

## **PRE-AMBLE**

Telford & Wrekin Council's Constitution provides for an Executive Style Arrangement (Leader & Cabinet) for the purposes of Governance as permitted under the Localism Act 2011.

As a consequence of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and to enable the discharge of the Council Functions, the Council does have in place Committees and Sub-Committees for those Functions prohibited to the Executive as a result of the above mentioned Regulation. For example a Licensing Committee or a Planning Committee.

Where the discharge of the Councils Functions are required under statute or similar instrument be decisions by way of Committees and Sub-Committees only, the Council shall discharge those Functions according to those Committees.

However where Cabinet, Committee or Sub-Committee (where permitted by law) consider that the efficiency of the Councils Functions are delegable to Officers, The Cabinet / Committee, Sub Committee does so expressly under this Scheme of Delegation.

## **Scheme of Delegations**

Directors, Assistant Directors, Service Delivery Managers and Council Officers / External Contractors (where permitted by law) are a group of Officers hereby authorised by the Local Authority to exercise delegated powers and duties on its behalf in connection to discharging those Functions detailed below in accordance with Section 101 Local Government Act 1972. Where any relevant power/duty requires expressly by statute or other similar instrument that an Officer within a group be qualified or suitably trained the Director/Head of Service will ensure that this is the case before any power/duties are exercised.

This Scheme of Delegation expressly confirms that those Group of Officers are either a Director or do report to the Director and are hereby authorised by the Cabinet / Committee / Director for that function **AND FURTHER** Functions, matters, powers, authorisations, delegations, duties within this scheme shall be construed in a broad & inclusive manner and shall include the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of Council business in accordance with Section 111 Local Government Act 1972.

### Delegations of the Director of Planning and Property

Inspectors and other duly authorised officers, external contractors (where permitted by law) (Appendix 1-2) are empowered to undertake any relevant powers or duties including but not limited to; inspections, investigations, interviews, sampling, prohibitions, seizures, detentions, recording, service of notices (including suspension and compliance notices), notifications, waivers, transfer, authorisations, licensing registrations and legal proceedings and simple cautions under the following legislation applicable thereto, and to exercise all other relevant powers, including powers of entry provided under such legislation. For the avoidance of doubt, those powers and duties emanating below does hereby include any or any subsequent or amended, Acts, Regulations, Orders and Directives:

Acquisition of Land Act 1981	Acquisition of Land (Assessment of Compensation) Act 1919	Agricultural Holdings Act 1986	Agriculture (Miscellaneous Provisions) Act 1968
Allotment Acts 1922 and 1925	Ancient Monuments Act 1931	Ancient Monuments and Archaeological Areas Act 1979	Ancient Monuments Consolidation and Amendment Act 1913
Animal Health Act 1981	Assets of Community Value (England) Regulations 2012	Building Act 1984	Building (Amendment) Regulations 2001
Building (Local Authority Charges) Regulations 2010	Building Regulations 2010	Caravan Sites Act 1968	Caravan Sites and Control of Development Act 1960
Chronically Sick and Disabled Persons Act 1970	Civil Aviation Act 1982	Commons Acts 1876, 1899 and 1908	Commons Act 2006
Commons Registration Act 1965	Communications Act 2003	Community Infrastructure Levy Regulations 2010	Community Land Act 1975
Compulsory Purchase Act 1965	Compulsory Purchase (Vesting Declarations) Act 1981	Compulsory Purchase of Land (Vesting Declarations) (England) Regulations 2017	Conservation of Habitats and Species Regulations 2017
Construction (Design and Management) Regulations 2015	Control of Asbestos Regulations 2012	Control of Pollution Act 1974	Countryside Act 1968
Countryside and Right of Way Act 2000	Criminal Justice and Public Order Act 1994	Cycle Tracks Act 1984	Defective Premises Act 1972

Derelict Land Act 1982	Education Act 1996	Energy Act 2004 & 2011	Enterprise and Regulatory Reform Act 2013
Environment Act 1995	Environmental Protection Act 1990	European Communities Act 1972 <i>and any orders, directives or regulations made thereunder</i>	Factories Act 1961
Finance Act 1996	Fire Safety and Safety of Places of Sport Act 1987	Flood and Water Management Act 2010	Food Act 1984
Forestry Act 1967	Gas Acts 1965, 1986 and 1995	Good Vehicles (Licensing of Operators) Act 1995	Growth and Infrastructure Act 2013
Health and Safety at Work etc. Act 1974 <i>and regulations made thereunder</i>	Health Services Act 1976	Hedgerows Regulations 1997	Highways Acts 1971 and 1980
Hill Farming Act 1946	Historic Buildings and Ancient Monuments Act 1953	Housing Acts 1980, 1985, 1988, 1996 and 2004	Housing and Building Control Act 1984
Housing (Consequential Provisions) Act 1985	Housing Grants, Construction and Regeneration Act 1996	Housing and Planning Acts 1986 and 2016	Inner Urban Areas Act 1978
Inquiries Act 2005	Infrastructure Act 2015	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017	Land Charges Act 1972
Land Compensation Act 1961 and 1973	Land Registration Act 2002	Landlord and Tenant Acts 1927, 1954, 1985 and 1988	Landlord and Tenant (Covenants) Act 1995
Law of Property Act 1925	Leasehold Reform, Housing and Urban Development Act 1993	Licensing Act 2003	Litter Act 1983
Local Authorities (Goods and Services) Act 1970	Local Authorities (Land) Act 1963	Local Government Acts 1972, 1985, 1992 and 2003	Local Government and Housing Act 1989

Local Government (Miscellaneous Provisions) Acts 1976 and 1982	Local Government, Planning and Land Act 1980	Local Land Charges Act 1975	Localism Act 2011
Mineral Workings Act 1985	Mission and Pastoral Measure 2011	Mobile Homes Act 1983	National Parks and Access to the Countryside Act 1990
National Planning Policy Framework	Neighbourhood Planning Act 2017	New Roads and Street Works Act 1991	New Towns Act 1981
Open Spaces Act 1906	Ordnance Survey Act 1841	Planning Act 2008	Planning and Compensation Act 1991
Planning and Compulsory Purchase Act 2004	Planning and Energy Act 2008	Planning (Consequential Provisions) Act 1990	Planning (Hazardous Substances) Act 1990
Planning (Hazardous Substances) Regulations 2015	Planning (Listed Buildings and Conservation Areas) Act 1990	Police and Criminal Evidence Act 1984	Proceeds of Crime Act 2002
Protection from Eviction Act 1977	Public Health Acts 1936 and 1961	Radioactive Substances Act 1960	Railways Acts 1993 and 2005
Refuse Disposal (Amenity) Act 1978	Regulatory Reform (Fire Safety) Order 2005	Regulatory Reform (Housing Assistance) (England and Wales) Order 2002	Rent Acts 1974 and 1977
Rent (Agriculture) Act 1976	Rent (Agriculture) Amendment Act 1977	Riding Establishments Act 1964 and 1970	Rights of Light Act 1959
Road Traffic Regulation Act 1984	Safety of Sports Grounds Act 1975	Scrap Metal Dealers 2013	Self-build and Custom Housebuilding Act 2015
Senior Courts Act 1981 - <i>injunctions</i>	Slaughterhouses Act 1974	Small Holdings and Allotments Act 1908	Social Security Act 1986
Social Security (Consequential Provisions) Act 1992	Social Security and Housing Benefits Act 1982	Sustainable Communities Act 2007	Theatres Act 1968
Town and Country Planning Act 1990 <i>and regulations, orders and rules made thereunder</i>	Town and Country Planning (Control of Advertisements) (England) Regulations 2007	Town and Country Planning (Development Management Procedure) (England) Order 2015	Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017

Town and Country Planning (General Permitted Development) (England) Order 2015	Town and Country Planning General Regulations 1992	Town and Country Planning General (Amendment) Regulations 2013 and 2018	Town Development Act 1952
Town Improvement Clauses Act 1847	Town Police Clause Act 1847	Transport and Works Act 1992	Tribunals and Inquiries Act 1992
War Memorials (Local Authorities' Powers) Act 1923	Waste and Emissions Trading Act 2003	Water Acts 1945, 1973, 1981 and 1989	Water Consolidation (Consequential Provisions) Act 1991
Water Industry Act 1991	Water Resources Act 1991	Wildlife and Countryside Act 1981	Zoo Licensing Act 1981
Any offence under any legislation or at Common Law which is of a similar nature or related to the foregoing, including offences of aiding, abetting, counselling or procuring			

**Appendix 1 – Group of Officers**

Titles of Group Officers by whom the Delegated Powers / Duties are exercisable:

Area Planning Manager	Principal Development Planner	Principal Enforcement Officer	Enforcement Officer
Condition Monitoring Officer	Heritage Specialist	Healthy Spaces Design Specialist	LLPG Custodian
Monitoring and Engagement Officer	Planning Ecologist	Development Delivery Group Specialist	Highways and Building Control Team Manage
Planning/Building Control Specialist	Principal Building Control Surveyor	Area Building Surveyor	Assistant Building Control Surveyor
Trainee Building Control Surveyor	Principal Highways DC Engineer	Senior Highways DC Engineer	Highways DC Engineer
Assistant Highways DC Technical Engineer	Highway DC Technical Assistant	Senior Rights of Way officer	Senior Highways DC Technical Assistant
Highways Site Engineer and Assistant Highways Engineer.	Service Delivery Manager	Assistant Director	
Team Leader, Estates & Investments	Senior Surveyor		

**Appendix 2 – Group of Officers (Advocacy) – Pursuant to S.223 Local Government Act 1972**

Director	Assistant Director	Service Delivery Manager for Development Management	Service Delivery Manager Estates & Investments
Team Leader, Estates & Investments	Senior Surveyor		

**Appendix 3 – Group of Officers (Authority to Prosecute)**

The Service Delivery Manager, Area Planning Managers, Principal Enforcement Officer and the Assistant Director (Business Development and Employment) have the authority to prosecute, subject to the Assistant Director (Governance, Procurement and Commissioning) being satisfied as to the Crown Prosecution Service’s Code for Prosecutors i.e. being satisfied upon the evidential and public interest tests.

**Authorisation**

Duly authorised by Assistant Director of Business, Development & Employment

Signed:

Date: