

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
Leisure - Contract Management					
To authorise payment of the monthly unitary charge to the Leisure Contractor following receipt of invoice.	Council Constitution	AD Commercial Services	Leisure & Wellbeing Officer	Delegation does not include applying deductions or rectifications	N/A
Leisure - Other functions		None			
Asset Management - Contract Management					
To authorise payment of utility invoices relating to RDC assets	Council Constitution	AD Commercial Services	Asset Officer	In accordance with the Council's Contract Procedures and Financial Regulations	N/A
Asset Management - Other functions		None			
Procurement		None		Covered by Council's Contract Procedures and Financial Regulations	

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Community Safety			None		
Environmental Health					
<p>To exercise the powers listed in the attached schedule under the listed Acts as marked or any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts.</p>	<p>See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.</p>	<p>Assistant Director - Community & Housing</p>	<p>Principal Environmental Health Officers Senior Environmental Health Officers Environmental Health Officers Senior Environmental Health Officers Environmental Health Technical Officers Environmental Health Technical Officers Authorised Contractors</p>	<p>Officer(s) as named in the schedule</p>	<p>As per schedule</p>
<p>To exercise the powers necessary to regulate petrol stations within the Rochford District with regard to petrol vapour recovery.</p>	<p>Environmental Permtting (England & Wales) Regulations 2010 as amended. Section 101 of the Local Government Act 1972. Portfolio Holder Decision of 17 July 2013</p>	<p>Assistant Director - Community & Housing</p>	<p>Essex County Council Trading Standards Officers</p>	<p>Officer(s) as named in the schedule</p>	<p>As per schedule</p>
	<p>See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.</p>				

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Housing					
<p>To exercise the powers listed in the attached schedule under the listed Acts as marked or any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts.</p> <p>To be the responsible officer and take decisions and exercise discretion on matters related to private sector housing issues within Community and Housing Services.</p> <p>To approve vary and pay Housing Grants up to a maximum of £20,000</p> <p>To grant vary or withdraw Caravan Site Licences</p> <p>To decide whether to intitute proceedings or to give a formal caution.</p> <p>To approve Service Level Agreements.</p> <p>To determine policy and budgets within the Private Sector Housing remit.</p> <p>To be appointed as the Proper Officer for the purposes of the Public Healt Acts 1936 and 1961.</p>	<p>See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.</p>	<p>Assistant Director - Community & Housing</p>	<p>Principal Environmental Health Officer</p>	<p>Officer(s) as named in the schedule</p> <p>Excludes: Any matter reserved to Full Council Any matter which, by law, cannot be delegated to an officer Any matter expressley reserved to the Executive or a Committee within the Constitution or withdrawn from delegationby this scheme or by the Executive or a Committee or the Council</p>	<p>As per schedule</p>

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<p>To exercise the powers listed in the attached schedule under the listed Acts as marked or any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts.</p> <p>To be the responsible officer and take decisions and exercise discretion on matters related to private sector housing issues within Community and Housing Services.</p> <p>To approve vary and pay Housing Grants up to a maximum of £20,000</p> <p>To be appointed as the Proper Officer for the purposes of the Public Health Acts 1936 and 1961.</p>	<p>See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.</p>	<p>Assistant Director - Community & Housing</p>	<p>Environmental Health Officers</p>	<p>Officer(s) as named in the schedule</p> <p>Excludes: Any matter reserved to Full Council Any matter which, by law, cannot be delegated to an officer Any matter expressly reserved to the Executive or a Committee within the Constitution or withdrawn from delegation by this scheme or by the Executive or a Committee or the Council</p>	<p>As per schedule</p>
Housing Allocation Scheme					
<p>Assessment of Housing Register Applications in general</p>	<p>Housing Act 1996, Homelessness Act 2002, Localism Act 2012, and relevant regulations, circulars and guidance. RDC Housing Allocation Scheme February 2014 and Portfolio Holder Key Decision of 29 April 2015</p>	<p>Assistant Director - Community & Housing</p>	<p>Housing Officers and Team Leader</p>	<p>Reviews of decisions are carried out by the Assistant Director - Community & Housing. Decisions cases where it is not appropriate to apply the local connection criteria will be made by the Assistant Director - Community & Housing and ratified by the Director.</p>	<p>N/A</p>
<p>To assess Housing Register Applications where there is a need to move on medical or welfare grounds</p>	<p>Housing Act 1996, Homelessness Act 2002, Localism Act 2012, and relevant regulations, circulars and guidance. RDC Housing Allocation Scheme February 2014 and Portfolio Holder Key Decision of 29 April 2015</p>	<p>Assistant Director - Community & Housing</p>	<p>Housing Allocation Team Leader</p>	<p>Reviews of decisions are carried out by the Assistant Director - Community & Housing. Decisions cases where it is not appropriate to apply the local connection criteria will be made by the Assistant Director - Community & Housing and ratified by the Director.</p>	<p>N/A</p>

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Homelessness Services					
To assess Homelessness Applications and decide eligibility as a qualifying person	Housing Act 1996, Homelessness Act 2002, Localism Act 2012, and relevant regulations, circulars and guidance. RDC Homelessness Strategy - August 2011 and Portfolio Holder Decision of 27 July 2012	Assistant Director - Community & Housing	Homeless / Housing Advice Officers	Appeals must be reviewed by an officer other than the original case officer. There is further right of appeal to the Appeals Committee.	N/A

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Contract Management					
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Open Spaces Officer	Grounds Maintenance Contract	N/A
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Open Spaces Officer	Grounds Maintenance Contract	N/A
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Waste & Recycling Officer	Waste related contracts	N/A
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Senior Waster & Recycling Officer	Waste related contracts	N/A
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Senior Street Scene Officer	Waste related contracts	N/A
To serve rectification notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Street Scene Officer	Waste related contracts	N/A
To serve default notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Open Spaces Officer	Grounds Maintenance Contract	N/A
To serve default notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Waste & Recycling Officer	Waste related contracts	N/A
To serve default notices	Contract Terms & Conditions	Assistant Director of Environmental Services	Senior Street Scene Officer	Waste related contracts	N/A
To approve variances to contract	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Open Spaces Officer	Grounds Maintenance Contract	N/A
To approve variances to contract	Contract Terms & Conditions	Assistant Director of Environmental Services	Principal Waste & Recycling Officer	Waste related contracts	N/A
Car Parks					
To issue Penalty Charge Notice	Traffic Management Act 2004, s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007	Assistant Director of Environmental Services	Civil Enforcement Officer		N/A
To review challenged Penalty Charge Notices and determine whether to cancel or maintain such challenged Penalty Charge Notices and if so dispatch a letter of Notice to Owner	Traffic Management Act 2004, s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007	Assistant Director of Environmental Services	Assistant Transportation Manager or Admin Assistants		N/A
To review formal challenges to Notices to Owner letters and determine whether to cancel or maintain such challenged Penalty Charge Notices and if so advise of right of appeal to Traffic Penalty Tribunal.	Traffic Management Act 2004, s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007	Assistant Director of Environmental Services	Assistant Transportation Manager or Admin Assistants	Must be reviewed by a different officer to that who reviewed the first challenge.	N/A

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To review Penalty Charge Notices taken to Traffic Penalty Tribunal and determine whether to defend the Penalty Charge Notices at TPT	Traffic Management Act 2004, s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007	Assistant Director of Environmental Services	Assistant Transportation Manager		N/A

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
Open Spaces					
To enter land and premises at all reasonable hours	Provisions 196 and 214 Town and Country Planning Act 1990 (as amended); section 77 High Hedges, Anti Social Behaviour Act 2003 Sections 163, 164 Planning Act 2008; Section 23, Local Government (Miscellaneous Provisions) Act 1976 and Sections 12 and 13 of the Hedgerow Regulations 1997'	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
To enter land and premises at all reasonable hours	Provisions 196 and 214 Town and Country Planning Act 1990 (as amended); section 77 High Hedges, Anti Social Behaviour Act 2003 Sections 163, 164 Planning Act 2008; Section 23, Local Government (Miscellaneous Provisions) Act 1976 and Sections 12 and 13 of the Hedgerow Regulations 1997'	Assistant Director of Environmental Services	Arboricultural Officer		N/A
To comment on Planning Applications when requested by the Planning Authority	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
To comment on Planning Applications when requested by the Planning Authority	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Arboricultural Officer		N/A
To exercise the powers and duties of the Council under Sections 211 to 214 of the Town and Country Planning Act 1990 in so far as they relate to responding to notifications of intention to fell trees in Conservation Areas in respect of garden trees and to compiling a register under Section 214 of the said Act.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
To exercise the powers and duties of the Council under Sections 211 to 214 of the Town and Country Planning Act 1990 in so far as they relate to responding to notifications of intention to fell trees in Conservation Areas in respect of garden trees and to compiling a register under Section 214 of the said Act.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Arboricultural Officer		N/A
To approve or refuse works to trees including felling, pruning and requirements to replant in respect of trees subject to Tree Preservation Orders.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
To approve or refuse works to trees including felling, pruning and requirements to replant in respect of trees subject to Tree Preservation Orders.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Arboricultural Officer		N/A

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
To make decisions regarding the upholding of objections to Tree Preservation Orders	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
To make and, in the absence of any objections, to confirm Tree Preservation Orders.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Arboricultural Officer		N/A
To make and, in the absence of any objections, to confirm Tree Preservation Orders.	Town and Country Planning Act 1990	Assistant Director of Environmental Services	Principal Open Spaces Officer		N/A
Street Scene Enforcement					
To exercise the powers listed in the attached schedule under the listed Acts as marked or any Act or Acts extending or amending the same or incorporating them and under any order or regulations made under the said Act or Acts.	See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.	Assistant Director of Environmental Services	Principal Street Scene Officer Senior Street Scene Officer Street Scene Officers	As schedule	As schedule

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Development Control and Planning Enforcement					
To be the responsible officers for, and take decisions and exercise discretion on, matters in relation to the control of development and planning enforcement.	Council Constitution - Section 3	Director on behalf of the Assistant Director Planning	Planning Team Leaders and Senior Planning Officers	Excludes: Any matter reserved to Full Council; Any matter which bylaw may not be delegated to an officer; Any matter expressly reserved to the Executive or a Committee within the Constitution, or withdrawn from delegation by this scheme or by the Executive, a Committee, or the Council; Authority to determine policy and budgets; Planning applications not listed in section 3.12 of the Constitution; Authority to approve training and attendance at seminars, special and compassionate leave; Authority to appoint, discipline and dismiss and; Authority to approve overtime.	N/A

Building Control					
To be the responsible officers for, and take decisions and exercise discretion on, matters in relation to the delivery of a Building Control service.	Council Constitution - Section 3	Director on behalf of the Assistant Director Planning	Senior Building Control Officers	Excludes: Any matter reserved to Full Council; Any matter which bylaw may not be delegated to an officer; Any matter expressly reserved to the Executive or a Committee within the Constitution, or withdrawn from delegation by this scheme or by the Executive, a Committee, or the Council; Authority to determine policy and budgets; Planning applications not listed in section 3.12 of the Constitution; Authority to approve training and attendance at seminars, special and compassionate leave; Authority to appoint, discipline and dismiss and; Authority to approve overtime.	N/A
Planning Policy		None			

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
Customer Services		None			
Revenues & Benefits					
To consider claims for, and make decisions to award, Discretionary Housing Payments (DHP)	The Discretionary Financial Assistance Regulations 2001 (as amended) and Rochford DC Housing Benefits - Discretionary Housing Payments Policy	Assistant Director - Customer and Revenues & Benefits Service	Revenues & Benefits staff as listed on the DHP schedule		N/A
	See linked schedule or if not available contact Rochford DC Leadership Support Team for further information.				
To review decision not to award, Discretionary Housing Payments and make recommendations to the Assistant Director - Customer and Revenues and Benefits Services	The Discretionary Financial Assistance Regulations 2001 (as amended) and Rochford DC Housing Benefits - Discretionary Housing Payments Policy	Assistant Director - Customer and Revenues & Benefits Service	Principal Officer (Benefits)	The final decision on such cases is reserved to the Assistant Director - Customer and Revenues & Benefits	N/A
To consider claims for, and make decisions to award, Discretionary Retail Rate Reliefs	Local Government Finance Act Section 47 and Localism Act 2003 and Rochford DC Retail Rate Relief Policy	Assistant Director - Customer and Revenues & Benefits Service	Principal Officer (Revenues) Business Rates Officers		N/A

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
To review decision not to award, Discretionary Retail Rate Reliefs	Local Government Finance Act Section 47 and Localism Act 2003 and Rochford DC Retail Rate Relief Policy	Assistant Director - Customer and Revenues & Benefits Service	None	The final decision on such cases is reserved to the Assistant Director - Customer and Revenues & Benefits	N/A
To consider claims for, and make decisions to award, Discretionary Non Domestic Rate Reliefs and Hardship Rate Reliefs	Local Government Finance Act Sections 47 and 49 and the Localism Act 2003 and the Rochford DC Discretionary Rate Relief Policy	Assistant Director - Customer and Revenues & Benefits Service	None	Also signed off by the Executive Portfolio Holder for Governance NB: the following Rate reliefs are mandatory and are therefore awarded by officers without specific delegated powers: Small Business Rate Relief, Empty Properties Rate Relief, Charitable Bodies, Rural Rate Relief	N/A
To review decisions not to award, Discretionary Non Domestic Rate Reliefs and Hardship Rate Reliefs	Local Government Finance Act Sections 47 and 49 and the Localism Act 2003 and the Rochford DC Discretionary Rate Relief Policy	Section 151 Officer	None	An independent review of decisions not to award such reliefs is required under the Rochford DC policy	N/A
To appear in Court				See Legal delegations	

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Compliance Team					
To appear in Court				See Legal delegations	
Debt Collection					
To appear in Court				See Legal delegations	

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Audit					
To have access to all documents pertaining to the Council's business and receive such explanations as are necessary thereon	Council Constitution - Financial Regulations - Audit 16.1 and 16.2	Assistant Director - Democratic Services	Principal Auditor		N/A
Support Services		None			
Member Services		None			

Description of Delegated Power	Enabling legislation or Policy	Delegation from	Delegation to	Restrictions on delegation	Expiry date
Licensing					
To be the "Proper Officer" and "Authorised Officer" and "Inspector" under the Acts listed in the adjoining column as marked or any Act or Acts extending or amending same or incorporating them and under any order or regulations made under the said Act or Acts.	Licensing Act 2003; Gambling Act 2005; Local Government (Miscellaneous Provisions) Act 1976; Town and Police Clauses Act 1847; Local Government Act 1972; Miscellaneous (Provisions) Act 1977 & 1982; Live Music Act 2012; Cinemas Act 1985 - Films in licensed premises and Cinemas; Hypnotism Act 1952 - Hypnotism Acts in licensed premises; House to House collection Act 1939 - House to House collections; Private Security Authority Act 2001 - Inspection of SIA doormen at premises; Animal Welfare Act 2006 - Licensing of animal establishments; ; Criminal Justice and Police Act 2001 - Closure notice for licensed and unlicensed premises and test purchasing; Anti Social Behaviour Crime and Policing Act 2014 - Closure powers; The Scrap Metal Dealers Act 2013; Sunday Trading Act 1994; Animal Boarding Establishments Act 1963; Breeding of Dogs Acts 1973 & 1991; Breeding and Sale of Dogs (Welfare) Act 1999; Dangerous Wild Animals Act 1976; Riding Establishments Acts 1964 & 1970; Zoo Licensing Act 1981; Pet Animals Act 1951; Charities Act 2006; Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018	Assistant Director - Legal Services	Senior Licensing Officer and Licensing Officer		N/A
To grant Hackney Carriage and Private Hire, Vehicle, Driver and Operator Licenses in accordance with the Council's Licensing conditions and to suspend such licenses for a maximum of 21 days for breaches of those conditions.	Town Police Clauses Act 1847; Local Government (Miscellaneous Provisions) Act 1976;	Assistant Director - Legal Services	Senior Licensing Officer and Licensing Officer	Suspension of licenses limited to 21 days	N/A
Legal					
To appear at Court on behalf of Rochford District	Local Government Act 1972 Section 223;	Assistant	Principal	Does not extend to signing or authorising	N/A

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To institute or defend proceedings on behalf of the Council in accordance with the Local Government Act 1972 - Section 223 concerning outstanding Non-domestic Rate, Council Tax, Community Charge, Council Tax or Community Charge penalties, Penalty Charges Notices, Council Tax in the Valuation Tribunal.	Local Government Act 1972 Section 223; Magistrates Court Civil Fine Enforcement Officers (no.2) Rules 1990 County Court Act 1984 Section 60.	Assistant Director - Legal Services	Principal Officer - Revenues Recovery & Enforcement Officer		N/A
Information		None			
Elections		None		Covered by Electoral Commission Regulations	

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Payments and Income	Covered by the Council's Financial Regulations and Contract Procedures and Authorised Signatories List	None			
Accountancy		None			
Performance and Risk		None			

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ICT Management					
ICT Contract Management	Council Constitution - Section 3	Assistant Director - Transformational Services	Online Service Team Leader Business	ICT Contract Change Requests only No authority to make contract payments or contract variations	N/A
Human Resources		None			
Leadership Support Team		None			
Communications		None			