



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 11 March 2010

DEVELOPMENT CONTROL COMMITTEE

Meeting to be held on Tuesday, 16th March, 2010

Please see the attached report(s) marked "to follow" on the agenda.

10 SCHEME OF DELEGATION TO OFFICERS

This report is to be considered by a number Committees. Members are requested to retain this copy for use at the following meetings –

Development Control Committee	16 th March 2010
Public Protection & Safety PDS Committee	17 th March 2010
Executive & Resources PDS Committee	24 th March 2010
Children & Young People PDS Committee	25 th March 2010
Environment PDS Committee	6 th April 2010
General Purposes and Licensing Committee	7 th April 2010
Renewal & Recreation PDS Committee	13 th April 2010
Adult & Community PDS Committee	14 th April 2010

Copies of the documents referred to above can be obtained from
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Report No.
LDCS10047

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Development Control Committee, 16th March 2010
Public Protection and Safety PDS Committee, 17th March 2010
Executive and Resources PDS Committee, 24th March 2010
Children and Young People PDS Committee, 25th March 2010
Environment PDS Committee, 6th April 2010
General Purposes and Licensing Committee, 7th April 2010
Renewal and Recreation PDS Committee, 13th April 2010
Adult and Community PDS Committee, 14th April 2010

Date: (See above)

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **SCHEME OF DELEGATION TO OFFICERS**

Contact Officer: Graham Walton, Democratic Services Manager
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Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: N/A

1. Reason for report

- 1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved. The Scheme has been amended to meet the requirements of the Local Government and Public Involvement in Health Act 2007, principally by clarifying whether powers are delegated by the Council, by the Leader in the case of executive powers, or both.
-

2. **RECOMMENDATION(S)**

- 2.1 That the General Purposes and Licensing Committee, the Development Control Committee and all PDS Committees consider and comment on the proposed new Scheme of Delegation to Officers, focussing on their specific areas of responsibility.**
- 2.2 That General Purposes and Licensing Committee recommends to the Annual Council meeting and the Leader that the Scheme of Delegation to Officers is approved, subject to any comments from other Committees.**

Corporate Policy

1. Policy Status: Existing policy. The Council approves a Scheme of Delegation to Officers each year at the annual meeting. Executive powers now need to be delegated by the Leader.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): No additional staff.
 2. If from existing staff resources, number of staff hours: Updating the Scheme of Delegations has involved a number of officers - probably less than 36 hours staff time.
-

Legal

1. Legal Requirement: Statutory requirement. Local Government and Public Involvement in Health Act 2010.
 2. Call-in: Call-in is not applicable. The report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The delegation of powers to officers is essential to the efficient operation of most Council services.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff. The Scheme is normally updated for approval at the Council's annual meeting in May each year. The General Purposes and Licensing Committee instigated a review of the Scheme in the summer of 2009, requesting Development Control Committee and all PDS Committees to question whether matters should be delegated, if prior notification of intention to exercise a delegated power was needed, if there should be a report afterwards and whether such reports could await an annual review. A summary of members' comments from this review is attached at **Appendix A**.
- 3.2 Changes to executive arrangements required under the Local Government and Public Involvement in Health Act 2007 mean that any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council. The simplest way to reflect this in the scheme is to add a column to indicate whether each individual delegation derives from the Leader or from Council, or both.
- 3.3 As a result of the 2009 review, the new legal requirement to attribute each delegation to either the Council or the Leader, and, in addition, recent changes to departmental arrangements, the Scheme has been updated again. At the request of the Constitution Improvement Working Group and General Purposes and Licensing Committee, Members of all PDS Committees and the Development Control Committee are asked to review the sections of the Scheme relating to their work and highlight any further changes that are needed before the scheme is submitted for approval at the Annual Council meeting.
- 3.4 The General Purposes and Licensing Committee will want to take an overview of the entire document, but specific areas that other Committees will be most interested in are as follows –

Development Control Committee	Pages 15-22
Public Protection and Safety PDS	Pages 28-29
Executive and Resources PDS	Pages 8-12 and 49-58
Children & Young people PDS	Page 13 and pages 23-27
Environment PDS	Pages 31-48
Renewal & Recreation PDS	Page 62
Adult and Community PDS	Pages 13 and pages 59-61

Non-Applicable Sections:	Finance/Legal/Policy/Personnel
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers approved by Council, 13 th May 2009

Committee	Comments of Committee	Update
<p>General Purposes and Licensing Committee</p> <p>24th June 2009</p>	<p>(1) DLDCS to identify non-executive functions</p> <p>(2) All PDS Committees and DC Committee to examine the relevant sections of the Scheme and question –</p> <p>(i) whether matters should be delegated;</p> <p>(ii) if so, should there be prior notification of intention to exercise the delegation;</p> <p>(iii) should the matter be reported after the fact;</p> <p>(iv) can the report wait until an annual review.</p> <p>(3) PP&S delegations be amended to include Sections 28 and 29 of the Regulation of Investigatory Powers Act.</p> <p>(4) PP&S delegations (7), (9), (10), (11) (22) and (24) be clarified and updated where necessary.</p> <p>(5) Environment Delegations (91) and (92) be amended by the addition of reference to the statutory list of maintained highways and rights of way.</p> <p>(6) Any changes proposed to the Scheme be reported to GP&L committee prior to submission to full Council.</p>	<p>Executive and non-executive delegations are identified in the current scheme.</p> <p>This will be done twice, in July/August 2009 and March/April 2010.</p> <p>Amended in current scheme.</p> <p>Amended in current scheme.</p> <p>Amended in current scheme.</p> <p>This report is to be considered by GP&L Committee on 7th April 2010</p>
<p>Public protection and Safety PDS Committee</p> <p>6th July 2009</p>	<p>Noted and asked officers to report back in March 2010.</p>	<p>This report goes to PP&S PDS Committee on 17th March 2010.</p>
<p>Executive and Resources PDS Committee</p> <p>7th July 2009</p>	<p>Resources delegation (1) – Members sought more involvement in selection of senior staff.</p> <p>A number of Resources delegations were identified as possibly redundant – (25) Bromley town centre redevelopment; (49) GLC seaside estates and Beckenham fire station; and (50) single regeneration budgets.</p> <p>All delegations need to be clearly recorded so</p>	<p>Regulations from 2001 prevent Member involvement below deputy chief officer level.</p> <p>These delegations are being checked and will be deleted from the final scheme as necessary.</p> <p>PDS Committees may make arrangements to</p>

	that Members can scrutinise them as necessary.	scrutinise the exercise of delegations within their portfolios.
Renewal and Recreation PDS Committee 8 th July 2009	Noted	-
Children and Young People PDS Committee 13 th July 2009	No comments	-
Environment PDS Committee 14 th July 2009	Deferred pending the identification of executive and non-executive functions and consultation with ward Members.	Executive and non-executive delegations have been identified in the latest Scheme – as previously, the Scheme is circulated to all Members.
Adult and Community PDS Committee 15 th July 2009	Noted	-
Development Control Committee	No amendments suggested.	-

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LONDON BOROUGH OF BROMLEY

SCHEME OF DELEGATION TO OFFICERS

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* Or, as the case may be, any relevant regulatory Committee(s)

* * * *

PROPER OFFICERS

The Local Government Act 1972 introduced a requirement that the officer required to perform specified duties should be the 'proper officer' appointed by the Council for that purpose.

(1) Subject to any appointment for a specific purpose, the 'proper officer' for the purpose of the Local Government Act 1972 shall be as set out below:-

<u>Section</u>	<u>Purpose</u>	<u>Proper Officer</u>
39	Registration Officers	}
41(2) & (3)	Returning Officers at Local Government Elections	
83(1)	Declaration of Acceptance of Office	
		Chief Executive
		The Director of Legal Democratic and Customer Services shall act as proper officer where the Chief Executive is unable to act
84	Resignation of Members	}
88(2)	Filling of casual vacancies for Chairman	}
89(1)	Notice of casual vacancies	}
212	Local Land Charges	} Director of Renewal and Recreation
Schedule 12, Pt. 1	Notice of Meetings – for the issue of	}
4(2)(b) & 4(3)	(i) summonses calling meetings of the Council	} Chief Executive
	(ii) agenda for meetings of Committees, Sub-Committees etc.	}
96(1) & (2)	Notice of pecuniary interest	} Director of Legal, Democratic and Customer Services
225(1)	Deposit of Documents	}
Schedule 14, Pt. 2	Certification of Resolutions	}
Para. 25(7)		}
229(5)	Photographic copies of documents	}
238	Evidence of Byelaws	}
115(2)	Accountability of Officers	}
146	Transfer of securities on alteration of area	} Director of Resources

<u>Section</u>	<u>Purpose</u>	<u>Proper Officer</u>
151	Financial administration	}
	Notifiable diseases and food poisoning	} District Medical } Adviser to the Local } Authority } appointed by the } Bromley Primary } Care Trust
Schedule 22, Para.17	Authentication of orders and notices, etc under the Housing Act	For such matters as he is authorised to deal with by the Council's Scheme of Delegation to Officers the Director of Adult and Community Services, otherwise the Director of Legal, Democratic and Customer Services
Sections 28 and 29	Regulation of Investigatory Powers Act 2000	Director of Legal, Democratic and Customer Services and Director of Resources
Section 29(b)	- ditto -	Director of Legal, Democratic and Customer Services to have general oversight of the use made of the source in respect of covert human intelligence sources.
Sections 29 (a), (c), (d) and (e)	- ditto -	Chief Planner, Director of Adult and Community Services, Director of Children & Young People Services, Director of Environmental Services, Chief Internal Auditor to have day-to-day responsibility for Sources and responsibility for the security and welfare of Sources.

(2) For all other functions the 'proper officer' shall be the Officer authorised in accordance with the Council's Scheme of Delegation to Officers or, where none is specified, the Chief Executive.

(3) Where written evidence of any such appointment as aforesaid is required the Chief Executive is hereby authorised to issue it, save for evidence of the appointment of the Chief Executive which will be issued by the Director of Legal, Democratic and Customer Services.

PART I

GENERAL CONDITIONS GOVERNING DELEGATION OF FUNCTIONS TO CHIEF OFFICERS

	Responsibility Delegated from
1. These General Conditions and any amendment of or addition to made by the Council, shall apply to the delegation of functions specified in Part II of this document, and to any amendment of or addition to made by the Council or the Leader or the Monitoring Officer under paragraph 12 of this Part.	-
2. Powers delegated shall be exercised in conformity with the Constitution, Standing Orders, Financial Regulations and other directives of the Council in force from time to time, and in accordance with the expressed policies and objectives of the Council, the Executive or Committees relevant to the matter upon which action is to be taken.	-
3. The delegation of authority to deal with any matter shall not derogate from the power of the Council, the Executive, or Committee, Sub-Committee or Panel to call for a report on any decision or action taken, or to require any such matter under consideration to be referred to the Council or to the appropriate Executive body or Committee Sub-Committee or Panel for determination so far as this accords with the law.	Council/Leader
4. A Chief Officer may refer a matter to the Executive, the appropriate Executive Portfolio Holder or to the Chairman of an appropriate Committee and will, in any event, ensure that care is taken to identify any case within his delegated authority where unusual circumstances or other reasons suggest the desirability of Member consideration.	Council/Leader
5. If a matter involves considerations not within the purview of the Chief Officer primarily concerned, he shall consider whether it is necessary to consult any other Chief Officer concerned before authorising action, shall do so if he concludes it is necessary and shall take due account of any views that are expressed.	Council/Leader
6. When the implementation of a decision taken under the delegated authority by a Chief Officer requires the preparation of formal documents, legal proceedings or other legal process or advice, the Chief Officer concerned shall refer the matter to the Director of Legal, Democratic and Customer Services for appropriate action.	Council

<p>7. Authority to take decisions and other action including but not limited to the signing of documents and the requirement to arrange consultations shall be exercised and undertaken on behalf of the Council in the name of the Chief Officer to whom the authority to act is given, but not necessarily personally by him.¹ Therefore, under this condition each Chief Officer has power to authorise others to exercise any power conferred on him provided that any such authorisation shall be subject to these General Conditions and be commensurate with the nature of the matters to be dealt with. Further, the Chief Executive may authorise any other Chief Officer to exercise any power delegated to him in this scheme which in his judgement is consistent with that other officer's responsibility. Authorisations given by Chief Officers to others to exercise powers delegated under this scheme should be recorded in writing in a list maintained by each Chief Officer. This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.</p>	Council/Leader
<p>8. The Chief Executive may, after consultation with any Chief Officer, refer to the Executive, the appropriate Executive Portfolio Holder, or appropriate Committee for decision any matter which has been brought to his notice and which, in his opinion, because of special difficulty or otherwise, warrants such reference.</p>	Council/Leader
<p>9. For the purposes of these General Conditions and the general and specific authorities to act to which they apply, the expression 'Chief Officer' shall mean:-</p>	Council
<p>The Chief Executive, the Director of Resources, the Director of Legal, Democratic and Customer Services, the Director of Children & Young People Services, the Director of Environmental Services, the Director of Renewal and Recreation, the Director of Adult and Community Services, the Assistant Chief Executive, Human Resources and the Chief Planner.</p>	
<p>10. Reference to an enactment in a grant of delegation shall be deemed to extend to and include reference to any subsequent enactment having like or similar effect as though the delegation had been granted under the subsequent enactment.</p>	Council/Leader
<p>11. An officer exercising any power under this scheme of delegation shall ensure that some written or other permanent record is made of his decision and, in cases where a range of alternative decisions presented themselves, shall record why he made the particular decision.</p>	Council/Leader

¹ This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.

<p>12. For the avoidance of doubt, the Council and the Leader hereby declare that any exercise of a power by a Chief Officer, or an officer authorised by him and which, if expressly provided for by this Scheme of Delegation, could have been lawfully exercised by an officer under powers delegated to him by the Council or a Committee, shall be deemed to be authorised by this Scheme notwithstanding such express provision may not have been made in it; PROVIDED THAT, where an officer relies on this paragraph, the Monitoring Officer shall be informed by the officer of this action and the Monitoring Officer shall make a report on the matter to the next ordinary meeting of the Council.</p>	<p>Council/Leader</p>
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PART II

Subject to the foregoing, and without derogation from the powers or duties now or hereafter conferred or imposed upon officers of the Council, by statute or by any statutory instrument or regulation, authority to act for and on behalf of the Council without reference to the Council or Executive body or any Committee shall be delegated as follows:-

A. GENERAL AUTHORITIES	Responsibility Delegated from
<p>1. To each Chief Officer Authority to:-</p> <p>(i) Take all necessary action for the effective day-to-day management, administration and supervision of their Department and of the services for which they are responsible, and for the efficient discharge of the professional responsibilities of their office.</p> <p>(ii) Within budgetary provision, take all necessary action for the effective day-to-day management, administration and supervision of the land and buildings for which they are responsible, such action to include for each property concerned and as far as practicable</p> <p style="padding-left: 40px;">(a) proper documentation; (b) appropriate occupation; (c) maintenance to retain value; (d) security and satisfactory appearance; (e) an annual review to ensure property is still required; and (f) prompt release if surplus to requirements.</p> <p>(iii) That all powers delegated to Chief Officers include authority to take action in respect of any London Residuary Body matter transferred to Bromley by virtue of the London Residuary Body (Transfer of Property etc) Order 1990 in the same way and to the same extent that they have delegated powers in respect of any equivalent Bromley matters.</p> <p>(iv) Incur expenditure and accept tenders for items provided for in the approved revenue estimates or approved capital programme, save where the value of the expenditure would exceed £500k where the written approval of the relevant Portfolio Holder shall be obtained or where the value exceeds £1m where the approval of the Executive or Council shall be obtained</p> <p>(v) Select quotations and tenders for works, services and/or goods within approved budgetary provision on all contracts save where the value exceeds £500k where the written approval of the relevant Portfolio Holder shall be obtained or where the value exceeds £1m where the approval of the Executive or Council shall</p>	<p>Council/Leader</p> <p>Council/Leader</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p>

<p>be obtained.</p> <p>(vi) On the best terms obtainable, dispose of stores, plant, vehicles, equipment, furniture or other such items which are obsolete, or are unusable for or surplus to the Council's requirements, subject to the Director of Resources prior agreement to any consequential writing off of balances of book value.</p>	<p>Leader</p>
<p>(vii) Make adjustments of stock ledgers and accounts following stocktaking, subject to the Director of Resources' prior agreement.</p> <p>(viii) Authorise officers under their control to attend conferences, courses and similar events appropriate to their personal, official responsibilities and to the work of the particular Department, in accordance with an approved list or agreed code of practice.</p> <p>(ix) Vary annually fees and charges (except car parking) within policy established by an Executive body or Committee.</p> <p>(x) Deal with applications for re-grading in accordance with the Council's agreed procedures.</p> <p>(xi) Sign authorisation documents, with the exception of the Chief Officer's own personal authorisation, which shall be signed by the Director of Legal, Democratic and Customer Services.</p> <p>(xii) Where a complaint has been made through the Council's complaints system, decide whether there is a justifiable case for which the Council should apologise and pay compensation, up to a limit of £5,000 in any one case (or, in the case of the Chief Executive, £10,000).</p> <p>(xiii) Approve trips to EU countries made on Council business subject; in each case, to a subsequent report to the appropriate Executive body or Committee on the action taken.</p> <p>(xiv) Enter into contracts with any voluntary sector organisation (VSO) for the provision of services by way of a service level agreement (SLA) without the necessity of competition, provided that:</p> <p>(1) the Chief Officer is satisfied that the VSO is able to provide a satisfactory quality of service and that the sums payable under the SLA represent best value;</p> <p>(2) the relevant Portfolio Holder is notified of any new SLAs being entered into;</p> <p>(3) any extensions or renewals of such SLAs comply with the provisions of rule 13.1 of the Contract Procedure Rules;</p>	<p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p> <p>Council</p> <p>Council/Leader</p> <p>Leader</p> <p>Council/Leader</p>

<p>(4) the approval of the relevant Portfolio Holder is obtained where the value of the SLA exceeds £500k or the approval of the Executive or Council is obtained where the value exceeds £1m.</p>	
<p>2. To the Chief Executive</p> <p>Authority to:-</p> <p>(i) undertake all duties and responsibilities of the Council's Head of Paid Service as defined in the Local Government and Housing Act 1989;</p> <p>(ii) take all action necessary for the efficient management and execution of the Council's policies, services and functions;</p> <p>(iii) determine in conjunction with the Assistant Chief Executive - Human Resources, starting salaries of staff on Management Grades 1 and 2;</p> <p>(iv) authority to make detailed arrangements, in consultation with the Leader of the Council, for consultation with residents on service priorities and Council Tax implications.</p> <p>In exercising such authority the Chief Executive shall have full regard to the position where:-</p> <p>(a) Chief Officers are exercising responsibilities directly imposed on them by statute; or</p> <p>(b) the professional discretion or judgement of Chief Officers is involved subject to any difference of opinion between the Chief Executive and the Chief Officer being referred to the next available appropriate meeting of the Executive Portfolio Holder, Executive or committee for determination;</p> <p>(v) settle any points requiring interpretation or clarification in the practical application of this code of delegated authorities to Chief Officers.</p> <p>(vi) Parliamentary Matters - Take urgent action to protect the Council's interest (through Members of Parliament and/or by petition or otherwise) in consultation with the Leader of the Council.</p> <p>(vii) Electoral Fees - To approve the annual revision of the scale of fees within the approved estimate provision, payable to canvassers, checkers and coders.</p>	<p>Council</p> <p>Council/Leader</p> <p>Council</p> <p>Leader</p> <p>Council/Leader</p> <p>Council/Leader</p> <p>Council</p>

<p>3. To the Director of Legal, Democratic and Customer Services</p> <p>Authority to:-</p> <p>(i) authorise proceedings before any Court of Summary jurisdiction in respect of any offence for which the Council by virtue of any Act of Parliament; , regulation, order or bye-law, is now or may hereafter be empowered to prosecute or to authorise the institution of such proceedings; except in cases where some other officer is specifically authorised to act;</p> <p>(ii) authorise proceedings for the recovery of debts of all kinds due to the Council (other than rates) and for the recovery of possession of premises;</p> <p>(iii) authorise the institution or defence of proceedings in the Courts to safeguard the Council's interest;</p> <p>(iv) obtain Counsel's Opinion to ensure adequate advice to the Council or Committees;</p> <p>(v) in accordance with instructions given, institute or defend any legal proceedings authorised to be taken or defended on behalf of the Council, or serve notices;</p> <p>(vi) take any action urgently required to settle legal proceedings during the course of a trial or other hearing;</p> <p>(vii) authorise permanent or temporary members of staff to represent the Council under Section 223 of the Local Government Act 1972 in proceedings before a Magistrates' Court or a Juvenile Court or Family Proceedings Court and under Section 60(2) of the County Courts Act 1984 to represent the Council in the County Court;</p> <p>(viii) issue written authorities to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties (as evidence of their bona fides); provided that any written authority to enter upon land or premises is in pursuance of a statutory power of entry or inspection;</p> <p>(ix) sign and serve on behalf of the Council notices authorised by statute to ascertain ownership and other interest in land;</p> <p>(x) sign and approve service of Notices to Treat in pursuance of confirmed compulsory purchase orders and, where possession is required without waiting for settlement of terms of acquisition, sign and approve the service of Notices of Entry;</p>	<p>Council /Leader</p> <p>Council /Leader</p> <p>Council /Leader</p> <p>Council /Leader</p> <p>Council /Leader</p> <p>Council /Leader</p> <p>Council</p> <p>Council /Leader</p> <p>Council</p> <p>Leader</p>
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(xi) approve the assignment of contracts;	Council /Leader
(xii) take appropriate action in individual cases to enable him to effect registration as a registered charge of any local land charge arising by virtue of the statutory provisions set out below, or as amended in subsequent legislation:	
(1) the Housing Act 1985, Sections 189-193, 214, 215, 220, 352, 366, 372 and 375;	Leader
(2) Public Health Act 1936, Section 291;	
(3) Building Act 1984, Section 107;	
(4) Greater London Council (General Powers) Act 1972, Section 19; and	
(5) Highways Act 1980, Section 212;	
(xiii) deal with applications for the use of the Borough Arms in accordance with arrangements as approved by the Committee;	Council
(xiv) allocate the use of the Committee Suite subject to new applications for use by outside bodies being decided in consultation with the Leader of the Council;	Leader
(xv) allocate and re-allocate existing offices, subject to reference to the Leader of the Council or the Committee in cases of significant changes involving transfer of a department or service from one part of the Borough to another;	Leader
(xvi) authorise expenditure from the office improvements budget;	Leader
(xvii) to act as Monitoring Officer;	Council
(xviii) to maintain a Register of Members' Interests under Section 81 of the Local Government Act 2000;	Council
(xix) to sign Chief Officer's authorisation documents;	Council
(xx) determine, in consultation with the relevant Chief Officer, where a complaint has been made to the Ombudsman whether there is a justifiable case for which the Council should apologise and pay compensation as part of a local settlement – up to a limit of £5,000 in consultation with the Director or £10,000 in consultation with the Director and Chief Executive;	Council /Leader
(xxi) take any action urgently required to settle legal proceedings prior to a court hearing or to enter into a Compromise Agreement in potential Employment Tribunal cases where it is considered appropriate so to do;	Council /Leader
(xxii) to be the proper officer for, and issue any notice, permission, authorisation or other document under, the Data Protection Act	Leader

<p>1998, the Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000;</p> <p>(xxiii) to maintain a list of politically restricted posts under Section 2 of the Local Government & Housing Act 1989 and consider and grant exemptions under Section 3 of the Act;</p> <p>(xxiv) to authorise payments in respect of maladministration under Section 92 of the Local Government Act 2000.</p>	<p>Council</p> <p>Council /Leader</p>
<p>4. To the Director of Adult and Community Services Negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate adult client choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <p>(i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	<p>Leader</p>
<p>5. To the Director of Children and Young People's Services Negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate children and young persons choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <p>i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	<p>Leader</p>

B. AUTHORITIES RELATED TO THE FUNCTIONS OF INDIVIDUAL PORTFOLIO HOLDERS AND COMMITTEES

KEY REFERENCES TO OFFICERS

All	-	Chief Officers
CE	-	Chief Executive
DR	-	Director of Resources
DLDCS	-	Director of Legal, Democratic and Customer Services
DCYPS	-	Director of Children and Young People Services
DES	-	Director of Environmental Services
DRR	-	Director of Renewal and Recreation
DACS	-	Director of Adult & Community Services
ACE-HR	-	Assistant Chief Executive, Human Resources
CP	-	Chief Planner
PCM	-	Performance Centre Manager

DEVELOPMENT CONTROL COMMITTEE

Officer(s) Authorised	Authority to:	Responsibility Delegated from
Building Regulations		
CP	(1) Give consents where applications conform with Regulations.	Leader
CP	(2) Refuse applications which do not conform with Regulations.	Leader
CP	(3) Decide applications for relaxation where the Council have the power of decision.	Leader
CP	(4) Decide upon the observations to be made to the appropriate Minister with applications for relaxation of the Regulations.	Leader
DLDCS/CP	(5) Authorise and serve notices under Section 36 of the Building Act 1984 and the current Building Regulations.	Leader
Dangerous Structures		
CP	(6) Remove any danger where immediate action is required.	Leader
CP	(7) Authorise and serve notices under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976 to obtain particulars of persons interest in land and where there is default in compliance with any such notice refer the matter to the DLADS to consider taking legal proceedings.	Council
Operation of Tree Preservation Orders		
CP	(8) Consent with or without conditions, or refuse consent to the pruning, cutting down, topping, lopping or destruction of trees which are the subject of Tree Preservation Orders in accordance with the provisions of such orders.	Council
CP	(9) Consent with or without conditions to the pruning, cutting down, topping, lopping or	Council

		destruction of trees within designated Conservation Areas.	
CP	(10)	The making of Tree Preservation Orders and provisional TPOs Section 198 and 201 of the Town & Country Planning Act 1990, including the making of TPOs in Conservation Areas.	Council
CP	(11)	Confirm opposed or unopposed TPOs.	Council
CP	(12)	Agree to the revocation of TPOs.	Council
CP	(13)	Issue tree planting notices.	Council
CP	(14)	Enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981.	Council
CP/DLDCS	(15)	Authorise legal proceedings to be taken in respect of breaches of TPOs and the legislation relating to trees in Conservation Areas, subject to the DLDCS being satisfied as to the evidence.	Council
Determination			
CP (Subject to consultation with DLDCS)	(16)	Determine applications under Section 64 of Town and Country Planning Act 1990, whether the carrying out of any operations or the making of any change of use involves development and whether planning permission is necessary.	Council
	(16a)	Determine applications for certificates of lawfulness of proposed use or development under Section 192 of the Town and Country Planning Act 1990.	Council
CP (Subject to consultation with DLDCS)	(17)	Determine applications for certificates of established use under Section 191 of the Town and Country Planning Act 1990.	Council
	(17a)	Determine applications for certificates of lawfulness of existing use or development under Section 191 of the Town and Country Planning Act 1990.	Council

CP	(18)	Deal with applications for determination of the Council's prior approval for demolition of dwellings and buildings attached to dwellings except for the authorisation of any Article 4 direction.	Council
CP	(19)	Determine applications for hazardous substances consent.	Council
CP	(20)	The power to grant outline or full planning permission, approve details, give advertisement, listed buildings, or conservation area consent, with or without conditions to planning applications or proposals excluding those in the following categories:	Council
	(i)	Council proposals as defined by the Town & Country Planning General Regulations 1992 (but not details pursuant, revised plans and proposals to renew deemed permissions).	Council
	(ii)	Permission to applications involving three or more purpose-built new dwellings (but not other associated buildings, conversions, extensions and changes of use, details pursuant, revised plans and renewal permission applications).	Council
	(iii)	Permissions to applications for new commercial development such as industry, offices and shops (but not other associated buildings, conversions, extensions and change of use, details pursuant, revised plans and renewal applications).	Council
	(iv)	Applications submitted by members of staff in the Planning Division, or other Chief Officers, or submitted by or on behalf of Bromley Councillors or Members of Parliament.	Council
	(v)	Applications and other matters which one or more Members formally request is put before a Committee or Sub-Committee of Members.	Council

CP	(21)	The power to:	
		(i) refuse planning permission;	Council
		(ii) refuse express consent for advertisements;	Council
		(iii) refuse Listed Building Consent;	Council
		(iv) not approve details submitted pursuant to a condition of a permission or consent;	Council
		(v) refuse revisions and amendments to plans and to specify reasons for so doing whatever representations are received for or against the application;	Council
		(vi) provide grounds of appeal and contest all appeals;	Council
		(vii) observations on proposals for development by Government departments or in adjoining authority areas which would otherwise fall within the delegated categories.	Council
CP /DLDCS	(22)	Power to authorise the issue of the following (the signing and actual issue of the notices to be dealt with by the DLDCS):	
		(i) Enforcement Notices under Section 172 of the Town & Country Planning Act 1990.	Council
		(ii) Stop Notices under Section 183 of the Town & Country Planning Act 1990.	Council
		(iii) Completion Notices under Section 94 of the Town & Country Planning Act 1990.	Council
		(iv) Unopposed revocations under Section 97 of the Town & Country Planning Act 1990 and Section 239 of Planning (Listed Building & Conservation Areas) Act 1990.	Council

(with DLDCS)	(v) Section 106 Agreements (Town & Country Planning Act 1990) and similar agreements concerning related legislation.	Council
	(vi) Orders under Section 102 Town & Country Planning Act 1990 requiring discontinuance of use, or alteration, or removal of buildings and works.	Council
	(vii) Unopposed revocations of Listed Buildings Consent under Section 23 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(viii) Notices under Section 54 and 55 of the Planning (Listed Building & Conservation Areas) Act 1990 concerning urgent works and recovery of expenses.	Council
	(ix) Making and recovery of grants under Section 57 and 58 of Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(x) Listed Building Enforcement Notices under Section 38 of the Planning (Listed Building & Conservation Areas) Act 1990.	Council
	(xi) The enforcement of advertisement control.	Council
	(xii) The authorisation of Rights of Entry to premises and any land for all the purposes of the Town & Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990, the Planning (Hazardous Substances) Act 1990 and the Building Act 1984 (all these Acts as amended) and any Orders or Regulations made thereunder.	Council
	(xiii) The power to require information as to interests in land under Section 330 of the Town & Country Planning Act 1990.	Council

and to give reasons in the Notice or Order for

taking such action; such action in respect of (i) (ii) (iii) (vi) (x) to be reported to the next available meeting of the Plans Sub-Committee or Development Control Committee.

(xiv) Planning Contravention Notices under Section 171C of the Town & Country Planning Act 1990 Council

(xv) Breach of Condition Notices under Section 187A of the Town & Country Planning Act 1990 Council

Subject to agreement by the Director of Legal, Democratic and Customer Services, the service of the notices under 21(xiv) and (xv) being reported to the next available meeting of the Plans Sub-Committee or Development Control Committee. Council

CP (23) The power to:

(i) give directions and notifications under Regulation 4 of the Town & Country Planning (Applications) Regulations 1988 and Article 7 of the Town & Country Planning General Development Order 1988 to require applicants to submit further information to enable the Council to deal with an application or to verify any particulars; Council

(ii) make determinations as to whether planning applications are departures from the development plan; Council

(iii) make determinations as to whether development would affect the character or appearance of a conservation area or the setting of a listed building to enable such applications to be advertised; Council

(iv) make determinations under Section 73 of the Planning (Listed Building & Conservation Areas) Act 1990 as to whether a proposal should be advertised as affecting the character or appearance of the Listed Building or Conservation Area; Council

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| (v) | determine whether prior approval of the method of demolition and any proposed restoration is required in accordance with Part 31 of Schedule 2 of the Town & Country Planning General Development Order 1988 (as amended); | Council |
| (vi) | approve or not approve the details referred to in (v) above; | Council |
| (vii) | determine whether in a particular case details of siting and appearance of certain telecommunications apparatus are required and to determine such details submitted. | Council |

Notes:

- (i) No decision will normally be issued within 4 weeks of the date of the weekly listed supplied to Members.
- (ii) In relation to paragraph 19(ii) above the definition of “dwelling” includes bungalows, flats, maisonettes and multi-occupied premises.
- (iii) “Details” as mentioned herein include siting, design, external appearance, materials, car parking, landscaping, site lines, access, levels and drainage.
- (iv) The Chief Planner will continue long established practice to deal administratively with very minor revisions, details, without formal registration, circular consultations or consultations from adjoining boroughs.

Means of Escape in Case of Fire

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| CP | (24) Decide what means of escape in the case of fire are necessary at premises to which Section 336 of the Housing Act 1985 and Sections 24 and 71 of the Building Act 1984 apply; and serve a notice under those sections where these means are not provided. | Leader |
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Building of Special Architectural or Historic Interest

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| CP | (25) Approach the Department of the Environment | Leader |
|----|---|--------|

to spot list properties on the list of buildings of special architectural interest if they are threatened.

Repeat Planning Applications

CP	(26)	Authority to decline to determine repeat applications in accordance with the provisions of Section 70(a) of the Town & Country Planning Act 1990.	Council
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Agricultural Buildings/Private Way

CP	(27)	Authority to determine under the Town & Country Planning General Development (Amendment No.2) Order 1991 whether the prior approval of the Local Planning Authority is required to the siting, design and external appearance of agricultural and forestry buildings, or the siting and means of construction of a private way and, where an application is required, to determine such application.	Council
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Control of Unauthorised Advertisements

CP	(28)	Authority to take approve action under Sections 10-12 of the London Local Authorities Act 1995 relating to the control of unauthorised advertisements.	Council
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Untidy Site Notices

CP	(29)	Authority to issue Untidy Site Notices under Section 215 of the Town & Country Planning Act 1990, with such decisions being reported to the next available meeting of Plans Sub-Committee for information.	Council
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**CHILDREN & YOUNG PEOPLE PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:-	Responsibility Delegated from
DCYP	(1) Ensure that the powers and duties to provide for the welfare and protection of children and young people are carried out in accordance with statutory requirements and Council policy.	Leader
DCYP	(2) Provide preventative services and support for the care of mothers and young children.	Leader
DCYP	(3) As Head of the Adoption Agency set up by the local authority, ensure that the agency and the Adoption Panel functions in accordance with statutory requirements, save that this does not include a power to increase fostering allowances which exceed inflation.	Leader
DCYP	(4) Direct the Authority's functions in its capacity as a local education authority, except those excluded under section 18(3) of the Act (namely certain functions relating to further education, higher education and adult education).	Council/Leader
DCYP	(5) Direct the Authority's social services functions within the meaning of the Local Authorities Social Services Act 1970, insofar as they relate to children and the Local Authority's functions for children and young people leaving care.	Council/Leader
DCYP	(6) Direct any health-related functions exercised on behalf of an NHS body under section 31 of the Health Act 1999, insofar as they relate to children.	Leader
DCYP	(7) Direct the new functions of the Children's Services Authority set out in the Children Act 2004, in particular building and leading the arrangements for inter-agency co-operation.	Council/Leader
DCYP	(8) Make and sustain arrangements to promote co-operation between the Authority and its partner organisations to improve the well-being of children in the Authority's area.	Leader

DCYP	(9)	Maintain the database of basic information on all children in the Authority.	Leader
DCYP	(10)	Maintain the Local Safeguarding Children Board, (LSCB) to co-ordinate and ensure the effectiveness of board members' activities for the purpose of safeguarding and promoting the welfare of children in the Authority's area.	Leader
DCYP	(11)	Prepare and publish a Children and Young People's Plan (CYPP) to set out the Authority's strategy for discharging their functions in relation to children and young people.	Council/Leader
DCYP	(12)	Co-ordinate statements of proposed action in light of a Joint Area Review report, in consultation with partners. The DCYP will also exercise a key role in monitoring and evaluating implementation of the proposed action.	Leader
DCYP	(13)	Second at least one children's social worker and at least one education professional to the Youth Offending Team.	Leader
DCYP	(14)	Promote the educational achievement of looked after children.	Leader
DCYP	(15)	Provide the Secretary of State, if he so directs the Authority, with information on individual children.	Leader
DCYP	(16)	Interpret conditions of service and all related matters for all teaching staff and non-teaching staff in schools in consultation with the Head of Human Resources where these concern matters which remain to be set by the LEA.	Council
DCYP	(17)	Implement payment of teachers' pay awards and secure the LEA's responsibilities as the Relevant Body under the School Teachers' Pay and Conditions.	Council
DCYP	(18)	Subject to any existing right of appeal to an Appeals Panel, to suspend, relegate or dismiss school based employees on all grades under the Education Act 2002 and any Regulations made thereunder.	Council

DCYP	(19) Review and fix, subject to provision of the approved estimates, the establishment of employees at all maintained educational services not covered by a scheme of local management.	Council
DCYP	(20) Exercise all of the statutory functions of the LEA as regards staffing matters in LEA maintained schools as provided for under the Education Act 2002 and any Regulations made thereunder with the exception of any exercise of discretion concerning the funding of discretionary early retirement with added years or redundancy costs which fall to be determined by the Executive Portfolio Holder.	Council
DCYP	(21) Manage the provision of training and support to the Education Service.	Council/Leader
DCYP	(22) Approve requests from employees in all maintained educational institutions for special leave in accordance with the Council's policy.	Council
DCYP	(23) Approve the payment of relocation and removal expenses to employees in all maintained educational institutions in accordance with the scheme agreed by the Executive Portfolio Holder.	Council
DCYP	(24) Approve payment of grants to individuals and organisations in accordance with the Executive's policy.	Leader
DCYP	(25) Agree annually increases in charges for service within the remit of the Executive Portfolio Holder.	Leader
DCYP	(26) Manage the admissions procedure in accordance with the Executive's policy.	Leader
DCYP	(27) Approve the placing of children with special educational needs in suitable schools as specified in a statement and including day, residential, independent and non-maintained special schools and special schools maintained by other authorities.	Leader
DCYP	(28) Arrange for home or hospital tuition in appropriate cases.	Leader
DCYP	(29) Fix school terms and holiday dates in consultation with teachers' organisations.	Leader

DCYP	(30)	Make arrangements for transport of pupils.	Leader
DCYP	(31)	Provide support services as requested by establishments.	Leader
DCYP	(32)	Approve the provision of free meals, essential clothing, school uniform and educational maintenance grants in accordance with approved scales.	Leader
DCYP	(33)	Approve applications for children to be employed in work or in entertainment, in conformity with relevant bye-laws and statutory obligations.	Leader
DCYP	(34)	Take all action including services of notices, consultation, making and service of school attendance orders and to authorised institute and conduct legal proceedings under Sections 437, 438, 439, 440, 441, 443 and 444 of the Education Act 1996 and to make decisions relating to applications for Education Supervision Orders under Section 447 of the Education Act 1996	Leader
DCYP	(35)	Approve the making of parenting contracts, parenting orders and the issue of penalty notices under Sections 18 and 23 of the Anti-Social Behaviour Act 2003.	Leader
DCYP	(36)	Approve the issue of mini bus passes under Section 19 of the Transport Act 1985.	Leader
DCYP	(37)	Undertake the duty of the local education authority with regard to exclusions as specified by Section 67 of the School Standards and Framework Act 1998.	Leader
DCYP	(38)	Initiate renewals of temporary planning permissions.	Leader
DCYP	(39)	Authorise a fee remission policy for instrumental music tuition provided by Bromley Youth Music Trust in consultation with the Trustees.	Leader
DCYP	(40)	Authorise work by the Standards and Effectiveness Services on behalf of other Local Authorities, foundation schools (both within and outside the Borough) and independent schools in accordance with the principles and procedures set out by the Council.	Leader
DCYP	(41)	In cases of urgency seek planning permission for mobile accommodation at primary and secondary	Leader

schools in accordance with Regulation 3 of the Town & Country Planning General Regulations Act 1992 on the understanding that a full explanation for the need will accompany each application.

DCYP	(42)	To act in support of the Borough's Major Incident Controller in respect of emergency accommodation, provisions and staffing.	Council/Leader
DCYP	(43)	Approve, after consultation with the Director of Legal, Democratic and Customer Services and the Head of Valuation and Estates, leasing arrangements in respect of educational premises where the terms of the lease or agreement do not exceed five years without a break clause.	Leader
DCYP	(44)	In consultation with the Director of Resources and Assistant Chief Executive, Human Resources, interpret and apply the provisions of the Teachers' Pension Scheme Regulation in respect of current and ex employees where the LEA is deemed to be the employer for pension purposes.	Council
DCYP	(45)	Agree teachers' applications for early retirement without enhancement by way of added years.	Council
DCYP	(46)	Approve the appropriate use of the Priority Schools Budget, Schools Budget Central Contingency as approved by the School's Forum subject to their use being monitored by the budget review process and the relevant consultation with the School's Forum.	Leader
DCYP	(47)	Approve the arrangements for teachers who are to be awarded qualified teacher status after 7 th May 1999 to undertake an induction period in accordance with the provision of any regulations laid down by the Secretary of State and subsequent amendments; to grant extensions of the induction period as specified in the regulations and determine whether or not an induction period has been completed satisfactorily.	Council
DCYP	(48)	Decide on action in response to individuals OFSTED reports and, when the circumstances of the report are exceptional, submit the report to the Portfolio Holder for detailed consideration.	Leader

**PUBLIC PROTECTION & SAFETY PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:	Responsibility delegated from
DLDCS (1)	In consultation with DACS prosecution of offences for the selling of spray paint and graffiti implements to children under 16 under the Anti-Social Behaviour Act Section 54 and Environmental Protection Act 1990 Section 59.	Leader
DES (2)	The issue of fixed penalty notices to abate noise under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2.	Council
DES (3)	Enforcement of by-law breaches under the London Local Authorities' Act 2004.	Council
DLDCS (4)	In consultation with DACS, make parenting contracts and parenting orders in respect of criminal conduct and anti-social behaviour under sections 25 and 26 of the Anti-Social Behaviour Act 2003.	Leader
Fireworks		
DES (5)	The grant of new applications and the renewal of a licence to retail fireworks outside prescribed periods in cases where (in the latter case) the applicant has not committed any offence prescribed in the Fireworks Regulations 2004 during the licence period.	Leader
Environmental Health/Weights and Measures/Consumer Protection		
DES (6)	Carry out the Council's functions with regard to weights and measures and other relevant trading standards and consumer protection legislation.	Leader
DES (7)	Administer the legislation listed in Part I of Appendix C of the report of the Director of Environmental Services to Environmental Services Committee on 7 th June 2000, (<i>appended to this scheme</i>) with the exception of any provision delegated exclusively by statute to another person or body, or any provisions the administration of which has already been delegated within this Authority another.	Council/Leader
DES (8)	Carry out the Council's functions with regard to	Council/Leader

public health, environmental protection control of pollution, food safety and quality, health and safety at work, pest control, communicable disease control, animal welfare, water supply and water quality, young persons and tobacco and other relevant environmental health legislation.

DES	(9)	Institute enforcement action and, subject to the Director of Legal, Democratic and Customer Services being satisfied with the evidence in each case, legal proceedings, in respect of (37) and (38) above.	Council/Leader
DES	(10)	Authorise employees and, where appropriate, inspectors to carry out functions in relation to (37) and (38) above.	Council/Leader
DES	(11)	Authorise employees to sign statutory notices in respect of functions relating to (37) and (38) above.	
DES	(12)	Authorise persons other than employees of the Council for the purposes of providing specialist advice and support in relation to (37) and (38) above.	Council/Leader
DES	(13)	Grant, renew or transfer (but not refuse or revoke) licences, registrations and authorisations relating to food safety, animal welfare, special treatments, public entertainment, late night refreshment, nurses agencies, caravan sites and environmental protection.	Council
DES	(14)	Refuse an occasional public entertainment licence (excluding pop concerts) under the London Government Act 1963.	Council
DACS	(15)	Manage caravan sites owned by the Council.	Leader
DACS/DES	(16)	Carry out the Council's functions under S.16 of the Local Government (Miscellaneous Provisions) Act 1976 and authorise officers to serve notices under S.16 of the Act.	Council
DES	(17)	Discharge functions relating to the detainment, examination and seizure of food under the Food Safety Act 1990 both within the Borough and in all local authorities in England and Wales where reciprocal arrangements exist. (In addition all local authorities in England and Wales are authorised to discharge the above functions within Bromley Borough.)	Council/Leader

DES	(18)	Take action under the Fire Safety and Safety at Places of Sport Act 1987 to approve but not refuse applications for certificates or licences under the Act.	Council
DES	(19)	Employ veterinary surgeons in conjunction with the Council's functions under diseases of animals, animal welfare and other related legislation.	Council/Leader
DES	(20)	Authorise persons as competent engineers under Section 31 of the GLC (General Powers) Act 1973.	Council
DES	(21)	Carry out the Council's functions under Sections 27 and 29 to 32 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of blocked and defective drains and securing of buildings.	Leader
DES	(22)	Waive the standard fees in respect of occasional licences for music, dancing or plays where the organisations which will provide such entertainment are doing so for: <ul style="list-style-type: none"> (a) educational purposes (b) in support of a registered charity; or (c) non profit making fund raising or similar activity except in the case of pop concerts and open air discos. 	Council
DES	(23)	Approve payment of compensation under the Public Health (Control of Diseases) Act 1984.	
DES	(24)	Administer the registration system pursuant to Part V of the London Local Authorities Act 1995 (registration of door supervisors), including refusal of registration of a door supervisor.	Council
DES	(25)	Authorise competent Council officers to act under the provisions of the Health Act 2006, Schedule 2 (powers of entry) and Section 9 (fixed penalty notices).	Leader
Regulation of Investigatory Powers			
DES	(26)	Authorise action under Sections 28 and 29 of the Regulation of Investigatory Powers Act 2000.	Leader

**ENVIRONMENT PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) authorised	Authority to:	Responsibility delegated from
New Streets		
DES	(1) Decide the question of liability or exemption under the Advance Payments Code, including decision on the amount of the payment to be made other than determinations under Section 219(4)(h) of the Highways Act 1980.	Leader
DES	(2) Agree requirements in relation to new street construction in planning applications.	Leader
DLDCS	(3) On recommendation of the Director of Environmental Services negotiate and complete agreements under Section 38 of the Highways Act 1980 for the construction of new streets.	Leader
Private Street Works		
DES	(4) Provide street trees where appropriate under Section 2 of the Local Government Act 2000.	Council/Leader
DR	(5) Sign and serve demands for payment under Sections 204-206 of the Highways Act 1980.	Leader
DR	(6) Enter into agreements permitting frontagers to pay by instalments.	Leader
DLDCS	(7) Refer objections to Magistrates Court for determination.	Leader
DLDCS	(8) Arrange for the implementation of ministerial decisions on appeals by frontagers.	Leader
DES	(9) Designate the "proper officer" for the purposes of Sections 205, 210 and 211 of the Highways Act 1980.	Leader
Private Streets		
DES	(10) Within the limits of approved estimates determine priority and execute urgent repairs under Section 230 of the Highways Act 1980.	Leader

Street Naming and Numbering

CP (11) Decide action on applications for approval of intended names of streets. *Leader*

CP (12) Make and sign orders under the London Buildings Acts to give effect to decisions on naming and numbering, including renaming and renumbering. Council

Private Direction Signs

DES (13) In appropriate circumstances, approve applications, subject to suitable indemnity and on condition that signs are fixed by the Environmental Services Department at the applicant's expense. Council/leader

DES (14) In appropriate circumstances, approve applications received from the Automobile Association or the Royal Automobile Club for the erection of temporary signs. Council/Leader

Erection of hoardings and scaffolding during building operations and the temporary deposit of materials and excavation Leader

DES (15) Operate the provision of Sections 169, 171 and 172 of the Highways Act 1980. Council

Grass Verges

DES (16) Authorise and erect notices against parking of vehicles. Leader

DES (17) Construct pedestrian access over. Leader

Overhanging Trees and Hedges

DES (18) Authorise and serve notices and take action under the Highways Act 1980, Section 154. Leader

Dangerous Trees

DES (19) Authorise and serve notices under Section 154 of the Highways Act 1980 requiring owners or occupiers to cut or fell trees that are dead, diseased or insecure and are likely to cause Leader

damage by falling on a highway or footpath. On default to carry out the work and recover the cost from the owner or occupier.

Refuse Disposal (Amenity) Act 1978 (Removal of abandoned motor cars and removal and disposal of other refuse abandoned in open air or on land forming part of highway) Leader

DES (20) Authorise and serve notices, and take action under Sections 3 and 6 of the Refuse Disposal (Amenity) Act 1978. Leader

DES (21) Remove forthwith from the highway and dispose of any vehicle obviously abandoned and ownership unidentifiable. Leader

Car Parks

DES (22) Allow refunds on car park season tickets. Leader

DLDCS (23) Make supplementary orders to apply the Off-Street Parking Places Order to further parking places provided by the Council. Leader

DES (24) Accept commuted payments in lieu of car parking within a scheme approved by the Committee. Leader

DES (25) Approve and provide means of access to any premises under Section 340, Highways Act 1980. Leader

DLDCS (26) On the recommendation of the Director of Environmental Services and on terms negotiated, complete agreements with owners and occupiers concerned. Leader

DES (27) Vary the discount given on season tickets for drivers using the Westmoreland Road multi storey car park in the light of usage and competition. Leader

Off-Street Car Parking

DES (28) Authority to institute proceedings for contraventions of parking orders relating to the use of off-street car parks. Leader

Parking Enforcement

DES (29) Sign, on behalf of the Council, requests Leader

for information as to the identity of the driver of a vehicle alleged to be guilty of an offence to which Section 85 of the Road Traffic Regulations Act 1967 applies, and sign notices under Sections 2 and 3 of the Road Traffic Act 1974 relating to excess parking charges.

DES	(30)	Authority to determine applications for exemption from the footway parking ban.	Leader
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Special Parking Areas

DES	(31)	Authority to institute or contest any action or administrative proceedings arising out of contraventions of traffic management orders relating to the Special Parking Area designated pursuant of the Road Traffic Act 1991.	Leader
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Private Sewers and Drains – Overflow Prevention

DES	(32)	Install and maintain anti-flood ball valves.	Leader
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Temporary Direction Signs, Street Banners etc

DES	(33)	Deal with all applications for temporary direction signs, street banners, etc, including seasonal and occasional decorations.	Council/leader
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Sight-Lines

DLDCS	(34)	Authorise and serve notices and act under Highways Act 1980, Section 79, to secure sight-lines recommended by the Director of Environmental Services.	Leader
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Temporary Closure of Highways

DLDCS	(35)	Make orders for temporary closures recommended by the Director of Environmental Services	Leader
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Minor Improvements of Highways and Sewers

DES	(36)	Approve and execute minor schemes of improvement of all categories of highways and sewers maintainable at public expense, subject to all necessary consents, etc, being obtained and statutory action taken.	Leader
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Prescription of Building Lines

DLDCS (37)	Prescribe building lines under Highways Act 1980, Section 74 recommended by the Director of Environmental Services.	Leader
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Highway Adoptions

DES (38)	After construction to his satisfaction declare streets to be highways maintainable at the public expense, and declare the associated drainage to be vested in the Council.	Leader
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Public Footpaths

DES (39)	Approve the making of orders for the diversion of public footpaths where no objections are made following prior consultations with relevant owners and occupiers of land and with local and other interested organisations or statutory undertakers.	Council
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DLDCS (40)	Make orders for diversion of public footpaths approved by the Director of Environmental Services and confirm such orders where no statutory objections are made.	Council
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DLDCS (41)	The Director of Legal, Democratic and Customer Services, in consultation with the Director of Environmental Services, to confirm:	Council
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(a)	all unopposed Orders for the creation, extinguishment, stopping-up or diversion of any footpaths, bridleways and byways; and	Council
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(b)	all unopposed modification Orders made under the Wildlife and Countryside Act 1981 relating to footpaths, bridleways and byways.	Council
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DES (42)	Make comments, on behalf of the Highway Authority, on the diversion of footpaths or bridleways necessitated to enable development for which planning consent has been given, to take place	.Leader
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Markets

DES (43)	Deal with the day-to-day supervision and management of markets.	Council
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Walkways in Buildings

DLDCS	(44)	On terms recommended by the Director of Environmental Services complete agreements for the provision of dedication of footways or walkways under the provisions of Section 35, Highways Act 1980.	Leader
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Drainage of Highways

DES	(45)	Take all action necessary for the drainage or prevention of flooding of highways under the provisions of Sections 100, 299 and 339 of the Highways Act 1980.	Leader
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Control of Builders' Skips

DES	(46)	Operate the provisions of Section 139 and 140, Highways Act 1980 in respect of skips deposited on highways.	Council
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Retaining Walls near Streets

DES	(47)	Operate the provisions of Section 167 of the Highways Act 1980 in respect of the erection and condition of retaining walls.	Leader
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Construction of Buildings over Highways

DES	(48)	Issue licences for construction of buildings over any part of a publicly maintained highways under the provisions of Section 177 of the Highways Act 1980.	Leader
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Vehicle Crossings over Footways

DES	(49)	Operate the provisions of Section 184 of the Highways Act 1980 relating to the construction of vehicle crossings over footways and verges.	Leader
DES	(50)	Authorise, the waiver of charges in respect of the provision of crossovers in association with other adaptations to disabled persons' properties, and in accordance with the recommendations of the Director of Adult and Community Services (Occupational Therapy Service).	Leader

Trees and Shrubs in a Highway

DES	(51)	Grant licences for the planting and maintenance of trees and shrubs under the provisions of	Council
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Section 142 Highways Act 1980.

Powers of entry for Survey

DES	(52)	Authorise entry on to land for surveys in connection with highway functions under the provisions of Sections 289 and 290, Highways Act 1980.	Council
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Powers of Entry to Maintain Structures and Works

DES	(53)	Authorise entry on to land for the purpose of maintaining, altering etc, works or structures owned by the Highway Authority under the provisions of Section 291 of the Highways Act 1980.	Leader
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Provision of Dustbins

DES	(54)	Authorise and serve notices under Section 46 of the Environmental Protection Act 1990, as amended, requiring owners or occupiers of premises to provide the required number and type of covered dustbins for household refuse.	Leader
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Trade Refuse Disposal Facilities

DES	(55)	Authorise and serve notices on the owner or occupier of a building under Section 11 of the London County Council (General Powers) Act 1963 as amended requiring the carrying out of works or taking action to secure that the building is provided with trade refuse disposal facilities approved by the Director of Environmental Services.	Council
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Offences involving the use of a vehicle

DES	(56)	Authorise and serve notices under Section 17 of the Greater London Council (General Powers) Act 1972 relating to an offence involving the use of a vehicle on a highway or parking area requiring information as to the identity to the driver or person in charge.	Council
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Dangerous Land Adjoining Streets

DES	(57)	Authorise and serve notices and take action under Section 165, Highways Act 1980 in respect of dangerous land adjoining streets.	Leader
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Footbridges over Highways

DES	(58)	Grant licences for the construction of footbridges over highways under provisions of Section 176 of the Highways Act 1980.	Leader
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Restriction on placing rails, beams, etc over highways

DES	(59)	Determine applications and grant consents under Section 178, Highways Act 1980, to place rails, beams, pipes, cables, wires, or other similar apparatus over, along or across highways.	Council
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Cellars under Streets

DES	(60)	Determine applications and grant consents under Section 179, Highways Act 1980 for the construction of cellars, etc under the carriageway of a street and authorise and serve notices for removal, or alteration, of any cellar, etc, constructed in contravention of that section.	Council
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Openings in footways into cellars and pavement lights and ventilation

DES	(61)	Determine applications and grant consents under Section 180, Highways Act 1980, to make an opening in the footway of a street to a cellar, or vaults; or to carry out works in a street to provide means for the admission of air or light to premises situated under or abutting onto the street and authorise and serve notices where default arises in complying with statutory requirements as to repairs.	Council
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Minor Improvement Budget Schemes

DES	(62)	Approve expenditure on schemes from within the minor improvement budget.	Leader
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Traffic Management Schemes – Civil Engineering Costs

DES	(63)	Following agreement in principle to traffic management schemes by the Committee, approve the detailed civil engineering element costs.	Leader
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Land Drainage and Watercourses

DES	(64)	(i)	Issue approvals under Section 11 (Restrictions as to buildings etc, in or over streams) and Section 13 (Restrictions on new connections with streams) of the River Ravensbourne etc (Improvements and Flood Prevention Act 1961.	Council
		(ii)	In accordance with the Land Drainage Acts 1991 and 1992 implement the Council's National Rivers Authority policies on:	Leader
		(a)	building over, adjacent to or in the flood plain of any watercourse;	Leader
		(b)	the use and maintenance of any watercourse;	
		(c)	the prevention of pollution to, and protection of the water environment;	
		(d)	in accordance with the Land Drainage Act 1991 Section 25, to serve notices on riparian owners for maintenance of watercourses and, if in default, carry out works and recharge the owner all reasonable costs.	

Bromley Town Centre – Closure of White Hart Slip

DES	(65)	Approve the issue of permits and determine any conditions that should be imposed thereon in respect of vehicles carrying out infrequent specialised maintenance or building activities and for infrequent delivery or collection of exceptional loads needing to gain access to White Hart Slip.	Leader
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Bromley Town Centre – Parades etc in High Street

DES	(66)	Determine applications for exemptions for parades and other similar events in the pedestrianised area of the High Street.	Council
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Orpington High Street – Vehicles (etc) in Restricted Area

DES	(67)	Approve the issue of permits	
		(a) for vehicles to enter the restricted area of Orpington High Street (southbound) for	Leader

access to residential parking and for building and shop fitting work and related issues at prescribed times; and

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|-----|---|---------|
| (b) | for parades, carnivals and other street activities in the restricted area of Orpington High Street. | Council |
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Disposal of small surplus highway sites

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|-----|------|---|--------|
| DES | (68) | Authority to declare as surplus to the requirements land held for highways purposes, being small areas of highway land not exceeding 500 square metres and to take such action as is necessary to extinguish highway rights associated with the land, subject to the receipt of planning consent for the change of use and the views of the local Ward Councillors being sought before any application is determined. | Leader |
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Licences – use of highway land

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| DLDCS | (69) | On the recommendation of the Director of Environmental Services prepare licences under the provisions of the Highways Act 1980 to enable the owners of properties fronting public highways to use adjoining highway land as part of their gardens. | <i>Leader</i> |
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Neighbourhood Watch Signs

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| DES | (70) | Authorise and/or refuse consent for the erection of Neighbourhood Watch signs on Council street furniture. | Council/Leader |
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Street Trading

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|-----|------|--|---------|
| DES | (71) | To recommend legal proceedings subject to the Director of Legal, Democratic and Customer Services being satisfied as to the sufficiency of evidence. | Council |
| DES | (72) | To grant unopposed applications for full and temporary licences and applications for renewals of such licences where the terms and conditions are unchanged. | Council |
| DES | (73) | To refuse applications for street trading licences in circumstances where Section 25(4)(a) and (b) apply. | Council |
| DES | (74) | To grant unopposed applications by licence holders for variation of conditions attached to their licence. | Council |

DES	(75)	To waive fees for temporary licences in respect of national charity events.	Council
DES	(76)	To remit or refund fees or charges associated with street trading licences on production of a medical certificate or where because of road works etc a trader is unable to trade or for any other approved reason.	Council
DES	(77)	To accept applications for renewal of licences later than two months before expiry date (submitted before the expiry date).	Council
DES	(78)	To accept the surrender of a street trading licence.	Council
DES	(79)	To refuse the granting of a temporary licence for a street trader.	Council
DES	(80)	Confirm all experimental traffic regulation orders after an operational period of 12 months subject to: <ul style="list-style-type: none"> (i) the Ward Members concerned, the police and the public where appropriate being consulted; (ii) no objections being forthcoming; (iii) a report being made to the Executive Portfolio Holder in respect of those locations where objections have been received. 	Leader
DES	(81)	Powers to control unlicensed street trading under the London Local Authorities' Act 2004 Section 20 and Schedule 4.	Council

School Keep Clear Markings

DES	(82)	Introduce mandatory school Keep Clear markings where need is apparent and, the cost of each Traffic Order be met from the block revenue provision for minor traffic management schemes.	Leader
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Central Islands/Refuges

DES	(83)	Approve the installation of central islands/refuges.	Leader
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Environment Bromley – Grant

DES	(84)	Approve annual requests from Environment Bromley for grant funding.	Leader
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Graffiti Removal

DES	(85)	The Power to require the removal of graffiti from shops, commercial properties, apparatus and plant under the London Local Authorities' Act 2004.	Council
DES	(86)	Approve action to secure the removal of graffiti in consultation with the Director of Legal, Democratic and Customer Services.	Council/Leader

Waiting and Loading Restrictions

DES	(87)	Authority to:	
	(i)	suggest the sites for the introduction of waiting and loading restrictions.	Leader
	(ii)	consult the Ward Members concerned, the Police and the public on the proposals.	Leader
	(iii)	subject to no objections being forthcoming, to introduce the restrictions; and	Leader
	(iv)	report to the Executive Portfolio Holder in respect of those locations where objections having been received but it is still considered that the restrictions should be implemented.	Leader

Disabled Persons Parking Bays

DES	(88)	Approve applications which meet all the following criteria and where no objections are received during consultation with the Ward Members, Police and local residents.	Leader
	(i)	only disabled drivers will be considered, except in exceptional circumstances;	Leader
	(ii)	only applicants with no suitable off-street parking available to them will be considered;	Leader
	(iii)	serious and frequent problems must be experienced in parking near the applicant's residence;	Leader
	(iv)	applicants must undergo a medical assessment by the Council-appointed doctor;	Leader

- (v) applicants under 65 years of age should be receiving the higher mobility component of disability living allowance whilst applicants over 65 years of age would be assessed by the Council-appointed doctor only as in (iv) above. Leader
- (vi) the exceptional circumstances referred to in (i) above be: Leader
 - (a) the application is on behalf of a minor; and
 - (b) the refusal of the application would cause hardship to the carers or the disabled person.

Street Works etc

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| DES | (89) | Operate the provisions of Section 50 of the New Roads and Street Works Act 1991, for the granting of street works licences. | Council |
| DES | (90) | Operate the provisions of Section 56 of the New Roads and Street works Act 1991, for giving the undertaker such directions as to the times when works may or may not be carried out. | Leader |

Unauthorised Signs on the Highways

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|-----|------|--|--------|
| DES | (91) | Operate the provisions of Section 132 of the Highways Act 1980 to remove unauthorised signs placed on the highway in roads which are on the Council's statutory list of maintained highways and rights of way in the Definitive Map. | Leader |
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Wilful Obstruction of the Highway

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|-----|------|--|--------|
| DES | (92) | Operate the provisions of Section 148 of the Highways Act 1980 for the removal of unauthorised things on the highway which are on the Council's statutory list of maintained highways and rights of way in the Definitive Map. | Leader |
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Removal of Projections from Buildings

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| DES | (93) | Serve notice under Section 152 of the Highways Act 1980 in respect of any projection from a building which may endanger the public. | Leader |
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White Bar Carriageway Markings

DES	(94)	Decide whether white bar markings should be laid to reduce the incidence of car parking obstruction in the following cases: (a) access to public places such as churches, halls and libraries; (b) accesses to groups of garages or similar situations where obstruction causes for delivery or loading including refuse collection. (c) access for individual disabled drivers who park off-street; and (d) to assist pedestrian access where vehicle parking obstruction takes place at crossing sites, excluding formal pedestrian crossings.	Leader
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Consultation Documents

DES	(95)	Consider and submit comments in respect of consultation documents received seeking the Council's views on all matters within the portfolio's purview subject to there being no policy issues or substantial expenditure, involved. In those instances, where the Director of Environmental Services considers it appropriate prior consultation should be undertaken with the Executive Portfolio Holder before observations are submitted.	Leader
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Signing to Places of Worship

DES	(96)	Approve or refuse application for signing to places of worship, based on the criteria approved by the Executive Portfolio Holder – any complex or sensitive issues to be referred to the Executive Portfolio Holder for determination.	Leader
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Environmental Improvements

CP	(97)	Select environmental improvement schemes for implementation, following consultation with the Ward Members concerned (the CP also to report annually on the Committee on the action taken).	Leader
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Blue Badge Scheme

DES (98) The issue and administration of the Blue Badge Scheme as provided for under the Chronically Sick and Disabled Persons Act 1970.

Lease of Council Facility

DES (99) Let or lease a Council facility or part to a Council contractor to assist with the performance of their contract with the Council. Leader

DES (100) Authority to approve highways and transport planning schemes for signs and disabled parking bays, including consultation and implementation stages, provided costs are within current budgets. Council/Leader

DES (101) Authority, in consultation with the Director of Legal, Democratic and Customer Services, to make Orders in respect of waiting restrictions and loading bays. Leader

DES (102) Decide on action in response to petitions related to environmental operational matters. Council/Leader

Allotments

DES (103) Manage and let allotment plots (in conjunction with allotment society or association where management agreement exists between Council and the society or association). Leader

DES (104) Waive all or part of the rent due in the initial year of a tenancy where in his opinion a plot requires additional work to put it into a satisfactory state for cultivation. Leader

DES (105) Deal with applications for permission to erect buildings and structures, subject to consultation with local allotment society or association in the case of those exceeding two feet in height and not being the replacement of an existing building or structure. Leader

DES (106) Authorise the signature of tenancy agreements on behalf of the Council. Leader

DES (107) Authorise and service notices to quit or notices or re-entry on allotment tenants:- *Leader*

- (a) where the Council determine alternative use of the land, and
- (b) for arrears of rent or other breach of tenancy agreement.

DES	(108)	In consultation with DLD&CS, approve changes of trustees appointed for the purposes of a management agreement between the Council and an allotment society or association.	<i>Leader</i>
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Parks, recreation grounds, open spaces

DES	(109)	Approve occasional, general or individual variations of dates and opening hours.	Leader
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DES	(110)	Allocate seasonal reservations in accordance with priorities approved.	Leader
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DES	(111)	Restrict public use to accommodate lettings, reservations and other special occasions.	Leader
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DES	(112)	Let all premises in accordance with policy and permitted uses approved by the Executive or Executive Portfolio Holder.	Leader
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DES	(113)	Let catering rights in all premises, on the best available terms, in respect of arrangements of up to one year's duration only and where arrangements for a longer period have not previously been made, subject to consultation where necessary with the Director of Resources and the signing by the Chief Executive of any consequent licence.	Leader
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DES	(114)	Deal with applications for commercial purposes at a charge to be negotiated in each case.	Leader
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DES	(115)	Let sports pitches and facilities.	Leader
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DES	(116)	Set the dates of commencement and completion of sports seasons, including occasional, general or individual extension or contraction.	Leader
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DES	(117)	Grant temporary use and letting of parks, open spaces and premises to outside organisations including temporary closure to the public so that admission charges may be levied.	Leader
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DES	(118)	Accept gifts of memorial and other seats.	Leader
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DES	(119)	(a) Decide conditions for suitable applicants to be allowed to use the Council's parks and open spaces for filming and commercial photography on payment of prescribed fees, but with power to waive the fee for filming or photography by an education authority, or in such a case, to charge	Leader
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a nominal fee of £1, at his discretion.

		(b) Refuse an application where the films or photographs are likely to be detrimental to the Council's interests.	Leader
DES	(120)	Deal with applications for use by circuses and small family fun fairs of areas within the Council's control which have been approved as suitable for such use.	Leader (Licensing decision Council)
DLDCS	(121)	Approve the use of the forecourt at the Churchill Theatre/Central Library for events.	Leader (Licensing decision Council)
Commons			
DES	(122)	Deal with applications for fetes and other special activities on commons.	Leader (Licensing decision Council)
Cemeteries			
DES	(123)	Manage the Council's cemeteries including the allocation of burial space and the authorisation and execution of grave grants.	Leader
Anti Social Behaviour			
DE	(124)	In consultation with the Director of Legal, Democratic and Customer Services issue of fixed penalty notices in respect of graffiti and fly posting under the Anti-Social Behaviour Act 2003 Section 43.	Leader
DES	(125)	Issue of graffiti removal notices under the Anti-Social Behaviour Act 2003 Section 48.	Leader
DES	(126)	Powers to deal with the clearance of works and litter under the Anti-Social Behaviour Act 2003 Sections 55 and 56.	Leader
DES	(127)	Control of high hedges under the Anti-Social Behaviour Act 2003 Sections 68, 69 and 70.	Council
DES	(128)	Propose the making of a Gating Order under the Clean Neighbourhoods and Environment Act 2005.	Leader

Miscellaneous

DES	(129)	Deal with dangerous trees pursuant to Sections 23 and 24 of the Local Government (Miscellaneous Provisions) Act 1976.	Leader
DES	(130)	Approve the purchase of selected horticultural stock, without recourse to competitive quotations.	Leader
DES	(131)	Refer to the Director of Legal, Democratic and Customer Services for consideration with a view to prosecutions, cases under the Council's byelaws or other statutes.	Council
DRR	(132)	Manage the staff canteens and catering service without prejudice to the Director of Resources' financial responsibilities referred to in Minute 1/356 (General Purposes Committee – 8.6.65) and subject to consultation as appropriate with and by the Assistant Chief Executive - Human Resources on staff welfare aspects.	Council/Leader
DES	(133)	Issue of fixed penalty notices for fly posting under the London Local Authorities' Act 2004 Sections 15-17 and Schedule 2	Council
DES	(134)	Destruction of vehicles which are unlicensed, without a valid registration plate, or which have no registered keeper and associated powers under the London Local Authorities' Act 2004 Sections 3, 4, 6 and 7.	Council
DES	(135)	The control of car repairs on the street under the London Local Authorities' Act 2004 Section 11.	Council
DES	(136)	Pigeon proofing of bridges under the London Local Authorities' Act 2004 Section 9.	Council

**RESOURCES PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Where marked * exercise of an authority to act is conditional upon the authorised officer consulting with the Chief Executive.

Officer(s)
authorised

Authority to:

Staff
Appointments

All	(1)	With the exception of the post of Chief Planning Officer, appoint staff in authorised posts of "Deputy Chief Officer" as defined by the Local Government Act 2002. A procedure for notifying the Executive will apply before a formal offer can be made.	Council
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Suspension, relegation and dismissal of officers

All	*	(2)	Subject to any existing right of appeal to an Appeals Panel to suspend, relegate or dismiss Deputy Chief Officers as defined by the Local Government Act 2002.	Council
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			Consider appeals from employees against their dismissal, except where the Council's procedures provide for these to be heard by a Members' Appeal Panel	Council
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ACE-HR	(3)	Authorise the release of statutory minimum redundancy payment and basic pension to eligible staff as provided for under redundancy payments legislation and the LGPS Regulations.	Council
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Departmental Structures and Job Grade Reviews

All	(4)	Authorise departmental restructurings and grading reviews in consultation with the Assistant Chief Executive - Human Resources, provided that these are in line with the overall strategic direction of the Council and do not involve redundancies or early retirement and are self financing.	Council/Leader
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Recruitment, Training and Conditions of Service

All	*	(5)	Implement National Joint Council recommendations as accepted by or on behalf of the Council and other appropriate training programmes with regard to the training and development of employees.	Council
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All	(6)	Approve payment of, in accordance with procedures laid down from time to time:- Leased cars; Car allowances; Car purchase loans; Removal expenses for new staff; Telephone installation and rental charges; Travelling and subsistence expenses; Excess travelling expenses for transferred staff for up to 4 years; Interest free loans for annual season tickets.	Council
All	(7)	Permit, as appropriate, staff to undertake activities such as the giving of lectures or instruction associated with professional or analogous training which may fall partly within office hours.	Council/Leader
ACE-HR	(8)	determine variations to local conditions of service in exceptional individual employee cases in consultation with the departmental Chief Officer and with the Director of Resources when direct costs are incurred.	Council
Early Retirement			
All and ACE-HR	(9)	Authority to agree applications for early retirement outside the redundancy policy where this will lead to compensatory staff savings, and act as a member of the Chief Officer Early Retirement Panel to determine applications for early retirement under the Local Government Pension Scheme Regulations.	Council
ACE-HR	(10)	Make all necessary arrangements for implementation of the Council's long service awards.	Council
Leave			
All	(11)	Grant annual and special leave in accordance with the Council's policy.	Council
Extension of Service			
All/PCM	(12)	Extend the employment of a member of staff to a date later than their normal retirement age where this is in the interest of the Council to do so.	Council/Statute

Superannuation etc

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| DR | (13) | Determine and apply the provisions of the Local Government Pension Scheme Regulations 1997 as applicable to employees, pensioners, dependents and estates. Determine and apply the provisions of the Social Security Acts and Occupational Pension Scheme Regulations to leavers, pensioners, dependants and transfer values. | Council |
| DR and ACE-HR | (14) | Authority to determine future applications for early payment of deferred benefits under the Local Government Pension Scheme Regulations. | Council |
| DR and ACE-HR | (15) | To implement the Council's schemes for gratuities and severance payments. | Council |

Implementation of Awards etc

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| DR | (16) | Implement payment of salary and wage awards by appropriate national and regional negotiating bodies. | Council |
| CE | (17) | Implement decisions of appropriate national negotiating bodies of a routine or minor character affecting the working conditions of employees. | Council |
| CE | (18) | In consultation with the Director of Resources and Assistant Chief Executive - Human Resources, determine the annual Standard Merit Increase to be applied to management grade staff on PE Inbucon contracts. | Council |

Ex Gratia Payments

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| All | (19) | Authorise, in consultation with the Director of Resources, ex gratia payments not exceeding £500 in any one case to persons in the employment of the Council in respect of loss of or damage to personal property sustained during the course of duty when reimbursement for such loss or damage is not recoverable from any other source. | Council |
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Industrial Injuries Scheme

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| ACE-HR | (20) | Determine, in consultation with the Director of Children and Young People Services so far as teachers are concerned, all applications under Paragraph 8 of the Greater London Whitley Council Industrial Injuries Scheme. | Council |
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CE	(21)	Approve, in consultation with the Director of Children and Young People Services (so far as teachers are concerned) the adoption of recommendations of the Greater London Whitley Council and Greater London Joint Council on payments of allowances for personal injury.	Council
Honoraria			
All	(22)	Authorise the payment of honoraria to employees in accordance with conditions of service and the Council's scheme.	Council
ACE-HR	(23)	Determine any individual variations to the Council's scheme for the payment of honoraria to management grade staff. Review periodically the basis of the honoraria in the light of pay awards and any other relevant factors and revise the honoraria amounts accordingly.	Council
Essential Car users – Car Loan			Council
DR ACE-HR	(24)	Authority to carry out an annual review of the maximum sum the Authority is prepared to make available in the form of a loan to "essential car users" for the purpose of purchasing a car and to agree an increase in the maximum loan as necessary to reflect any increase in the cost of new cars, subject to an individual not being permitted to borrow more than 50% of their annual salary.	Council
DLDCS	(25)	Determine the area over which rights alone should be acquired in respect of the Bromley Town Centre redevelopment.	Leader
Benchmark Lease Cars			
DES/DR	(26)	The Director of Environmental Services, in consultation with the Director of Resources, be authorised to revise benchmark lease car contributions as and when manufacturers vary prices during the course of the year.	Council
ACE-HR DR	(27)	The Assistant Chief Executive - Human Resources, in consultation with the Director of Resources, be authorised to vary the mileage rates payable to leased car users.	Council

Mortgages

DLDCS	(28)	Seal:	Council
		(a) vacating receipts and discharges of mortgages; (b) mortgages where the advances are made by instalments; (c) mortgages to secure the external borrowing of money.	
CE/DLDCS	(29)	Sign receipt on mortgages and discharges of registered charges where the Council's seal is not required.	Council
DLDCS	(30)	Approve advances for the connection of houses to public sewers.	
DLDCS	(31)	Approve applications for the consent of the Council as mortgages to:	Leader
		(i) the grant of rights of way and other easements, and licences;	
		(ii) the carrying out of alterations and/or improvements to the mortgaged properties;	
		subject in each case to being satisfied that the Council's security will not be adversely affected.	
DLDCS	(32)	Authorise and institute proceedings for the recovery of arrears and/or possession of the property where mortgagors under the Council's Housing Act Advance Scheme have made default in payment of sums secured by the mortgage.	Leader
DLDCS	(33)	Authorise and give permission for short-term lettings of mortgaged property by mortgagors.	Leader
DACS	(34)	Approve Housing Act advances in accordance with the scheme and criteria approved by the Executive.	Leader
DR	(35)	Approve increases or reductions in mortgage periods.	Leader
DLDCS DR	(36)	Approve applications for the transfer of mortgages from the husband and/or wife to husband and/or wife subject to normal income limits.	Leader
DLDCS	(37)	Endorse extensions of mortgages executed by the Council in connection with external loans.	Leader

Private Street Works Charges, etc.

DLDCS DR	(38)	Approve the suspension of repayment of the principal element of private street works charges and loans for house connections to sewers for such period as the applicant is in receipt of Social Security income support	Leader
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Loans

DR	(39)	To make all necessary arrangements for efficient debt and cash management in accordance with any statutory requirements and the Treasury Policy Statement approved by the Council. In particular to: (i) arrange loans, as required, on terms appropriate to market conditions in order to finance new capital expenditure or refinance maturing loans; (ii) raise temporary loans and invest surplus cash; (iii) arrange leasing finance as appropriate.	Council/Leader
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DACS	(40)	Authority to approve maturity loans applications.	Leader
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Rates of Interest

DR	(41)	Determine rates of interest of (a) local bonds and mortgages and (b) Housing Act mortgage advances, subject to referral to Committee of any proposal to vary existing practice in the relative treatment of pre- and post-1980 Act mortgages.	Council/Leader
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Local Taxes

DR	(42)	Authority to act on behalf of the Council in all matters concerning the administration, collection, recovery or community charges, Council Tax and non-domestic rates (including authority to authorise bailiffs to levy distress on behalf of the Council) and the administration of community charge and Council Tax benefits (including, for the avoidance of doubt, the consideration of any complaint or appeal by a Council tax payer).	Council/Leader
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Value Added Tax

DR	(43)	To take any necessary action to "opt to tax" exempt supplies where the third party is VAT registered.	Leader
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Contractors Bonds

All	(44)	Allow contractors to obtain their own bonds for due performance of any proposed contract, subject to the nominated bondsman being acceptable to the Director of Resources and to any additional cost being met by the contractor.	Leader
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Carry Forward of Budgets

DR	(45)	Authorise spending officers to carry forward from one financial year to the next any unspent General Fund or Housing Revenue Account budget provision, provided that the goods were ordered or the work was started in the expectation that the order would be completed by 31 st March.	Council/Leader
DR	(46)	The Director of Resources shall be the Chief Finance Officer for the purposes of Section 114 of the Local Government Finance Act 1988.	Council
DR	(47)	In respect of benefit fraud impose or request administration penalties as appropriate.	Leader

Management of The Glades

DR	(48)	Following, where appropriate, consultations with the Director of Legal, Democratic and Customer Services and Director of Renewal and Recreation to take decisions concerning the management of The Glades shopping centre so as to maintain the Council's overall interests.	Leader
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Property

DR/DRR	(49)	Authority to:-	
		(i) approve purchases of properties in pursuance of confirmed compulsory purchase orders, on terms recommended and endorsed, when necessary, by the District Valuer;	Leader
		(ii) To approve the terms of any property transaction where there has been a decision of the Council, Executive, Executive Portfolio Holder, Committee or Sub-Committee, to acquire or dispose subject to a capital value less than £500,000 or rental value less than £50,000;	Leader
		(iii) To sell land not required for operational purposes	Leader

with an area less than 500 sq. meters and value less than £10,000;

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|--------|---|--------|
| (iv) | To sell property or purchase it by private treaty when such action was included in the Asset Management Plan, subject to the financial limits set out in (ii) above; | Leader |
| (v) | Carry out all functions relating to the leasing and management of property, including landlords' consent, unless they fall outside the financial limits detailed in (ii) above, or the matter is particularly referred by Members to the Executive or Portfolio Holder; | Leader |
| (vi) | To take action on all London Residuary Body matters, subject to the financial limits set out in (ii) above. | Leader |
| (vii) | authorise the making of a Home Loss Payment in any case in which such a payment is appropriate; | Leader |
| (viii) | grant leases to public utility undertakings for land required for the erection of sub-stations or other similar purposes; | Leader |
| (ix) | grant leases of Council land or properties not immediately required for the purposes for which they were originally acquired or are currently held, provided such leases are

(a) for a period not exceeding seven years; or

(b) where the premium does not exceed £5,000 or the annual rent £500; | Leader |
| (x) | consent to the assignment of leases and tenancies of Council properties; | Leader |
| (xi) | negotiate and agree terms in respect of easements, wayleaves, consents and licences affecting land and property; | Leader |
| (xii) | approve applications for the consent of the Council, as landlord, for minor alterations or improvements to buildings; | Leader |
| (xiii) | determine rent reviews and agree changes in use of commercial properties in Council | Leader |

- ownership where the Council is acting as landlord;
- (xiv) on terms determined in accordance with provisions of the Act, approve sales or the extension of leases under the Leasehold Reform Act 1967, as amended by the Housing Act 1980, where appropriate claims have been accepted as being legally valid and without grounds for counter-claim; Leader
- (xv) enter into an agreement, or agreements under Section 1 of the Local Authorities (Goods and Services) Act 1975, on such terms as he considers appropriate: Council/Leader
- (1) with the London Fire and Emergency Planning Authority, to act on its behalf in respect of the sale of Beckenham Fire Station and any other property owned by that body; and
- (2) with any other public body which may request such service.
- (xvi) Agree terms, in consultation with the Leader of the Council, for the disposal of the Council's reversionary interest in small areas of non-housing land and buildings on the former GLC Seaside and Country Home estates, subject to an upper price limit of £200,000. Leader
- (xvii) Decisions on former London Residuary Board matters which do not involve expenditure by the Council and are not of a controversial or sensitive nature. Leader
- (xviii) Approve transactions when the name of the purchaser or transferee changes, but not the ownership, and all other terms and conditions remain as originally approved; Leader
- (xix) Dispose of small areas of former highway land not exceeding 500 square metres which have been declared surplus to the requirements of the Council and upon which highway rights have been extinguished subject to consultation with Ward Members. Leader

DR/DRR	(50)	Carry forward from one financial year to the next any net underspendings on revenue budgets for SRB funded projects.	Council/Leader
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Energy Contracts

DR	(51)	In consultation with the DCYP and relevant Executive Portfolio Holders, to accept energy tenders for gas and electricity for those schools which have opted into a corporate contract (in accordance with the decision of the Executive on 21 st July 2008).	Leader
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DR	(52)	To accept energy tenders for gas and electricity for the remainder of the Council (in accordance with the decision of the Executive on 21 st July 2008).	Leader
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Registration Service

DLDCS	(53)	Be "Proper Officer" in respect of the Births Deaths and Marriages Registration Service.	Council
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**ADULT & COMMUNITY PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:-	Responsibility delegated from
DACS	(1) Ensure that the powers and duties to provide for the social care of elderly people, people with a disability and/or chronic sicknesses are met in accordance with statutory requirements and Council policy.	Council/Leader
DACS	(2) Exercise the statutory functions (including under the Mental Health Acts and Mental Capacity Act 2005) to safeguard the welfare of people suffering from a mental illness.	Leader
DACS	(3) Arrange burials and cremations in cases where no other suitable arrangements have been made.	Leader
DACS	(4) Consider the conditions and housing needs of the Borough.	Leader
DACS	(5) Assess and arrange rehousing for homeless applicants in accordance with statutory requirements and Council policy.	Leader
DACS	(6) Nominate applicants to Housing Associations.	Leader
DACS	(7) Monitor the performance of Housing Associations and arrange for collection and production of statistical information.	Leader
DACS	(8) Consult with and provide advice to Housing Associations and other housing organisations on the housing needs of the Borough.	Leader
DACS	(9) Manage and provide temporary accommodation for homeless people and in cases of emergencies.	Leader
DACS	(10) Agree the terms and conditions for block booking arrangements for temporary accommodation.	Leader
DACS	(11) Manage the Council funded development programme in line with Council policy.	Leader
DACS	(12) Undertake the general supervision and management of social work support services provided under the Local Authority Social Services Act 1970 (and any other enactment) not generally covered elsewhere in this scheme of delegation.	Leader

DACS	(13)	Ensure that reasonable costs are recovered for certain services in line with statutory regulations and Council policy.	Leader
DACS	(14)	Discharge the Council's transport functions in accordance with statutory requirements.	Council/Leader
DACS	(15)	Be "proper officer" in respect of the Rent Officer service.	Council
DACS	(16)	Dispose of small plots of land which are surplus to requirements and which do not exceed 200 square metres in area, subject to consultation with local Ward Members.	Leader
DACS	(17)	Waive or abate charges and to take further action in relation to recovery of charges.	Leader
DACS	(18)	Approve applications for joint financing of less than £50,000.	Leader
DACS	(19)	Authority to allocate Housing Association Programme funds in accordance with the criteria contained in Social Services and Housing Committee Minute 232(g) (21 st July 1997).	Leader
DR	(20)	Determine and pay claims for "well maintained" payments following directions given by the Secretary of State for the Environment.	Leader
DR	(21)	Negotiate with owners and accept tenancies of properties in compulsory purchase orders awaiting confirmation by the Secretary of State and from which immediate rehousing is considered necessary.	Leader
DR	(22)	Deal with the day-to-day management of all maisonettes associated with shop premises.	Leader
DR	(23)	Authorise payment of disturbance claims.	
DACS	(24)	Approve all renovation, disabled facilities and minor works grants and grants relating to water supplies in accordance with the schemes approved by the Executive Portfolio Holder.	Leader
DACS	(25)	Require and enforce repayment of renovation grants in accordance with the practice of the Executive. Approve the waiving of repayments where financial hardship to the owner would arise.	Leader
DACS	(26)	Carry out the Council's functions relating to private	Leader

sector housing in connection with unfitness, disrepair, provision of amenity, means of escape in the case of fire, overcrowding, management and control.

DACS	(27)	Institute enforcement action and, subject to the Director of Legal, Democratic and Customer Services being satisfied with the evidence in each case, legal proceedings, in respect of (31) above.	Leader
DACS	(28)	Authorise the carrying out of work in default in appropriate cases of non-compliance.	Leader
DES/CP	(29)	Arrange for the demolition of properties for redevelopment purposes.	Leader
DR	(30)	Determine the amounts of rent rebates to be allowed under approved scheme.	Leader
DACS	(31)	Authorise the approval of discretionary disabled facilities grants in exceptional circumstances.	Leader
DACS	(32)	Authority to approve Social Workers' warrant cards.	Leader

**RENEWAL AND RECREATION PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:	Responsibility delegated from
Adult Education		
DRR	(1) To ensure the provision of Adult Education Services under Section 85 of the Further and Higher Education Act 1992 in accordance with Committee policy.	Leader
Libraries		
DRR	(2) Select and purchase books, gramophone records and other library and museum materials and arrange loan exhibitions.	Leader
DRR	(3) Amend list of purchased periodicals, such amendments to be reported to the Portfolio Holder annually.	Leader
DRR	(4) Publish book lists.	Leader
DRR	(5) Decide on the closure of libraries at Christmas, Easter and public holidays.	Leader
DRR	(6) Decide on occasional variation of library opening hours.	Leader
DRR	(7) Deal with the letting of library halls.	Leader
DRR	(8) Carry out the Council's functions and duties under the Public Libraries and Museums Act 1964 and any amendments.	Leader
DRR	(9) Approve the secondment of trainee librarians to library school, subject to the following: (a) such trainees to sign the usual undertaking in respect of staying in the Council's service for two years after completion of their studies; and (b) financial provision being agreed in the revenue budget annually.	Council
Local Land Charge Searches		
DRR	(10) Deal with local land charge searches.	Leader

Appendix

Part 1 of Appendix C of the report of the Director of Environmental Services to the Environmental Services Committee, 7th June 2000
(Public Protection and Safety Portfolio – Delegation (7), page 28)

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