PART 3 – RESPONSIBILITY AND FUNCTIONS

SCHEME OF DELEGATION

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PART 3 – RESPONSIBILITY AND FUNCTIONS

1. TO THE CHIEF EXECUTIVE (HEAD OF PAID SERVICE)

Assets of Community Value

1. To consider and undertake reviews of listings of Assets of Community Value requested under the Localism Act 2011 (Community Right to Bid).

Corporate Projects

2. In consultation with the Commercial Projects Board to approve any spend up to £10,000, subject to the details being reported to the Strategy and Resources Committee.

Staffing

3. To approve the filling of vacancies other than the posts of Chief Executive, Monitoring Officer, Section 151 Officer and Directors.

4. To approve the regrading of posts providing that such regrading can be achieved within approved budgets.

5. Where difficulty is experienced in filling a vacant post, to approve the addition to the salary scale of that post of a market and retention supplement not exceeding 15 per cent of the pro rata basic salary scale subject to approved directorate budgets.

6. To approve the repayment of training fees for prospective employees where their previous employer requires such repayment.

7. To award up to £100 for staff suggestions.

8. To approve requests from staff for unpaid leave of absence.

9. To award discretionary points on an officer's salary scale within approved directorate budgetary limits.

10. To approve voluntary staff redundancy or voluntary dismissal for those staff who are below the Chief Executive in the interests of the efficient discharge of the Council's functions.

11. To approve secondments to / from other public bodies.

12. To represent the authority on cross-organisational groups.

13. In consultation with the Chairperson of the Strategy and Resources Committee to appoint suitably qualified staff on a consultancy basis to cover for the absence of Senior Officers if necessary.

14. To approve secondment of staff between Departments.

15. In consultation with the Chairperson of the Strategy and Resources Committee, to approve statutory and procedural updates to Human Resources Policies and Procedures.

(As Electoral Registration Officer)

16. To fix the fees paid to canvassers for the Register of Electors within the overall approved estimate provision.

PART 3 – RESPONSIBILITY AND FUNCTIONS

2. TO THE DIRECTOR OF FINANCE (SECTION 151 OFFICER)

Financial Management

1. To write off irrecoverable debts of individual amounts not exceeding the amount specified in Appendix F of Financial Regulations.

2. To review and set Fees and Charges which generate income of less than £2,000 per annum.

3. To exercise day to day functions relating to Treasury Management in accordance with approved Treasury Management Practices.

4. To exercise day to day administrative control over mortgages granted for the purchase or improvement of properties including:

   a) the power to instigate legal proceedings for recovery of possession of such property.

   b) to agree to enter into Deeds of Postponement where there is no doubt as to the equity remaining in the property.

5. To approve financial references for contractors.

6. To investigate payments for compensation losses arising as a result of the listing of an asset as part of the Community Right to Bid Scheme. Outcomes of investigation are to be reported to the Strategy and Resources Committee.

7. To determine applications for staff car loans under the Council's scheme.

8. To approve attendance of staff at courses, conferences and seminars (other than post entry training courses.

9. To be authorised to make an ex-gratia payment of up to £250 in instances of claims for damaged clothing.

10. To pay professional fees / practice certificates where necessary.

11. In consultation with a Legal Advisor, the institution of legal proceedings in respect of benefit fraud under the provisions of the Social Security Administration Act 1992 (as amended), the Fraud Act 2006, the Theft Acts 1968 and 1978, and The Proceeds of Crime Act 2002.

12. All matters relating to the billing, collection and recovery of the National Non-Domestic Rate and Council Tax, including the determination of all discretionary rate relief where the application falls within the guidelines adopted by the Council.

13. To administer the Housing / Council Tax benefits scheme and the Local Council Tax Support Scheme, including the waiving of overpayments, the approval of discretionary awards / Hardship Fund awards and referral of fraudulent claims in line with the Council's prosecution policy.

14. Authorisation, together with any staff designated by them, to appear in Court, on the Council's behalf, in connection with recovery proceedings for Council Tax, Non-Domestic Rates and Small Claims Procedure.

15. Authorisation to appear on behalf of the Council at Local Valuation Tribunals.

16. Authorisation to appear on behalf of the Council at Housing and Council Tax Benefit and Local Council Tax Support Appeal Tribunals.

17. The Director of Finance, in consultation with a valuer, a Legal Advisor and the Chairperson of the Strategy and Resources Committee, be authorised to release any restrictive covenants which are stated to be in favour of the Maldon District Council (or its predecessors) at a market value or at such other value as deemed appropriate by the Chief Executive.

18. The appointment of the Members Remuneration Panel.

19. To settle on behalf of the Council COT3 through the Advisory Conciliation and Arbitration Services (ACAS) and/or during the proceedings of Employment Appeal Tribunals.

PART 3 – RESPONSIBILITY AND FUNCTIONS

3. TO THE DIRECTOR OF PLACE, PLANNING AND GROWTH

Development Management

References to “Regulations” in this section are a reference to the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026.

1. All planning development applications shall be delegated to the Director of Place, Planning and Growth (Director) with the exception of:

    - Those applications listed in Schedule 2 that the Nominated Member (Chairperson of the Planning Committee or their Nominated Substitute) and Nominated Officer (Director) agree that referral to and determination by [the Planning Committee] is necessary.
    - An Own-Interest Application, as defined in the Regulations.
    - Any other planning matter that an officer of the authority with delegated powers considers that referral to and determination by [the Planning Committee] is necessary

2. In consultation with a legal advisor, the determination of requests for the variation of a Section 106 Planning Obligation provided that the approved principle of development is unaffected, and that the variation does not affect the securing of the payment of monies to the Council.

3. In consultation with the Chairperson of the Planning Committee, to review the accuracy of agreed planning conditions due to the passage of time between the Committee decision and the issue of a decision notice consequent upon the completion of a Section 106 Planning Obligation.

4. Following the grant of a Development Consent Order by the Secretary of State or anyone appointed by them, and in consultation with the Chairperson of the Planning Committee, the ability to make any post grant decisions required of the Council, including planning enforcement, in relation to the development.

5. In consultation with the Leader of the Council, the Chairperson of the Strategy and Resources Committee, and a Legal Advisor to commence proceedings to challenge appeal decisions on a point of law.

Enforcement of Planning Control

6. In consultation with the Ward Member(s), the issue of Planning Enforcement Notices (Town and Country Planning Act 1990, Section 172) and Listed Building Enforcement Notices (Planning (Listed Building and Conservation Areas) Act 1990, Section 38), and the withdrawal or variation of such proceedings.

7. The issue of Planning Contravention Notices, and the hearing and consideration of representations arising from those notices.

8. The issue of Breach of Condition Notices and Temporary Stop Notices.

9. The issue of notices under Section 215 of The Town and Country Planning Act 1990 requiring the proper maintenance of land.

10. The issue of Remedial Notices (Part 8, Anti-Social Behaviour Act 2003 - High Hedges).

11. In consultation with a Legal Advisor, the institution of legal proceedings for failure to comply with: Planning Contravention Notices, Enforcement and Stop Notices, Breach of Condition Notices, Notices under Section 215 of the Act, and Listed Building and Conservation Area Enforcement Notices, Temporary Stop Notices and Remedial Notices (High Hedges).

12. The removal or obliteration of posters and placards under Section 225 of the Town and Country Planning Act 1990.

13. On the grounds of urgency, and in consultation with the Chairperson of the Planning Committee wherever possible and a Legal Advisor, the issue of Stop Notices including, if not already authorised, any necessary enforcement notice; provided that these actions are reported to Members of the Planning Committee.

14. In consultation with a Legal Advisor to institute legal proceedings for offences in relation to listed buildings, conservation areas, preserved trees, advertisements and hedgerows. Such proceedings to be reported to Members of the Planning Committee.

Environment and Conservation

15. To take action on the following matters:

    a) Dangerous trees - Section 23 and 24 Local Government (Miscellaneous Provisions) Act, 1976.

    b) Tree Preservation Orders and Trees in Conservation Areas - Sections 198 – 201, 207 and 209 Town and Country Planning Act, 1990.

    c) Building Preservation Notices and Urgent Repairs to Listed Buildings - Sections 3 and 54 Planning (Listed Buildings and Conservation Areas) Act 1990.

16. To respond to Hedgerow Removal Notices (under regulation 5) and to give notice requiring the replanting of hedgerows (regulation 8) under the Hedgerows Regulations 1997.

17. To approve grants for repairs to historic buildings and improvements in conservation areas falling within the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Authorities Historic Buildings Act 1962 and other environmental improvements.

Building Control

18. To determine all matters falling within the provisions of the Building Act 1984 and Building Regulations 2000, Local Government (Miscellaneous Provisions) Act 1976 and associated legislation excluding authorisation of legal action but including:

    a) Determination of all applications.

    b) Service of all statutory notices.

    c) Authorisation of appropriate action in connection with dangerous structures under the Building Act 1984.

    d) Determination of relaxation applications.

    e) Authorisation of pre-approval design calculation checks in connection with D.o.E. Circular 39 of 1969.

    f) Dispensation of post-approval inspections as set out in the Building Regulations Policy Statement.

19. To carry out the following functions under the Party Wall etc. Act 1996.

    a) To nominate an appropriate officer of the Council as the Appointing Officer.

    b) To keep a select list of Party Wall Surveyors for the purpose of the above Act.

20. To carry out the technical inspections and other relevant requirements in relation to Premises Licences.

Neighbourhood Planning

21. To determine applications made under Regulations 5 and 5A of the Neighbourhood Planning (General) Regulations 2012 for the designation of a neighbourhood plan area where no representations objecting to the proposal have been received to a public consultation, or where public consultation is not required by regulation, and where the area to be designated is coterminous with or wholly within the area of a civil parish. Any such decisions made are to be reported to the Members of the Planning Committee.

22. On the grounds of urgency, and in consultation with the Chairperson of the Planning Committee; the response on behalf of the Local Planning Authority for the Regulation 16 Consultation to the Neighbourhood Planning (General) Regulations 2012; provided that these actions are reported to Members of the Planning Committee.

Housing

23. The determination of applications for Renovation Grants, Disabled Facilities Grants and Home Repair Assistance under the Housing Grants, Construction and Regeneration Act 1996.

24. The determination of Home Loss Payments and Disturbance Payments under the Land Compensation Act 1973 to occupiers displaced as a result of the making of a Closing Order or Demolition Order under the Housing Act 1985.

25. The determination of grants and signing notices under the Housing Grants, Construction and Regeneration Act 1996.

26. Housing the homeless including the determination of applications by persons to be considered as homeless under the Housing Act 1996.

Others

27. To carry out functions in respect of Ordnance Survey.

28. To carry out all functions relating to street numbering under the requirements of the Town Improvements Clauses Act 1847 and Section 17 of The Public Health Act 1925.

29. In consultation with the Ward Member(s), the consideration of proposals for the naming of streets (Public Health Act 1952, Section 16).

30. To authorise officers and duly appoint contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Director.

31. To carry out all functions under the Business and Planning Act 2020 – sections 1-10 - for the licensing of the use of highways for the consumption of food and drink outdoors, including the grant, revocation and enforcement of such licences.

PART 3 – RESPONSIBILITY AND FUNCTIONS

4. TO THE DIRECTOR OF NEIGHBOURHOOD SERVICES AND COMMUNITIES

Environmental Health and related licensing / regulatory matters

1. To authorise appropriately experienced and qualified officers to exercise the Council's powers and duties in respect of:

   a. pollution control and general public health functions

   b. refuse collections and waste management

   c. housing functions relating to housing standards

   d. of health and safety at work functions under the above legislation or any legislation replacing or amending the same, or any regulations made thereunder.

   e. animal welfare functions

   f. food hygiene functions

   g. pest control functions

   h. control of infection functions

   i. caravan site licensing

   under the legislation listed in 6 (below) or any legislation replacing or amending the same, or any regulations made thereunder.

2. Enforce and execute the duties and functions of the Council (including authorising in consultation with a Legal Advisor the institution of legal proceedings, and also works in default where the works can be undertaken within existing budgets) under the following statutory provisions and Regulations made thereunder:

   (a) Animal Welfare Act 2006

   (b) Anti-social Behaviour Crime and Policing Act 2014, Parts 2, 4 and 7

   (c) Acquisition of Land Act 1981

   (d) Breeding and Sale of Dogs (Welfare) Act 1999

   (e) Building Act 1984 (Part III)

   (f) The Caravan Sites Act 1968

   (g) Caravan Sites and Control of Development Act 1960 (as amended, and to include the varying of site licence conditions)

   (h) Clean Air Act 1993

   (i) Clean Neighbourhoods and Environment Act 2005

   (j) The Compulsory Purchase Act 1965

   (k) Control of Horses Act 2015

   (l) Control of Dogs Order 1992

   (m) Control of Pollution Act 1974

   (n) Coronavirus Act 2020

   (o) Dangerous Dogs Act 1991

   (p) Dangerous Wild Animals Act 1976

   (q) Dogs Act 1906

   (r) Dogs (Fouling of Land) Act 1996

(s) Energy Act 2011

(t) Environment Act 1995

(u) Environment Act 2021

(v) Environmental Protection Act 1990 (as amended by the Environment Act 1995)

(w) Essex Act 1987 (Part IV, Part VI and Part VII)

(x) Food and Environment Protection Act 1985 (Parts I & III)

(y) The Food Safety and Hygiene (England) Regulations 2013

(z) Food Safety Act 1990 (as amended)

(aa) Gambling Act 2005

(bb) Guard Dogs Act 1975

(cc) Health Act 2006

(dd) Health and Safety at Work etc Act 1974 (and any other relevant statutory provisions as defined in Section 53 of the Act)

(ee) House to House Collections Act 1939

(ff) Housing Act 1985

(gg) Housing Act 2004

(hh) Housing and Planning Act 2016

(ii) Housing Grants (Regeneration and Construction) Act 1996

(jj) Land Compensation Act 1973

(kk) Land Drainage Acts 1976 and 1991

(ll) Law of Property Act 1925

(mm) Licensing Act 2003

(nn) Litter Act 1983

(oo) Local Government and Housing Act 1989

(pp) Local Government (Miscellaneous Provisions) Act 1976

(qq) Local Government (Miscellaneous Provisions) Act 1982 (Sections 13 to 17, 27, 29 Part II and Part III)

(rr) Mobiles Homes Act 2013

(ss) National Assistance (Amendment) Act 1951 (so far as it relates to an application to a Magistrates Court for an order to remove a person to a place of safety)

(tt) Noise and Statutory Nuisances Act 1993

(uu) Noise Act 1996

(vv) Official Feed and Food Controls (England) Regulations 2009

(ww) Police, Factories, etc (Miscellaneous Provisions) Act 1916

(xx) Pollution Prevention and Control Act 1999

(yy) Prevention of Damage by Pests Act 1949 – (Part I)

(zz) Public Health Acts Amendment Act 1890 – Section 42

(aaa) Public Health Act 1936

(bbb) Public Health Act 1961

(ccc) Public Health (Control of Disease) Act 1984

(ddd) The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014

(eee) Refuse Disposal (Amenity) Act 1978

(fff) Regulation (EC) No. 178 / 2002

(ggg) Regulation (EC) No. 852 / 2004

(hhh) Regulation (EC) No. 853 / 2004

(iii) Regulation (EC) No. 854 / 2004

(jjj) Regulation (EC) No. 882 / 2004

(kkk) Regulation (EC) No. 2073 / 2005

(lll) Scrap Metal Dealers Act 2013

(mmm) Sunbeds (Regulation) Act 2010

(nnn) Sunday Trading Act 1994

(ooo) Town Police Clauses Act 1847

(ppp) Trade in Animal Related Products Regulations 2011

(qqq) Vehicle Excise and Registration Act 1994

(rrr) Water Industry Act 1991 (Sections 67 – 86)

(sss) Wildlife and Countryside Act 1981

(ttt) Zoo Licensing Act 1981

Or such other Acts of Parliament as relate to the relevant statutory functions of the Environmental Health Team.

3. Subject to notification to the Ward Members and report to the Committee, the determination of Closing Orders under Section 278 of the Housing Act 1985.

4. To authorise Officers and duly appointed Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Director of Neighbourhood Services and Communities.

NOTE: The following are authorised to act as enforcement and investigating officers for the purposes of the Food and Environmental Protection Act 1985:

(a) Head of Environmental Health, Waste and Climate Action

(b) Environmental Health Managers, and staffing

Licensing

5. In consultation with a Legal Advisor and the Chairperson of the Licensing Committee, the institution of legal proceedings in respect of any of the Council's licensing powers.

6. To authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Director of Neighbourhood Services and Communities or relevant Officers.

PART 3 – RESPONSIBILITY AND FUNCTIONS

Community and Leisure

7. Operational issues relating to off-street, on-street and residents parking and Parking Orders.

8. The approval of lettings of the Council's parks and open spaces for funfairs and circuses and similar purposes.

9. In consultation with the Director of Finance, the setting of the level of fees to be levied for events agreed under 2 above.

10. Operational issues relating to:

    a) Parks and public open spaces;

    b) Formal recreation area and any buildings therein and the letting of any stalls, kiosks and other operations thereon including lettings such as funfairs, circuses and other short-term lettings;

    c) Sponsorship of areas of land such as roundabouts released by the highway authority;

    d) Enforcement of byelaws and regulations made by the Council in respect of land and premises under its control;

    e) Implementation of Action Plans in relation to the cultural strategy and other approved strategies;Promotion and development of sport, the arts, heritage, play and other related activities;

    f) Management of facilities provided by the Council including the client role for the management of the contracts for the Blackwater Leisure Centre and the Dengie Hundred Sports Centre.

11. In consultation with a Legal Advisor, to give a direction under Section 77 of the Criminal Justice and Public Order Act 1994 (and notify Ward Member(s)) regarding the removal of unauthorised campers.

12. Operational issues relating to the Council's community halls and centres.

13. Operational issues relating to specialist community transport schemes.

14. All matters under the Anti-social Behaviour Act 2003, Sections 2-4, 6 and 30-36, and the Anti-Social Behaviour, Crime and Policing Act 2014, Parts 1 – 6.

15. To approve and issue the Grant of Deeds of Exclusive Rights of Burial for the Council's Cemeteries.

16. Operational issues relating to cemeteries and mortuaries if provided, and public conveniences.

17. To authorise Officers and duly appointed Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Director.

18. In consultation with the Ward Member(s), responding to informal consultations by the South Essex Parking Partnership on proposed traffic regulation orders and related measures for parking restrictions.

19. In consultation with the Council’s representative on the South Essex Parking Partnership and the Ward Member(s), to make recommendations to the Parking

Partnership on proposed traffic regulation orders for parking restrictions in the light of representations received following formal publication.

20. Operational issues relating to the operation of concessionary travel pass schemes.

21. Subject to no objections being received, and in consultation with the Chairperson of the Licensing Committee and the Ward Members(s), the approval of temporary road closures and the making of Orders under Section 21 of the Town Police Clauses Act 1847.

Asset Management

22.

(a) To authorise the grant of easements over Council land at market value or other value as deemed appropriate.

(b) To approve any letting of property for a period of up to seven years at market rent to which statutory security of tenure will not apply.

(c) To procure agents to advise upon terms for sales, leases, purchases, easements, compensation claims and similar matters or otherwise in connection therewith.

(d) To negotiate the terms of new leases, including interim and initial rent both at market rent and in those cases where existing tenants have a statutory right to call for a new lease on expiry of the current term, and to authorise completion of such new leases up to an annual value of £15,000 and duration not exceeding seven years.

(e) In consultation with the Chairperson or Vice-Chairperson of the Strategy and Resources Committee and the Leader of the Council, as (d) above in relation to leases with an annual value in excess of £15,000, but not exceeding £25,000, or tenure in excess of 7 years but not exceeding 14 years.

(f) To negotiate the terms of, and accept, early surrenders of leases.

(g) To negotiate and agree rent payable on rent reviews of existing leases based on the advice of a suitably qualified valuer.

(h) To grant yearly licenses for pedestrian and vehicular access to private property over Council owned land.

(i) To authorise the grant of way-leaves to other statutory undertakers where Council-owned land is affected.

(j) To negotiate the terms of, and authorise the granting of, landlords licences and consents and variations under existing leases in consultation with a Legal Advisor.

(k) To dispose of any surplus small plot of land (up to an area of quarter of an acre with a maximum value of £10,000) at market value upon the advice of a suitably qualified valuer and upon such terms and conditions as they consider appropriate in consultation with the Director of Finance and in accordance with Council policy on land disposals.

Rivers Management

23. Subject to no objections being received, the issue of licences in respect of fishing and fishermen in the River Blackwater and the use of the Hythe Quay, Maldon and other related facilities within the control of the District Council.

24. In consultation with a Legal Advisor, the institution of legal proceedings for any contravention of any of the byelaws relating to the River Blackwater.

25. The grant of annual mooring licences to individuals and the renewal of licences to clubs and other organisations for periods not exceeding five years.

26. Reviewing fees payable under river licences in accordance with the advice of a qualified valuer or in accordance with the Council's policy on mooring fees generally where it is not economic to employ a valuer.

27. To authorise officers and duly appoint contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Director.

28. The exercise of statutory responsibility under the Merchant Shipping Act 1995 in relation to safety on the River Blackwater.

Others

29. Exercise of the powers contained in Part 8 of the Anti-Social Behaviour Act 2003 relating to High Hedges.

30. To consider and decide on nominations for listing of Assets of Community Value received under the Localism Act 2011 (Community Right to Bid).

31. To approve requests for the sharing of vacant Office space within the Council office complex for a period of up to two years, in consultation with the Chairperson of the Strategy and Resources Committee and the Leader of the Council.*

    * Minute No. 853 of Finance and Corporate Services Committee 12 April 2011 refers.

Local Development Land

32. The identification of suitable and available land under the control of the Council for possible inclusion in the Local Development Plan Review begun in 2021 including the taking of any steps (e.g. re-appropriation) required to secure the availability of such land.

Note: This delegated power exists notwithstanding the powers of the Strategy and Resources Committee for the strategic control and management of the Council's assets and only for the duration of the selection of sites for inclusion in the Local Development Plan Review begun in 2021.

5. TO THE DIRECTOR OF STRATEGY AND IMPROVEMENT

ICT

1. To develop and implement ICT strategies.

2. To negotiate with current and potential suppliers to maximise the return on investment in ICT.

PART 3 – RESPONSIBILITY AND FUNCTIONS

6. LICENSING ACT 2003

Head of Service (Environmental Health, Waste and Climate Action):

1. The grant of a Premises Licence or Club Premises Certificate where no representations are made by a Responsible Authority or Interested Party.

2. In consultation with a Legal Advisor, a determination that representations made by a Responsible Authority or Interested Party regarding an application for the grant of (or a variation of) a Premises Licence or Club Premises Certificate or for the grant of a Provisional Statement are frivolous or vexatious.

3. The grant of an application to vary a Premises Licence or Club Premises Certificate where no representations are made by a Responsible Authority or Interested Party, and in the case of an application for a Minor Variation to determine that application having taken into account any representations received.

4. The grant of an application to transfer a Premises Licence where no Notice has been given by the Chief Officer of Police.

5. The determination of an exemption from the requirement to obtain a Personal Licence holder's consent for an application to transfer a Premises Licence.

6. The issue of a Notice specifying the date of entry and inspection (or any extension of that date) where a Club applies for a Club Premises Certificate, a variation of a Certificate or on a review of a Certificate.

7. In consultation with a Legal Advisor, a determination that an application for a review of a Premises Licence or Club Premises Certificate on the grounds that the ground for review is not relevant to one or more of the Licensing Objectives or is frivolous, vexatious or repetitious.

8. In consultation with a Legal Advisor, a determination that a Club is not a Qualifying Club or has ceased to be a Qualifying Club.

9. The grant of an application for a Provisional Statement in respect of a premises which are being or are about to be constructed or extended where no representations are made by a Responsible Authority or Interested Party.

10. The determination of an application to vary the Designated Premises Supervisor where no Notice has been given by the Chief Officer of Police.

11. The issue of a Notice granting or rejecting an application to vary the Designated Premises Supervisor.

12. The receipt of a Notice requesting the removal of a person as a Designated Premises Supervisor.

13. The determination of whether or not a Temporary Event Notice is void.

14. The acknowledgement of receipt of a Temporary Event Notice.

15. Where appropriate, following consideration of any Objection Notice to a Temporary Event Notice, the issue of a Counter Notice where it is considered necessary for the prevention of the crime prevention objective.

16. The issue of a Counter Notice where any of the Permitted Limits are exceeded in any Temporary Event Notice.

17. The rejection of applications for Personal Licences where applicants have failed to meet the statutory conditions.

18. The grant of an application for (or the renewal of) a Personal Licence where no Objection Notice has been given by the Chief Officer of Police.

19. The issue of a Notice to the Chief Officer of Police that an applicant for the renewal of a Personal Licence has a Relevant or Foreign Offence.

20. To issue Notices to the Chief Officer of Police where a Personal Licence holder has been convicted during the application period of a Relevant or Foreign Offence after the grant or renewal of a Personal Licence.

21. The issue and certification as a true copy of any Premises Licence or Club Premises Certificate (or a summary of either) or any Temporary Event Notice or Personal Licence where it has been lost, stolen, damaged or destroyed.

22. Unless specified to the contrary, the issue of all Licences, Certificates, Notices and any other formal notifications required under the Licensing Act 2003.

23. In consultation with a Legal Advisor and the Chairperson of the Licensing Committee, the institution of legal proceedings in respect of any of the Council's powers under the Licensing Act 2003.

24. To keep the Licensing Register and any Central Register prescribed by the Secretary of State.

25. In consultation with the Director of Neighbourhood Services and Communities, to authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Head of Service (Environmental Health, Waste and Climate Action).

26. To determine, as part of applications by a management committee of a community premises for a new Premises Licence, whether the alternative licence condition in relation to the sale of alcohol should apply instead of the mandatory condition, provided that no representation is received from the Chief Officer of Police.

27. To suspend premises licences and club premises certificates for non-payment of the annual fee.

28. To make representations on behalf of the Licensing Authority in respect of all applications for premises licenses or club premises certificates and to apply for reviews of the same.

Environmental Health Manager- Environmental Protection:

29. To respond to the Licensing Authority on behalf of the Council (as a Responsible Authority) to applications for (or variations of or reviews of) Premises Licences or Club Premises Certificates.

30. To respond to the Licensing Authority on behalf of the Council (as a Responsible Authority) to applications for Provisional Statements in respect of premises.

31. To make applications on behalf of the Council (as a Responsible Authority) to the Licensing Authority for a review of Premises Licences or Club Premises Certificates.

32. In consultation with the Director of Neighbourhood Services and Communities, to authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the delegated powers and duties set out in 1 – 3 above.

PART 3 – RESPONSIBILITY AND FUNCTIONS

7. GAMBLING ACT 2005

Head of Environmental Health, Waste and Climate Action:

1. Consideration and determination of applications for the following matters where no objections have been received or any so received have been withdrawn:

   (a) premises licences;

   (b) variation to licences;

   (c) transfers of licences;

   (d) provisional statements;

   (e) club gaming / club machine permits.

2. Consideration and determination of applications or decisions on the following matters:

   (f) other permits;

   (g) cancellation of licensed premises gaming machine permits.

3. Consideration of Temporary Use Notices and Occasional Use Notices.

PART 3 – RESPONSIBILITY AND FUNCTIONS

8. OTHER LICENSING FUNCTIONS

(Hackney Carriage Drivers and Vehicle Licences; Private Hire Drivers, Vehicle and Operators Licences; Street Collections; House to House Collections; Registration of Society Lotteries; Sex Establishments and Scrap Metal Dealers)

Head of Environmental Health, Waste and Climate Action:

1. Subject to no objections being received, the grant and issue of licences and permits for:
   * Charitable Collections (Street Collections and House to House Collections);
   * Registration of Society Lotteries;

2. The issue of Hackney Carriage and Private Hire Vehicle, Drivers and Operators Licences, except in the case of Drivers Licences where the applicant has unspent convictions or endorsements exceeding six points accrued on his/her Driving Licence in which event the matter shall be referred to the Licensing Sub-Committee.

3. The refusal of an application for a Drivers Licence on the recommendation of the applicant's GP in a medical report.

4. With regard to the Carriage of Assistance Dogs in Taxis:
   * The issue of Exemption Certificates under Section 37(5) of the Disability Discrimination Act 1995 where satisfactory medical evidence is provided by the applicant's GP of relevant medical grounds.
   * The determination of whether the exemption is to apply to a 'specified taxi' or a 'specified type of taxi'.

5. In consultation with the Chairperson of the Licensing Committee, the suspension or revocation of Hackney Carriage and Private Hire Drivers' licences.

6. To authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Head of Service (Environmental Health, Waste and Climate Action).

7. The grant, issue, renewal or variation of a Scrap Metal Dealer Licence where the applicant is deemed to be a suitable person and no objections are received.

8. The refusal or rejection of an application for a Scrap Metal Dealer Licence where no representations are received.

9. In consultation with the Chairperson of the Licensing Committee, the revocation of a Scrap Metal Dealers Licence where no representations are received.

10. To ensure all Scrap Metal Dealer Licences are reported to the National database.

11. The power to set fees (in consultation with the Director of Neighbourhood Services and Communities).

PART 3 – RESPONSIBILITY AND FUNCTIONS

9. TO THE DIRECTOR OF LEGAL AND GOVERNANCE

1 **Dispensations** – The Monitoring Officer in consultation with the Independent Person may grant dispensations relating to the effects of declaring interests under the Members Code of Conduct. The Monitoring Officer may at their discretion refer matters to the Joint Standards Committee.