

# **Revision to Delegations to Officers 2018/19**

# **A p p e n d i x C**

Miscellaneous Officers (cont)	
Authority to Act	Commentary
<b>Category E</b> Decisions where an approved person has been given authority to take actions which are a general duty to be observed in carrying out a Council function; or which is a procedural requirement; or which is a decision of the Council for which there is no directly associated statutory requirement.	
<b>Data Protection Act 1998 and subsequent Data Protection Legislation</b> To undertake or commission investigations into alleged breaches of Data Protection legislation, including the interviewing of relevant persons and the inspection of all relevant records and recorded data.  <b>Corporate Information Governance Manager</b>	
<b>Licensing Act 2003 – Designation as Responsible Officer</b> To act as the designated appropriate officer for the purpose of discharging the functions of the Council as the responsible authority under Sections 13 and 69 of the Licensing Act 2003.  <b>Trading Standards and Licensing Manager</b>	
<b>Signing of Notices</b> To sign notices as required by the Planning (Listed Buildings and Conservation Areas) Regulations 1990 notifying owners/occupiers that a building has become listed  Planning (Listed Buildings and Conservations Areas) Act 1990  <b>Conservation Officer</b>	
<b>Solicitor to the Council</b> In the absence or inability to act of the Solicitor to the Council or in the event of a vacancy in that office and only in consultation with the Chief Executive or another person authorised to act for him/her, to act as the Solicitor to the Council in relation to all matters for which the Solicitor to the Council is the Proper Officer and accordingly be authorised to convene meetings, sign documents and attest the fixing of the Common Seal of the Council.  <b>Deputy Monitoring Officer</b>	

Director – Housing and Communities (cont)	
<b>Review of Housing Needs</b> To consider and review the housing conditions and the needs of the Borough with respect to the provision of further housing accommodation.  Section 8 Housing Act 1985	
<b>Buy Back Provisions</b> Re-purchase of Former Right to Buy Properties To enter into formal negotiations with homeowners of residential properties bought from the Council (or predecessors) and that subject to the satisfactory outcome of the value for money evaluation in consultation with the Executive Director - Resources, negotiate terms and conditions, as necessary, to complete the acquisition of homes considered suitable additions to the Council's housing stock.	A number of decisions within this delegation may be exempt from publication:  Exemptions 1, 2 and 7
<b>Sheltered/Supported Accommodation</b> The provision and management of sheltered/supported housing, entering into tenancy/licence agreements, service notices, authorising legal proceedings and evictions.	
<b>Trees in Private Ownership - Local Government (Miscellaneous Provisions) Act 1976</b> To exercise powers in respect of trees in private ownership that threaten damage to persons or property.	
<b>Warden Patrolling Service</b> To act and to authorise others to act in the exercise of the Council's statutory powers and duties including but not limited to:-  littering and waste dog fouling Dog Control Orders  To exercise the Council's statutory duties and powers in respect of vehicles, including but not limited to, abandoned vehicles, the repairing or selling of vehicles, the seizure and disposal of vehicles and verification of number plates.  To exercise duties and powers in respect of cycling on footpaths.  To exercise authorisations given by the DVLA with respect to the removal of vehicles.  To exercise any authorisations given by West Midlands Police under the Accredited Community Safety Scheme.  To authorise and to authorise others to authorise the investigation of fraud under the Council's Blue Badge Scheme.	A number of decisions within this delegation may be exempt from publication:  Exemptions 1, 2, 6 and 7