


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u> Management Team Restructure	
<u>DECISION REFERENCE</u> DO/111/2024 (BD)	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc. Constitution: Part 3E.1 e)
<u>DATE OF DECISION</u> 22nd March 2024	<u>DECISION MAKER</u> (Name and Job Title)  Brent Davis Chief Executive

RECORD OF THE DECISION

a) The issue

The incumbent Chief Executive Officer has served notice of their retirement and will leave the Borough Council at the end of May 2024.

The post of Chief Executive Officer was advertised externally and through a competitive selection process, the Borough Council's current Strategic Director - Economy & Transformation has been successfully appointed to the role with effect from 1st June 2024. This post holder also holds the responsibility of Deputy Chief Executive. This duty was awarded by competitive selection but is not attributable to the specific post.

The above situation has offered an opportunity to review the current management team structure at a time when the Council is undertaking the biggest regeneration and capital programme in its history, while also undertaking an ambitious and important internal transformational programme together with embedding a newly configured Assistant Director team. The aim of the review undertaken has been to put in place a revised management team structure that aligns resources to priority areas of work and projects that require significant senior management input over the next few years.

In accordance with the Borough Council's Change Management Policy, Strategic Directors and Assistant Directors were consulted on different options for a revised management structure [including options for the role of Deputy Chief Executive] between 5th March and 19th March 2024.

Submissions were received from six of the consultees, with the contents of these responses showing a broad consensus on what the revised management team structure should be. The outcomes of the consultation are reflected in the decisions set out below that put in place a revised management team structure from 1st June 2024.

b) The Decision

With effect from 1st June 2024:

1. The current post of Strategic Director - Economy & Transformation be deleted and a new post of Strategic Director - Place & Economy be established with this post having responsibility for the services areas of Economy, Regeneration (including the regeneration programme) and Planning [including planning policy; development control; building control and environmental sustainability].
2. The current Strategic Director - Finance & Governance post be retitled Strategic Director -Corporate Resources and that, in addition to the service areas for Finance and Democracy & Governance, the service area of Central Operations [excluding events] report to this post in order to create a comprehensive finance and corporate resource directorate.
3. The Strategic Director – Public Services retain responsibility for the service areas of Recreation & Culture and Environment & Enforcement.

4. The Strategic Director – Housing & Community Safety continue to have responsibility for the service areas of Social Housing & Community Safety and Strategic Housing.
5. The Deputy Chief Executive role be allocated by an appropriate selection process to one of the Strategic Directors.
6. The overall responsibility for events be removed from the service area of Central Operations and further consideration be given as matter of urgency as to where this responsibility should instead be located in the revised management team structure.
7. Given the significant and permanent reallocation of duties amongst some Strategic Director posts, a review of the pay and conditions of those Strategic Director posts be undertaken by the People Services Manager and reported to Employment Committee.

REASON FOR THE DECISION

To put in place a revised management team structure that aligns resources to priority areas of work and projects that require significant senior management input over the next few years.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION

Set out in the information issued to consultees.

WARD RELEVANCE

None

FINANCIAL AND BUDGET IMPLICATIONS

No direct implications.

CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS

Consultation has been held with Strategic Directors and Assistant Directors. The consultation information was provided to the Leaders of Political Groups.

ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED

None

<p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given).</p> <p>Not applicable</p>
<p><u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u></p> <p>None</p>
<p><u>HUMAN RESOURCES IMPLICATIONS</u></p> <p>The Borough Council's Change Management Policy has been followed.</p>
<p><u>HEALTH EQUALITIES IMPLICATIONS</u></p> <p>None</p>
<p><u>SECTION 17 CRIME & DISORDER IMPLICATIONS</u></p> <p>None</p>
<p><u>RISK MANAGEMENT IMPLICATIONS</u></p> <p>None</p>
<p><u>SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS</u></p> <p>None</p>
<p><u>ENVIRONMENTAL IMPLICATIONS</u></p> <p>None</p>
<p><u>LEGAL IMPLICATIONS</u></p> <p>The Borough Council's Change Management Policy has been followed.</p>
<p><u>ANY OTHER COMMENTS</u></p> <p>None</p>

PLEASE RETURN TO THE STRATEGIC DIRECTOR – FINANCE & GOVERNANCE AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER

Appendix A

3E.2 Strategic Director – Finance & Governance

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions
- Any reference in pre 1972 legislation to the Treasurer, which, by virtue of Local Government Act 1972, is to be construed as a Proper Officer
 - Ss. 115, 146, 151 Local Government Act 1972
 - Ss. 26 and 114 Local Government Finance Act 1988
 - Local Government Act 2003 Part I
- b) Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Sch.13 Local Government Act 1972; ss. 39 – 66 Local Government and Housing Act 1989	Loans and other financial provisions
s.438 and Sch. 16, Housing Act 1985	Vary interest rates to meet legislative requirements
Local Government Act 2003 Parts I & II	Capital Finance
S116, S116A & 110A Social Security Administration Act 1992	Benefit fraud including investigations on behalf of the Department of Work and Pensions
Ss. 41 - 67 Local Government Finance Act 1988; Local Government Finance Act 1992 (with the exception of setting the Council Tax base save Ss.32 - 37); Social Security Administration Act 1992; ss.123 - 137 and 172 - 177 Social Security Contributions and Benefits Act 1992; Social Security Act 1998; Welfare Reform and Pensions Act 1999;	Council Tax, rating, Council Tax Benefit, Housing Benefit and Discretionary Rate Relief (DRR)
S110A Social Security Administration Act 1992 Benefit Fraud Matters.	
Child Protection Legislation	
Equalities Act 2010	
Ss. 83, 100B, 100F, 229, 234, 238, Sched 14 Local Government Act 1972	Byelaws
S. 41 Local Government (Miscellaneous Provisions) Act 1976	Lost or uncollected property

Statutory Provision	Brief Description
Ss. 191 Local Government Act 1972	Ordnance Survey
Local Government Act 2000 and regulations thereunder	Executive Arrangements
Ss. 26, 118, 119 Highways Act 1980 and S.257 Town and Country Planning Act 1990	Public Footpath Orders
Ss.191 to 194, Town and Country Planning Act 1990	Certificate of lawful use or development except when called in for decision by Planning Applications Committee pursuant to the process outlined in Part 3E.10(b) iv.
Ss.14-16A Road Traffic Regulation Act 1984	Orders to prohibit or restrict traffic
Crime and Disorder Act 1998 (as amended)	ASBOs and other Orders
S110A Social Security Administration Act 1992	
S.116 Local Government Finance Act 1988	
Any reference in pre 1972 legislation to the surveyor, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	

- c) Operate scheme for transfer of Council's mortgage debt to private sector.
- d) Authorise any person acting for the Council to enter any land, for any statutory purpose.
- e) Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000 including surveillance likely to obtain confidential information.
- f) Assess and grant gratuities within the terms of and up to maxima approved by Policy decisions of the Council.
- g) Manage and invest the special and reserve funds and acquire and dispose of securities comprising such funds.
- h) Approve (but not refuse) loans for house purchase and improvement.
- i) Be the Council's Money Laundering Reporting Officer.
- j) Set the Council Tax base.
- k) Authorise proceedings for recovery of any sums due to the Council and possession of property held as security for same.
- l) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.

- m) Make virements and write offs in excess of the Authority delegated to officers in consultation and agreement with the Leader.
- n) Carry out relevant research and surveys including incurring necessary expenditure in relation to such research and surveys as one appropriate to help facilitate the Council's functions.
- o) Write –off irrecoverable debts within financial limits laid down in the Council's Financial Procedure Rules.
- p) Grant (but not refuse) mandatory rate relief in line with the Council's policy.
- q) Deal with applications for discretionary rate relief in line with the Council's policy.
- r) Collect and enforce Council Tax.
- s) Coordinate the collection and provision of performance data and arrange for the publication of performance information and strategy reporting.
- t) To approve the business rates forecast as part of the budget setting process.
- u) Conduct internal audit of financial transactions of the council
- v) Take all steps regarding risk management within the Council.
- w) Manage the development and implementation of the Council's Equality Scheme
- x) Hold premises licences for Council property in connection with any functions assigned.
- y) In consultation with the Monitoring Officer, coordinate the formulation of the Corporate Plan and Corporate Plan Delivery Plan.
- z) Amend the Members' Allowance Scheme in accordance with increases fixed by the Secretary of State.
- aa) Provide the role of Mayor's Secretary.
- bb) Make arrangements in connection with Civic matters/engagements relating to Mayoralty.
- cc) Where any delegation proposed to be relied upon or procedure proposed to be utilised refers to any office-holder, Cabinet, Committee or Ward Member, or forum that no longer exists, the Monitoring Officer shall determine how the power shall be appropriately exercised or procedure interpreted.
- dd) Take all necessary steps relating to Purchase Notices served on the Council

3E.3 Head of Legal Services

- a) Act for any officer of the Council in proceedings before a court or a tribunal relating to the officer's role for the Council.
- b) Institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to a decision of the Council or in any case where he/she considers that such action is necessary to protect the Council's interests.
- c) Sign any document necessary to any legal procedure or proceedings on behalf of the Council, unless any enactment otherwise authorises or requires.
- d) Keep in safe custody the Common Seal of the Council, and affix and attest the Common Seal to those documents, which in his/her opinion should be sealed.
- e) Be the designated co-ordinator responsible for making the necessary arrangements for monitoring all authorisations signed on behalf of the Council pursuant to the Regulation of Investigatory Powers Act 2000.
- f) Proper officer, appointed officer or inspector in respect of the following statutory provisions

Statutory Provision	Brief Description
Solicitor to the Council and Clerk to the Benefit Review Boards	Solicitor to the Council and Clerk to the Benefit Review Boards
S.5 & 5A Local Government and Housing Act 1989	Monitoring Officer (w.e.f 1/7/23)
Ss. 52(2) Representation of the People Act 1983	Deputy Registration Officer

- g) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector.

3E.4 Strategic Director – Housing & Community Safety

- a) Proper officer, appointed officer or inspector in respect of the following statutory provisions or regulations made under them.

Statutory Provision	
Housing Grants Construction and Regeneration Act 1996	
Public Health (Control of Disease) Act 1984	
Public Health Acts 1936 and 1961	
Prevention of Damage by Pests Act 1949	
Environmental Protection Act 1990	
Housing Act 2004	
The Prevention of Social Housing Fraud Act 2013	
The Prevention of Social Housing Fraud (Power to Require Information) Regs 2014	
The Anti-Social Behaviour, Crime and Policing Act 2014	
Homeless Reduction Act 2017	
Housing Acts 1985 and 1996	Management of Council owned property for rent
Ss.25 and 26 Local Government (Miscellaneous Provisions) Act 1976	Any steps concerning dangerous excavations
Highways Act 1980	Various District Council functions

b) Exercise any power of a Local Authority relating to Housing services under the following statutes or regulations or byelaws made (now or in the future) under them:

- Anti-Social Behaviour Act 2003
- Anti-Social Behaviour, Crime and Policing Act 2014
- Building Act 1984
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Care Act 2014 (as delegated from WCC)
- Construction Design and Management Regulations 2015
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Energy Act 2011
- Enterprise and Reform Act 2013
- Land Compensation Act 1973
- Housing Acts 1985, 1988 1996 & 2004
- Housing & Regeneration Act 2008
- Housing (Consequential Provisions) Act 1985
- Housing Grants Construction and Regeneration Act 1996
- Housing and Planning Act 2016
- Infrastructure Act 2015
- Land compensation Act 1973
- Landlord and Tenant Act 1985
- Local Government and Housing Act 1989
- Local Government (Miscellaneous Provisions) Acts 1976 & 1982
- Home Safety Act 1961
- Home Energy Conservation Act 1995
- The Homeless Reduction Act 2017
- Housing (Consequential Provisions) Act 1985
- Landlord and Tenant Act 1985
- Mobile Homes Act 1983
- Mobile Homes Act 2013
- National Assistance Act 1948
- Police, Crime, Sentencing and Courts Act 2022
- Prevention of Damage by Pests Act 1949
- Prevention of Social Housing Fraud Act 2013
- Protection From Eviction Act 1977
- Regulatory Reform Act 2001
- Water Industries Act 1991
- Health and Safety at Work Act 1974
- Equality Act
- Regulatory Reform (Fire) Order 2005
- Control of Asbestos regulations 2006.

c) Take any enforcement action, including any application to a court or tribunal, in respect of powers delegated to him/her or in respect of functions for which he/she is a proper officer, appointed officer or inspector

- d) Take all necessary action to implement the Council's Planned Maintenance and Major Improvement Programmes to all dwellings, shops and garages provided under the Housing Act powers.
- e) Take all necessary action to implement the Council's reactive maintenance functions to all dwellings, shops, and garages provided under Housing Act powers.
- f) Manage and facilitate the operation of the Nuneaton and Bedworth Safer Community Partnership and the development of the Crime and Disorder and Substance Misuse Plan.
- g) Assess grants within the terms of and up to a maximum approved by the Policy decisions of the Council.
- h) Manage Community Safety Schemes and take action in relation to Nuneaton and Bedworth's Crime and Disorder and Substance Misuse Plan, and the Council's powers under the Crime and Disorder Act 1998 (as amended).
- i) Take all actions and make all decisions relating to the Council's functions in respect of Community Cohesion.
- j) Take all appropriate action and to exercise all powers and duties in relation to Community Development in consultation with the Portfolio Holder.
- k) Consult with and respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Criminal Behaviour Orders, Closure Orders, Dispersal Orders or other relevant specific items included in the ASB, Crime and Policing Act.
- l) Respond to requests for consultation from Warwickshire Police and other organisations to act as a consultee in relation to applications for Anti-Social Behaviour Orders.
- m) Consult with Warwickshire Police and other agencies in relation to applications for Anti-Social Behaviour Orders.
- n) Respond to requests for consultation under the Anti-social Behaviour Act 2003, including with reference to making Dispersal Orders under Section 30 of the Act.
- o) Take all actions and make all decisions not reserved to the Council relating to the Council's functions in respect of Consultation.
- p) Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- q) Be duty holder for the purposes of the Control of Asbestos Regulations 2012.
- r) Exercise all management aspects regarding dwellings, shops and other accommodation and garages provided under Housing Act powers, and other dwellings owned or formerly owned by the Council save that eviction of any resident shall be made in consultation with the relevant Portfolio Holder.
- s) Arrange for the valuation of properties pursuant to the Right to Buy and the issuing of offers.
- t) Take all steps regarding the right to buy including anything to achieve the targets set by the Secretary of State.
- u) Settle the terms of nomination agreements with housing associations.
- v) Take relevant court action to deal with anti-social behaviour (having previously informed Ward Members).

- w) In consultation with the relevant Portfolio Holder, make temporary accommodation available to refugees or asylum seekers
- x) To authorise proceedings for possession of Council owned property and recovery of rent arrears under the Housing Act powers.
- y) Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
- z) Deal with functions relating to Home Environment Assessment and Response Team Partnership Agreement.
- aa) Waive licence conditions regarding clear boundary space at mobile home sites subject to consultation with the Fire Officer.

3E.5 Strategic Director – Economy & Transformation (& Deputy Chief Executive)

Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Data Protection Act 2018	
Freedom of Information Act 2000	
Environmental Information Regulations 2004	
Ss. 35A and 112 Road Traffic Reg Act 1964	Enforcement of Car parking Order or Nuneaton Bus Station Order
Sch. 4 Local Government (Miscellaneous Provisions Act 1982	Licensing of Street Traders
Local Government Act 2003	BIDS (Customer Services & Business Improvement Districts)
Markets and Fair Clauses Act 1847	Markets
Food Act 1984	Markets
Ss. 191 Local Government Act 1972	Ordnance Survey
Party Wall Etc. Act 1996 (Appointing Officer)	

- a. Monitor the use of the Council's IT systems including internet and e-mail (where appropriate following appropriate authorisation) – Regulation of Investigatory Powers Act 2000.
- b. Manage the Council's telephonic and Information technology systems, in accordance with the Policy of the Council.
- c. Undertake functions relating to street name and numbering.
- d. Be the Council's Nominated Officer for the purpose of the Local Government Pension (Amendment) Regulations 2004 - Internal Dispute Resolution Procedure.
- e. Authorise applications renewals, reviews and cancellations under the Regulation of Investigatory Powers Act 2000.
- f. Approve press releases and official statements to press enquiries on behalf of the Authority as and when required.
- g. Manage and undertake the Council's duties under the Civil Contingencies Act 2003.
- h. Take appropriate action in relation to emergencies and to produce and update the Council's Emergency Plan and Business Continuity Plan, all powers under Section 138 of the Local Government Act 1972 and all relevant legislation.
- i. Incur any expenditure through making grants and loans where an emergency or disaster involves danger to life or property, or is imminent and to incur expenditure for the purposes for contingency planning.

- j. Take all steps necessary to investigate any allegations relating to Council Tax Housing Benefit Fraud.
- k. To take all actions and make decision not reserved to the Council relating to the Council's functions in respect of Communications.
- l. Approve and pay death grants under schemes adopted by the Council.
- m. Serve all Notices under the Pensions Acts.
- n. Implement national awards affecting wages, salaries and conditions of service.
- o. Administer and review the Council's car loan, and car user allowance schemes.
- p. Assess value for pension purposes of emoluments in kind paid to employees and giving effect thereto.
- q. Exercise any power of the Local Authority relating to human resources under the following statues or regulation or by-laws made (now or in the future) under them:
 - r. Health & Safety at Work Act 1974
 - s. Employment Rights Act 1996
 - t. Enter into any initiatives with the Occupational Health Service seen as beneficial to the employees of the Council
 - u. Hold premises licences for Council property in connection with any functions assigned.
 - v. In consultation with the relevant Portfolio Holder, set promotional and other charges.
- w. Fix and charge the appropriate hire fee for external bookings for the Civic Suite in order to cover the Council's costs.
- x. Undertake all facilities management activities for Council office buildings
- y. Be duty holder for the purposes of the Control of Asbestos Regulations 2012
- z. Undertake day to day management of Stockingford and Keresley Community Centre.
- aa. Arrange bookings or limited exhibitions and other events in Town Centre pedestrianised areas.
- bb. Manage the operation of the Nuneaton and Bedworth Markets in accordance with the Market Regulations as made by the Council from time to time.
- cc. As a consequence of any decision of Cabinet or Council in consultation with the Portfolio Holder with responsibility for markets, make any necessary changes to the markets, the layout, or their regulations.
- dd. Be the Radio Terminal Custodian for the Airwave Service.
- ee. Undertake all the Town Centre management activities including Delivery of Town Centre Master Plan, including street scene enhancement activities.
- ff. Manage the Council's off street car park in accordance with the Council's Off Street Parking Order.
- gg. In Consultation with the relevant Portfolio Holder, waive car park charges from time to time.

- hh. Undertake all matter relating to the provisions of public conveniences.
 - ii. Manage the Council's car parks and resident parking schemes.
 - jj. Manage the Bus Station
 - kk. Undertake all functions relating to CCTV.
- ll. Undertake management of the Council's Commercial Property Portfolio.
- mm. Arrange bookings or limited exhibitions and other commercial events on Council land (other than town centre).
 - nn. Authority to undertake Land/Asset Disposal and Acquisitions on behalf of the Council, in consultation with the relevant Portfolio Holder.
 - oo. Exercise the Council's responsibilities in respect of Economic Development
 - pp. To considers oral representations pursuant to the Scrap Metal Dealers Act 2013.
 - qq. Authority to take action on Closure Orders under the Anti-Social Behaviour, Crime and Policing Act 2014.
 - rr. Exercise functions under any Agency agreement with Warwickshire County Council.
 - ss. Undertake management of the Council's Commercial Property Portfolio.
- tt. Arrange bookings or limited exhibitions and other commercial events on Council land (other than town centre).
- uu. Public Health Acts Amendment Act 1907
- vv. Administer the arrangements for the discharge of all matters relating to the Council's Local Land Charges Register.
- ww. Conclude any land transactions required to complete the Camp Hill Urban Village Scheme.
- xx. All Property Management steps in respect of the Council's land and buildings and related transactions in accordance with any relevant Council Policy, and the Council's Budget and Policy framework, including creating, renewing and terminating interests in land, reviewing and recovering rents, disposing of and acquiring interests including:
- i. Carry out urgent repairs to private streets
 - ii. Renew plant, equipment and vehicles within the budget provision, and dispose of items being so renewed.
 - iii. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
 - iv. Take all actions necessary to implement the Council's Planned and Reactive Maintenance Programme including to corporate operational and non- operational buildings, including car parks and the Bus Station (not including day to day responsive repairs and gas servicing activities).

3E.6 Strategic Director – Public Services

- a. Exercise any power of the Local Authority under the following statutory provisions or pursuant to regulations made (now or in future) under them.

Statutory Provision	Brief Description
Ss.14-16A Road Traffic Regulation Act 1984	Orders to prohibit or restrict traffic
Crime and Disorder Act 1998 (as amended)	ASBOs and other Orders
The Anti-social Behaviour, Crime and Policing Act 2014	
Environmental Protection Act 1990	Search and seizure of vehicles and street litter control
Anti-Social Behaviour Act 2003	Graffiti
Clean Neighbourhoods and Environmental Act 2005	
Town and Country Planning Act 1990 - S.215-219, 224–225, 330 and 324 and Town and Country Planning (Control of Advertisement) Regs	Miscellaneous Planning enforcement
Liaison Officer under Food Safety Act 1990	
Building Act 1984	
Any reference in pre 1972 legislation to the medical officer of health or public health inspector, which, by virtue of the Local Government Act 1972, is to be construed as a Proper Officer	
S.2 and Sched 3 to the Local Government (Miscellaneous Provisions) Act 1982	
Licensing Act 2003 provided no objections are received	
Animal Welfare Act 2006 and The Microchipping of Dogs (England) Regs 2015	
S.61 Local Government (Miscellaneous Provisions) Act 1976	Revoke and Suspend licences
S.75(3) Local Government (Miscellaneous Provisions) Act 1976	<i>Applications for Certificates of Exemption re PHVs</i>
Health and Safety at Work Act 1974	
Environment Act 1995 S. 82 & Sched. 11	Air Quality
S.15 Local Government (Miscellaneous Provisions) Act 1976	Authorise staff to survey land where no specific power is available
Building Act 1984	Building Regulations, dangerous structures and demolition
Environmental Protection Act 1990 s.2	Appoint any other person including third party contractors to discharge the Council's functions pursuant to Part II and Sched 3 of the Act
S.19 & 20 Health and Safety at Work Etc Act 1974	Authorise inspectors and enforcement and other technical experts to discharge functions including powers of entry
Refuse Disposal (Amenity) Act 1978	Remove and deal with abandoned vehicles

- b. Manage the Council's parks and open spaces and horticultural services

- c. Manage allotments.
- d. Manage cemeteries.
- e. Subject to the agreement of the Highway Authority, enter into licenses to cultivate land under S.142 Highways Act 1980.
- f. Authorise the use of Council controlled water for one-off angling events for children's competition practice sessions.
- g. In consultation with the Assistant Director of Planning & Building Control, settle terms for agreements to acquire open space, amenity, play or recreation areas in new developments and negotiate S.106 agreements in connection with Parks & Leisure.
- h. Conclude agreements made pursuant to the Code of Practice for Members and officers on boards of voluntary organisations.
- i. Be a duty holder for the purposes of the Control of Asbestos Regulations 2012.
- j. Authority to take action relevant to their service under the Anti-social Behaviour, Crime and Policing Act 2014.
- k. In Consultation with the relevant Portfolio Holder, manage the arrangements in connection with the managements of the Council's Leisure Centres and Grounds Maintenance and the related activities undertaken by any contractor appointed.
- l. Enter into arrangements for the letting and/or use by organisations or individuals of leisure facilities provided by the Council, in accordance with the Policy of the Council.
- m. In consultation with the relevant Portfolio Holder amend Arts Grant criteria if appropriate.
- n. Manage the Museums in accordance with any associated Policies.
- o. Accept or reject potential gifts or bequests to the Museum and Art Gallery.
- p. Solicit gifts of historical or artistic material for the Collections within the terms of the Nuneaton Museum and Art Gallery Acquisition and Disposal Policy.
- q. Make recommendations and take all necessary action on the purchase of historical or artistic material and pictures, in accordance with the Council's financial and contract procedures.
- r. Accept items on loan for finite period for display or specific study.
- s. Manage the Civic Hall.
- t. Hold premises licences for Council property in connection with any functions assigned.
- u. Undertake all functions relating to amenity lighting.

- v. Undertake all functions relating to transport.
- w. Deal with requests for the loan of equipment and materials to charitable and voluntary organisations regarding refuse collection and cleansing.
- x. Provide a trade refuse service when required and fix appropriate charges.
- y. Manage the Council's refuse collection and street cleaning service.
- z. Undertake all functions relating to land drainage.
- aa. Enter into arrangements for the letting and/or use by organisations or individuals of parks and open spaces provided by the Council, in accordance with the Policy of the Council.
- bb. Exercise functions under any Agency agreement with Warwickshire County Council
- cc. Enter into arrangements for the provision of entertainments, in accordance with the Policy of the Council.
- dd. Deal with issues relating to Health Inequalities.
- ee. Authorisation of officers to serve Fixed Penalty Notices for litter enforcement pursuant to the Clean Neighbourhoods and Environment Act 2005.
- ff. In consultation with Chair and (Vice-Chair) of LIC determine applications for permits for house to house or street collections which cannot be considered by LIC at its November meeting (unless objection has been submitted).
- gg. Administer the Council's arrangements for the Licensing of hackney carriage and private hire vehicles including the grant and renewal of hackney carriage and private hire vehicle licences, and private hire operators' licences, unless either there are unspent convictions or objections are received, or both.
- hh. Authority to take action relevant to their service under the Crime and Policing Act 2014.
- ii. Exercise any power of the Local Authority relating to environmental health under the following statutory provisions or pursuant to regulations or by-laws made (now or in future) under them:
 - a. Animal Boarding Establishments Act 1963
 - b. Animal Welfare Act 2006
 - c. Anti-Social Behaviour Act 2003
 - d. Anti-Social Behaviour, Crime and Policing Act 2014
 - e. Breeding of Dogs Act 1973 & 1991
 - f. Building Act 1984
 - g. Clean Air Act 1993
 - h. Clean Neighbourhoods and Environment Act 2005
 - i. Criminal Justice and Public Order Act 1994
 - j. Crime and Disorder Act 1998
 - k. Control of Pollution Act 1974
 - l. Dangerous Wild Animals Act 1976
 - m. Dangerous Dogs Act 1991
 - n. Dogs (Fouling of Land) Act 1996
 - o. Enterprise and Reform Act 2013
 - p. Environment Act 1995

- q. Environment and Safety Information Act 1988
- r. Environmental Protection Act 1990
- s. Equality Act 2010
- t. European Communities Act 1972
- u. Factories Acts 1961
- v. Food Act 1984
- w. Food and Environment Protection Act 1985
- x. Food Safety Act 1990
- y. Gambling Act 2005
- z. Guard Dogs Act 1975
- aa. Health Act 2006
- bb. Health and Safety at Work Etc Act 1974
- cc. Highways Act 1980
- dd. House to House Collections Act 1939
- ee. Housing and Planning Act 2016
- ff. Land Compensation Act 1973
- gg. Licensing Act 2003
- hh. Local Government (Misc Prov) Act 1976
- ii. Local Government (Misc Prov) Act 1982
- jj. Local Government and Housing Act 1989
- kk. Noise Act 1996
- ll. Noise and Statutory Nuisance Act 1993
- mm. Offices, Shops & Railway Premises Act 1963
- nn. Performing Animals (Regulation) Act 1925
- oo. Pet Animals Act 1951
- pp. Police, Factories Etc (Misc Prov) Act 1916
- qq. Pollution Prevention and Control Act 1999
- rr. Prevention of Damage by Pests Act 1949
- ss. Public Health Acts 1936 & 1961
- tt. Public Health (Control of Disease) Act 1984
- uu. Refuse (Disposal) Amenity Act 1978
- vv. Regulatory Reform Act 2001
- ww. Riding Establishments Acts 1964 & 1970
- xx. Scrap Metal Dealers Act 1964
- yy. Scrap Metal Dealers Act 2013
- zz. Slaughter of Poultry Act 1967
- aaa. Slaughterhouses Act 1974
- bbb. Sunbeds (Regulation) Act 2010
- ccc. Sunday Trading Act 1994
- ddd. Town Police Clauses Act 1847
- eee. Town and Country Planning Act 1990 s.215-219, 224-225, 330, 324
- fff. Town and Country Planning (Control of Advertisement) England Regs 2007
- ggg. Vehicles (Crime) Act 2001
- hhh. Water Industry Act 1991
- iii. Zoo Licensing Act 1981

Licensing Act 2003

- a) Issue notices of exemption to taxi drivers relating to the carriage of guide dogs etc. in certain circumstances (see minute 586 of 8.2.01).
- b) Deal with applications for Personal Licence, if no objection made.

- c) Deal with applications for Premises Licence/Club Premises Certificate, if no relevant representation made.
- d) Deal with applications for Provisional Statement, if no relevant representation made.
- e) Deal with applications to vary Premises Licence/Club Premises certificate, if no relevant representation made.
- f) Deal with applications to vary Designated Premises Supervisor if no notice of objection is received.
- g) Deal with requests to be removed as designated premises supervisor, all cases.
- h) Deal with applications for transfer of Premises Licence if no Notice of Objection is received.
- i) Deal with applications for interim authorities if no Notice of Objection is received.
- j) Deal with decisions on whether a complaint is irrelevant, frivolous vexatious, etc., all cases.

Gambling Act 2005

- a. Fee setting where appropriate.
- b. Determination of application for premise's Licences where no representations received/representations have been withdrawn.
- c. Determination of application for a variation to a Licence where no representations received/representations have been withdrawn.
- d. Determination of application for a transfer of a Licence where no representations received from the Gambling Commission.
- e. Determination of application for a Provisional Statement where no representations received/representations have been withdrawn.
- f. Application for Club Gaming/Club Machine Permits where no objections made/objections have been withdrawn.
- g. Applications for other permits.
- h. Cancellation of Licensed Premises Gaming Machine Permits.
- i. Consideration of Temporary Use Notices.
- j. Determination as to whether representation is frivolous or vexatious, or will not influence decision.

Planning

- a. In the absence of an appointed Head of Planning and Building Control, the powers and functions relating to planning and building control as set out in Part 3E.8 of the Constitution.