

**Selby District Council
Scheme of Officer Sub-Delegation
September 2022**



Signed <i>Janet Waggott</i> Chief Executive	Signed <i>[Signature]</i> Head of Contracts and Commissioning
Signed <i>S. C. Hainey</i> Director of Corporate Services and Commissioning	Signed <i>[Signature]</i> Head of Economic Development and Regeneration
Signed <i>[Signature]</i> Solicitor to the Council	Signed <i>[Signature]</i> Head of Business Development and Improvement
Signed <i>Kara L. Eason</i> Chief Finance Officer	Signed <i>M. P. Lewis</i> Head of Planning & Interim Head of Regulatory Services
.....

Power to Sub-delegate

The Chief Executive, Directors, Solicitor to the Council, Chief Finance Officer and Heads of Service are authorised to carry out functions on behalf of the authority under statutory provisions and Part 3 of the Constitution.

Named officers may arrange for functions to be discharged by others but will remain accountable for those functions¹.

Where such further delegation is granted the relevant authorisation shall be set out in writing.

References in this scheme to the delegation of any functions include the doing of anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of those functions.

Sub-delegation under this scheme

This sub-delegation scheme sets out:

- Which functions have been sub-delegated by the named officers and to which named officer;
- Any terms or conditions attached to the authority sub-delegated by the named officer.

Nothing in this sub-delegation scheme prevents a named officer from delegating functions on an ad-hoc basis under the powers set out in the Constitution provided that

- All such delegations are in writing, and
- A copy is sent to the Monitoring Officer to ensure that it is inserted into the next revision of this scheme if the delegation is a continuing one.

For the avoidance of doubt references in this scheme are to paragraphs of the Council's Constitution.

An officer to whom authority has been delegated under this sub delegation scheme must exercise powers within the limitations in the scheme and in accordance with:

- (i) the Constitution of the Council (in particular Article 12)

¹ Part 3 Paragraph 3.8.2 (c)

- (ii) any limitations on the power being sub-delegated set out in Part 3 of the Constitution;
- (iii) any relevant policies, directions, rules of procedure and codes of practice of the Council;
- (iv) approved budgets; and
- (v) decisions of the Council/Executive/Non-Executive committees. ²

In addition they must not incur, nor commit the Council to, any expenditure for which there is no budget provision, or for which specific approval is required and has not been received, except in an emergency. In such circumstances, the agreement of the Leader of the Council and the Executive Director with s.151 responsibilities will first be obtained, and the circumstances subsequently reported to the Executive.³

Any matter which, in the judgement of the specified officer exercising powers under this Scheme, is likely to give rise to unusual difficulty, or the circumstances of which are likely to give rise to controversy or other extraordinary consideration, shall be dealt with only after consultation with Officer delegating the power or the Leader of the Council. ⁴

Notwithstanding the provisions of this Scheme, the specified officer may bring before the Executive or appropriate committee for determination any matter which, having regard to his or her knowledge and understanding of the circumstances, should more appropriately be decided by the Executive or committee or which involves questions of policy not yet determined by the Council.⁵

Delegated powers shall include the carrying out of all duties and powers preparatory to or incidental to the function including administrative and procedural acts, the exercising of discretion and the making of determinations⁶

Financial and HR delegations

² Part 3 paragraph 3.8.2 (a)

³ Part 3 paragraph 3.8.2 (d)

⁴ Part 3 paragraph 3.8.2 (e)

⁵ Part 3 paragraph 3.8.2 (f)

⁶ Part 3 paragraph 3.8.2 (i)

This scheme should be read in conjunction with the Register of Delegated Financial Authorities maintained by Business Support and updated annually.

References to financial limits in this scheme are to those limits set out from time to time in that register.

Officers named in that register may authorise HR transactions or procure and commission goods and services and works to the level of their financial delegations in the register in connection with the service area in which they work even though they are not named in this scheme.

Specific Functions delegated to Officers:

Contracts Commissioning and Procurement		
Function	Delegation	Limits/controls
Contract Management and Procurement, Leisure and Parks, Waste Disposal and Recycling (inc. commercial waste) street cleansing, pest control, countryside management	Head of Contracts & Commissioning Team Leader Contracts Team Leader Commissioning and Procurement Property and Commercial Services Manager) within financial limits))))
Economic Development and Regeneration		
Function	Delegation	Limits/controls
Housing development programme	Head of Economic Development & Regeneration Property and Commercial Services Manager Economy and Infrastructure Manager Housing and Regeneration manager) within financial limits)
Making of grants	Head of Economic Regeneration) within financial limits

	Economy and Infrastructure Manager Housing and Regeneration manager)
Operational Services		
Function	Delegation	Limits/controls
Housing Functions including: housing management, tenant relations, right to buy, homelessness, supporting people	Housing Support and Enforcement Team Leader Housing Health Service Manager Housing Tenant Services Team Leader Private Sector Housing Officer Housing Enforcement and Tenancy Fraud Officer Senior Enforcement Officer Property and Commercial Services Manager Housing Options Supervisor)within financial limits)))))))) Right to Buy and other property transactions only In relation to Homelessness only

Asset Management including property management and repair, disposal and acquisition of property, car parks, public conveniences, grounds maintenance	Property and Commercial Services Manager	within financial limits
Environmental Health including public health, environmental protection, public nuisance, street scene, Health & Safety at Work, Food Sales, Safety and Standards, Shops and Sunday Trading, Animals, Rivers, Watercourses and Land Drainage, Cemeteries, Crematoria and Burials, Emergency Planning and Civil Contingencies Act and Private Sector Housing Conditions, Improvement and Renovation	Interim Head of Regulatory Services Operational Services Manager Environmental Health Service Manager Environmental Health Team Leader Private Sector Housing Officer Housing Enforcement and Tenancy Fraud Officer Environmental Health Officer Senior Enforcement Officer Housing Service Manager	none)within financial limits))))))))))) Private Sector Housing Conditions, Improvements and Renovations only.
Financial	Housing Revenue and Sundry Debt Team Leader Taxation Benefits and Debt Team Leader) To authorise write off up to a value of) £1,000)
Deputy Section 151 Officer	Head of Finance	In the absence of the S151 Officer
Customer Services	Customer Services Team Leader	within financial limits
Licensing Functions		
Function	Delegation	Limits/controls
(i) taxi, food and miscellaneous licensing, health and safety and certain deposits on the highway as set out in Sections B,C	Licensing Manager Environmental Health Team Leader	None

<p>and I(22) of Schedule 1 of the Local Authorities (Responsibilities for Functions)(England) Regulations 2000 as from time to time in force</p>	<p>Environmental Health Officer</p> <p>Senior Enforcement Officer</p>	<p>To determine whether and how to enforce any failure to comply only</p> <p>To determine whether and how to enforce any failure to comply only</p> <p>To determine whether and how to enforce any failure to comply only</p>
<p>(ii) contaminated land, control of pollution and the management of air quality as set out in Schedule 2 of the Local Authorities (Responsibilities for Functions)(England) Regulations 2000 as from time to time in force</p>	<p>Environmental Health Team Leader</p> <p>Environmental Health Officer</p>	<p>) within financial limits</p> <p>)</p>
<p>iii) Decisions as to the revocation of HMO licences under the Housing Act 2004</p>	<p>Housing Service Manager</p> <p>Private Sector Housing Officer</p> <p>Environmental Health Team Leader</p> <p>Interim Head of Regulatory Services</p> <p>Operational Services Manager</p>	<p>within financial limits</p> <p>within financial limits</p> <p>within financial limits</p> <p>Within financial limits</p>
<p>(iv) Smoke free premises under the Health Act 2006</p>	<p>Environmental Health Team Leader</p> <p>Environmental Health Officer</p>	<p>within financial limits</p> <p>within financial limits</p>

(v) motor salvage and scrap metal	Licensing Manager	None
	Environmental Heath Team Leader	To determine whether and how to enforce any failure to comply only
	Environmental Health Officer	To determine whether and how to enforce any failure to comply only
	Senior Enforcement Officer	To determine whether and how to enforce any failure to comply only
(vi) functions under the Licensing Act 2003 including applications for and variations to premises licences, club premises certificates and provisional statements where a relevant representation has been withdrawn and imposing appropriate conditions	Licensing Manager	None
	Environmental Heath Team Leader	To act as responsible authority and to determine whether and how to enforce any failure to comply only
	Environmental Health Officer	To act as responsible authority and to determine whether and how to enforce any failure to comply only
	Senior Enforcement Officer	To act as responsible authority and to determine whether and how to enforce any failure to comply only
(vii) Licensing functions under the Gambling Act 2005	Licensing Manager	None
	Environmental Heath Team Leader	To act as responsible authority and to determine whether and how to enforce any failure to comply only

	Senior Enforcement Officer	To act as responsible authority and to determine whether and how to enforce any failure to comply only
Business Development and Improvement		
Function	Delegation	Limits/controls
(i) HR Policy, procedure and codes of practice, including: <ul style="list-style-type: none"> • workforce development • training and development • job evaluation • pay benefits and conditions of service • work placements, secondments and work experience 	Senior Human Resources Officer	within financial limits
(ii) Equalities and diversity	Senior Policy and Performance Officer	within financial limits
(iii) Media relations and communications including website	Communications and Marketing Manager	within financial limits
(iv) Information and communication technologies and services	Business Transformation Officer Data & Systems Team Leader Business Transformation & ICT Manager) within financial limits))
Community Partnerships and Customers		
Function	Delegation	Limits/controls
Making of Grants	Partnerships Manager Customer and Community Manager) Limited to £5000)

Safeguarding	Partnerships Manager Customer and Community Manager	
Anti Social Behaviour Orders and related matters	Partnerships Manager Customer & Community Manager Community Safety Officer Senior Enforcement Officer	Following consultation with Director of Corporate Services & Commissioning and Legal Services
Planning and Development Management		
Function	Delegation	Limits/controls
No officer may approve any application in which they or a close associate or family member has a financial interest No officer may approve an application for which they are the assessing case officer		
(a) All functions relating to Town and Country Planning and development management as specified in Section A of Schedule 1 of the Local Authorities (Responsibility for Functions)(England) Regulations 2000 as from time to time in force including all powers under planning legislation to obtain information as to interests and particulars of persons interested in land, tree preservation orders and footpath diversion orders..	Planning Development Manager Principal Planning Officer Senior Planning Officer	The limitations in para 3.9.9 (c) The limitations in para 3.9.9 (c) The limitations in para 3.9.9 (c) and in respect of the following types of applications only <ul style="list-style-type: none"> • Change Of Use applications • All minor development (Q18) • Householder Developments (Q21) • Advertisements • Discharge of Conditions(Q22) but not where the application site is in a conservation area or where Listed Building consent is required

	Planning Officer	In respect of the Discharge of Conditions only
Planning Enforcement	Planning Development Manager Principal Planning Enforcement Officer	The serving of stop notices and applications for injunctions must be authorised by the Head of Planning in consultation with legal services
Neighbourhood Planning	Planning Policy Manager	In respect of administrative steps only excluding the decision on whether to put a plan to referendum.
Legal and miscellaneous functions		
Duties of the Monitoring Officer (para 3.8.10 (b))	Deputy Monitoring Officer - Glenn Sharpe Solicitor (Planning) Deputy Monitoring Officer – Victoria Foreman, Democratic Services Officer Nb: DMO is a personal appointment.	In the absence of the Monitoring Officer To assist in standards investigation work
To institute, defend, participate in or settle any legal proceedings in any case where such action is necessary to give effect to decisions of the Council, ensure the implementation of Council policy or to protect the Council's interests, including issuing instructions to Counsel.	Solicitor (Planning) Solicitor Housing Rent & Sundry Debt Officers Housing Revenue and Sundry Debt Team Leader Housing Enforcement and Tenancy Fraud Officer Council Tax Supervisor NNDR Supervisor Taxation and benefits & Debt Team Leader Debt Control Officer	In respect of all matters In respect of rent proceedings and debt recovery proceedings only) in respect of council tax and NNDR) recovery))

To deputise for the Solicitor to the Council	Solicitor (Planning)	Where she is absent or unable to act
To sign Statements of Truth in civil proceedings as required by the Civil Procedure Rules 1998	Solicitor (Planning) Solicitor	
To issue formal cautions as an alternative to prosecution	Senior Enforcement Officer Housing Enforcement & Tenancy Fraud Officer Enforcement Officer Head of Internal Audit Deputy Head of Internal Audit Counter Fraud Manager and Senior Investigation officers	

Addendum to Scheme of Officer Sub-Delegation

Authorised Officers

Section 3 Council Tax Reduction Scheme (Detection of Fraud & Enforcement) (England) Regulations 2013

In accordance with Section 3 of the Council Tax Reduction Scheme (Detection of Fraud & Enforcement) (England) Regulations 2013 for the purposes of ss 4 and 5 of the said Regulations the following job roles can be authorised officers for Selby District Council:

Veritau Fraud Team

Senior Fraud Investigator, Fraud Investigator, Trainee Fraud Investigator, Fraud Support Officer.

Selby District Council

Taxation, Benefits and Debt Team Leader

Section 7 Prevention of Social Housing Fraud Act 2013

In accordance with Section 7 of the Prevention of Social Housing Fraud Act 2013 for the purposes of section 7.7 of the said Act the following job roles can be authorised officers for Selby District Council:

Veritau Fraud Team

Senior Fraud Investigator, Fraud Investigator, Trainee Fraud Investigator, Fraud Support Officer.

Selby District Council Housing Tenant Services

Housing Revenue and Sundry Debt Team Leader, Housing Enforcement & Tenancy Fraud Officer, Housing Tenant Services Team Leader, Housing Service Manager

Addendum to Scheme of Officer Sub-Delegation

Attesting to the Council Seal

In accordance with Article 13 of the Constitution the following post holders are delegated to attest to the Council seal:

Director of Corporate Services & Commissioning

Solicitor to the Council

Solicitor (Planning)

Signed.....*Janet Wasselt*

Chief Executive

Date.....*20/9/22*.....