code of Conduct for Fixed Penalty Notices;

46. to ensure the provision of statutory youth services;
47. to grant and revoke licences to children of compulsory school age regarding child performances in accordance with the Children and Young Persons Act 1963 and the Children's (Performance) Regulations 1968 and any statutory modification thereof;
48. to supervise, prohibit and/or restrict the employment of children of compulsory school age pursuant to the Education Act 1996;
49. to manage the provision of the youth support services in pursuance of the Learning and Skills Act 2000;
50. to exercise those functions of the Council which relate to Children and Young People under the Crime and Disorder Act 1998 (as amended or re-enacted);
51. to receive and respond to any published proposals from governing bodies to federate by virtue of The Federation of Maintained Schools and Miscellaneous Amendments (Wales) Regulations 2010;
52. to determine applications for early retirement submitted under the Teacher's Pension Scheme, and urgent cases of school based Local Government Pension Scheme Members funded from delegated budgets, in consultation with the Chief Officer Finance & ICT, Chief Officer Governance & Customer and the Members of the Executive Board, having regard to current Council policy;
53. to be responsible for Adult Community Learning.

CHIEF OFFICER ENVIRONMENT & TECHNICAL

Functions delegated by Council

1. To have the power to grant a street works licence pursuant to Section 50 New Roads and Street Works Act 1991.

Executive Functions

2. To have power to operate cleansing and waste and grounds maintenance responsibilities within the purview of the Environment & Technical Department from time to time under the following legislation as amended or re-enacted:-

- Litter Act 1983
- Refuse Disposal (Amenity) Act 1978
- Environmental Protection Act 1990
- Town and Country Planning Act 1990
- Criminal Damage Act 1971
- Control of Pollution Act 1974
- Local Authority (Goods and Services) Act, 1970
- Transport Act 1968
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government Act 1988
- Local Government Planning and Land Act 1980
- Clean Neighbourhoods and Environment Act 2005
- Anti-Social Behaviour Act 2003
- Fraud Act 2006 (in relation to Blue Badges)
- Public Health Acts, 1875, 1936 and 1961

3. To initiate Horticultural schemes within the Council's estimates.
4. To organise floral displays for Civic and Charitable functions.
5. To manage all allotment sites including the allocation of and the taking of action against tenants of untidy allotments.
6. To manage all cemeteries and crematoria controlled by the Council.
7. To supervise and manage the Countryside Service and Country Parks including maintenance of park, amenity areas and children's playgrounds and all other outdoor recreation facilities, including pavilions and changing accommodation incidental thereto.
8. To exercise the Council's powers to deal with dangerous trees pursuant to Section 23 of the Local Government (Miscellaneous Provisions) Act 1976.

9. To make arrangements for the collection of domestic and commercial waste and for its safe disposal.
10. To manage the Council's Waste Management Contract in all respects to include determining when changes are required whether prompted by guidance issued by Welsh Government, legislative change or otherwise and negotiating and agreeing any such changes in consultation with the Chief Officer Governance & Customer and the Chief Officer Finance & ICT as appropriate and in the case of significant changes/changes requiring a change notice consultation with the Leader and relevant Lead Member.
11. To prepare a plan of the Council's arrangements for recycling and to provide litter bins.
12. To grant consents to Community Councils for the placing of litter bins within the highway.
13. To institute action for the cleansing of street litter and refuse, including publicity for litter campaigns.
14. To maintain the public register for the principal litter authority.
15. To take action to control abandoned vehicles and trolleys, to remove fly posting and graffiti.
16. To classify various types of waste for collection and disposal and streets requiring cleansing.
17. The prohibition of street parking to facilitate street cleansing.
18. To control and monitor closed disposal sites to prevent pollution or environmental nuisance.
19. To carry out the Council's functions and duties in connection with the collection, reclamation, recycling and disposal of waste, street cleaning and litter, including the negotiation of terms for commercial waste collection.
20. To have the overall responsibility pursuant to the Transport Act 1968 for the proper operation and maintenance of the Council's transport fleet and to hold the relevant Operators Licence, or to designate an appropriate officer for such purpose.
21. To exercise, on behalf of the Council, the powers and duties arising from the statutory provisions relating to the service of notices for those functions for which he has responsibility.

22. To approve from time to time the scale of charges recommended by the Council's Refuse Collection Contractor for the commercial refuse collection service and the price of charges recommended by the Refuse Collection Contractor for the sale or rental by the contractor of commercial refuse containers.
23. To operate the testing of private hire and hackney carriage vehicles as well as operating a MOT service.
24. (i) To authorise in writing Officers of the Council or agents/contractors as appropriate, subject to those officers/agents/contractors being suitably trained to carry out the duties authorised, to undertake the gathering of evidence, issuing of Fixed Penalty Notices and allied action including legal proceedings pursuant to the legislation set out below (including associated regulations or other subordinate legislation whether made thereunder or in exercise of powers conferred and any amendments or additions thereto) in respect of offences of littering, fly tipping, dog fouling, graffiti, fly-posting, smoking in prohibited areas, depositing waste and breaches of orders made pursuant of the following legislation:
 - Smoking in prohibited areas Health Act 2006
 - Environmental Protection Act 1990
 - Clean Neighbourhoods and Environment Act 2005
 - Anti Social Behaviour Act 2003
 - Anti Social Behaviour, Crime and Policing Act 2014
 - Health Act 2006 (as amended)
- (ii) To issue written charges and Single Justice Procedure Notices for offences made under the following Acts (as amended or re-enacted):-
 - Environmental Protection Act 1990
 - Anti-Social Behaviour, Crime and Policing Act 2014
25. To approve applications for grant aid under the Environmental Community Grants Scheme in consultation with the appropriate Local Member(s).
26. To authorise the letting of contracts for works associated with highways, transportation and drainage, general engineering, land remediation, land reclamation, and building and construction, in accordance with Contract Procurement Rules.
27. To exercise the function of making Public Path Extinguishment Orders under Section 118 of the Highways Act 1980 in consultation with the Local Members.
28. (i) To exercise the function of making Public Path Diversion Orders under Section 119 of the Highways Act 1980 and Section 257 of the Town and Country Planning Act 1990 in consultation with the Local Members.

- (ii) To formally abandon Public Path Diversion Orders made under Section 119 of the Highways Act 1980 or Section 257 of the Town and Country Planning Act 1990, subject to the Local Member having no objection to the proposal with the power to decide proposals to which the Local Member objects remaining with the Council.
- 29. To agree to enter into Public Path Creation Agreements under Section 25 of the Highways Act 1980 on behalf of the Council.
- 30. To exercise the function of determining applications for Definitive Map Modification Orders, in consultation with the Local Members concerned (except in respect of 'legal event orders' under Section 53(3)(a) of the Wildlife and Countryside Act 1981) and the Chief Officer Governance & Customer.
- 31. To exercise the power to authorise the erection of stiles, etc., on footpaths and bridleways pursuant to Section 147 of the Highways Act 1980 in consultation with the Local Members concerned.
- 32. In consultation with the Chief Officer Governance & Customer, to take action under Section 130 (protection of public rights in respect of highway) and Section 149 (removal of items deposited on a highway) of the Highways Act 1980, in relation to highways which are Local Rights of Way as defined in Section 60(5) of the Countryside and Rights of Way Act 2000.
- 33. To determine individual applications for an additional refuse bin for households of 6 or more persons.
- 34. To arrange for the making of temporary traffic regulation orders under the Road Traffic Regulation Act 1984 as amended.
- 35. To undertake such functions (as are within the purview of the Environment and Technical Department) as are required of the Council under the Joint Trunk Road Agency Agreement with the National Assembly for Wales.
- 36. To approve the making of orders under Section 21 of the Town Police Clauses Act 1847, following consultation with the relevant Local Members.
- 37. To exercise all powers of the Council under the Land Drainage Act 1991 including the service of Notices under that Act.
- 38. To administer the provisions of the New Roads and Street Works Act 1991 as respect Streets, Street Works and Undertakers.
- 39. In consultation with the Local Member, to select bus stop sites and to select suitable sites for the erection of bus shelters, and grant consent to Community

Councils for the erection of bus shelters within the highway under section 4 of the Local Government (Miscellaneous Provisions) Act 1953.

40. To arrange for the making of permanent traffic regulation orders under the Road Traffic Regulation Act 1984 as amended and to consider objections to permanent traffic regulation orders in consultation with the Local Members.
41. To grant consent to Community Councils for the placing of seats within the highway under section 5 of the Parish Councils Act 1957.
42. To grant consent to the Post Office for the erection of post boxes within the highway, in consultation with Local Members.
43. To grant consent for the erection of telephone kiosks within the highway in consultation with Local Members.
44. All necessary action under the Reservoirs Act 1975 in connection with enforcement.
45. To have responsibility for the management of the enforcement function for parking contraventions, both on-street and off-street and any other contraventions covered by the road traffic and traffic management legislation, but excluding responsibility for setting parking charges and penalty charge levels.
46. To approve applications for the reservations of spaces in the Council's car parks for special events or functions.
47. To waive or amend car parking charges for special promotions.
48. To take all necessary action to provide additional temporary car parks as required, in consultation with the Local Member(s).
49. To exercise the powers of the Council under Section 15 of the Clwyd County Council Act, 1985 where appropriate.
50. To authorise entry into Agreements under Section 278 of the Highways Act, 1980 where appropriate.
51. To authorise the making of applications to the Magistrates Court for the stopping up or diversion of highways under Section 116 of the Highways Act, 1980, in consultation with the Local Member(s).
52. In consultation with the Local Member(s) to undertake all necessary action following consideration of objections to Off Street Parking Places Orders.

53. To determine the commuted sum to cover the cost of maintenance, for a 10 year period, to be levied on developers who, as part of a development, create a highway verge.
54. To have the power to authorise (in writing) persons to enter onto land pursuant to, and for the purposes of, Sections 289 and 291 of the Highways Act 1980.
55. To decide applications for free and assisted transport to schools and colleges (except for pupils with special educational needs) in accordance with the Council's policies relating to home to school transport.
56. To set the level of charges for the issuing of consents for highway works and obstructions and other matters pursuant to the Local Authorities (Transport Charges) Regulations 1998 and to apply discretionary annual adjustments to such charges in line with inflation.
57. To authorise in writing Officers of the Environment & Technical Department to act for the purposes of enforcing Schedule 4 of the Environmental Protection Act 1990.
58. To serve written notices in accordance with the provisions of Part II of the Traffic Management Act 2004 on any Works Promoter or Contractor directly employed by the Council to prohibit or suspend planned works on any road within the County Borough for any period of time where such prohibition secures the expeditious movement of traffic within the County Borough.
59. In consultation with the Chief Officer Governance & Customer to sign and serve notices, give consents and take any other action, including authorising prosecutions for offences, as may be appropriate under any statute, including specifically the Highways Act, 1980, or any other legislation relating to the Highway or Local Rights of Way (as defined by Section 60(5) of the Countryside and Rights of Way Act 2000) or other functions, duties and powers within the purview of the Department.
60. To supervise the management of the Council's Leisure facilities unless otherwise delegated.
61. To carry out the general management of all the sports, leisure and recreation facilities.
62. To carry out the general management and administration of all indoor facilities including dual use facilities.
63. To vary charges or to agree promotional packages or to introduce minor new charges designed to cover cost of all departmental activities and facilities.

64. To approve all applications for the sale of commercial goods on those Council premises managed by the Chief Officer, unless the power has been specifically delegated otherwise.
65. To determine individual applications for sports sponsorship.
66. In consultation with the Chief Officer Governance & Customer, to authorise the institution of legal proceedings in respect of those matters for which the Chief Officer has operational responsibility.
67. To determine in consultation with Local Members applications for the temporary use of land under the control of the Environment & Technical Department for periods not exceeding one year.
68. To approve terms for renewal of licences to sporting organisations to use land or facilities within the purview of the Environment & Technical Department.
69. To deal with applications for hire of Council owned premises within the purview of the Environment & Technical Department.
70. To sign and serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 in respect of any function falling within the purview of the Environment & Technical Department but not as to preclude the Chief Officer Governance & Customer who is similarly authorised from exercising this power.
71. To determine applications to the Council in its capacity as the Sustainable Drainage Approval Body under Schedule 3 of the Flood and Water Management Act 2010.

CHIEF OFFICER FINANCE & ICT

Functions delegated or designated by Council

1. To act as Chief Finance Officer under Section 151 of the Local Government Act, 1972 and any other statutory functions assigned to the Section 151 Officer.

Executive Functions

2. To determine entitlement to mortgage facilities pursuant to the Housing Act, 1985 (Council Dwellings) in accordance with the criteria laid down by the Secretary of State for Wales.
3. To authorise advances up to a maximum of level 6 in any one case pursuant to Sections 435 and 436 of the Housing Act, 1985, in accordance with the Council's policy.
4. To undertake all duties assigned to the Chief Finance Officer by Financial Regulations which relate to the day to day operations of the Finance Department.
5. To consider and determine requests that the Council exercises its discretion as to repayment of House Renovation Grants under the Local Government and Housing Act 1989 and the Housing Grants, Construction and Regeneration Act 1996.
6. To declare the local average interest rate pursuant to Schedule 16 of the Housing Act 1985.
7. To institute civil proceedings for the recovery of monies owed to the Council.
8. To conduct civil proceedings for the recovery of monies owed to the Council in consultation with the Chief Officer Governance & Customer.
9. To sign agreements regulated under the Consumer Credit Act 1974 in accordance with schemes approved by the Council e.g. cycle scheme hire agreements.
10. The administration of all charges levied in respect of the education services, including the waiving of charges.
11. To make annual funding adjustments to Schools' Budgets as required in the Local Management of Schools Scheme and to report thereon to the Executive Board.

12. To act as the Council's Money Laundering Reporting Officer for the purposes of the Money Laundering Regulations 2003, and in the absence of inability of the Chief Officer Finance & ICT to act, the Accountancy Manager shall act as the Deputy Money Laundering Reporting Officer.
13. Jointly with the Chief Officer Education & Early Intervention, to suspend the right of the governing body to have a delegated budget in circumstances permitted by the legislation.
14. To determine applications for uniform grants in accordance with Council policy.
15. To secure the safe custody of policies and to make claims under the Council's insurances.
16. To authorise the settlement of all claims for compensation whether from tenants, Council employees or other members of the public where such claims are the result of damage caused by Council or allied services and are not covered by insurance.
17. To certify contracts under the Local Government (Contracts) Act 1997.

CHIEF OFFICER GOVERNANCE & CUSTOMER

Functions delegated or designated by Council

1. To fulfil the role of Monitoring Officer of the Council.
2. To affix the seal and execute documents on behalf of the Council. *
3. To authenticate Documents for Legal Proceedings.*
4. To negotiate, conclude and execute on behalf of the Council any document or agreement required to give effect to any decision taken by the Council, Executive Board, other Committee, Sub-Committee or Chief Officer whether or not specifically so authorised by such decision. *
5. To exercise the Council's functions relating to the approval of premises for marriages under the Marriage Act 1949 and the Marriages (Approved Premises) Regulations 1995, and the registration of civil partnerships under the Civil Partnership Act 2004 in consultation with the Local Member(s).
6. To amend the Council's Constitution document to accord with decisions of the Council, Executive Board or committees and to incorporate amendments to comply with legislative requirements.

To be responsible for :**

- a) maintaining the registers of common land and town or village greens;
- b) dealing with all matters associated with the registers including applications with the exception of applications for registration of a new town or village green under Section 15 of the Commons Act 2006; and
- c) permitting applications for registration of a new town or village green under Section 15 of the Commons Act 2006 to be withdrawn where no other party comes forward to take on the application within 8 weeks of publication of a notice to that effect.

Executive Functions

7. To institute and conduct all civil, criminal and administrative proceedings, (including settlement of claims out of Court) and tribunal hearings of a quasi-judicial nature (other than matters specifically delegated to another Officer).*
8. To serve all Notices under the Town and Country Planning legislation not otherwise specifically delegated. *

9. To maintain records, including Minutes and Conveyances, Leases, Mortgages and other securities.*
10. To issue warrants to the High Sheriff to deliver possession of properties included in confirmed Compulsory Purchase Orders, where the Council have served notice of entry but where the occupiers have refused to grant possession to the Council.*
11. To take all appropriate legal action to secure the eviction of 'squatters' from Council property that is to say any persons occupying such property without the Council's authority and in contravention of its policies governing the letting of the same, in consultation with the Chief Officer Housing & Economy.*
12. To enter into Agreements with developers for the adoption of amenity areas on private housing estates.*
13. To apply to the Court for Prohibition Orders under the provisions of the Food Safety Act, 1990, in consultation with the Chief Officer Planning & Regulatory.*
14. To issue and serve the following Notices under the provisions of the Housing Act, 1985 requiring tenants to complete transactions (Sections 140 and 141). *
15. To undertake and conclude all the necessary legal formalities in connection with the disposal of Council dwellings and to recover possession of Council dwellings in appropriate cases, pursuant to the provisions of the Housing Act, 1985.*
16. To take action upon Reports concerning mortgage defaulters. *
17. To serve all appropriate notices in connection with the Rents to Mortgage Scheme under the provisions of the Leasehold Reform, Housing and Urban Development Act, 1993. *
18. To exercise the powers of direction available under Section 77 of the Criminal Justice and Public Order Act, 1994, and also to make complaints to the Magistrates' Court on behalf of the Authority under Section 78 of the Act. *
19. To vary the fees payable under Part VA of the Local Government Act 1972 (Access to Information). *
20. To sign contracts for the acquisition and disposal of interests in land in accordance with the Council's policy. *
21. To sign and serve requisitions for information under Section 16 of The Local Government (Miscellaneous Provisions) Act, 1976. *

22. To approve the attendance of Members at external Member development events where these are linked to the Council's agreed Member Development Programme, in consultation with the Leader and Deputy Leader.
23. In the event of the nominated Member(s) being unable to attend conferences, seminars or other similar meetings, in consultation with the Chair of the Executive Board (or in his absence the Vice-Chair), to authorise substitutes to attend in their place.
24.
 - (i) To approve applications for the hire of the Council Chamber and Committee Rooms.
 - (ii) To approve use of the video conferencing facility out of office hours in exceptional circumstances and to negotiate special rates for such use and for connection to international conferences in line with call charges incurred.
 - (iii) To offer reduced rates of hiring and/or waive all charges in consultation with the Leader of the Council, when considered appropriate.
 - (iv) To agree future revisions to the scale of charges in consultation with the Chief Officer Finance & ICT.
25. To deal with all issues associated with stock transfer related conflicts of interests.
26. To deal with the administration of the blue badge scheme and determine any matters relating thereto.
27. In addition to flying the Union and Welsh flags high at all times on two of the Guildhall flagpoles, in consultation with the Leader of the Council, to give instructions for the flying of the relevant flag or flags on Council Offices on significant occasions either high in celebration or half-mast as appropriate.
28. To be responsible for discharging the duties imposed on the Council by the Freedom of Information Act 2000, the Environmental Information Regulations 2004 and the Data Protection legislation.
29.
 - (i) To decide whether information may be withheld under exemptions contained in the Freedom of Information Act 2000, the Data Protection legislation or the Environmental Information Regulations 2004 on behalf of the Council. ***
 - (ii) In consultation with the Corporate Information Manager to act as the 'Qualified Person' for the purposes of Section 36 of the Freedom of Information Act 2000. **
30. Annually to increase the Scale of Fees for Non-Statutory Registration Services in line with appropriate inflation indexation.

31. To prepare and maintain a list of those posts which are considered to be politically restricted under the provisions of the Local Government and Housing Act, 1989.

*in the absence or inability of the Chief Officer Governance & Customer to act, the Head of Service, Legal, Democratic and Registration Services or a designated Senior Lawyer is authorised to exercise these functions.

**in the absence or inability of the Chief Officer Governance & Customer to act, the Head of Service, Legal, Democratic and Registration Services is authorised to exercise these functions.

***that in the absence or inability of the Chief Officer Governance & Customer to act, or for operational expediency, this delegation may be exercised by the Corporate Information Manager, or the Head of Service, Legal, Democratic and Registration Services.

CHIEF OFFICER HOUSING & ECONOMY

Functions delegated by Council

None.

Executive Functions

To have the power to:

1. In consultation with the Lead Member and the Local Ward Member(s), to agree the terms for any acquisition and/or disposal of land and premises owned by or for use by the Council (including the final determination of boundaries), with prospective purchasers and/or vendors and to authorise completion of transactions. *
2. To manage the facilities and property utilised for economic development purposes including factories, warehouses, offices, stores, land, markets, town centre shops and agricultural estate in particular to authorise: *
 - (a) the selection and vetting of tenants;
 - (b) the negotiation and settlement of terms and to authorise the lettings; and
 - (c) the agreement of concessions at any point during a tenant's occupation.
3. To negotiate and settle rentals and other terms for short term licences, easements and wayleaves, including those required by statute upon terms agreed by statutory formula or otherwise, subject to appropriate consultation with the Lead member and the Local Member(s). *
4. To negotiate and agree lease agreements including rent reviews on property leased by and to the Council. *
5. To value all property assets of the Council. *
6. To value land and buildings for Community Councils and other Public Bodies on a fee earning basis where appropriate. *
7. To value properties for mortgage or grant and for other approved purposes, including the property assets of elderly persons entering the care of the Social Care Department of the Council. *
8. To determine the value of all properties in respect of which a Notice claiming to exercise the right to buy is received under the provisions of Part V of the Housing Act 1985, and to determine the terms upon which such properties shall be disposed of in accordance with the provisions of the Housing Act, 1985. *

9. To make home loss payments under the provisions of the Land Compensation Act, 1973 (amount calculated by statutory formula related to the rateable value).
*
10. To make disturbance payments under the provisions of the Land Compensation Act, 1973. *
11. To select contractors to undertake works in relation to the various categories of work falling within the purview of the Housing and Economy Department, and acting on behalf of other clients using the department for such works, in accordance with the Contract Procedure Rules.
12. To approve, implement and administer business development grants and loans to eligible businesses in accordance with the terms and conditions of approved schemes, (including grants for training) and to reclaim grants and/or loans in accordance with the terms and conditions thereof.
13. To sign grant bids on behalf of the Council for the Communities First Partnerships and/or for the Council itself as Lead Delivery Body, as appropriate.
14. To enter into contracts with the European Commission and Welsh Assembly Government (and any other publicly sponsored body) to deliver services which support the delivery of the Council's approved Economic Prosperity Strategy.
15. To authorise, monitor and evaluate grants to the voluntary sector which facilitate the delivery of the Council's approved Economic Prosperity Strategy.
16. To submit bids to public, private and voluntary sector providers for funding and to deliver services in accordance with the terms of the funding provider.
17. To authorise the holding of specialist markets such as Farmers Markets, French Markets, Continental Markets and other similar markets on Council controlled land in consultation with the lead member and local members, as appropriate.
18. In the event of misconduct by a trader on any market, to take disciplinary action including suspension or exclusion from the market if deemed appropriate, in consultation with the Lead Member.
19. To authorise and implement events which the Council leads on or contributes towards, utilising resources from earned income from the Housing and Economy department (or other departments as appropriate) and when commissioned by the Governance & Customer Department utilising the corporate events budget, in consultation with the Lead Member.

20. To vary charges or to agree promotional packages or to introduce minor new charges designed to cover cost of all department activities and facilities.
21. To organise and deliver the entertainment and culture programmes sponsored by the Council through its arts programmes.
22. To determine and award individual applications for arts sponsorship.
23. To approve the opening and operational hours of facilities within the purview of the Housing and Economy department (including the Tourist Information Centre, Shopmobility and all other satellite offices).
24. To determine applications and provide where applicable, milk, meals and refreshments in accordance with the Council's policy.
25. To maintain the Council's Libraries Service.
26. To negotiate and settle rentals for recurring lettings of Community Centres.
27. Overall supervision of the management of the Community Centres and the Memorial Hall.

Housing Functions:

28. To enforce the powers contained in The Caravan Sites Act 1968.
29. To authorise the enforced sale of empty properties under the provisions of Part III of the Law of Property Act 1925 and Local Land Charges Act 1975.
30. To issue Certificates of Approval of Works carried out for works of improvement, repair, conversion and adaptations under Part I of the Housing Grants, Construction and Regeneration Act 1996, including payments by instalments.
31. To deal with all matters arising from applications for grants under Part 1 of the Housing Grants, Construction and Regeneration Act 1996 including approval and rejection of applications, subject to consultation with the Chief Finance Officer in respect of financial aspects, and to any financial allocation available for this purpose in any one year not being exceeded.
32. To deal with all aspects of approval and payments for unforeseen work above currently agreed limits in respect of House Renovation Grants.
33. To consult with the Chief Officer Finance & ICT to deal with matters arising from the Private Sector Improvement Loan and Vibrant and Viable Places Loan schemes,

including the approval and rejection of applications for loans under the relevant schemes.

34. To administer the housing needs register (waiting list, transfer list etc.)
35. To let Council dwellings and to nominate to other social landlords including temporary non-secure lets, waiting list applicants, transfers, exchanges, key workers, tied tenancies and mobility schemes.
36.
 - (i) To administer the Council's functions and responsibilities towards the Homeless under the provisions of the Housing Act 1996.
 - (ii) To consider and determine any requests for review received by the Council pursuant to Section 202 of the Housing Act 1996.
 - (iii) To make determinations under section 160A of the Housing Act 1996 in respect of applicants considered unsuitable to be a tenant.
37. To sign and serve all relevant notices under the Housing Act, 1985 (and any other relevant Housing Acts) pertaining to:-
 - * The setting and collection of rents and charges
 - * Varying terms and conditions of tenancies
 - * All matters under the 'Right to Buy' Provisions (not otherwise specifically delegated)
 - * Consultation with tenants
 - * Right to Repair
 - * Compensation for tenants' improvements
38. To sign and serve all relevant Notices to Quit, Notices of Seeking Possession and, in consultation with the Chief Officer Governance & Customer, authorise legal proceedings for Possession, Costs and Warrants of Execution and to secure the eviction of Secure and Introductory tenants as a result of:-
 - * Non-payment of rent
 - * Breaches of tenancy agreement
39. To carry out or arrange for the carrying out of repairs and maintenance of all Council owned properties in the housing portfolio.
40. To carry out or arrange for the carrying out of repairs, improvements and adaptations in accordance with the Housing Capital programme or revenue estimates.
41. To manage and control the Council's official site for accommodation for Gypsies.

42. To authorise legal proceedings for nuisance in consultation with the Chief Officer Governance & Customer and the Local Members.
43. To authorise Housing Officers to exercise the right of audience in the County Court under Section 60(2) of the County Courts Act 1984.
44. To dispose of properties in the housing portfolio identified as surplus to the requirements of the Authority, with the agreement of the Leader and Deputy Leader of the Council and the appropriate Local Members.
45. In consultation with the Chief Officer Governance & Customer, to consider and determine requests for the Council to exercise its discretion as to repayment of discount under the Housing Act 1985 (as amended).
46. To consider and respond to offer notices received pursuant to Section 156A of the Housing Act 1985 (as amended) provided that no offer is accepted without prior consultation with the Chair and Vice-Chair of the Executive Board, the relevant Lead Member for housing matters and the Chief Officer Finance & ICT, and afterwards to report action taken under this provision to the Executive Board for information.
47. To approve the implementation of local lettings policies where considered appropriate, following consultation with the Homes and Environment Scrutiny Committee, the relevant Local Members and the relevant Lead Member.
48. To exercise functions under the Anti-Social Behaviour Act 2003, on behalf of the Council in its capacity as landlord, to deal with instances of anti-social behaviour.
49. To review decisions to seek an order for possession of dwelling houses let under introductory and demoted tenancies, in accordance with the Introductory Tenants (Review) Regulations 1997 and the Demoted Tenancies (Review of Decisions) (Wales) Regulations 2005.
50. In consultation with Local Members and the relevant Lead Member, to approve, where there are no objections, future disposal schemes in accordance with the Council's policy for the fencing in of open plan gardens on Council housing estates.
51. Following consultation with the relevant Lead Member and Local Member(s), to deal with all matters associated with breach of covenants affecting properties sold under the 'Right to Buy' Scheme by way of:
 - (i) enforcement of the covenant, including if necessary injunction proceedings to prevent personal building works, or

(ii) the negotiation of release of the covenant in consideration of a financial payment.

* In the absence of or inability of the Chief Officer Housing & Economy to act, the following are authorised to exercise his/her functions under the associated delegations:-

Head of Service, Assets	-	Delegations 1-10
Head of Service, Regeneration	-	Delegations 11 – 27
Head of Service, Housing	-	Delegations 28 - 51

CHIEF OFFICER PLANNING & REGULATORY

PLANNING and BUILDING CONTROL FUNCTIONS

Functions delegated by Council

To have the power:

1. In cases where: *
 - (a) No adverse comments have been received; and
 - (b) Objections have been resolved by discussion and negotiation.
- A. To approve all types of application submitted under the Town and Country Planning Act 1990 provided that:-
 - (i) they accord with the provisions of the appropriate development plan, other adopted policy guidance or development brief
 - (ii) they comply with all relevant adopted local authority standards
 - (iii) in all cases the Chief Officer Planning & Regulatory deems it prudent to exercise his delegated authority, failing which he shall report the matter to Committee.

Subject

- (i) where the Chief Officer Planning & Regulatory deems it appropriate in accordance with planning policies and guidance to the prior completion of agreements securing controls over the development or financial contributions/works for the benefit of the community and
 - (ii) to such conditions as the Chief Officer Planning & Regulatory deems it appropriate to impose on the grant permission.
- B To refuse all types of application submitted under the Town and Country Planning Act 1990 where he is satisfied that the proposals are contrary to the provisions of the appropriate development plan, planning policy guidance and circulars, do not comply with relevant adopted local authority standards or would be contrary to established planning practice and would cause demonstrable harm to an interest of acknowledged importance.

Provided that:-

- (i) the decision would not conflict with any representations received within the consultation period.

(ii) in all cases the Chief Officer Planning & Regulatory considers it prudent to exercise his delegated authority failing which he shall report the matter to the Committee.

(iii) the Local Member(s) have been notified of the intention to refuse the application.

2. To DETERMINE as appropriate the following categories of application pursuant to the Planning legislation. *

Determinations as to whether or not planning permission is required in consultation with the Chief Officer Governance & Customer.

3. To CARRY OUT the following functions:

Appeals: * To conduct appeals against the decisions of the Local Planning Authority.

Tree Preservation Orders: **

1. To initiate and, where no written objections are received, confirm Tree Preservation Orders.
2. To deal with notifications for works to trees in Conservation Areas. Where there are objections and the intention is to permit the works, this power to be exercised in consultation with the Chair and Vice-Chair of the Planning Committee.
3. To determine applications for works, including felling to trees subject to Tree Preservation Orders. When there are objections to felling and the Chief Officer is minded to permit the works, this power to be exercised in consultation with the Chair and Vice-Chair of the Planning Committee and relevant Local Members.

Vehicle Operators' Licensing: * To lodge objections in consultation with the Chair and Vice-Chair of the Planning Committee and the Local Member.

Listed Buildings: *

1. To determine applications for Listed Building consent with the exception of applications falling into the following categories which shall be passed to CADW with observations on behalf of the Council:-
 - (a) which involve demolition;
 - (b) which must be submitted to the Welsh

Ministers in accordance with Regulation 9 of the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012;

(c) relating to works affecting the exterior of Grade II Listed Buildings, where the granting of consent would be contrary to the advice of the named Building Conservation Officer or, for whatever reason the named Building Conservation Officer will not be able to offer advice on that application; or

(d) which affects either the interior or exterior of a Grade I or II (starred) listed building.

2. To determine applications for demolition of un-listed buildings in conservation areas.
 3. To determine within the guidelines laid down by the Council applications for grant aid in respect of buildings of special architectural or historic interest.
 4. To determine within the guidelines laid down by the Council, applications for grant aid in respect of buildings of special architectural or historic interest. **
4. To determine all applications for the discharge of conditions imposed upon planning permissions. *
 5. To determine all applications submitted under section 96A of the Town and Country Planning Act, 1990 for non-material amendments to existing planning permissions. *
 6. To deal with and respond to all agriculture and forestry notifications whether or not objections are received, within the 28 days allowed, in consultation with the Chair of the Planning Committee and the Local Member(s) for the area concerned. *
 7. To determine deemed consent applications under the Planning (Hazardous Substances) Act, 1990. *
 8. To determine, following notification, whether the prior approval of the Council will be required for the demolition of buildings which are not already protected by listed building and conservation area legislation and in cases where it is

determined that approval is required to approve the application unless objections to the proposal have been received. *

9. To determine applications for Certificates of Lawfulness of Existing Use or Development and Certificates of Lawfulness of Proposed Use or Development under Sections 191 and 192 respectively of the Town and Country Planning Act, 1990, in consultation with the Chief Officer Governance & Customer. *
10. To issue Enforcement Notices under Section 172 and to vary and withdraw Enforcement Notices under Section 173A of the Town and Country Planning Act 1990 and to issue Listed Building Enforcement Notices and to vary and withdraw such Notices under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 subject to prior consultation with the Chair and Vice-Chair of the Planning Committee, the Local Member(s) and the Chief Officer Governance & Customer. *
11. To serve Breach of Condition Notices under Section 187A of the Town and Country Planning Act, 1990, subject to prior consultation with the Chair and Vice-Chair of the Planning Committee, the Local Member(s) and the Chief Officer Governance & Customer. *
12. To serve:- *
 - (i) Planning Contravention Notices under Section 171C of the Town and Country Planning Act, 1990 and to hear and determine any representations made as a result.
 - (ii) Enforcement warning notices under Section 173ZA of the Town and Country Planning Act 1990.
 - (iii) Temporary Stop Notices under Section 171E, F, G, H of the Town and Country Planning Act 1990.
13. To serve Notices under Section 215 of the Town and Country Planning Act, 1990, in respect of land adversely affecting the amenity of a neighbourhood ('Untidy Land Notices') subject to prior consultation with the Chair and Vice-Chair of the Planning Committee, the Local Member(s) and the Chief Officer Governance & Customer. *
14. To determine applications under the Hedgerow Regulations 1997. *
15. To authorise Officers to have the powers of entry under Section 196A of the Town and Country Planning Act, 1990.
16. To vary or revoke Tree Preservation Orders subject to prior consultation with and the agreement of the Local Member(s). **

Executive Functions

17. To deal with and respond to Telecommunication Development Notifications, in consultation with the Chair and Local Member whether or not objections are received. *
18. To approve or reject all plans which comply or which do not comply with the Building Regulations for the time being in force or the Building Act 1984. ***
19. To arrange for the protection or demolition of dangerous structures, including the service of Notices under Section 78 of the Building Act, 1984. ***
20. To serve Notices under the Building Act 1984 and Section 16 of the Local Government (Miscellaneous) Provisions Act 1976. ***
21. Appeal against notice requiring works under Section 102 of the Building Act, 1984.
22. To grant consents for building over sewers. ***
23. To arrange and approve the numbering of houses and the naming of streets. ***
24. To issue the standard completion certificate as approved by the Council certifying that works are in accordance with the Building Regulations. ***
25. To negotiate and establish appropriate Building Control and Pre-Planning Application Advice Fees in response to market forces. ***
26. To take enforcement action in respect of non-compliance with the Building Regulations for the time being in force. ***
27. To authorise Officers to have the powers of entry under:-
 1. Section 95 of the Building Act, 1984
 2. Sections 214B and 324 of the Town and Country Planning Act, 1990.
 3. Section 88 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 and
 4. Section 36 of the Planning (Hazardous Substances) Act, 1990.
28. To decide on whether proposed developments require Environmental Impact Assessment, including decisions on whether environmental statements are needed and the giving of screening and scoping opinions, under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, following consultation with the Chair of the Planning Committee and having informed the relevant Local Members. *

29. To determine whether proposed developments require Appropriate Assessments and the giving of opinions on tests of likely significance, under the European Habitat Directive 1992, the Conservation (Natural Habitats, &c.) Regulations 1994 and any associated legislation/regulations, following consultation with the Chair of the Planning Committee and relevant Local Members. **
30. To review annually the commuted sum payable for future maintenance of public open spaces in new housing developments and to set a new sum if it is deemed appropriate.
31. To make all necessary arrangements to set up and convene meetings of the Design Panel and to expand the membership of the Panel as considered appropriate. **
32. To update from time to time: **
 - (a) the Building Cost Multipliers and Contributions as shown in the Council's approved Local Planning Guidance Note on Developer Contributions to Schools in line with Government advice; and
 - (b) the list of schools with a current shortage of places based on the Wrexham Schools Organisation Plan.**
33. To exercise all the functions of the Council in respect of high hedges under the provisions of Part 8 of the Anti-Social Behaviour Act 2003 and any Regulations made thereunder, including authority to charge the maximum fee permissible under the relevant Regulations in connection with complaints made to the Council, or any concessionary rate in accordance with Council policies. **
34. To respond to the following in relation to national infrastructure projects proposed pursuant to the Planning Act 2008 (as amended and associated regulations):-
 - (a) Consultation on the promoter's statement of community consultation; *
 - (b) request for representations on the adequacy of the promoter's consultation; *
 - (c) request for representations on an EIA scoping opinion. *
35. To act as Registrar of Local Land Charges. **
36. To keep the fees charged for local searches under review and to make such changes to the fees as may be deemed appropriate from time to time.

Regulatory Functions

Functions delegated by Council

37. To exercise powers in respect of the registration of Motor Salvage Operators pursuant to the Vehicle (Crimes) Act 2001. ****
38. The discharge of any function relating to the control of pollution or the management of air quality. ****
39. To approve the grant of licences under the Town Police Clauses Act, 1847 and the Local Government (Miscellaneous Provisions) Act, 1976 Part II in respect of hackney carriages and private hire vehicles, operators and drivers in accordance with the Council's policies and to act as the Council's authorised officer for the purpose of Part II of the Act. ****
40. To refuse applications for Private Hire Vehicle Licences. ****
41. To have the power to suspend or revoke a licence to drive a hackney carriage or a private hire vehicle, if it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, all instances where this power is exercised shall be reported to the next available meeting of the Environmental Licensing Committee. ****
42. To determine applications for licences under the provisions of the Licensing Act 2003 for the provision of regulated entertainment and the settlement of regulations and conditions relating to such licences, in consultation with Local Members. ****
43. To refuse applications for the provision of regulated entertainment in respect of premises which have not been brought up to the required standards in respect of fire precautions. ****
44. To enforce the provisions of the Licensing Act 2003, relating to the sale of alcohol to children. ****
45. In consultation with the Chair or Vice-Chair of the Environmental Licensing Committee, to approve each advertisement to be displayed on Wrexham Hackney Carriages. ****

Licensing Act 2003 functions:

46. Approve all applications for the grant of a premises licence or club premises certificate pursuant to the Licensing Act 2003 where there are no relevant representations. ****
47. Approve all applications pursuant to the Licensing Act 2003 for a personal licence, variation of a designated premises supervisor or notices given in respect

of an activity taking place under the authorisation of a temporary event notice where there is no police objection. ****

48. Determine all requests to be removed as a designated premises supervisor. ****
49. Determine whether a Hearing should take place pursuant to the Licensing Act 2003 if all parties are in agreement that no Hearing is necessary. ****
50. Request information from a party to clarify a point to be considered at a Hearing pursuant to the Licensing Act 2003 (Hearings) Regulations 2005. ****

Gambling Act 2005 functions:

51. To determine the following applications where no representations are received or where representations are withdrawn: ****
 - Application for a premises licence
 - Application for a variation to a licence
 - Application for a provisional statement
 - Application for club gaming/club machine permits
52. To determine the following matters: ****
 - Applications for permits other than club gaming/club machine permits
 - The cancellation of licensed premises gaming machine permits
 - Consideration of temporary use notice
53. To determine applications for a transfer of a licence where no representations are received from the Gambling Commission. ****
54. To determine fees in accordance with Section 212 of the Gambling Act 2005 in consultation with the Leader of the Council. ****
55. To sign and serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 in respect of any function falling within the purview of the Planning & Regulatory Department but not as to preclude the Chief Officer Governance & Customer who is similarly authorised from exercising this power. ****

Executive Functions

To have the power:-

56. To Authorise in writing all officers of the Planning & Regulatory Department or agents/contractors, who may from time to time be employed/engaged to discharge the specific duties and functions delegated to the Chief Officer Planning & Regulatory, subject to such officers being suitably qualified for the discharge of those duties and functions. ****
57. To undertake inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices, (including suspension notices), issue penalty notices/fixed penalty notices, notifications, waivers, transfers, authorisations, licensing, registrations, legal proceedings and to set fees and charges as are within the purview of the Planning & Regulatory Department under the legislation applicable thereto set out below, together with any associated regulations or other subordinate legislation whether made thereunder or in exercise of powers conferred, and any amendments or additions thereto and to exercise all other relevant duties and powers, including powers of entry provided under such legislation. ****

Legislation

Accommodation Agencies Act, 1953
Administration of Justice Act, 1970
Agriculture Produce (Grading and Marking) Act, 1928
Agriculture (Miscellaneous Provisions) Act, 1968, 1972 and 1976b
Agriculture Act, 1970
Animal Boarding Establishments Act, 1963
Animal Health and Welfare Act, 1984
Animal Health Act, 1981
Animal Health Act 1998
Animal Health Act 2002
Animal Welfare Act 2006
Anti-Social Behaviour Act 2003
Anti-Social Behaviour, Crime and Policing Act 2014
Anti-Terrorism, Crime and Security Act 2001
Protection of Animals Act 2000
Banking Act, 1987
Breeding of Dogs Act, 1973 and 1991
Building Act, 1984
Business Names Act, 1985
Cancer Act, 1939
Caravan Sites and Control of Development Act, 1960
Celluloid and Cinematographic Film Act, 1922
Children and Families Act 2014
Children and Young Persons Act, 1933

Children and Young Persons (Protection from Tobacco) Act, 1991
Christmas Day (Trading) Act 2004
Cinemas Act, 1985
Clean Air Act, 1993
Clean Neighbourhoods and Environment Act 2005
Climate Change Act 2008 & Single Use Carrier Bags Charge (Wales) Regulations 2010
Companies Act, 1985
Companies Act 2006
Consumer Credit Act, 1974
Consumer Credit Act, 2006
Consumer Rights Act 2015
Consumer Protection Act, 1987
Control of Horses (Wales) Act 2014
Control of Pollution Act, 1974
Control of Pollution (Amendment) Act, 1989
Copyright, Designs and Patents Act, 1988
Copyright, Etc and Trade Marks (Offences and Enforcement) Act, 2002
Court and Legal Services Act, 1990
Criminal Attempts Act, 1981
Criminal Justice Act, 1988
Criminal Justice and Police Act 2001 (Closure Notices)
Crossbow Act, 1987
Customs and Excise Management Act 1979
Dangerous Dogs Act, 1991
Dangerous Wild Animals Act, 1976
Development of Tourism Act, 1969
Disability Discrimination Act 1995
Dogs Act, 1906
Dog (Fouling of Land) Act 1996
Education Reform Act, 1988
Energy Conservation Act, 1981
Energy Act, 1976
Energy Act 2011
Enterprise Act 2002
Environmental Protection Act, 1990
Environment Act, 1995
Environmental and Safety Information Act, 1968
Environmental Protection (Microbeads) (Wales) Regulations 2018
Estate Agents Act, 1979
European Communities Act, 1972
Explosives Act, 1875 and 1923
Explosives (Age of Purchase) Act, 1976
Factories Act, 1961
Fair Trading Act, 1973
Farm and Garden Chemical Act, 1967

Firearms Act 1968
Fireworks Act, 1951
Fireworks Act 2003
Fire Safety and Safety at Places of Sports Act 1987
Financial Services and Markets Act 2000
Food Act 1984
Food Hygiene Rating (Wales) Act 2013
Food Safety Act, 1990
Food and Environment Protection Act, 1985
Forgery and Counterfeiting Act, 1981
Fraud Act 2006
Gambling Act 2005
Guard Dogs Act, 1975
Hallmarking Act 1973
Health Act 2006 (as amended)
Health and Safety at Work, etc. Act, 1974
Healthy Eating in Schools (Wales) Measure 2009
Hire Purchase Act, 1964
Housing Act, 1985 (as amended by Local Government and Housing Act, 1989)
Housing Act, 1996
Housing Act, 2004
Housing Act 2014
Housing Grants, Construction and Regeneration Act, 1996
Insurance Brokers (Registration) Act, 1977
Insurance Companies Act, 1982
Intoxicating Substances (Supply) Act, 1985
Knives Act, 1997
Law of Property (Miscellaneous Provisions) Act, 1989
Legal Services Act 2007
Legislative and Regulatory Reform Act 2006
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act, 1976 and 1982 (as amended)
London Olympic and Paralympic Games Act 2006
Magistrates Court Act, 1980
Malicious Communications Act, 1988
Magistrates Court Act, 1980
Medicines Act, 1968
Mines and Quarries Act, 1954
Mines and Quarries (Tips) Act 1969
Mobile Homes (Wales) Act 2013
Mock Auctions Act, 1961
Motor Cycles Noise Act, 1987
Motor Vehicles (Safety Equipment for Children) Act, 1991
National Assistance Act 1948
National Assistance (Amendment) Act 1951
Noise Act, 1996

Noise and Statutory Nuisance Act, 1993
Nurses Agencies Act, 1957
Offices, Shops and Railway Premises Act, 1963
Olympic Symbol etc (Protection) Act 1995
Opticians Act, 1989
Performing Animals (Regs) Act, 1925
Pet Animals Act, 1951
Petroleum (Consolidation) Act, 1928
Plant Health Act, 1967
Poisons Act, 1972
Pollution Prevention and Control Act 1999
Prices Act, 1974 and 1975
Prevention of Damage by Pests Act, 1949
Property Misdescriptions Act, 1991
Protection of Animals Act, 1911 and 1934
Protection of Animals Act 2000
Protection of Animals (Amendment) Act, 1954
Protection of Animals (Anaesthetics) Act, 1954
Protection Against Cruel Tethering Act, 1988
Protection From Eviction Act, 1977
Psychoactive Substances Act 2016
Public Health Acts 1875, 1936 and 1961
Public Health (Control of Diseases) Act, 1984 as amended by the Health and Social Care Act 2008
Public Health (Wales) Act 2017
Rag Flock and Other Filling Materials Act, 1951
Refuse Disposal (Amenity) Act 1978
Registered Designs Act, 1949
Regulatory Reform (Fire Safety) Order 2005
Renting Homes (Fees etc.)(Wales) Act 2019
Riding Establishments Acts, 1964 and 1970
Road Traffic (Consequential Provision) Act, 1988
Road Traffic (Foreign Vehicles) Act, 1972
Road Traffic Act, 1988 and 1991
Road Traffic Offenders Act, 1988
Safety of Sports Grounds Act 1975
Scotch Whisky Act, 1988
Scrap Metal Dealers Act 2013
Single Use Carrier Bags Charge (Wales) Regulations 2010
Slaughter of Poultry Act, 1967
Smoke-Free Premises etc (Wales) Regulations 2007
Sunbeds (Regulation) Act 2010
Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011
Solicitors Act, 1974
Sunday Trading Act, 1994
Telecommunications Act, 1984

Theatres Act, 1968
 The Control of Horses (Wales) Act 2014
 The TSE (Wales) Regulations 2002 (As amended)
 The Products of Animal Origin (Import and Export) Regulations 1996 (As amended)
 The Tobacco Advertising and Promotion Act 2002
 The Violent Crime Reduction Act 2006
 The Official Feed & Food Controls (Wales) Regulations 2009
 The Official Feed & Food Controls (Wales) (Amendment) Regulations 2011
 The Trade in Animals & Related Products (Wales) Regulations 2011
 The Environmental Damage (Prevention & Remediation (Wales) Regulations 2009
 The Protection from Tobacco (Sales from Vending Machines)(Wales) Regulations 2011
 The Health Protection (Local Authority Powers) (Wales) Regulations 2010
 The Health Protection (Part 2A Orders) (Wales) Regulations 2010
 Theft Act, 1968 and 1978
 Timeshare Act, 1992
 Tobacco Advertising and Promotion Act 2002
 Town Police Clauses Act, 1847
 Trade Descriptions Act, 1968
 Trade Marks Act, 1994
 Trading Representation (Disabled Persons) Act, 1958 and 1982
 Trading Schemes Act, 1996
 Trading Stamps Act, 1964
 Transport Act, 1982
 Unsolicited Goods and Services Act, 1971 (as amended)
 Unsolicited Goods and Services Acts 1971 and 1975
 Video Recordings Act, 1984
 Vehicles (Crime) Act 2001
 Vehicle (Excise) Act, 1971
 Water Act, 1989
 Water Industry Act, 1991
 Weights and Measures etc. Act, 1976
 Weights and Measures Act, 1985
 Wildlife and Countryside Act, 1981
 Young Persons (Employment) Acts, 1938 and 1964
 Zoo Licensing Act, 1981

58. To arrange burials under Section 46 of the Public Health (Control of Disease) Act, 1984.
59. To ensure the appointment of a suitably qualified person who shall be designated the Chief Inspector of Weights and Measures for the Authority. ****
60. In consultation with the Chief Officer Governance & Customer to authorise and commence legal proceedings in respect of those matters for which the Chief Officer has operational responsibility. ****

61. To nominate others to accompany officers in the course of their duty, as provided in the relevant legislation. ****
62. To authorise the issue of licences in respect of car boot sales and other similar sales where such applications are of a charitable nature, following consultation with the Local Member. ****
63. To issue Variations of Authorisations and Environmental Permits under Sections 10 and 11 of the Environmental Protection Act, 1990 and the Environmental Permitting (England and Wales) Regulations 2010, which do not involve a substantial change in consultation with the Local Members. ****
64. To act as the Home Authority/Primary Authority Officer for the Council. ****
65. To maintain registers of Licences issued and to approve the grant of licences under the following Acts:- ****
 - Police, Factories etc (Miscellaneous Provisions) Act, 1916 and House to House Collections Act, 1939 (House to House and Street Collections)
 - Licensing Act 2003
 - Gambling Act 2005
 - Hypnotism Act, 1952
 - Charities Act 1992 (or such other legislation as may replace or supersede such Act).
66. To appoint Proper/Alternate Proper Officers for medical matters under all sections of the Public Health (Control of Diseases) Act 1984 and associated regulations. ****
67. To appoint Officers as Inspectors under Section 19 (1) of the Health and Safety at Work, etc. Act, 1974. ****
68. To exercise all powers and duties of a Local Authority under the Scrap Metal Dealers Act 2013, save that a Sub-Committee of three Members of the Executive Board, to include the relevant Lead Member who will normally chair the Sub-Committee, is to determine applications for a licence or a variation or revocation of a licence where the applicant or licensee has requested the opportunity to make oral representations in response to a notice issued pursuant to Paragraph 7(i) of Schedule 1 of the Scrap Metal Dealers Act 2013. ****
69. In consultation with the relevant Lead Member, to set the fees for applications under the Scrap Metal Dealers Act 2013. ****

In the absence or inability to act of the Chief Officer Planning & Regulatory, or for operational expediency, these delegations may be exercised by:

* & ** the Head of Service, Planning Control or the Head of Service, Planning Policy
*** the Principal Building Control Surveyor
**** the Head of Service, Public Protection

CHIEF OFFICER SOCIAL CARE

Designation by Council

1. To act as the Council's Statutory Director of Social Services in accordance with Section 6 of the Local Authority Social Services Act 1970 in relation to the Council's Social Services functions.

Functions delegated by Executive Board

Adult Social Care

2. The strategic and operational delivery and/or securing by the Council of Personal Social Services for Adults.
 - Adult services, including mental health, learning disabilities, older people, physical disabilities;
 - Performance and Financial Management, including complaints and representations relating to personal social services for adults;
 - Support services, including Human Resources;
 - Inter-agency and Partnership Working;
 - Commissioning and contracting across all services.
3. In particular, to exercise those functions of the Council which relate to personal social services for adults under the appropriate Sections of the following Acts as amended or re-enacted.
 - National Assistance Act 1948
 - Disabled Persons (Employment) Act 1958
 - Health Services and Public Health Act 1968
 - Chronically Sick and Disabled Persons Act 1970
 - Supplementary Benefits Act 1976
 - Mental Health Act 1983
 - Health and Social Services and Social Security Adjudication Act 1983
 - Public Health (Control of Disease) Act 1984
 - Housing Act 1985
 - Disabled Persons (Services, Consultation and Representation) Act 1986
 - National Health Service and Community Care Act 1990
 - Criminal Justice Act 1991
 - Social Security Administration Act 1992
 - Carers (Recognition and Services) Act 1995
 - Health Act 1999
 - Local Government Act 2000

- Care Standards Act 2000
 - Health and Social Care Act 2001
 - Nationality, Immigration and Asylum Act 2002
 - Carers and Disabled Children Act 2000
 - Social Services and Well-Being (Wales) Act 2014
4. The administration of all charges levied in respect of personal social services for adults including the waiving of charges.
 5. The provision of improvements and adaptations to a disabled persons' home under section 2(1)(e) of the Chronically Sick and Disabled Persons Act 1970.
 6. In consultation with the Chief Officer Governance & Customer to institute proceedings in a Court or other Tribunal under the following Acts as amended or re-enacted.
 - National Assistance Act 1948 Section 47 and 56(3)
 - Mental Health Act 1959 Section 131
 - Mental Health Act 1983 Sections 29 and 30, Part V and Section 130
 - Health and Social Services and Social Security Adjudications Act 1983 Section 22
 - Mental Capacity Act 2005 Part 2

Any other function of the Council in relation to the provision of personal social services for adults which involves an application to a Court or other Tribunal including the prosecution of offences or which requires the execution of any document having effect in law.

7. To have formal oversight of the complaints process in accordance with the Social Services Complaints Procedure (Wales) Regulations 2014 and Representations Procedure (Wales) Regulations 2014. This will include agreeing to timescale extensions and responding to formal complaint investigations.
8. To produce and publish an annual complaints report which will be considered by the appropriate Scrutiny Committee and made available to CIW for inspections.
9. To decide on the reception of persons into Guardianship of the Council under Section 7 and 37 of the Mental Health Act 1983.
10. To approve a package of Community Care in excess of the gross cost of Residential Placement for the registration category of the person concerned when the cost can be met by the budget holder.
11. To appoint Approved Mental Health Professionals.

12. To exercise the power to appoint Proper/Alternative Proper Officers for medical matters under the National Assistance Act 1948 and the National Assistance (Amendment) Act 1951.

Children's Social Care

13. The operational delivery and/or securing by the Council of personal social care services for children and young people including:
 - appropriate contact and referral arrangements for service users and other agencies
 - family support services to "children in need"
 - child protection (safeguarding) services
 - domiciliary care for children and young people who are disabled
 - accommodation services for looked after children including fostering and residential care
 - the full range of services required of an adoption agency
 - planning, commissioning contracting and performance management services
 - strategic planning in conjunction with partner agencies
 - the management of complaints and representation
 - support (administrative) services
14. In particular, to exercise those functions of the Council which relate to personal social services for children and young people (previously the responsibility of the Social Services Department) under the appropriate Sections of the following Acts as amended or re-enacted:
 - Disabled Persons (Employment) Act 1958
 - Children & Young Persons Act 1969
 - Children Act 1989
 - Children (Leaving Care) Act 2000
 - Adoption & Children Act 2002
 - Children Act 2004
 - Public Health (Control of Disease) Act 1984
 - Disabled Persons (Services, Consultation and Representation) Act 1986
 - Carers (Recognition and Services) Act 1995
 - National Health Service and Community Care Act 1990
 - Criminal Justice Act 1991
 - Anti Social Behaviour Act 2003
 - Carers and Disabled Children Act 2000
 - Care Standards Act 2000
 - Nationality, Immigration and Asylum Act 2002
 - Social Services and Well-being (Wales) Act 2014
15. The administration of all charges levied in respect of personal social services for children and young people including the waiving of charges.

16. The provision of financial assistance under sections 17 & 24 of the Children Act 1989 and the Children (Leaving Care) Act 2000.
17. In consultation with the Chief Officer Governance & Customer to institute proceedings in a Court or other Tribunal under the following Acts as amended or re-enacted:
 - Adoption and Children Act 2002
 - Children Act 1989 Sections 25, 31, 34, 39, 43, 44, 45, 48(9), 50, 70, 94, 100, 102 and Schedule 2 Paragraph 19 and Schedule 3 Paragraph 6(3).

Any other function of the Council in relation to the provision of personal social services which involves an application to a Court or other Tribunal including the prosecution of offences or which requires the execution of any document having effect in law.

18. To respond at the formal stage on behalf of the Authority on complaints dealt with under proceedings established under the Children Act 1989
19. To agree the accommodation of children under the Children Act 1989.
20. To give the necessary consents to appropriate matters relating to children the subject of Care Orders to the Authority including the giving of consent for medical treatment and obtaining passports for children the subject of Care Orders.
21. To decide upon recommendations of the Foster Care and Permanence Panels.
22. To respond on behalf of the Authority at the appeal stage following independent reviews and complaints under the procedures established under the Children Act 1989
23. To make arrangements for the provision of suitable education at school or otherwise for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not receive it unless such arrangements were made.