

4.0 Responsibility for Executive Functions (Delegations)

Function	Body/Individual with Delegation	Members	Terms of Delegation
1. Local Act	Chief Officers and Associate Directors		To make any decision relating to the operation of any Local Act within their area of responsibility as set out in Article 12 otherwise than as set out in Reg. 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities)(England) Regulations 2000
2. Appeals	Chief Officers and Associate Directors Chief Officers Portfolio Holder with responsibility for the relevant Service area		To determine any appeal against any decision made by or against the Council within their area of responsibility as set out in Article 12 unless they have been involved in the original determination Any appeal when the original determination was made by an Associate Director Any appeal when the original determination was made by Chief Officers
3. Contaminated Land	Chief Operating Officer, Associate Director Housing and Wellbeing, Environmental Health Manager		To exercise all functions in undertaking the Council's duties relating to contaminated land
4. Control of Pollution and Air Quality Management	Chief Operating Officer, Associate Director of Housing and Wellbeing, Environmental Health Manager		To exercise all functions in relation to the undertaking of all the Council's duties and powers relating to the control of pollution and the management of air quality

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5. Service of an Abatement Notice in respect of a Statutory Nuisance and Inspection of Borough for Statutory Nuisances and Investigating complaints of Statutory Nuisance	Chief Operating Officer, Associate Director Health and Wellbeing, Environmental Health Manager		To exercise all functions in relation to the undertaking of all the Council's duties and powers relating to Statutory Nuisances
6. Schedule 2 Noise & Statutory Nuisance Act	The Executive		To decide whether Sch. 2 of Noise & Statutory Nuisance Act 1993 should apply to the Borough of Watford
7. S330 T&CPA (1990) and S16 LG (MP) Act 1976	Chief Officers/ Associate Directors		To exercise all powers under S330 of T&CPA 1990 and S16 LG (MP) Act 1976 as necessary in connection with the operation of any functions within their areas of responsibility as set out in Article 12
8. Highway Works	Director of Regeneration and Growth, Senior Transport & Infrastructure Manager, Director of Sustainability, Environment and Communities, Parking and		To exercise all functions and powers in relation to the Council's highway, traffic, public transport and parking activities upon the public highway or in relation to public rights of way otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities)

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	Sustainable Transport Lead , Planning Strategy and Infrastructure Lead		(England) Regulations 2000 To exercise all powers and duties on highway, traffic, public transport and parking activities consequential to any Agreement with the County Council on such matters otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regulations 2000
	Portfolio Holder for Transport & Sustainability		To agree changes to the extent and operation of the CPZ and matchday TRO's To be responsible for the preparation and review of all highway, transportation and parking policies otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regulations 2000
	The Executive		To formulate policies in relation to the highway, transport and parking activities otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regs 2000 for recommendation to Council.

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Street Naming & Numbering	Portfolio Holder for Transport & Sustainability		<p>To consider and agree the prioritisation and funding of any traffic work programme within the Executive's remit.</p> <p>To consider and make recommendations to Hertfordshire County Council on any proposals by them for new highways, pedestrian crossings, cycle routes and traffic calming with the Council's area</p>
	Director of Regeneration and Growth/ Planning, Strategy and Infrastructure Lead / the Land Charges Officer.		Approving the naming of new streets in accordance with the street naming policy.
	Director of Regeneration and Growth in consultation with the Elected Mayor		To approve the naming of a new street outside the street naming policy
	Director of Regeneration and Growth / Planning, Strategy and Infrastructure Lead / the Land Charges Officer in Consultation with ward councillors and the Elected Mayor		Approve an application to rename a street

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9. Appointments to other bodies	The Mayor		To exercise all powers not expressly reserved to Council to appoint Members and/or officers to other bodies as deemed appropriate
Watford Health Campus LLP	The Executive		<p>To be responsible for the taking all decisions on behalf of the Council as a member of the Watford Health Campus LLP not otherwise delegated to named representatives of the Partnership or Operations Boards.</p> <p>To approve the LLP's Business Plan and all final Zone Business Plan's and the allocation of money and land to the LLP.</p> <p>To be responsible for appointing Council representatives to the Partnership Board and Operations Board of the LLP in accordance with the terms of the Members Agreement.</p>
	Partnership Board named representatives		To act as the Council's named representatives on the LLP's Partnership Board and to exercise all delegated decisions as set out in Schedule 6 to the Members Agreement. To make regular reports on the business of the LLP to the Executive.

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Watford Commercial Services Limited	Operations Board named representative		To act as the Council's named representatives on the LLP's Operations Board and to exercise all delegated decisions as set out in Schedule 6 to the Members Agreement.
	Executive		<p>To be responsible for the taking all decisions on behalf of the Council as shareholder of Watford Commercial Services Limited not otherwise delegated to the Board of Directors</p> <p>To approve the Company's Business Plan and the allocation of money and land to the Company.</p> <p>To be responsible for appointing Council Directors to the Board of the Company in accordance with the terms of the Governance Agreement</p>
	Directors		To act as Directors of the Company and to exercise all delegated decisions as set out in the Governance Agreement
Hart Homes (Watford) Limited	Executive		<p>To be responsible for the taking all decisions on behalf of the Council as a shareholder of Hart Homes (Watford) Limited not otherwise delegated to named Directors of the Company</p> <p>To approve the Company's business plan the allocation of money and land to the Company.</p> <p>To be responsible for</p>

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Other Joint Ventures entered into by the Council	Directors		<p>appointing Council Directors to the Company Board in accordance with the terms of the Shareholders Agreement.</p> <p>To act as Directors of the Company and to exercise all delegated decisions as set out in the Shareholder Agreement</p>
	The Executive		<p>To be responsible for the taking all decisions on behalf of the Council as a member of the joint venture not otherwise delegated to named representatives of the Partnership or Operations Boards, or similarly named boards.</p> <p>To approve the LLP's Business Plan and all final Zone Business Plan's and the allocation of money and land to the LLP.</p> <p>To be responsible for appointing Council representatives to the boards of the LLP in accordance with the terms of the Members Agreement.</p>
	Partnership Board or similarly named, named representatives		<p>To act as the Council's named representatives on the LLP's Partnership Board and to exercise all delegated decisions as set out in the Members Agreement. To make regular reports on the business of the LLP to the Executive.</p>

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	Operations Board or similarly named, named representative		To act as the Council's named representatives on the LLP's Operations Board and to exercise all delegated decisions as set out in the Members Agreement.
10.Resources	<p>Council</p> <p>The Executive</p> <p>Three Rivers District Council</p>		<p>To be responsible for setting the budget, General Fund and the Capital Programme, setting the Council Tax and setting virement limits</p> <p>For proposing the budget both revenue and capital for functions within the responsibility of the Executive. For setting all fees and charges to be levied within the Executive's area of responsibility.</p> <p>To monitor the use of resources and approve (or recommend to Council) re-allocation during the year to enable the Council to perform its statutory functions, to agree virement limits in line with overall Council policy within which Chief Officers and Portfolio Holders can operate</p> <p>To provide a full accountancy, treasury management and fraud management service as set out in the Three Rivers District Council and Watford Borough Council Shared Service Agreement.</p>

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	Hertfordshire Shared Internal Audit Service		To provide a full internal audit service.
	St Albans City and District Council		To provide an in-house legal service.
	Chief Officers and Associate Directors in Consultation with the relevant Portfolio Holder and the Chief Finance Officer		To consider opportunities for obtaining external funding to support council projects and priorities, and where external funding is available to make application for it
	Elected Mayor		To agree to minor changes to the S106 Town & Country Planning Act 1990 (as amended) spending programme based on information in a quarterly monitoring report
	Chief Officers and Associate Directors		To be responsible for the day to day management of all material resources made available to them for the exercise of functions within their area of responsibility
	Director of Sustainability, Environment and Communities		To be accountable to the Executive for the resources used To be responsible for the Council's vehicle fleet.

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	Section 151 Officer		To accept grants and donations in consultation with the relevant Portfolio Holder
11. Land and Buildings	<p>The Executive</p> <p>Portfolio Holder for Property and Customer Service</p> <p>Elected Mayor</p>		<p>To approve the acquisition or disposal of a freehold /leasehold land asset having a value in excess of £10,000,001</p> <p>To approve the acquisition or disposal of a Commercial & investment freehold/leasehold land assets having a value of £3,000,001 to £10,000,000 subject to a full written business case being signed off by Finance and Legal</p> <p>To approve the acquisition or disposal of a Operational freehold/leasehold land assets having a value of £3,000,001 to £10,000,000 subject to a full written business case being signed off by Finance and Legal</p> <p>To approve the entering into of any agreement between the Council and the voluntary sector where the Council would not receive a commercial return on its assets</p> <p>To approve expenditure on schemes from s106 monies</p>

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	<p>Director of Regeneration and Growth Head of Property/Property Team Manager (investment Assets)</p> <p>Director of Regeneration and Growth / Head of Property</p>		<p>To be responsible for approving the acquisition and disposal of any commercial & investment freehold/leasehold land up to the value of £3,000,000 subject to a full written business case being prepared and signed off by Finance and Legal and to be responsible for managing all the Council's commercial and investment land and property and taking any action necessary in relation to them, subject to complying with the overall policy and budgetary requirements of the Council</p> <p>To approve any expenditure up to £500,000 per Unit on refurbishment works as recommended by the council's advisers to any Unit at Croxley Business Park</p> <p>To be responsible for approving the acquisition and disposal of any operational freehold/leasehold up to the value of £3,000,000 subject to a full written business case being prepared and signed off by Finance and Legal and to be responsible for managing all the Council's operational land and property and taking any action necessary in relation to them, subject to complying with the overall policy and budgetary requirements of the Council</p>

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	<p>Director of Regeneration and Growth / Head of Property in consultation with the Associate Director Housing and Wellbeing</p> <p>Director of Regeneration and Growth / Head of Property</p> <p>Director of Regeneration and Growth in consultation with Portfolio Holder for Property and Customer Service</p> <p>Director of Regeneration and Growth /Head of Property in conjunction with Head of Legal Shared Service</p>		<p>To be responsible for the disposal of or acquisition of any land and property used for housing tenants under the Housing Acts</p> <p>To approve any expenditure up to £500,000 per Unit on refurbishment works for operational assets</p> <p>To maintain both the list of assets of community value and the list of rejected nominations and undertake all necessary notifications.</p> <p>To decide on all initial nominations on whether or not to list an asset in accordance with the Legislation</p> <p>To determine any request for a review of a decision to place an asset on the list</p> <p>To handle all claims for compensation, including defending any claims in the First Tier Tribunal.</p>

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	<p>Chief Officers and Associate Directors</p> <p>Associate Director Customer and Corporate Services / Customer Experience Lead</p> <p>Chief Officers and Associate Directors</p>		<p>To be responsible for exercising all functions in relation to the management and use of land and buildings occupied by the Council's workforce within their area of responsibility except the Town Hall complex</p> <p>To be responsible for exercising all functions in relation to the management and use of the Town Hall Complex</p> <p>To exercise powers and duties arising from the hazards of nature or in a civil emergency for the purpose of safeguarding life and the protection of property</p>
12. Housing Function	<p>Chief Operating Officer, Associate Director Housing and Wellbeing in consultation with the Portfolio Holder for Housing & Wellbeing</p> <p>Chief Operating Officer / Associate Director Housing and Wellbeing</p>		<p>To approve specific criteria of any local letting schemes in the Allocations policy</p> <p>To approve a Choice Based Lettings Scheme</p> <p>To make minor changes to the Housing Nominations Policy</p> <p>To be responsible for managing processes relating to the Councils duties under the Housing Acts. For the avoidance of doubt this includes allocations, determinations relating to</p>

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			<p>homelessness, nominations to RSL's and any RTB disposals.</p> <p>To be responsible for managing reviews. appeals or exceptional cases associated with housing related policies in line with legislation and stated council policy</p> <p>To exercise all the functions of the Council as Local Housing Authority in relation to the conditions of housing stock in the private sector and the regulating of houses otherwise than those owned and managed by the Council other than those functions specifically delegated to another Officer or specified to be delegated to the Executive acting either collectively or individually</p> <p>To agree Private Sector Housing Renewal Policies, including any amendments to existing Policy</p> <p>Formulating all policy relating to the operation of the functions of the Local Housing Authority</p> <p>To approve the use of Housing Act powers by the Council to compulsorily acquire property</p>
	Portfolio Holder for Housing & Wellbeing		
	The Executive		

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	<p>Chief Operating Officer /Associate Director Health and Wellbeing in consultation with the Portfolio Holder for Housing & Wellbeing, and the relevant Ward Council</p> <p>Director of Regeneration and Growth / Head of Property</p> <p>Chief Operating Officer /Associate Director Housing and Wellbeing / Housing Supply Manager</p>		<p>To consider allocation of grants, loans or other financial contributions whether revenue or capital to RSL's, voluntary sector partners and other agencies in line with the Council's housing related strategies and policies</p> <p>To consider requests for relaxations of restrictive covenants by owner/occupiers/lessees of former housing stock</p> <p>To be responsible for managing on behalf of the Council contractors and operators of temporary accommodation and self contained properties in accordance with the terms of their contract. To approve arrangements with partner agencies or contractors for the delivery of a range of housing functions within existing corporate budgets or grant allocations e.g. care and repair</p>
13. Public Health Function (Executive)	Chief Operating Officer /Associate Director Housing and Wellbeing/ Environmental Health Manager		To exercise all the functions not stated to be Council functions in this constitution of an environmental or public health nature within the remit of the Council, which for the avoidance of doubt, includes

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	Chief Operating Officer, Director for Sustainability, Environment and Communities		<p>the enforcement of the provisions of the Environmental Protection Act 1990 as may be amended from time to time, the Clean Neighbourhoods and Environment Act 2005, , the Anti-Social Behaviour Act 2003 the Anti Social Behaviour Crime and Policing Act 2014 and the Vehicle (Crimes) Act 2001 and all similar legislation that may from time to time be enacted whereby this Council is the enforcing authority. Such functions to include, but not be limited to, the authorising of officers for the purpose of enforcement and the issuing of fixed penalty notices, the issuing of all notices and initiating any legal proceedings necessary</p> <p>To manage the contractor employed on behalf of the Council to operate the collection of refuse - domestic and trade, including recycling, and street cleansing, and the management of parks, pleasure grounds and open spaces, public conveniences and changing rooms in parks and open spaces and cemeteries in accordance with the terms of the contract.</p> <p>To manage the day to day operations of council owned and managed cemeteries.</p>

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	Chief Operating Officer / Director of Regeneration and Growth / Head of Property /Customer Experience Lead		To exercise all functions in relation to the management of public conveniences not in Parks and Open Spaces
	Consultant in Communicable Disease Control. Director of or Consultant in Public Health or The Director of Public Health for Hertfordshire and any consultant in public health nominated by him.		To be the Proper Officer to exercise the functions of the Public Health (Control of Diseases) Act 1984, Health Protection (Notification) Regulations 2010 and National Assistance Act 1948 as amended by the National Assistance Act 1951
	Chief Operating Officer / Associate Director Housing and Wellbeing / Environmental Health Manager		To authorise of officers for the purpose of enforcement and the issuing of fixed penalty notices, the issuing of all notices and initiating any legal proceedings necessary where the council is designated the enforcing authority under the Public Health (Control of Diseases) Act 1984, and any regulations made thereunder
	The Executive		To formulate all policy relating to the exercise of Public Health functions not the responsibility of the Council
	The Portfolio Holder		To make any decisions

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	for Neighbourhood Services		regarding Watford's membership of and participation in the Herts Waste partnership and the Herts Waste Strategy
14. Leisure & Community Functions	<p>Chief Operating Officer, Director for Sustainability, Environment and Communities</p> <p>Chief Operating Officer / Director for Sustainability, Environment and Communities in consultation with the Portfolio Holder for Community</p>		<p>To exercise all functions of the Council relating to the provision of arts, recreation, sport and entertainment and the operation of museums and the Colosseum.</p> <p>To exercise all the functions of the Council relating to community development, play, families, children and youth,</p> <p>To approve the Arts Council England Accreditation Forward plan and associated documents prior to submission</p> <p>To approve an annual museum temporary exhibition plan (this excludes hiring for arts exhibitions)</p> <p>Consider requests for loans to and from Watford Museum for items above a value of £1000 (Not school loan boxes)</p> <p>To approve the purchase of acquisitions to the Watford Museum Collection up to the value of £5,000 and disposals from the Watford Museum Collection up to the value of £5,000 as outlined in our Collections Development</p>

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	Public Programmes and Collections Manager / Collections Development Manager		<p>Policy' which describes the reasons and conditions for disposal.</p> <p>To consider requests for Loans to and from the Watford Museum Collection under the value of £1000 and under, and school loan boxes of whatever value.</p>
	Executive		<p>To approve the purchase of acquisitions to the Watford Museum Collection over the value of £5,000.</p> <p>disposals from the Watford Museum Collection over the value of £5,000 as outlined in our Collections Development Policy' which describes the reasons and conditions for disposal.</p>
	Chief Operating Officer / Director for Sustainability, Environment and Communities / Community Commissioning Lead		To exercise all functions of the council relating to Voluntary sector grants (with the exception of those relating to housing already delegated)
	Chief Operating Officer / Director for Sustainability, Environment and Communities in consultation with the Mayor		To approve all applications for grants within the Executive area of responsibility

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	<p>Chief Operating Officer / Director for Sustainability, Environment and Communities in consultation with the Portfolio Holder for Community</p> <p>The Executive</p> <p>Chief Operating Officer / Director for Sustainability, Environment and Communities</p>		<p>To decide on behalf of the Council whether to accept the recommendation of the West Herts Golf Club Joint Consultative Committee to increase the public green fees for any particular year.</p> <p>Formulating all policy relating to the operation of the functions of the Council relating to community development, assistance to the voluntary sector, recreation, arts, sport, play, families, children, youth, museum, parks, pleasure grounds and open spaces</p> <p>To manage on behalf of the Council, Contractors, the operator of the Colosseum and Operators of Leisure Centres, and Community Centres in accordance with the terms of their contractual arrangements</p>
15. Economic Development	<p>Director of Regeneration and Growth / Economic Development Lead</p> <p>Chief Operating Officer / Director for Sustainability, Environment and Communities</p>		<p>Exercising all the function of the Council in relation to Economic Development</p> <p>To adopt Markets within the area covered by the Market Charter as the Councils own Market subject to the Councils policy adopted on 5th November 2007.</p>

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	The Executive		To formulate all policy in relation to the Economic Development functions of the Council
	Council		To agree to set up a Business Improvement District
<p>16. Local Development Framework</p> <p>a) Powers and duties relating to local development documents pursuant to S20-23, 25, 26 & 28 of the Planning & Compulsory Act 2004</p> <p>b) Power to agree to establish a joint committee to be, for the purposes of Part 2 of the 2004 Act a Local Planning Authority</p> <p>c) Power to agree to confer additional functions on a joint</p>	The Executive		<p>To agree documents to be submitted for Public Independent Examination subject to recommendation to Council, to comply with any direction imposed by the Secretary of State to withdraw, revoke, revise or adopt Local Development Documents.</p> <p>To determine all matters referred to in a) to d) subject to complying with the need to make any recommendations to Council as required by the Local Authorities (Functions & Responsibilities (Amendment) (No. 2) Regulations 2005</p> <p>To agree the designation of a Conservation Area under the Planning (Listed Buildings & Conservation Areas) Act 1990.</p>

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<p>committee established under Part 2 of the 2004 Act</p> <p>d) Power to request the dissolution of a joint committee established under part 2 of the 2004 Act</p>	<p>Director of Regeneration and Growth / Planning Strategy and Infrastructure Lead</p> <p>Director of Regeneration and Growth / Development Management Lead</p> <p>Portfolio Holder for Planning</p> <p>The Executive</p> <p>Director of</p>		<p>To be responsible for the preparation of all Local Development Documents and their submission as necessary to Independent Public Examination, liaison with the Secretary of State and undertaking all necessary consultation</p> <p>To approve all character appraisals for conservation areas.</p> <p>To consider and comment upon the Regional Spatial Strategy, the Hertfordshire Minerals & Waste Development Framework(s), neighbouring authorities' development documents and other plans and strategies as they affect the Borough of Watford</p> <p>To approve spending on CIL Infrastructure Projects over £200,001</p> <p>To approve spending on CIL</p>

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	Regeneration and Growth		<p>Projects over £100,001 - £200,000</p> <p>To approve spending on CIL projects £100,000 and under</p> <p>To approve applications for NCIL and SCIL subject to the criteria set by the Executive</p>
17. Council Tax and Income	<p>Three Rivers District Council</p> <p>The Executive</p> <p>Chief Finance Officer/Head of Revenues and Benefits / Revenues</p>		<p>To administer all functions in relation to the collection of Council Tax and NNDR and be responsible for the collection of all income due to the Council with the exception of rents and charges for Council Housing as set out in the Three Rivers District Council and Watford Borough Council Shared Services Agreement.</p> <p>To recommend to Council the Watford Council Tax Reduction Scheme.</p> <p>To agree Council Tax Discounts</p> <p>To agree the write off of debts over the sum of £3,001</p> <p>To set the Council's policy in relation to Council Tax and NNDR, and Income Collection</p> <p>To agree write off of debt below the sum of £3,001</p>

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	Manager Council		To agree the Watford Council Tax Reduction Scheme and all policies relating to Council Tax and NNDR where legislation requires Full Council approval
19. Building Control	Director of Regeneration and Growth / Planning Enforcement and Building Control Lead		To exercise all the Council's building control functions
20. Land Drainage	Chief Operating Officer, Director for Sustainability, Environment and Communities The Executive		To exercise all functions in relation to the Council's land drainage powers and duties including the power to enter into agreements to execute land drainage works and to be responsible for the preparation and review of land drainage policy To formulate policy in relation to land drainage within the remit of the Council
21. Licensing	The Executive Chief Operating Officer / Associate Director of Housing and Wellbeing / Licensing Manager		Setting the tariff for hackney carriage fares To exercise all powers relating to the Council's Licensing functions not otherwise reserved to the Council
21. General	The Executive		To form partnerships as appropriate with outside

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	Relevant Portfolio Holder		<p>organisations to promote the social, economic or environmental well-being of the Borough</p> <p>Where the Council has entered into contracts with contractors who are exercising the functions of the Council on the Council's behalf and the terms of those contracts include the establishment of the Board made up of representatives of the Council and the Contractor to appoint Council representatives to those Boards and delegate to those representatives all necessary authority to make decisions in accordance with the terms of the relevant contract.</p> <p>To delegate as appropriate to outside bodies any functions of the Executive as the Executive sees fit</p> <p>To accept delegation of functions from outside bodies as is within the responsibility of the Executive as it sees fit</p> <p>To receive petitions from local residents on matters within its area of responsibility</p> <p>To comment on Government Consultation, Papers, Bills and other Consultation that is likely to affect or impact on the functions within the Portfolio</p>

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			<p>Holder's area of responsibility</p> <p>To agree any submission to any body for funding to support or enhance the performance by the Council of its functions within the Portfolio Holder's area of responsibility</p> <p>To receive and agree any work/service plans relating to any functions within the Portfolio Holder's area of responsibility where there is a statutory requirement for them to be agreed by Members</p>

Any function specified in this scheme to be exercised by the Executive, Portfolio Holder or by an officer, can in the event of either a decision needing to be taken as a matter of urgency and/or the designated decision taker being unavailable be exercised by the Mayor, Chief Executive, another Chief Officer or Associate Director