

Solihull Metropolitan Borough Council

Arrangements for the Delegation of Executive Functions to Officers

Approved by Councillor Ian Courts, Leader of the Council 4 May 2021

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1. Commencement date

4 May 2021

2. Introduction

The Officer Delegation Scheme provides a framework which ensures the efficient discharge of the Council's business by allowing for decision making at the appropriate level. This in turn enables the Members of the Council to concentrate on carrying out their statutory functions and to deal with issues of strategic importance.

The scheme sets out those powers which, for the benefit of good practice, the Leader of the Council has delegated to officers. The Leader of the Council or any Cabinet Member may require that any matter delegated by them to an officer be referred to them for decision.

The Chief Executive, Directors, Assistant Directors and Heads of Service are authorised to take all operational decisions, within agreed policies, in relation to the services for which they are responsible. They are authorised to carry out those functions of the Council, statutory duties and managerial responsibilities delegated to them as set out in this scheme.

The fact that a function has been delegated to the Chief Executive, a Director or any other Officer does not require the Chief Executive/ Director/Officer to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Executive/Director/Officer remains responsible for any decision taken pursuant to such arrangements.

Functions exercised by the non-executive Committees of the Council including the Planning and Licensing Committees are the subject of separate delegations by the Council.

3. Conditions for exercise of delegations

1. Any decision which under the Council's Constitution is a "Key Decision" (see Article 12 – Part 2) shall not be taken under the powers delegated in this document.
2. The Chief Executive and, in his/her absence the Deputy Chief Executive, is authorised to exercise any of those functions delegated to the Directors, Assistant Directors and Heads of Service, provided he/she is not prohibited from doing so by any other legal or constitutional requirement.
3. The Directors are authorised to exercise any of those functions delegated to the Assistant Directors, Heads of Service and Officers within their directorates, provided they are not prohibited from doing so by any other legal or constitutional requirement.
4. Decisions shall be made having regard to the following matters:-
 - (a) Policies of the Council including emerging draft policies;
 - (b) Legislative requirements;
 - (c) The need for appropriate consultation;
 - (d) Advice or directions given by the Corporate Leadership Team and any of the statutory officers;
 - (e) The effect on individual rights under the Convention for the Protection of Human Rights and Fundamental Freedoms as applied by the Human Rights Act 1998;
 - (f) The Council's duties under legislation relating to equalities;

- (g) Staffing and financial implications including the rules for contracts and financial regulations.
- 5. An officer shall not make any decision in which he or she (or a relative or friend) has a personal interest in the outcome of that decision and declare any such interest under the Employees Code of Conduct.

4. The Statutory Officers

The following statutory roles have been assigned to the post holder of the positions named below. Where Officers hold statutory or proper officer positions they are authorised to exercise those statutory duties and responsibilities assigned to the positions by law.

4.1 Head of Paid Service - Chief Executive Responsible for the corporate and overall strategic management of the authority's staff in accordance with section 4 of the Local Government and Housing Act 1989.

4.2 Monitoring Officer – Responsible for promoting and maintaining high standards of conduct and for reporting any actual or potential breaches of the law or maladministration to the full Council and/or to the Cabinet as set out in section 5(1) of the Local Government and Housing Act 1989. This statutory responsibility is held by the Head of Legal and Democratic Services.

4.3 Chief Finance Officer (also known as the Section 151 Officer) – Statutory duties in relation to the financial administration and stewardship of the authority arising from section 151 of the Local Government Act 1972. This statutory responsibility is held by the Director of Resources and Deputy Chief Executive.

4.4 Director of Adult Social Services - Responsible for delivering those local authority social services functions listed in Schedule 1 of the Local Authority Social Services Act 1970 (as amended) in respect of adults. This statutory responsibility is held by the Director for Adult Care and Support.

4.5 Director of Children's Services - Responsible for discharging the education and children's social services functions of the local authority as set out in section 18(2) of the Children Act 2004. This statutory responsibility is held by the Director of Children's Services and Skills.

4.6 Director of Public Health - Responsible for the statutory functions of the Director of Public Health, as set out in delivery of an effective public health strategy including health improvement, health protection, public health and healthcare in accordance with the NHS Act 2006 and the Health and Social Care Act 2012 and related regulations. The role is as defined in the Department of Health publication '*Directors of Public Health in Local Government: Roles, responsibilities and context*' published in October 2012.

5. Delegation to Officers

The delegations to officers are set out in the table below.

A	<p>Functions delegated to the Chief Executive, Directors, Assistant Directors and Heads of Service</p> <p>(See Annex F for the full list of posts to which this delegation applies) in respect of matters for which they are the authorised or proper officer (referred to in this scheme as “authorised officers”)</p>
A1	The power to take any action in the name of the Council which is required to be taken to implement any decision of the Cabinet or any Cabinet Member including entering into contracts and incurring expenditure;
A2	The determination of all operational, administrative and professional matters which relate to the day to day running of services in accordance with the Council's policy framework and approved budgets, virements, including the control, discipline and direction of staff and the provision of equipment, repairs, minor works and maintenance of premises;
A3	To participate in partnership arrangements in relation to the implementation of the Sustainable Community Strategy, the promotion of well being powers under the Local Government Act 2000 and statutory duties under the Local Government and Public Involvement in Health Act 2007;
A4	To approve minor restructurings in accordance with the Management of Change Policy, as approved by the Governance Committee;
A5	To approve extensions to occupational sick pay in accordance with approved policy.
A6	To approve training and development plans for employees including the attendance of employees at events relating to their training and development and training courses;
A7	To approve the advance of training course fees where employees are funding their own training courses;
A8	The granting of minor easements or licences or the leasing of commercial or industrial properties for periods not exceeding 21 years;
A9	To authorise works to be carried out by the Council in default of compliance with a notice served on an owner, occupier or other party and to recover the costs involved;
A10	To authorise possession proceedings for rent arrears;
A11	To serve any notice required or authorised by law to be given by or on behalf of the Council or in the name of an authorised or proper officer;
A12	Subject to the statutory Codes of Practice and corporate policies, to grant authorisations under the Regulation of Investigatory Powers Act 2000 in respect of covert surveillance and the use or conduct of covert human intelligence sources;
A13	To fully comply with the requirements of the Freedom of Information Act 2000 and in relation to requests for information, to confirm or deny whether the Council holds information in response to a person making a request and where required by the Act to communicate that information to such person;
A14	To fully comply with the requirements of the Data Protection legislation and in relation to requests for the disclosure of personal information to ensure that they are processed in accordance with the provisions of the Act;
A15	To serve Notices under Section 16 of the Local Government (Miscellaneous Provisions) Act, 1976;
A16	<p>In relation to any functions for which they are responsible, authorised officers may:-</p> <ul style="list-style-type: none"> (a) act as an authorised or proper officer where qualified to do so and where no other officer has been appointed; (b) appoint officers to act as an authorised or proper officer for the purpose of legislation and for the purpose of giving statutory notices on behalf of the Council; (c) reserve to themselves for decision or referral to the Cabinet or Cabinet Member any decision which is delegated to another officer; and (d) shall have power to give to officers within their Directorate such directions as to the exercise of delegated powers as they shall determine.
A17	To negotiate the settlement of valid claims against the Council to a value of £15,000 in

	cases where it would not be viable to continue legal action; and
A18	To undertake investigations and collect evidence in relation to all legislation which the Council has a power or duty to enforce.
A19	The Chief Executive, or in his absence the Director of Resources and Deputy Chief Executive, is authorised to exercise any of the powers of the Cabinet Executive in determining a decision related to Covid-19, in consultation (where time permits) with the Leader of the Council, where the legal or financial position of the Council or the interests of the residents of the Borough would be prejudiced if the matter were not determined as a matter of urgency. The Chief Executive will report any such decision to the next meeting of the Cabinet. This temporary delegation shall apply for the period up to 30th June 2020, and will be reviewed by the Leader of the Council monthly thereafter.
B	Director of Resources & Deputy Chief Executive
B1	To determine the method of financing capital expenditure in respect of strategic land purchases;
B2	The determination of the methods of financing capital and revenue expenditure, except where such expenditure is not within the budget estimates as originally approved;
B3	To approve the attendance of officers at the Magistrates' Court, County Court and Valuation and Council Tax Tribunal;
B4	The management of the Council's loan debt including the investment of surplus funds and capital receipts;
B5	To approve grants of up to 50% of the cost of installing and purchasing signs and other material in connection with Neighbourhood Watch Schemes;
B6	To approve applications from mortgagees to make interest only payments on their mortgages for a maximum period of six months;
B7	To approve such applications in respect of periods in excess of six months, but only after consultation with the relevant Cabinet Member;
B8	To declare the rate of interest on Council mortgages under the Housing Acts;
B9	To approve transfers of equity between mortgagors in cases of changes in family circumstances
B10	To approve amendments required to the Council's bank mandate;
B11	To approve the establishment of joint accounts with Solihull Community Housing;
B12	To approve the writing off of debts in respect of Council tenancies up to £10,000, subject to a quarterly progress report being submitted to the Cabinet Member. Proposals for writing off amounts over £10,000 to be referred to the relevant Cabinet Member.
B13	To determine fees for pavement cafes in Solihull Town Centre;
B14	To appoint agents where desirable to act for the Council in negotiating claims for compensation arising from sewerage, land drainage and highway schemes;
B15	To approve the acquisition of land necessary to enable a scheme to be carried out which has been approved in detail by the Cabinet or a Cabinet Member on being satisfied that the purchase price represents best value to the Council;
B16	To approve payments of compensation to landowners and professional fees to agents in respect of claims arising under sewerage, land drainage and highway schemes in accordance with the recommendations of the Council's Agent;
B17	To approve the payment of death gratuities under the Council's scheme;
B18	To approve the write off of overpayments of salary for individual cases not exceeding £10,000 in any case, subject to a quarterly report on decisions made being submitted to the relevant Cabinet Member.
B19	Approval of late applications for Council Tax and housing benefits;
B20	To authorise further proceedings for the recovery of Council Tax rates and community charge due and not paid, including applications to the Magistrates for committal;
B21	To issue Summonses and obtain Liability Orders (and issue Liability Orders to Bailiffs in accordance with guidelines approved by the Cabinet) as part of the routine procedure for recovery of rates, community charges and Council tax due and unpaid and to exercise all powers and responsibilities under the provisions of the Local

	Government Finance Acts 1988 and 1992 as amended and regulations made thereunder in connection with the collection and receipt of Council Tax, community charges and rates, including applications to the Magistrates for committal in those cases approved by the relevant Cabinet Member;
B22	To make applications to the County Court for summonses in respect of sundry debts;
B23	To approve applications for mandatory rate relief;
B24	To authorise proceedings to obtain possession and sell properties in respect of mortgage arrears and for the recovery of arrears;
B25	To determine the maximum amount payable as a relocation allowance to eligible employees;
B26	To approve the restructuring of posts, and the establishment of new posts within approved budgets.
B27	To authorise payments to early leavers (ie in the event of redundancy or Business Efficiency Retirement/ Early Retirement/Flexible Retirement) except where the gross additional cost to the Council for any early leaver is greater than the annual cost of the post being deleted.
B28	To determine requests for consent to assign leases of commercial properties;
B29	To approve revised rents and the renewal of leases of commercial properties;
B30	To determine routine applications for alterations and extensions to properties subject to lease or covenants in freeholds;
B31	To make arrangements for the letting and management of agricultural land;
B32	To make arrangements for the letting of agricultural land on 364 day licences;
B33	To grant leases and easements to statutory undertakers on terms that represent best value to the Council;
B34	To determine applications to purchase or licence small areas of land;
B35	To determine applications for change of use of commercial premises in the Council's capacity as Landlord;
B36	To authorise action under the Tort (Interference with Goods) Act 1977 in relation to Council owned land.
B37	To approve the acquisition by the Council of small areas of land up to a value of £5,000.
B38	Subject to the relevant Cabinet Member or Cabinet wishing to make the decision, at the conclusion of an appropriate procurement process to enter into such agreements with preferred contactors, provided that the contractual spend is within approved budgets
B39	To ensure that systems are in place for meeting all the Council's statutory equality duties, including those relating to or arising from contracts, partnerships and other legal commitments made in the Council's name.
B40	Approval of statements and policies complying with statutory requirements, for example, the Equality Duty
B41	To make individual funding decisions up to a level of £250,000 per decision for urgent spending related to Covid-19, for the period up to 30th June 2020.
	Head of Income & Awards
B42	To write off debts not exceeding £10,000, except for rents for housing accommodation, subject to a quarterly progress report being submitted to the relevant Cabinet Member.
	Assistant Director, Finance & Property Services
B43	To approve proposals from schools for work requiring planning permission and to submit applications for consent pursuant to the Town and Country Planning General Regulations 1992;
C	Director of Adult Social Care and Support
C1	To undertake the Statutory DASS role in accordance with the Statutory Guidance on the Role of the DASS;
C2	To have overall responsibility for and to ensure the discharge of the functions as prescribed in Section 6 and Schedules 1 & 2 of the Local Authority Social Services Act 1970 (as amended) relating to adult social services and subsequent ministerial guidance on role and responsibilities and to ensure compliance with Directions and any management protocol;
C3	To prepare and where appropriate authorise agreements under Section 75 of the

	National Health Service Act 2006 (arrangements between NHS bodies and local authorities); and
C4	To authorise Approved Social Workers (or approved mental health professionals) under the Mental Health Act 2007.
	Assistant Director, Adult Care & Support and Assistant Director, Commissioning
C5	To approve the Council applying to be appointed as a Deputy pursuant to S.19 Mental Capacity Act 2005 or as an appointee pursuant to the Social Security (claims and Payments) Regulations 1987
Children's Services & Skills Directorate:	
D	Director of Children's Services and Skills
D1	To discharge the education and children's social services functions of the local authority as set out in section 18(2) of the Children Act 2004.
D2	To safeguard and promote the welfare of children within the Borough who are "in need" and so far as is consistent with this duty, to promote the upbringing of such children by their families and ensure the provision of a range and level of services appropriate to their needs;
D3	To take such steps as may be required under Section 62 of the School Standards and Framework Act 1998 (reserve power to prevent a breakdown of discipline);
D4	To undertake the functions of the Council as a partner within the regional adoption agency – Adoption Central England (ACE)
D5	To approve applications from schools for occasional days holidays;
D6	To approve applications from schools for occasional and unavoidable closures.
D7	<i>To ensure that the local authority has a panel of persons in place for its area (known as Channel), as required under the Counter Terrorism and Security Act 2015. The function of this panel is to assess the extent to which identified individuals are vulnerable to being drawn into terrorism and to develop a support plan for that individual.</i>
E	Assistant Director - Inclusion and Additional Needs
E1	Subject to reports being submitted to the relevant Cabinet Member at regular intervals, to make small donations and grants to individuals and organisations;
E2	Payments of grants of not more than £500 to outside bodies for which there is already approval for inclusion in Estimates;
E3	To approve applications for secondment by teaching staff not in schools to attend recognised courses of one term and one year (the latter to gain an additional qualification).
E4	To approve the relocation and disposal of temporary classrooms and the programme of minor works and improvements;
E5	To approve the payment of increases in fees at Independent and Boarding Special Schools at which Solihull pupils are maintained;
E6	To approve the issue of penalty notices under Section 23 of the Anti-social Behaviour Act 2003 in respect of truancy and to approve prosecution in cases of non-payment;
E7	To carry out local authority information, advice and training functions under Part VI of the Care Standards Act 2000 (information and advice about child minding and day care and training for persons who provide or assist in providing child minding or day care) and related regulations and guidance;
F	Assistant Director for Children, Young People & Families
F1	To provide a range of family support services as appropriate to children in need and their families, including financial assistance where this will promote the child's welfare and enable their upbringing by their family
F2	To take steps to prevent children suffering ill treatment or neglect and bring children before the court who are suffering or are likely to suffer significant harm, where this is due to the child being beyond parental control or inadequate care being offered by parents;

F3	To identify the extent to which children are "in need", publish information about services provided under Sections 17, 18, 20 and 24 of the Children Act 1989 (local authority support for children and families) and take practicable steps to ensure such information reaches those who may benefit from it;
F4	To maintain a register of disabled children;
F5	To secure provision of appropriate accommodation and maintenance for all children being looked after; and to approve all out of borough LAC placements on behalf of the Director of Children's Services.
F6	To recruit, approve, train and support foster parents for children looked after, to pay all appropriate expenses including pocket money, birthday and Christmas presents, clothing allowance, transport costs, holiday expenses, board and lodgings and any special payments considered necessary to promote and protect the welfare of individual children;
F7	To carry out functions in relation to the Adoption and Children Act 2002 and regulations made under that Act including related Directions and guidance;
F8	To recruit and train adoptive parents and to approve children to be placed for adoption;
F9	To review and approve as appropriate recommendations of the ACE Adoption Panel;
F10	To approve order allowance payments in accordance with agreed policy.
F11	To pay legal fees in adoption cases and residence orders in accordance with agreed policy;
F12	To agree financial assistance to enable visits to or by children who are being looked after, and ensure the promotion and maintenance of contact between such children and their families;
F13	To appoint independent visitors for children being looked after as required, and where this is consistent with their best interests and welfare;
F14	In relation to children in the care of the Council, to consent to emergency medical treatment, sign passports and agree to children leaving the country (but not to live) in circumstances where the assumption of this degree of parental responsibility is in the child's best interests;
F15	To institute in consultation with the Solicitor to the Council wardship proceedings necessary to promote and protect the welfare of children;
F16	To approve the application to a Court for permission to restrict the liberty of a child or a warrant authorising a constable to enter premises and search for a child missing from care or believed to be at risk;
F17	To provide advice and assistance (including financial assistance) to children who qualify for such assistance to help them, after they have left care, to become independent and/or pursue a course of education or find employment as part of our Local Offer to Care Experienced young people.
F18	To comply with the complaints and representations procedures for children, to identify and appoint "independent persons" as required, and to investigate and respond to complaints and representations;
F19	To provide or secure the provision of full day and sessional care for children as appropriate;
F20	To make arrangements for the provision of services by others and to promote and protect the welfare of children through voluntary organisations;
F21	To grant or refuse consent for the marriage of any young person under the age of 18 where the Council has parental responsibility;
F22	To make applications for care, child assessment, emergency protection and recovery orders and to make or cause to be made such enquiries and actions considered necessary to decide what action should be taken to safeguard and promote a child's welfare;
F23	To make ex-gratia payments to foster carers in respect of claims and excess payments not exceeding £500;
F24	To waive parental contributions for children in exceptional circumstances in accordance with agreed policies.
F25	To approve parenting orders and parenting contracts under Part 3 of the Anti-social Behaviour Act 2003;
F26	To undertake functions under the Crime and Disorder Act 1998 in relation to youth

	offending, "YOT" management and the prevention of crime and disorder.
Economy & Infrastructure Directorate:	
G	Director for Economy & Infrastructure
G1	To approve the taking of steps including legal proceedings under Sections 77 and 78 of the Criminal Justice and Public Order Act 1994 to deal with unauthorised encampments and to respond on behalf of the Council to consultation by the Police in cases where the Police propose to exercise powers to remove trespassers under 62A of the Criminal Justice and Public Order Act 1994;
G2	To determine applications for access to private property through parks and open spaces;
G3	To accept the dedication of land for open space or public recreation;
G4	To determine routine and non-routine changes of use of Town Centre shop units;
G5	To discharge the relevant functions of the Council under the Anti-Social Behaviour, Crime and Policing Act 2014, including the authorisation of applications for Anti-social Behaviour Orders and to ensure inter-agency collaboration in the reduction of crime and disorder;
G6	To monitor the discharge of functions under the Crime and Disorder Act 1998 and other legislation to reduce offending and anti-social behaviour;
G7	Approval of consents on behalf of the Council to the following matters under the Anti-Social Behaviour, Crime and Policing Act 2014, :- Closure of premises associated with nuisance and disorder under Part 4, Chapter 3 of the Act;
G8	To approve applications for Disabled Facilities Grants;
G9	To approve applications for home renovation grants;
G10	To authorise legal action or, where sound economic or operational reasons exist, make an offer to settle claims (up to £15,000) against the Council under Section 82 of the Environmental Protection Act, 1990 (summary proceedings by persons aggrieved by statutory nuisances);
G11	To determine matters and give such consents as may be required under the Management Agreement with Solihull Community Housing provided that the financial implications concerned do not exceed £50,000 and are met from within the Housing Revenue Account;
G12	To appropriate land to the General Fund to provide parking areas on housing estates;
G13	To give any approval required in relation to action to be undertaken by or on behalf of the Council under Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (Injunctions in respect of anti-social behaviour affecting housing management, unlawful use of housing accommodation, breach of tenancy agreement and demotion of tenancy).
G14	<ul style="list-style-type: none"> i) to make decisions relating to negotiations and the Council's dealings with HS2 matters, in consultation with the relevant Portfolio Holder; ii) to make decisions relating to financial budgets and to the commissioning of consultants and legal expenses associated with the petitioning process in respect of HS2
H	Head of Planning, Design & Engagement <i>(See also Terms of Reference of the Planning Committee which sets out the Committee's delegation of non-executive functions)</i>
H1	In urgent cases only and subject to legal advice to make a Direction under Article 4 of the Town & Country Planning General Development Order 1988 in cases where a Direction may be made without approval of the Secretary of State for the Environment under Article 5(4) of that Order on the grounds that to delay making a Direction would be prejudicial to the proper planning of the area or constitute a threat to the amenities of the area;
H2	Decisions under the Building Regulations, including applications for relaxation;

H3	To take appropriate action under Sections, 72, 77, 78, 80, 81, 82 and 83 of the Building Act 1984; and
H4	To exercise the powers of the proper officer in respect of the provisions of Section 37 of the Public Health Acts Amendment Act 1890 (safety of platforms etc. erected or used on public occasions).
H5	To take appropriate action under the Building Act 1984.
H6	To authorise appropriate officers under the Building Act 1984 to enable officers in Public Protection to undertake their duties.
H7	To authorise appropriate officers to serve notices and undertake enforcement action under the Building Act 1984.
H8	The naming and numbering of streets
H	Head of Planning, Design & Engagement AND Head of Safer Communities (Regulation & Enforcement) shared delegations
H9	To authorise appropriate officers to serve notices and undertake enforcement action in accordance with the legislation listed in Annex A and B.
H10	To authorise the laying of information on behalf of the Council in respect of offences under legislation listed in Annex A and B.
H11	To authorise applications for warrants or orders under the legislation listed in Annex A and B. This includes, but is not limited to warrants to enter land or premises, or seize vehicles or items as prescribed in an Act or subordinate legislation listed in Annex A and B.
H12	To authorise the execution of works in default of a notice served under legislation listed in Annex A and B.
H13	To authorise officers under any legislation listed below that is updated or amended as a result of any change to legislation
H	Head of Safer Communities (Regulation & Enforcement)
H14	To discharge the Council's duties/responsibilities and functions as a Local Authority in respect of the following functions: private sector rented and owner occupied housing; investigation and remedying of statutory nuisance (e.g. pollution, noise, issues prejudicial to health, etc.); health and safety enforcement (in certain premises); food (hygiene and standards); trading standards and contaminated land (non-enforcement) in respect of Environmental Health, Trading Standards, Food Safety and Licensing functions of the Public Protection Division.
H15	To authorise officers to investigate and enter land or premises whilst carrying out functions relating to; caravan sites; environmental protection; food safety, hygiene and standards; health and safety at work; housing (including antisocial behaviour); Licensing Act 2003 and Gambling Act 2005; pest control; public health; public safety; scrap metal dealers; street trading and Sunday trading as well as any trading standards/fraud.
H16	To appoint Solihull MBC's Chief Inspector of Weights and Measures under the Weights and Measures Act 1985
H17	The discharge of any condition relating to contaminated land (except the service of remediation notices)
H18	The discharge of any function relating to the control of pollution or the management of air quality except matters relating to enforcement
H19	To authorise appropriate officers to obtain the particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976
H20	To authorise appropriate officers under any Act or Regulation not listed in Annex A to serve notices, investigate and undertake enforcement action which may be the responsibility of the Public Protection Division to undertake
H21	To authorise appropriate officers of Public Health England under legislation in Annex A.
H22	To be authorised to discharge duties, powers, obligations and any functions under the legislation (as amended) set out in Annex B
H23	Unless prohibited by law or statutory guidance, to appoint a suitable deputy to undertake these functions during periods of absence for the following delegated powers

H24	To authorise the laying of information on behalf of the Council to prosecute for offences under the Acts listed at Annex B in relation to environmental crime.
H25	To authorise and administer a simple caution on behalf of the Council as an alternative to prosecution for offences under the Acts listed at Annex B in relation to environmental crime.
H26	To authorise the referral of a juvenile to the Youth Offending Team as an alternative to prosecution, simple caution or fixed penalty for offences under the Acts listed at Annex B in relation to environmental crime.
H27	To authorise an application for a warrant or order from a justice of the peace under the Acts listed at Annex B in relation to environmental crime. This includes, but is not limited to, warrants to search premises or to seize vehicles, and orders to remove things deposited on the highway, undertake directed surveillance or acquire communications data.
H28	To undertake the role of an inspector or superintendent in relation to the Police and Criminal Evidence Act 1984.
H29	To undertake the role of a designated person, and to authorise or reject applications for the acquisition of communications data in accordance with the Regulation of Investigatory Powers Act 2000.
H30	To undertake the role of an authorising officer, and to authorise or reject applications to undertake directed surveillance or deploy a covert human intelligence source, in accordance with the Regulation of Investigatory Powers Act 2000, in situations other than those likely to obtain confidential information.
H31	To authorise the execution of works in default of a notice served under an Act listed at Annex B in relation to environmental crime.
H32	To authorise requests for the disclosure of personal data in accordance with the Data Protection legislation.
H33	To refuse applications to distribute free printed matter under the Environmental Protection Act 1990.
H34	To appoint suitably competent Environmental Crime Officers and authorise them to use powers contained in the Acts listed at Annex B in relation to environmental crime. This includes, but is not limited to, powers to serve notices, to issue fixed penalty notices, to require names and addresses, to enter premises, to stop people and search vehicles, to seize printed matter, to take steps immediately necessary to alleviate the suffering of a protected animal, to confiscate tobacco and cigarette papers, to remove signs from the highway, to remove or obliterate placards and posters, to seize evidence and to apply for warrants or orders.
H35	To authorise suitably competent officers to recover vehicles that are seized, forfeited or surrendered and taken into the custody of the Council following the execution of a warrant or order, or in accordance with powers contained in an Act or Regulations.
H36	To make arrangements for dealing with stray dogs in accordance with the Environmental Protection Act 1990 and to authorise suitably competent officers to seize and handle stray dogs.
H37	To authorise suitably competent officers to implant dogs with microchips via hypodermic needle.
H38	To authorise the destruction of a dog that is ill, injured, dangerous, or otherwise unsuitable for rehoming due to its behaviour or inability to mix with humans or other animals.
H39	To make arrangements for the taking of steps as may be necessary to secure so far as practicable that Solihull is kept free from rats and mice in accordance with the Prevention of Damage by Pests Act 1949.
H40	To authorise suitably competent officers to draw approved air weapons from the Council's armoury and to deploy them to kill rodent and avian pests.
H41	To instruct the Illegal Money Lending Team to carry out criminal investigations, enforcement and prosecution for any matters associated with or discovered during an investigation by the Illegal Money Lending Team under the Consumer Credit Act 1974
I	Assistant Director - Growth & Development
I1	To make Local Transport Plan Programme scheme budget changes of up to £50,000

	and to introduce, defer or delete schemes in accordance with the prioritisation framework approved by the Cabinet Member for Transport and Highways on 20 January 2011.
I2	To approve Local Transport Plan Programme scheme implementation, where there is all 3 Ward Member support and 70% community support from those that responded, with a 20% response rate.
J(a)	Head of Highway Management
J1	Powers of entry under all relevant legislation including part XIV of the Highways Act 1980.
J2	Enforcement of Section 132 Highways Act 1980 (unauthorised marks on highways)
J3	To authorise enforcement of any matter which under Part IX of the Highways Act 1980 (Lawful and Unlawful Interference with Highways and Streets) and Section 69 of the Road Traffic Regulation Act 1984 (removal of inappropriate signage) is an executive matter.
J4	To implement / modify the Civil Parking Enforcement service, as prescribed by the Part 6 of the Traffic Management Act 2004.
J5	To approve the taking bailiff or court enforcement action in respect of excess penalty tickets in off-street car parks;
J6	To make arrangements for the inspection and or removal of Abandoned Vehicles to secure storage or to an authorised treatment centre for disposal in accordance with the Refuse Disposal (Amenity) Act 1978.
J7	To consider any objection(s) received as a result of advertising a Permanent or Experimental Traffic Regulation Order on the highway, made under the: <p style="margin-left: 40px;">Road Traffic Regulation Act 1984; Traffic Management Act 2004; Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Solihull) Order 2007; Road Traffic Act 1988; and all other enabling powers</p> <p>and to take one of the following decisions:</p> <p style="margin-left: 40px;">a. To implement the Traffic Regulation Order as advertised; b. To implement an amended Traffic Regulation Order with a lesser restriction; c. To re-advertise an amended Traffic Regulation Order;</p> <p>To abandon a Traffic Regulation Order and not progress an advertised scheme any further.</p>
J8	To authorise the advertising of proposals for conversion of footways to shared use cycleways.
J9	To consider any objection(s) received as a result of advertising proposals to the conversion of footways to shared use cycleways and to take one of the following decisions: <p style="margin-left: 40px;">a. To implement the proposals as advertised; b. To implement amended proposals; c. To re-advertise amended proposals; d. To abandon the proposals and not progress a scheme any further.</p>
J10	To authorise the advertising and making of temporary Traffic Regulation Orders on the highway, made under the: <p style="margin-left: 40px;">Road Traffic (Temporary Restrictions) Act 1991; Road Traffic Regulation (Special Events) Act 1994; Town Police Clauses Act 1847; Road Traffic Act 1988; and all other enabling powers.</p>

J11	<p>HS2 Delegated Powers for Highway Improvements Agreed at Transport & Highways Cabinet 26 July 2018:-</p> <p>To determine all applications submitted in relation to either the permanent or temporary interference with or for the creation or modification of the public highway in Solihull by HS2 Limited, except for the following:</p> <p>1. Any significant change to the layout of the public highway within the limits of the HS2 Hybrid Bill, as detailed in section 5, or</p> <p>2. Any such proposals whereby the Head of Highway Management cannot reach agreement with HS2 Limited, who will refer the matter to the appropriate Cabinet decision-making session or in consultation with the Cabinet Member, prior to referring any matter to independent arbitration.</p> <p>(c) A summary of the Schedule 4 application and decisions made will be provided at subsequent decision-making sessions to monitor performance until construction of the project is complete, which is expected by 2026.</p> <p>(d) The scheme of delegation will be subject to periodic review as lessons are learned throughout its application.</p>
J12	d. Unless prohibited by law or statutory guidance, to appoint a suitable deputy to undertake these functions during periods of absence.
J (b)	Head of Highway Infrastructure
J13	a. To authorise the advertising of proposals to install temporary or permanent vertical traffic calming features on the highway, under Section 90 of the Highways Act 1980 and all other enabling powers.
J14	To agree the adoption of roads and sewers
J15	Powers of entry under all relevant legislation including part XIV of the Highways Act 1980.
J16	To take appropriate action to prevent obstruction of the footways in shopping centres;
J17	The serving of notices concerning overgrown hedges and trees obstructing a highway
J18	
J19	To authorise enforcement of any matter which under Part IX of the Highways Act 1980 (Lawful and Unlawful Interference with Highways and Streets) and Section 69 of the Road Traffic Regulation Act 1984 (removal of inappropriate signage) is an executive matter.
J20	<p>To consider any objection(s) received as a result of advertising proposals to install temporary or permanent vertical traffic calming features on the highway under Section 90 of the Highways Act 1980 and all other enabling powers and to make one of the following decisions:</p> <p>b. To implement the proposals as advertised;</p> <p>c. To implement amended proposals;</p> <p>d. To re-advertise amended proposals;</p> <p>To abandon the proposals and not progress a scheme any further.</p>
J21	To exercise enforcement powers under the Floods and Water Management Act 2010.
J22	To authorise the taking of all necessary actions including the serving of notices required to discharge the Councils responsibilities under the provisions of Part II of the Land drainage Act 1991 and the Highways Act 1980
J23	<p>HS2 Delegated Powers for Highway Improvements Agreed at Transport & Highways Cabinet 26 July 2018:-</p> <p>To determine all applications submitted in relation to either the permanent or temporary interference with or for the creation or modification of the public highway in Solihull by</p>

	<p>HS2 Limited, except for the following:</p> <p>1. Any significant change to the layout of the public highway within the limits of the HS2 Hybrid Bill, as detailed in section 5, or</p> <p>2. Any such proposals whereby the Head of Highway Infrastructure cannot reach agreement with HS2 Limited, who will refer the matter to the appropriate Cabinet Member , either at a decision-making session or in consultation, prior to referring any matter to independent arbitration.</p> <p>(c) A summary of the Schedule 4 application and decisions made will be provided at subsequent decision-making sessions to monitor performance until construction of the project is complete, which is expected by 2025.</p> <p>(d) The scheme of delegation will be subject to periodic review as lessons are learned throughout its application.</p>
J24	Unless prohibited by law or statutory guidance, to appoint a suitable deputy to undertake these functions during periods of absence.
K	Assistant Director – Highways & Environment
K1	To discharge the Council's duties, responsibilities and functions as local authority, enforcement authority, waste collection authority, waste disposal authority, waste regulation authority, principal litter authority, local traffic authority, highway authority, local housing authority, hazardous substances authority, and local planning authority in relation to environmental crime.
K2	The allocation of tenancies of allotments and leisure gardens.
K3	To enforce the provisions of the Weeds Act.
K4	To approve applications for the renewal of leases to allotment associations.
K5	Unless prohibited by law or statutory guidance, to appoint a suitable deputy to undertake these functions during periods of absence.
L	Monitoring Officer
L1	To determine, in consultation with the Leader, a response to any representations received about why a Cabinet meeting should be open to the public following publication of a notice of intention to meet in private.
M	Authorisation of Legal and Other Proceedings
M1	Other than for those matters reserved to the full Cabinet, the Chief Executive, and authorised officers (being any of the officers listed in the Appendix) may authorise legal proceedings to be brought or other appropriate action to be taken in respect of legislation which is within the responsibilities of the Cabinet or respective Cabinet Members subject in all cases to prior consultation with, and the evidence being to the satisfaction of, the Solicitor to the Council.
M2	The Solicitor to the Council may instigate such proceedings as necessary in the discharge of the Councils functions.
M3	Any officer referred to in paragraph (M1) above shall in relation to any matter authorised by him, also have authority to lay informations in the Magistrates Court.
M4	The Solicitor to the Council may take all necessary steps, including laying informations in the Magistrates Court:- <ol style="list-style-type: none"> 1. in relation to the commencement and conduct of all legal proceedings, authorised by the Council or under delegated powers, and 2. to defend any legal proceedings brought against the Council.
M5	The Chief Executive and authorised officers may, in consultation with the relevant Cabinet Member if available, authorise the issue of legal proceedings for the purposes of obtaining injunctions in all matters relating to the Council's statutory powers and

	duties, including matters relating to the Council as landowner.
M6	The Solicitor to the Council to be the Council's legal authority in meeting all the Council's statutory equality obligations.
N	Civil Emergencies and Disasters
N1	The Chief Executive, and authorised officers shall where an emergency or disaster requires an immediate response have power to exercise the Council's functions under Section 138(1) of the Local Government Act 1972 (Powers of principal Councils with respect to emergencies or disasters) and to take any action required to be taken by the Council under civil contingencies legislation and to make decisions in consultation with the Leader or Deputy Leader of the Council if they are immediately available and if not available the Chief Executive and authorised officers shall have power to make decisions and shall report to the Leader of the Council as soon as practicable, decisions taken and expenditure incurred.
O	Head of Customer Services and Libraries
O1	To make arrangements for the burial or cremation of the body of any person who has died or been found dead in their area, in any case where it appears that no suitable arrangements for the disposal of the body have been or are being made in accordance with the Public Health (Control of Disease) Act 1984.

**Annex A – Delegation to Officers appointed by Head of Planning, Design & Engagement
(Delegations H1 to H13)**

Legislation	Section
Building Act 1984	
Control of Pollution Act 1974	91
Environment Act 1995	108
Environmental Protection Act 1990	79, 88, 115, Schedule 3 para 2
Local Government (Miscellaneous Provisions) Act 1976	
Local Government (Miscellaneous Provisions) Act 1982	
Pollution Prevention and Control Act 1999	
Regulation of Investigatory Powers Act 2000	
The Environmental Permitting (England & Wales) Regulations 2007	
Town and Country Planning Act 1990	

**Schedule of Planning, Design & Engagement Officers authorised by the Head of Planning,
Design & Engagement to undertake the functions listed above:-**

Group Managers
Team Leaders
Senior Development Officers
Development Officers
Technical Development Officers

Annex B — Delegation to Officers appointed by Head of Neighbourhood and Regulatory Management (Regulatory Services Functions) (Delegations H9 to H40 refer)

Legislation	Section
Accommodation Agencies Act 1953	
Administration of Justice Acts 1970 & 1985	
Aerosol Dispenser (Amendment) Regulations 2014	
African Horse Sickness (England) Regulations 2012	
Agriculture (Miscellaneous Provisions) Acts 1968 & 1972	
Agriculture Act 1970	
Agricultural Produce (Grading and Marketing) Acts 1928 and 1931	
Animals Act 1971	
Animal Boarding Establishments Act 1963	
Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England & Scotland) Regulations 2015	
Animal By-Product (Enforcement) (England) Regulations 2013	
Animal Health Act 1981	
Animal Health Act 2002	
Animal Health and Welfare Act 1984	
Animal Welfare Act 2006	
Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018	
Anti-Social Behaviour Act 2003	43
Anti-Social Behaviour Act 2003	54
Anti-social Behaviour, Crime & Policing Act 2014	
Breeding and Sale of Dogs (Welfare) Act 1999	
Breeding of Dogs Act 1973	
Breeding of Dogs Act 1991	
Biofuel Labelling Regulations 2004	
Bluetongue Regulations 2008	
Bovine and Bovine Products (Trade) Regulations 1999	
Brucellosis (England) Order 2015	
Building Act 1984	
Burial Act 1857	
Business Protection from Misleading Marketing Regulations 2008	
Cancer Act 1939	
Caravan Sites Act 1968	
Caravan Sites and Control of Development Act 1960	26
Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008	
Cattle Identification Regulations 2007	
Charities Act 2011	
Childrens and Families Act 2014	
Children & Young Persons (Protection from Tobacco) Act 1991	
Children & Young Persons Act 1933	
Christmas Day (Trading) Act 2004	3
Civil Contingencies Act 2004	
Civil Defence Act 1948	
Clean Air Act 1993	56
Clean Neighbourhoods and Environment Act 2005	
Companies Acts 1985 & 2006	
Computer Misuse Act 1990	

Condensed Milk and Dried Milk Regulations 2015	
Construction Products Regulations 1991	
Consumer Contracts (Information Cancellation and Additional Charges) Regulations 2013	
Consumer Credit Act 1974 & 2006	
Consumer Protection Act 1987	
Consumer Protection from Unfair Trading Regulations 2008	
Consumer Protection (Amendment) Regulations 2014	
Consumer Rights Act 2015	
Control of Horses Act 2015	
Control of Pollution (Amendment) Act 1989	
Control of Pollution Act 1974	91
Copyright Designs & Patents Act 1988	
Cosmetic Products Enforcement Regulations 2013 & EU Cosmetic Regulations 1223/2009	
Country of Origin of Certain Meats (England) Regulations 2015	
Countryside Act 1968	
Courts & Legal Services Act 1990	
Crime and Disorder Act 1998	
Criminal Attempts Act 1981	
Criminal Damage Act 1971	
Criminal Justice & Police Act 2001	
Criminal Justice Act 1988	
Criminal Justice and Public Order Act 1994	
Criminal Law Act 1977	
Crossbows Act 1987	
Customs & Excise Management Act 1979	
Dangerous Dogs (Amendment) Act 1997	
Dangerous Dogs Act 1989	
Dangerous Dogs Act 1991	
Dangerous Wild Animals Act 1976	
Deer Act 1991	
Deregulation Act 2015	
Detergents Regulations 2010	
Development of Tourism Act 1969	
Diseases of Swine Regulations 2014	
Dogs Act 1871	
Dogs Act 1906	
EC Fertilisers (England & Wales) Regulations 2006	
Education Reform Act 1988	
Energy Acts 1976, 1983 & 2011	
Energy Efficiency (Private Rented Property)(England & Wales) Regulations 2015	
Energy Information Regulations 2011	
Energy Performance of Buildings (England & Wales) Regulations 2012	
Enterprise Act 2002	
Environment Act 1995	108
Environmental Damage (Prevention and Remediation) Regulations 2009	
Environmental Protection Act 1990	79, 88, 115, Schedule 3 para 2
Environmental Protection (Microbeads)(England) Regulations 2017	
Estate Agents Act 1979	
European Communities Acts 1972 & 1986	
European Union (Withdrawal) Act 2018 with respect to the following, and any	

associated and related regulations:

- African Horse Sickness (England) Regulations 2012
- Animal Feed (Basic Safety Standards)(England) Regulations 2019
- Animal By-Products(Enforcement)(England) Regulations 2013
- Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015
- Avian influenza (Preventative Measures)(England) Regulations 2006
- Avian Influenza (Vaccination)(England) Regulations 2008
- Beef and Veal Labelling Regulations 2010
- Biofuel Labelling Regulations 2004
- Bluetongue Regulations 2008
- Business Protection from Misleading Marketing Regulations 2008
- Cat and Dog Fur (Control of Import, Export and Placing on the Market)(Amendment etc)(EU Exit) Regulations 2019
- Cattle Identification Regulations 2007
- Construction Products Regulations 2013
- Construction Products (Amendment etc)(EU Exit) Regulations 2019

- Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013
- Consumer Protection from Unfair Trading Regulations 2008
- Consumer Protection (Enforcement)(Amendment etc.)(EU Exit) Regulations 2019
- Consumer Protection (Amendment etc.)(EU Exit) Regulations 2018

- Consumer Rights (Payment Surcharges) Regulations 2012
- Cosmetic Products Enforcement Regulations 2013 and the EU Cosmetic Products Regulation 1223/2009
- Country of Origin of Certain Meats (England) Regulations 2015
- Crystal Glass (Descriptions) Regulations 1973
- Detergents Regulations 2010
- Diseases of Swine Regulations 2014
- EC Fertilisers (England and Wales) Regulations 2006
- Eggs and Chicks (England) Regulations 2009
- Electrical Equipment (Safety) Regulations 2016
- Electromagnetic Compatibility Regulations 2016
- Energy Information Regulations 2011
- Energy Performance of Buildings (England and Wales) Regulations 2012
- Equine Identification (England) Regulations 2018
- Financial Services (Distance Marketing) Regulations 2004
- Fluorinated Greenhouse Gases Regulations 2015
- Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016
- Food Information Regulations 2014
- Food Safety and Hygiene (England) Regulations 2013
- Foot-and-Mouth Disease (Control of Vaccination)(England) Regulations 2006
- Footwear (Indication of Composition) Labelling Regulations 1995
- Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
- General Product Safety Regulations 2005
- Genetically Modified organisms (Traceability and Labelling)(England) Regulations 2004
- Infant Formula and Follow-on Formula (England) Regulations 2007
- Materials and Articles in Contact with Food (England) Regulations 2012
- Measuring Container Bottles(EEC Requirements) Regulations 1977
- Measuring Instruments Regulations 2016

<ul style="list-style-type: none"> • Non-Automatic Weighing Instruments Regulations 2016 • Novel Foods (England) Regulations 2018 • Official Controls (Animal, Feed and Food, Plant Health Fees etc) Regulations 2019 • Official Feed and Food Controls (England) Regulations 2009 • Official Controls (Animals, Food, Feed) (England) Regulations 2006 • Olive Oil (Marketing Standards) Regulations 2014 • Organic Products Regulations 2009 • Package Travel and Linked Travel Arrangements Regulations 2018 • Packaging (Essential Requirements) Regulations 2015 • Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001 • Personal Protective Equipment (Enforcement) Regulations 2018 • Poultrymeat (England) Regulations 2011 • Pressure Equipment (Safety) Regulations 2016 • Products of Animal Origin (Disease Control)(England) Regulations 2008 • Product Safety and Metrology etc (Amendment etc)(EU Exit) Regulations 2019 • Pyrotechnic Articles (Safety) Regulations 2015 • Quality Schemes (Agricultural Products and Foodstuffs) Regulations 2018 • Quick-frozen Foodstuffs (England) Regulations 2007 • Radio Equipment Regulations 2017 • REACH Enforcement Regulations 2008 • Recreational Craft Regulations 2017 • Registration of Establishments (Laying Hens)(England) Regulations 2003 • Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013 • Scotch Whisky Regulations 2009 • Simple Pressure Vessels (Safety) Regulations 2016 • Specified Products from China (Restrictions on First Placing on the Market) (England) Regulations 2008 • Spirit Drinks Regulations 2008 • Supply of Machinery (Safety) Regulations 2008 • Textile Products (Labelling and Fibre Composition) Regulations 2012 • Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010 • Tobacco and Related Products Regulations 2016 • Tobacco Products and Nicotine Inhaling Products (Amendment etc.)(EU Exit) Regulations 2019 • Toys (Safety) Regulations 2011 • Trade in Animals and Related Products Regulations 2011 • Transmissible Spongiform Encephalopathies (England) Regulations 2018 • Veterinary Medicines Regulations 2013 • Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012 • Weights and Measures (Packaged Goods) Regulations 2006 • Weighing and Measuring Equipment and Meters (amendment of Secondary Legislation)(EU Exit) Regulations 2018 • Welfare of Animals at Time of Killing (England) Regulations 2015 • Wine Regulations 2011 • Zoonoses (Monitoring) (England) Regulations 2007 	
Explosives Act 1875	
Explosives Regulations 2014	
Fair Trading Act 1973	

Farm & Garden Chemicals Act 1967	
Financial Services (Distance Marketing) Regulations 2004	
Fire Safety and Safety of Places of Sport Act 1987	
Fireworks Act 2003	
Fish Labelling Regulations 2013	
Food Act 1984	
Food and Environment Protection Act 1985	
Food Information Regulations 2014	
<p>The Food Safety Act 1990; and</p> <p>(a) (a) any Orders, or Regulations or other Instruments</p> <p>(i) (i) made thereunder or</p> <p>(ii) (ii) relating thereto, or</p> <p>(iii) (iii) having effect by virtue of the European Union (Withdrawal) Act 2018 and relating to food safety or animal feedstuffs;</p> <p>(b) And</p> <p>(b) any modification or re-enactment of the foregoing.</p> <p>(*Note: Providing any officer is suitably appointed to so act, the fact that the enforcement powers are contained in a Regulation or Order is irrelevant for the purpose of acting lawfully.)</p>	
Food Safety Act 1990 (as amended)	29
Food Safety Act 1990 (as amended)	30,32
Food Safety and Hygiene (England) Regulations 2013	16,14
Foot and Mouth Disease (Control of Vaccination)(England) Regulations 2006	
Forgery & Counterfeiting Acts 1981 & 1988	
Fraud Act 2006	
Gambling Act 2005	
General Products Safety Regulations 2005	
Genetically Modified Organisms (Traceability and Labelling)(England) Regulations 2004	
Goods Vehicles (Licensing of Operators) Act 1995	
Guard Dogs Act 1975	
Hallmarking Act 1973	
Health Protection (Local Authority Powers) Regulations 2010	
Health Protection (Part 2A Orders) Regulations 2010	
Health & Safety at Work etc Act 1974	19, 20 as warranted
Health Act 2006	Part 1, Schedule 2
Highways Act 1980	
Horse Passports Regulations 2009	
House to House Collections Act 1939	
House to House Regulations 1947	
Housing Act 1985 as amended by Paragraph 67, Schedule 9 and Section 97 of the Local Government and Housing Act 1989	
Housing Act 1988	
Housing Act 2004	
Housing and Planning Act 2016	
Housing and Regeneration Act 2008	
Human Rights Act 1998	
Hypnotism Act 1952	
Intellectual Property Act 2014	
Immigration Act 2014	
Knives Act 1997	

Legal Services Act 2007	
Licensing Act 2003	
Litter Act 1983	
Local Government (Miscellaneous Provisions) Act 1976	
Local Government (Miscellaneous Provisions) Act 1982	
Local Government Act 1972	
Local Government and Housing Act 1989	
Malicious Communications Act 1988	
Medicines Act 1968	
Misrepresentation Act 1967	
Mobile Homes Act 1983	
Mobile Homes Act 2013	
Money Laundering Regulations 2007	
Motor Cycle Noise Act 1987	
Motor Vehicles (Safety Equipment for Children) Act 1991	
Motor Vehicles (Tests) Regulations 1981	
National Assistance (Amendment) Act 1951	
National Assistance Act 1948 as amended by the National Assistance (Amendment) Act 1951	
National Lottery Act 1993	
Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015	
Noise Act 1996 (as amended by the Anti-social Behaviour Act 2003)	
Noise and Statutory Nuisance Act 1993	
Offensive Weapons Act 2019	
Olive Oil (Marketing Standards) Regulations 2014	
Olympic Symbol etc (Protection) Act 1995	
Ozone Depleting Substances Regulations 2015	
Party Wall etc Act 1996	
Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 1992	
Performing Animals (Regulation) Act 1925	
Pet Animals (Amendment) Act 1983	
Pet Animals Act 1951	
Petroleum (Consolidation) Act 1928 and 2014	
Petroleum (Transfer of Licence) Act 1936	
Pigs (Records: Identification and Movement) Order 2003	
Planning (Hazardous Substances) Act 1990	
Poisons Act 1972	
Policing and Crime Act 2009	
Police, Factories etc (Miscellaneous Provisions) Act 1916	
Pollution Prevention and Control Act 1999	
Prevention of Damage by Pests Act 1949	22
Prices Acts 1974 & 1975	
Private Security Industry Act 2001	
Proceeds of Crime Act 2002	
Products of Animal Origin (3 rd Country Imports) England Regulations 2007	
Products of Animal Origin(3 rd Country Imports) England Regulations 2008	
Products of Animal Origin (3 rd Country Imports) England Regulations 2009	
Protection from Eviction Act 1977	
Protection of Animals (Amendment) Act 1954	
Protection of Animals (Amendment) Act 1988	
Protection of Animals (Amendment) Act 2000	

Protection of Animals Act 1911	
Public Health (Control of Disease) Act 1984 as amended including any subordinate legislation	
Health Protection (Coronavirus, Restrictions) (No.2) (England) Regulations 2020	
Health Protection (Coronavirus, Restrictions) (No.3) (England) Regulations 2020	
Public Health (Infectious Diseases) Regulations 1988	
Public Health Act 1875	
Public Health Act 1925	
Public Health Act 1936	287
Public Health Act 1961	
Public Health Acts Amendment Act 1907	
Public Health (Aircraft) Regulations 1979	
Psychoactive Substances Act 2016	
Pyrotechnic Articles (Safety) Regulations 2015	
Rabies Act 1974	
Rabies (Importation of Dogs, Cats and Other Mammals) Order 1974	
Radio Equipment and Telecommunications Terminal Equipment Regulations 2000	
Ragwort Control Act 2003	
Redress Schemes for Letting Agencies Work and Property Management Work (Requirement to Belong to a Scheme etc)(England) Order 2014	
REACH Enforcement Regulations 2008	
Refuse Disposal (Amenity) Act 1978	3
Registered Designs Act 1949	
Regulatory Enforcement and Sanctions Act 2008	
Regulation EC 765/2008	
Regulation of Investigatory Powers Act 2000	
Riding Establishments Act 1964	
Riding Establishments Act 1970	
Road Traffic Act 1988	
Road Traffic Act 1991	
Road Traffic Regulation Act 1984	99
Safety of Sports Grounds Act 1975	
Sale of Goods Act 1979	
Scrap Metal Dealers Act 2013	
Serious Crime Act 2007	6
Sheep & Goats (Records, Identification and Movement)(England) Order 2009	
Single Use Carrier Bags Charges (England) Order 2015	
Slaughter of Poultry Act 1967	
Smoke and Carbon Monoxide Alarm (England) Regulations 2015	
Standardised Packaging of Tobacco Products Regulations 2015	
Supply of Goods and Services Act 1982	
Supply of Goods (Implied Terms) Act 1973	
The Sunbed (Regulations) Act 2010	
Sunday Trading Act 1994	Schedule 2, Part 1
Telecommunication Act 1984	
Tenants Fees Act 2019	
The Flavourings in Food (England) Regulations 2010	
The Organic Products (Imports from Third Countries) Regulations 2003	
The Package Travel, Package Holidays & Package Tours Regs 1992	
The Plastic Materials and Articles in Contact with Food (England) Regulations 2008	

The Proxy Purchasing of Tobacco, Nicotine Products etc, (Fixed Penalty Notice) (England) Regulations 2015	
Textile Products (Labelling and Fibre Composition) Regulations 2012	
Theft Acts 1968 & 1978	
Timeshare, Holiday Products, Resale & Exchange Contracts Regulations 2010	
Tobacco Advertising & Promotion Act 2002	
Tobacco and Related Products Regulations 2016	
Torts (Interference with Goods) Act 1977	
Town and Country Planning Act 1990	
Town Police Clauses Act 1847	
Toys (Safety) Regulations 2011	
Trade Descriptions Act 1968	
Trade in Animals and Related Products Regulations 2011	
Trade Marks Act 1994	
Transmissible Spongiform Encephalopathies (England) Regulations 2010	
Transport Act 1980	
Transport Act 1985	
Tuberculosis (England) Order 2014	
Unsolicited Goods & Services Acts 1971 & 1975	
Unfair Contract Terms Act 1977	
Vehicles (Crime) Act 2001	
Vehicle Excise and Registration Act 1994	
Vehicle Excise Duty (Immobilisation), Removal & Disposal of Vehicles Regulations 1977, as amended	
Veterinary Medicines Regulations 2013	
Video Recordings Acts 1984, 1993, and 2010	
Water Industry Act 1991	
Water Resources Act 1991	
Weeds Act 1959	
Welfare of Animals at Time of Killing (England) Regulations 2015	
Weights and Measures Acts 1976 & 1985	
Wildlife and Countryside Act 1981	
Zoo Licensing Act 1981	
Zoonoses (Monitoring)(England) Regulations 2007	

Schedule of Officers Authorised by the Head of Neighbourhood & Regulatory Services

Regulatory Services:-

<p>1. Name: Trading Standards & Environmental Compliance Manager and Senior Trading Standards Officers are authorised to:-</p>	
Legislation	Section
Animal Feed (Hygiene, Sampling etc. and Enforcement) (England) Regulations 2015	
Animal Feed (Composition, Marketing and Use)(England) Regulations 2015	
Feed (Hygiene and Enforcement)(England) Regulations 2005	
Weights and Measures Act 1985	
<p>European Union (Withdrawal) Act 2018 with respect to the following, and any associated and related regulations:</p> <ul style="list-style-type: none"> • Official Feed & Food Controls (England) Regulations 2009 • Official Controls (Animals, Food, Feed) (England) Regulations 2006 • Animal Feed (Basic Safety Standards)(England) Regulations 2019 • Official Controls (Animals, Feed and Food, Plant Health Fees etc) Regulations 2019 • Measuring Instruments Regulations 2016 • Non-Automatic Weighing Instruments Regulations 2016 • Weights and Measures (Packaged Goods) Regulations 2006 • Measuring Container Bottles(EEC Requirements) Regulations 1977 	
<p>2. Name: Trading Standards & Environmental Compliance Manager is authorised to:-</p>	
<p>The Head of Neighbourhoods and Regulatory Services authorises the Trading Standards & Environmental Compliance Manager as Solihull Metropolitan Borough Council's Chief Inspector of Weights and Measures under the Weights and Measures Act 1985.</p>	
<p>3. Name: The Regulatory Services Manager, Community Safety and Partnerships Manager, Head of Neighbourhood & Regulatory Services are authorised by the Licensing Committee to:</p>	
<p>i) suspend Hackney Carriage and Private Hire Vehicle Licences where proof of insurance cover is not provided.</p>	
<p>ii) approve the registration, issue or renewal of licences or permits.</p>	
<p>iii) suspend Hackney Carriage and Private Hire Licences, when payment by cheque or credit card is not cleared.</p>	
<p>iv) make enquiries with the Disclosure and Barring Service to obtain the criminal convictions of applicants for Hackney Carriage and Private Hire Licences and to suspend the renewal of existing licences, until this process is completed.</p>	
<p>v) suspend the renewal of existing Hackney Carriage or Private Hire Licences, when convictions are revealed that are not consistent with the policies of the Licensing Sub-Committee, pending consideration by that Sub-Committee.</p>	

vi) suspend the renewal of existing Hackney Carriage or Private Hire Licence, when the individual has been unable to obtain a medical certificate issued by the appointed medical advisor.
vii) refuse applications received in respect of Hackney Carriage and Private Hire Licences, where the applicant has been unable to obtain a medical certificate issued by the appointed medical advisor, due to traces of prohibited substances being found in the applicants system.
viii) refuse applications received in respect of Hackney Carriage and Private Hire Licences, where the convictions of the applicant remain “unspent”.
ix) suspend Hackney Carriage and Private Hire Licences, if the individual fails to keep an appointment made with the medical advisor, until such time as the matter is resolved.
x) suspend Hackney Carriage and Private Hire Licences, where the individual fails to keep an appointment made for the inspection of his vehicle, or the purpose of a driving assessment.
xi) undertake the functions listed at Annex 1; 1A; & 1B as approved by the Licensing Sub-Committee 23/04/12.
NOTE:
<ol style="list-style-type: none"> 1. Reference in Annex 1; 1A; 1B to the designations; Public Protection Manager; Regulatory Services Manager (Licensing) or Regulatory Services Manager (Business Compliance) will be substituted with the designations; Regulatory Services Manager and Community Safety and Partnerships Manager 2. Reference in Annex 1; 1A; 1B to the Criminal Records Bureau (CRB) will be substituted with name Disclosure and Barring Service (DBS).

4. Name: The Regulatory Services Manager, Community Safety & Partnerships Manager, and Head of Neighbourhood & Regulatory Services are authorised to:-

Additional Specific Delegations or Restrictions:	
i)	Authorised to initiate enforcement action and works in default for the purposes of all the legislation that the officer is authorised under, in so far as the Council’s schedule of delegation permits

5. Name: Senior Food & Safety Officers are authorised to:-

Additional Specific Delegations or Restrictions:	Section
Health & Safety at Work etc., Act 1974	19, 20, 21, 22, 25
The Food and Environment Protection Act 1985	19

6. Name: Regulatory Services Manager and Food & Safety Team Leaders are authorised to:-

Additional Specific Delegations or Restrictions:	Section
Health & Safety at Work etc. Act 1974	19, 20, 21, 22, 25

7. Name: Regulatory Services Manager, Food & Safety Team Leaders and Senior Food & Safety Officers are authorised to:-

Legislation	Section
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<p>European Union (Withdrawal) Act 2018 (Providing any officer is suitably appointed to so act, the fact that the enforcement powers are contained in a Regulation or Order, whether made under the European Communities Act or any other stated Act, is irrelevant for the purpose of acting lawfully) with respect to the following, and any associated and related Regulations made under this Act:</p> <ul style="list-style-type: none"> • Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015 • Beef and Veal Labelling Regulations 2010 • Country of Origin of Certain Meats (England) Regulations 2015 • Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 • Food Information Regulations 2014 • Food Safety and Hygiene (England) Regulations 2013 • Genetically Modified Organisms (Traceability and Labelling)(England) Regulations 2004 • Infant Formula and Follow-on Formula (England) Regulations 2007 • Materials and Articles in Contact with Food (England) Regulations 2012 • Novel Foods (England) Regulations 2018 • Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 in so far as it relates to food law • Official Feed and Food Controls (England) Regulations 2009 in so far as it relates to food law • Olive Oil (Marketing Standards) Regulations 2014 • Organic Products Regulations 2009 • Poultrymeat (England) Regulations 2011 • Quick-frozen Foodstuffs (England) Regulations 2007 • Scotch Whisky Regulations 2009 • Specified Products from China (Restrictions on First Placing on the Market) (England) Regulations 2008 • Spirit Drinks Regulations 2008 • Wine Regulations 2011 	
The Food and Environmental Protection Act 1985	3 & 4
The Imported Food Regulations 1997	
The Slaughter of Poultry Act 1967	
The Organic Products Regulations 2009	
Trade in Animal and Related Products Regulations 2011	32,33,34
Private Water Supplies Regulations 2010	
Food Additives, Flavourings, Enzymes, and Extraction Solvents Regulations 2013	
Fruit Juices and Fruit Nectars (England) Regulations 2013	
The Flavourings in Food (England) Regulations 2010	Regs 7, 8, 9
Specified Products from China (Restriction on First Placing on the Market) (England) Regulations 2008	
The Food Safety Act 1990 (as amended)	9, 12
The Food Safety Act 1990 (as amended)	10
The Official Feed & Food Controls England Regulations 2009 (as amended)	18,29, 31, 32, 37, 38, 39,
The Official Controls (Animals, Food and Feed) (England) Regulations 2006	
The Transmissible Spongiform Encephalopathies (England) Regulations 2010	
Contaminants in Food (England) Regulations 2013	
Regulation EC 882/2004	Article 18
EU Official Control Regulations 2017	

Plant Health Regulations (EU) 2016/2031	
Animal Health Regulations (EU) 2016/429 – applies from 21/4/21	
Regulation 206/2009	
Regulation 1355/2013	
Regulation 468/2012	
Regulation 669/2009	
Regulation 1152/2009	
Regulation 853/2004	
Regulation EC no 178/2002	
Animal By-Product Regulations 2013	
The Food Labelling Regulations 1996	
Rice Products (Restrictions on First Placing on the Market) (England) Regulations 2006	
General Food Regulations 2004	

8. NAME: Senior Food & Safety Officers are authorised to:-

Legislation	Section
<p>European Union (Withdrawal) Act 2018 (Providing any officer is suitably appointed to so act, the fact that the enforcement powers are contained in a Regulation or Order, whether made under the European Communities Act or any other stated Act, is irrelevant for the purpose of acting lawfully) with respect to the following, and any associated and related Regulations made under this Act:</p> <ul style="list-style-type: none"> • Animals and Animal Products (Examination for Residues and Maximum Residue Limits)(England and Scotland) Regulations 2015 • Beef and Veal Labelling Regulations 2010 • Country of Origin of Certain Meats (England) Regulations 2015 • Food for Specific Groups (Information and Compositional Requirements) (England) Regulations 2016 • Food Information Regulations 2014 • Food Safety and Hygiene (England) Regulations 2013 • Genetically Modified Organisms (Traceability and Labelling)(England) Regulations 2004 • Infant Formula and Follow-on Formula (England) Regulations 2007 • Materials and Articles in Contact with Food (England) Regulations 2012 • Novel Foods (England) Regulations 2018 • Official Controls (Animals, Feed and Food, Plant Health Fees etc.) Regulations 2019 in so far as it relates to food law • Official Feed and Food Controls (England) Regulations 2009 in so far as it relates to food law • Olive Oil (Marketing Standards) Regulations 2014 • Organic Products Regulations 2009 • Poultrymeat (England) Regulations 2011 • Quick-frozen Foodstuffs (England) Regulations 2007 • Scotch Whisky Regulations 2009 • Specified Products from China (Restrictions on First Placing on the Market) (England) Regulations 2008 • Spirit Drinks Regulations 2008 • Wine Regulations 2011 	
<p>The Food Safety Act 1990; and</p> <p>(a) any Orders, or Regulations or other Instruments</p> <p>(i) made thereunder or</p> <p>(ii) relating thereto, or</p>	

(iii) having effect by virtue of the European Union (Withdrawal) Act 2018 and relating to food safety or animal feedstuffs;	
And	
(b) any modification or re-enactment of the foregoing.	
(*Note: Providing any officer is suitably appointed to so act, the fact that the enforcement powers are contained in a Regulation or Order is irrelevant for the purpose of acting lawfully.)	
NOTE: Details of the level of authorisation under the Food Safety Act 1990 for this officer is defined in the following lines:	
The Food Safety Act 1990 (as amended)	10
The Official Feed & Food Controls (England) Regulations 2009 as amended	18, 37,,38, 39
Private Water Supplies Regulations 2010	
Food Additives, Flavourings, Enzymes and Extraction Solvents Regulations 2013	
Fruit Juices and Fruit Nectars (England) Regulations 2013	
The Beef and Veal Labelling Regulations 2010	
The Flavourings in Food (England) Regulations 2010	
Trade in Animals and Related Products 2011	19,32,33,34
Animal By-Product Regulations 2011	
Official Controls (Animals , Food and Feed) (England) Regulations 2006	
Regulation EC 178/2002	
Regulation 206/2009	
Regulation 1355/2013	
Regulation 468/2012	
Regulation 1152/2009	
Regulation 669/2009	
Regulation EC 882/2004	Article 18
Regulation 853/2004	
Food Safety and Hygiene (England) Regulations 2016	6,16,15, 14
The Food Labelling Regulations 1996	
Food Information Regulations 2014	
The Contaminants in Food (England) Regulations 2013	
Rice Products (Restriction on First Placing on the Market) (England) Regulations 2006	
The Transmissible Spongiform Encephalopathies (England) Regulations 2010	
General 2004Food Regulations	

Neighbourhood Management

The following officers of Neighbourhood Management are authorised on behalf of Solihull MBC under the stated legislative provisions:

9. **Name:** Neighbourhood Managers, Neighbourhood Projects Manager and NRS Office Manager are authorised to:-

Legislation
Rights of entry to Investigate under the provisions of the Anti-Social behaviour Act 2003 in so far as they relate to High Hedges

Annex C – Delegation of Officers appointed by Head of Highway Services (Delegation J19)

Legislation	
Act	Sections
Refuse Disposal (Amenity) Act 1978	3,4,5

Schedule of Car Park Services Officers Authorised by the Head of Highway Services to make arrangements for the inspection and or removal of Abandoned Vehicles to secure storage or to an authorised treatment centre for disposal in accordance with the Refuse Disposal (Amenity) Act 1978

1) Schedule of officers authorised:-

Parking Services Manager
Parking Officer
Parking Officer

**Annex D - Delegation to Officers appointed by Assistant Director – Highways & Environment
(Delegations K1 TO K5)**

Legislation	
Act	Section
Environmental Protection Act 1990	Part II – Collection, disposal or treatment of controlled waste
Litter Act 1983	
Refuse Disposal (Amenity Act 1978)	Section 1 – Provision by local authorities for disposal of refuse
Weeds Act 1959	

**Schedule of Environmental Services Heads of Service authorised by the Assistant Director –
Highways & Environment to undertake the functions listed above:-**

Head of Service - Public Realm
Head of Service - Waste & Recycling

**Annex E – Delegation of Officers appointed by Head of Customer Services & Libraries
(Delegation P1)**

Legislation
Act
Burial Act 1857
Public Health (Control of Disease) Act 1984 as amended including any subordinate legislation

Schedule of Bereavement Services Officers Authorised by the Head of Customer Services & Libraries, Arts & Information to undertake the functions listed above:-

Bereavement Services Contract & Operational Support Manager

Annex F

List of Posts Included in Delegation under Paragraph A above

Post Title
Chief Executive
Director of Adult Social Care
Director of Resources & Deputy Chief Executive
Director of Public Health
Director of Economy and Infrastructure
Director of Children's Services & Skills
Assistant Director – Finance & Property Services
Assistant Director – Business Systems
Assistant Director - Stronger Communities
Assistant Director - Highways & Environment
Assistant Director – Growth & Development
Assistant Director – Learning & Skills
Assistant Director - Adult Care & Support
Assistant Director - Children, Young People & Families
Assistant Director - Commissioning
Assistant Director - Health & Wellbeing
Head of Legal & Democratic Services (Monitoring Officer)
Solicitor to the Council
Head of Procurement
Head of Income & Awards
Head of Corporate Property Services
Head of Strategic Land
Head of Human Resources
Head of ICT and Information Governance
Head of Internal Audit
Head of Business Intelligence & Improvement
Head of Corporate Finance
Head of Financial Services
Head of Catering Services
Head of Communications
Head of Adult Care & Support
Strategic Commissioner - Mental Health
Strategic Commissioner - Older People
Strategic Commissioner – Children & Families
Strategic Commissioner - Disabilities
Head of Service – Referral, Assessment & Child Protection
Head of Service - Safeguards
Head of Service - Engage
Head of Service – Looked After Children
Head of Service - Education Improvement & Early Years
Head of Service – 0-25 Special Education Needs and Disabilities
Head of Service – Access & Development
Head of Highway Management
Head of Highway Infrastructure
Head of Planning, Design & Engagement
Head of Service – Public Realm
Head of Service – Waste & Recycling
Head of Neighbourhood and Regulatory Services
Head of Service - Growth Programmes

Head of Customer Services & Libraries
Head of Service - Adult Health & Wellbeing
Head of Service - Healthy Places
Head of the Coventry, Solihull & Warwickshire Resilience Team

References to post holders includes officers holding posts in an acting capacity