

DELEGATION OF COUNCIL FUNCTIONS

		<i>Delegation to</i>
1	The Chief Executive, and in his/her absence the Strategic Directors (as appropriate), shall have overriding authority in respect of any delegation to Officers not reserved solely to a formal post by virtue of statutory requirements.	Chief Executive
2	To exercise such Proper Officer appointments (if any) in the name of the post holder, as set out at Part 3 of the Constitution and falling within the functions and powers of the Cabinet Executive	All Senior Managers
3	To authorise any Officer to act under their name, (recording such authorisation in writing, where appropriate).	CE, SD
4	To seek and accept tenders or quotations and enter into contracts or agreements subject to compliance with the Council's Standing Orders on Contracts and to being within budget.	All Senior Managers
5	To take managerial decisions in relation to staffing and establishment and to appoint staff pursuant to Council procedures. To carry out in the capacity of Head of Paid Service all or any of the following:- <ul style="list-style-type: none"> • Appointment of staff. • Dismissal of staff. • Disciplinary action against staff pursuant to the Disciplinary Procedure and to suspend any employee following preliminary investigation if the employee is suspected of committing an alleged act of gross misconduct. • Secondment of staff. • Service Reviews (including redundancies). 	CE, SD
6	To authorise any Officer to act under their name, (recording such authorisation in writing, where appropriate).	All Senior and Operational Managers
7	To specify appointments of Alternate Proper Officers and authorised Officers under any legislation in relation to the Service	All Senior and Operational Managers

8	To exercise and authorise powers of entry under statute in connection with such statutory powers and duties.	All Senior and Operational Managers
9	To exercise and authorise powers of entry under statute in connection with such statutory powers and duties	All Senior and Operational Managers
10	To sign and certify or authenticate any documents which require certification or authentication by the Council	SD, CSGM, DSSGM
11	To seal and attest any documents which require sealing by the Council	CE, D, CSGM, DSSGM
12	To institute, conduct, appeal from, settle or abandon legal proceedings both civil and criminal, including the taking of urgent action, and to defend any legal proceedings, both civil and criminal and similarly in relation to any quasi legal or administrative proceedings.	All Senior Managers
13	To dispose of public open spaces to Parish/Town Councils at best consideration in accordance with the principles set out in the Code of Practice in this Constitution.	SD 151
14	To exercise such statutory duties and powers under legislation including the Leicestershire Act 1985	All Senior and Operational Managers
15	The determination of an appeal against any decision made by or on behalf of the authority.	Appropriate Appeal Body
16	To fix the date and times of all meetings other than those meetings of full Council fixed at the annual meeting of the Council, and to vary the same.	DSSGM/SDSO
17	To clerk Appeals Panels and Committees.	CSGM/DSSGM
18	To sign any documentation pursuant to these delegations or any decision of the Council and its Committees.	DSSGM
19	Authority to make and terminate appointments of Members and Substitute Members (where appropriate) to Committees, Sub-Committees, Panels, Working Parties, Working Groups and Forums under the Council's approved scheme in accordance with the wishes of the political groups as notified in writing in advance of any change.	DSSGM

20	Authority to make and amend appointments (including the appointment of substitutes) to Outside Bodies in consultation with the Group Leader and/or Whips, where the appointing body is Council.	DSSGM/SDSO
21	Overall responsibility for the implementation of the Council's Health and Safety Policies.	CE
22	Making of Complaints Payments (Section 92, Local Government Act 2000).	CE
23	Responsibility under the Health and Safety at Work etc. Act 1974 for the implementation of all Regulations and Codes of Practice in respect of employees under their control	SD as appropriate
24	To prosecute before Court proceedings for an offence under the Health & Safety at Work etc. Act 1974	Inspector specified as appointed by the RLSGM/EHM under delegated powers
25	To institute proceedings for an offence pursuant to Section 38 of the Health & Safety at Work etc. Act 1974	RLSGM/EHM
26	The appointed Safety Officer to provide advice to Directors and the Joint Health and Safety Committee.	LRSGM/Environmental Health Team Leader/ Corporate Health & Safety Advisor
27	Safety Advisor to carry out the practical day to day functions of the Safety Officer.	Corporate Health and Safety Adviser
28	Authority to undertake Chairmanship of the Joint Health and Safety Committee.	SD as appropriate
29	To institute, conduct and settle legal proceedings both civil and criminal, including the taking of urgent action, and to defend legal proceedings, both civil and criminal.	GM
30	To issue and serve notices and requisitions in connection with statutory powers and duties and/or legal proceedings and deal with responses to such notices and requisitions.	GM in consultation with the appropriate SD
31	To take enforcement action and proceedings.	GM
32	To apply for injunctions, where appropriate, in the interest of the Council and/or the inhabitants of the area.	GM
33	To instruct Counsel and external Solicitors as appropriate.	GM/DSSGM
34	To process applications for diversion, creation or stopping-up of footways and	DSSGM

	bridleways under the Town and Country Planning Act.	
35	The opening and recording of tenders.	DSSGM/CSGM
36	To prepare a list of Independent Persons as defined by the Localism Act 2011.	Monitoring Officer
37	To issue Warrants of Authority to appropriate Officers for the following purposes pursuant to the Council's statutory powers and duties:- <ul style="list-style-type: none"> • To carry out investigations. • To enter premises for the purpose of making inspections. • To carry out such enforcement including the service of notices, as may be required. 	CE/SD
38	Civic administration and support including the Chairman's Charity.	CE
39	Professional enforcement, administrative and compliance functions in respect of Planning Enforcement, and including, but not limited to, unauthorised development, development monitoring, listed buildings, conservation areas, display of advertisements, untidy land, protected trees, protected hedgerows and anti-social behaviour.	PEDGM, PEM, SPEO, PECO, TEO
40	Professional enforcement and administrative functions in respect of licensing, authorisation and compliance functions including, but not limited to, health and safety at work, private sector housing, nuisance, dog fouling and control, welfare of animals, including waiving of charges in cases of financial hardship or other good reasons in respect of the kennelling of stray dogs, litter, food safety, anti-social behaviour, infectious disease control and public health. General functions in respect of welfare burials, pollution control, environmental protection, contaminated land, flooding and land drainage, energy conservation & car parking.	SD,LRSGM//EHM/ESM

DELEGATION OF POWERS OR RESPONSIBILITIES FOR COUNCIL FUNCTIONS TO COMMITTEES (IN THE FIRST INSTANCE) AND PANELS AND GROUPS

Committee	Membership	Functions
Appeals Committee	5 Members	See sub-section 1
Audit Committee	7 Members	See sub-section 2
Chief Executive Remuneration Panel	3 Members	See sub-section 3
Chief Executive, Directors & Chief Officer Appointments Committee	5 Members	See sub-section 4
Chief Executive, Directors and Chief Officers Disciplinary Committee (Head of Paid Service, Chief Finance Officer and Monitoring Officer)	5 Members	See sub-section 5
Committee for Disciplinary Action – Independent Members (Investigation of Alleged Misconduct) Head of Paid Service, Chief Finance Officer & Monitoring Officer	2 Members	See sub-section 6
Grievance Committee	5 Members	See sub-section 7
Independent Remuneration Panel	3 Independent Members	See sub-section 8
Joint Consultative Committee	5 (Member-side)	See sub-section 9
Joint Health & Safety Committee	8 Members	See sub-section 10
Licensing & Regulatory Committee (including Sub-Committees)	13 Members	See sub-section 11
Member Development Steering Group	9 Members	See sub-section 12
Parish Remuneration Panel	3 Independent Members	See sub-section 13
Planning Committee	11 Members	See sub-section 14
Scrutiny Commission	18 Members	See sub-section 15
Standards Committee	5 Members	See sub-section 16