

4.0 Responsibility for Executive Functions (Delegations)

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

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Protection		management of air quality
5. Service of an Abatement Notice in respect of a Statutory Nuisance and Inspection of Borough for Statutory Nuisances and Investigating complaints of Statutory Nuisance	Group Head of Community & Environmental Services/Head of Community Protection		To exercise all functions in relation to the undertaking of all the Council's duties and powers relating to Statutory Nuisances
6. Schedule 2 Noise & Statutory Nuisance Act	The Executive		To decide whether Sch. 2 of Noise & Statutory Nuisance Act 1993 should apply to the Borough of Watford
7. S330 T&CPA (1990) and S16 LG (MP) Act 1976	Chief Officers/ Heads of Service		To exercise all powers under S330 of T&CPA 1990 and S16 LG (MP) Act 1976 as necessary in connection with the operation of any functions within their areas of responsibility as set out in Article 12
8. Highway Works	Group Head of Community and Environmental Services Group Head of Place Shaping, Head of Transport and Infrastructure,		To exercise all functions and powers in relation to the Council's highway, traffic, public transport and parking activities upon the public highway or in relation to public rights of way otherwise than as set out in Reg 2 of Schedule 1

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Senior Transport & Infrastructure Project Officer Head of Parking</p> <p>Portfolio Holder for Transport & Sustainability</p> <p>The Executive</p>		<p>to the Local Authorities (Functions & Responsibilities) (England) Regulations 2000 To exercise all powers and duties on highway, traffic, public transport and parking activities consequential to any Agreement with the County Council on such matters otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regulations 2000</p> <p>To agree changes to the extent and operation of the CPZ and matchday TRO's</p> <p>To be responsible for the preparation and review of all highway, transportation and parking policies otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regulations 2000</p> <p>To formulate policies in relation to the highway, transport and parking activities otherwise than as set out in Reg 2 of Schedule 1 to the Local Authorities (Functions & Responsibilities) (England) Regs 2000 for recommendation to Council.</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Portfolio Holder for Transport & Sustainability		<p>To consider and agree the prioritisation and funding of any traffic work programme within the Executive's remit.</p> <p>To consider and make recommendations to Hertfordshire County Council on any proposals by them for new highways, pedestrian crossings, cycle routes and traffic calming with the Council's area</p>
<p>9. Appointments to other bodies</p> <p>Watford Health Campus LLP</p>	<p>The Mayor</p> <p>The Executive</p>		<p>To exercise all powers not expressly reserved to Council to appoint Members and/or officers to other bodies as deemed appropriate</p> <p>To be responsible for the taking all decisions on behalf of the Council as a member of the Watford Health Campus LLP not otherwise delegated to named representatives of the Partnership or Operations Boards.</p> <p>To approve the LLP's Business Plan and all final Zone Business Plan's and the allocation of money and land to the LLP.</p> <p>To be responsible for appointing Council representatives to the Partnership Board and Operations Board of the LLP in accordance with the terms of the Members Agreement.</p>

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

Function	Body/Individual with Delegation	Members	Terms of Delegation
Hart Homes (Watford) Limited	<p data-bbox="427 412 568 443">Executive</p> <p data-bbox="427 1084 561 1115">Directors</p>		<p data-bbox="959 286 1391 318">in the Governance Agreement</p> <p data-bbox="959 371 1415 779">To be responsible for the taking all decisions on behalf of the Council as a shareholder of Hart Homes (Watford) Limited not otherwise delegated to named Directors of the Company To approve the Company's business plan the allocation of money and land to the Company. To be responsible for appointing Council Directors to the Company Board in accordance with the terms of the Shareholders Agreement.</p> <p data-bbox="959 1043 1391 1191">To act as Directors of the Company and to exercise all delegated decisions as set out in the Shareholder Agreement</p>
10.Resources	<p data-bbox="427 1258 539 1290">Council</p> <p data-bbox="427 1554 628 1585">The Executive</p>		<p data-bbox="959 1258 1407 1451">To be responsible for setting the budget, General Fund and the Capital Programme, setting the Council Tax and setting virement limits</p> <p data-bbox="959 1554 1401 1877">For proposing the budget both revenue and capital for functions within the responsibility of the Executive. For setting all fees and charges to be levied within the Executive's area of responsibility.</p> <p data-bbox="959 1930 1337 1998">To monitor the use of resources and approve (or</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p data-bbox="427 663 719 741">Three Rivers District Council</p> <p data-bbox="427 1043 651 1160">Hertfordshire Shared Internal Audit Service</p> <p data-bbox="427 1256 719 1541">Chief Officers and Heads of Service in Consultation with the relevant Portfolio Holder and the Director of Finance</p> <p data-bbox="427 1805 636 1839">Elected Mayor</p>		<p data-bbox="959 286 1410 613">recommend to Council) re-allocation during the year to enable the Council to perform its statutory functions, to agree virement limits in line with overall Council policy within which Chief Officers and Portfolio Holders can operate</p> <p data-bbox="959 667 1410 952">To provide a full accountancy, treasury management and fraud management service as set out in the Three Rivers District Council and Watford Borough Council Shared Service Agreement.</p> <p data-bbox="959 1128 1390 1207">To provide a full internal audit service.</p> <p data-bbox="959 1301 1382 1541">To consider opportunities for obtaining external funding to support council projects and priorities, and where external funding is available to make application for it</p> <p data-bbox="959 1805 1377 2004">To agree to minor changes to the S106 Town & Country Planning Act 1990 (as amended) spending programme based on</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Chief Officers and Heads of Service</p> <p>Group Head of Community & Environmental Services</p>		<p>information in a quarterly monitoring report</p> <p>To be responsible for the day to day management of all material resources made available to them for the exercise of functions within their area of responsibility</p> <p>To be accountable to the Executive for the resources used</p> <p>To be responsible for the Council's vehicle fleet.</p>
<p>11. Land and Buildings</p>	<p>The Executive</p> <p>Portfolio Holder for Property, Resources and Customer Service</p>		<p>To approve the acquisition or disposal of a freehold /leasehold land asset having a value in excess of £10,000,001</p> <p>To approve the acquisition or disposal of a Commercial & investment freehold/leasehold land assets having a value of £3,000,001 to £10,000,000 subject to a full written business case being signed off by Finance and Legal</p> <p>To approve the acquisition or disposal of a Operational</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p data-bbox="427 707 639 741">Elected Mayor</p> <p data-bbox="427 1003 711 1245">Group Head Place Shaping Head of Regeneration and Property / Property Team Manager (investment Assets)</p> <p data-bbox="427 1637 724 1794">Group Head of Place Shaping/Head of Property and Regeneration</p> <p data-bbox="427 1973 724 2007">Group Head of Place</p>		<p data-bbox="959 286 1406 488">freehold/leasehold land assets having a value of £3,000,001 to £10,000,000 subject to a full written business case being signed off by Finance and Legal</p> <p data-bbox="959 539 1414 781">To approve the entering into of any agreement between the Council and the voluntary sector where the Council would not receive a commercial return on its assets</p> <p data-bbox="959 833 1350 909">To approve expenditure on schemes from s106 monies</p> <p data-bbox="959 1171 1414 1839">To be responsible for approving the acquisition and disposal of any commercial & investment freehold/leasehold land up to the value of £3,000,000 subject to a full written business case being prepared and signed off by Finance and Legal and to be responsible for managing all the Council's commercial and investment land and property and taking any action necessary in relation to them, subject to complying with the overall policy and budgetary requirements of the Council</p> <p data-bbox="959 1890 1406 2007">To approve any expenditure up to £500,000 per Unit on refurbishment works as</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Shaping, Head of Corporate Asset Management/Head of Estates (operational assets)</p> <p>In consultation with the Head of Housing</p>		<p>recommended by the council's advisers to any Unit at Croxley Business Park</p> <p>To be responsible for approving the acquisition and disposal of any operational freehold/leasehold up to the value of £3,000,000 subject to a full written business case being prepared and signed off by Finance and Legal and to be responsible for managing all the Council's operational land and property and taking any action necessary in relation to them, subject to complying with the overall policy and budgetary requirements of the Council</p> <p>To be responsible for the disposal of or acquisition of any land and property used for housing tenants under the Housing Acts</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p data-bbox="427 495 687 613">Head of Regeneration and Property</p> <p data-bbox="427 1128 719 1413">Group Head Place Shaping in consultation with Portfolio Holder for Property, Resources and Customer Service</p> <p data-bbox="427 1637 687 1921">Head of Regeneration and Property in conjunction with Group Head of Democracy and Governance</p>		<p data-bbox="959 667 1410 869">To maintain both the list of assets of community value and the list of rejected nominations and undertake all necessary notifications.</p> <p data-bbox="959 920 1410 1077">To decide on all initial nominations on whether or not to list an asset in accordance with the Legislation</p> <p data-bbox="959 1346 1410 1458">To determine any request for a review of a decision to place an asset on the list</p> <p data-bbox="959 1850 1353 2007">To handle all claims for compensation, including defending any claims in the First Tier Tribunal.</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Chief Officers and Heads of Service</p> <p>Group Head of Community and Environmental Services/Head of Corporate Asset Management/ Facilities Manager</p>		<p>To be responsible for exercising all functions in relation to the management and use of land and buildings occupied by the Council's workforce within their area of responsibility except the Town Hall complex</p> <p>To be responsible for exercising all functions in relation to the management and use of the Town Hall Complex</p> <p>To exercise powers and duties arising from the hazards of nature or in a civil emergency for the purpose of safeguarding life and the protection of property</p>
12. Housing Function	Group Head of Place Shaping in consultation with the Portfolio Holder		To approve specific criteria of any local letting schemes in the Allocations policy

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p data-bbox="427 286 727 360">for Housing & Wellbeing</p> <p data-bbox="427 792 727 909">Group Head of Place Shaping / Head of Housing</p> <p data-bbox="427 1592 727 1834">Group Head of Community and Environmental Services/Head of Community Protection</p>		<p data-bbox="959 286 1347 360">To approve a Choice Based Lettings Scheme</p> <p data-bbox="959 456 1394 530">To make minor changes to the Housing Nominations Policy</p> <p data-bbox="959 792 1410 1162">To be responsible for managing processes relating to the Councils duties under the Housing Acts. For the avoidance of doubt this includes allocations, determinations relating to homelessness, nominations to RSL's and any RTB disposals.</p> <p data-bbox="959 1218 1410 1458">To be responsible for managing reviews, appeals or exceptional cases associated with housing related policies in line with legislation and stated council policy</p> <p data-bbox="959 1554 1394 1995">To exercise all the functions of the Council as Local Housing Authority in relation to the conditions of housing stock in the private sector and the regulating of houses otherwise than those owned and managed by the Council other than those functions specifically delegated to another Head of Service or</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Portfolio Holder for Housing & Wellbeing</p> <p>The Executive</p> <p>Group Head of Community & Environmental Services in consultation with the Portfolio Holder for Housing & Wellbeing, and the relevant Ward Councillors</p> <p>Group Head of Place Shaping and Corporate Performance in consultation with Portfolio Housing & Wellbeing</p> <p>Head of Regeneration and Property</p>		<p>specified to be delegated to the Executive acting either collectively or individually</p> <p>To agree Private Sector Housing Renewal Policies, including any amendments to existing Policy</p> <p>Formulating all policy relating to the operation of the functions of the Local Housing Authority</p> <p>To approve the use of Housing Act powers by the Council to compulsorily acquire property</p> <p>To consider allocation of grants, loans or other financial contributions whether revenue or capital to RSL's, voluntary sector partners and other agencies in line with the Council's housing related strategies and policies</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Group Head of Place Shaping /Head of Housing /Housing Supply Manager		<p>To consider requests for relaxations of restrictive covenants by owner/occupiers/lessees of former housing stock</p> <p>To be responsible for managing on behalf of the Council contractors and operators of temporary accommodation and self contained properties in accordance with the terms of their contract. To approve arrangements with partner agencies or contractors for the delivery of a range of housing functions within existing corporate budgets or grant allocations e.g. care and repair</p>
13. Public Health Function (Executive)	Group Head of Community & Environmental Services/Head of Community Protection		To exercise all the functions not stated to be Council functions in this constitution of an environmental or public health nature within the remit of the Council, which for the avoidance of doubt, includes the enforcement of the provisions of the Environmental Protection Act 1990 as may be amended from time to time, the Clean Neighbourhoods and Environment Act 2005, , the

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p data-bbox="427 1043 643 1205">Group Head of Community & Environmental Services</p> <p data-bbox="427 1845 724 2004">Group Head of Place Shaping/Head of Corporate Asset Management/Facilit</p>		<p data-bbox="959 284 1414 952">Anti-Social Behaviour Act 2003 the Anti Social Behaviour Crime and Policing Act 2014 and the Vehicle (Crimes) Act 2001 and all similar legislation that may from time to time be enacted whereby this Council is the enforcing authority. Such functions to include, but not be limited to, the authorising of officers for the purpose of enforcement and the issuing of fixed penalty notices, the issuing of all notices and initiating any legal proceedings necessary</p> <p data-bbox="959 1043 1414 1585">To manage the contractor employed on behalf of the Council to operate the collection of refuse - domestic and trade, including recycling, and street cleansing, and the management of parks, pleasure grounds and open spaces, public conveniences and changing rooms in parks and open spaces and cemeteries in accordance with the terms of the contract.</p> <p data-bbox="959 1765 1414 1924">To exercise all functions in relation to the management of public conveniences not in Parks and Open Spaces</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>ies Manager</p> <p>Consultant in Communicable Disease Control. Director of or Consultant in Public Health or The Director of Public Health for Hertfordshire and any consultant in public health nominated by him.</p> <p>Group Head of Community & Environmental Services/Head of Community Protection</p> <p>The Executive</p> <p>The Portfolio Holder for Neighbourhood Services</p>		<p>To be the Proper Officer to exercise the functions of the Public Health (Control of Diseases) Act 1984, Health Protection (Notification) Regulations 2010 and National Assistance Act 1948 as amended by the National Assistance Act 1951</p> <p>To authorise of officers for the purpose of enforcement and the issuing of fixed penalty notices, the issuing of all notices and initiating any legal proceedings necessary where the council is designated the enforcing authority under the Public Health (Control of Diseases) Act 1984, and any regulations made thereunder</p> <p>To formulate all policy relating to the exercise of Public Health functions not the responsibility of the Council</p> <p>To make any decisions regarding Watford's membership of and participation in the Herts Waste partnership and the Herts Waste Strategy</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
14. Leisure & Community Functions	<p>Group Head of Community & Environmental Services/Head of Leisure and Environmental Services</p> <p>Group Head of Community & Environmental Services /Head of Leisure and Environmental Services in consultation with the Portfolio Holder for Community</p> <p>Group Head of Community& Environmental Services</p>		<p>To exercise all functions of the Council relating to the provision of arts, recreation, sport and entertainment and the operation of museums and the Colosseum.</p> <p>To exercise all the functions of the Council relating to community development, play, families, children and youth,</p> <p>Consider requests for loans to and from Watford Museum</p> <p>To exercise all functions of the council relating to Voluntary sector grants (with the exception of those relating to housing already delegated)</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	<p>Group Head of Community & Environmental Services in consultation with the Mayor</p>		<p>To approve all applications for grants within the Executive area of responsibility</p>
	<p>Group Head of Community & Environmental Services/Head of Leisure and Environmental Services in consultation with the Portfolio Holder for Community</p>		<p>To decide on behalf of the Council whether to accept the recommendation of the West Herts Golf Club Joint Consultative Committee to increase the public green fees for any particular year.</p>
	<p>The Executive</p>		<p>Formulating all policy relating to the operation of the functions of the Council relating to community development, assistance to the voluntary sector, recreation, arts, sport, play, families, children, youth, museum, parks, pleasure grounds and open spaces</p>
	<p>Group Head of Community & Environmental Services/Head of</p>		<p>To manage on behalf of the</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Leisure and Environmental Services		Council Contractors and Operators of Leisure Centres, and Community Centres in accordance with the terms of their contractual arrangements
15. Economic Development	<p>Managing Director/ Group Head of Place Shaping</p> <p>Group Head of Communities and Environmental Services</p> <p>The Executive</p> <p>Council</p>		<p>Exercising all the function of the Council in relation to Economic Development</p> <p>To adopt Markets within the area covered by the Market Charter as the Councils own Market subject to the Councils policy adopted on 5th November 2007.</p> <p>To formulate all policy in relation to the Economic Development functions of the Council</p> <p>To agree to set up a Business Improvement District</p>
16. Local Development Framework a) Powers and duties relating to local development documents pursuant to	The Executive		<p>To agree documents to be submitted for Public Independent Examination subject to recommendation to Council, to comply with any direction imposed by the Secretary of State to withdraw, revoke, revise or adopt Local Development Documents.</p> <p>To determine all matters</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
<p>S20-23, 25, 26 & 28 of the Planning & Compulsory Act 2004</p> <p>b) Power to agree to establish a joint committee to be, for the purposes of Part 2 of the 2004 Act a Local Planning Authority</p> <p>c) Power to agree to confer additional functions on a joint committee established under Part 2 of the 2004 Act</p> <p>d) Power to request the dissolution of a joint committee established under part 2 of the 2004 Act</p>	<p>Group Head of Place Shaping / Head of Planning & Development</p>		<p>referred to in a) to d) subject to complying with the need to make any recommendations to Council as required by the Local Authorities (Functions & Responsibilities (Amendment) (No. 2) Regulations 2005</p> <p>To agree the designation of a Conservation Area under the Planning (Listed Buildings & Conservation Areas) Act 1990.</p> <p>To be responsible for the preparation of all Local Development Documents and their submission as necessary to Independent Public Examination, liaison with the Secretary of State and undertaking all necessary consultation</p> <p>To approve all character</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Portfolio Holder for Strategic Partnerships and Planning		<p>appraisals for conservation areas.</p> <p>To consider and comment upon the Regional Spatial Strategy, the Hertfordshire Minerals & Waste Development Framework(s), neighbouring authorities' development documents and other plans and strategies as they affect the Borough of Watford</p>
17. Council Tax and Income	<p>Three Rivers District Council</p> <p>The Executive</p> <p>Director of Finance/Head of Revenues and Benefits / Revenues</p>		<p>To administer all functions in relation to the collection of Council Tax and NNDR and be responsible for the collection of all income due to the Council with the exception of rents and charges for Council Housing as set out in the Three Rivers District Council and Watford Borough Council Shared Services Agreement.</p> <p>To recommend to Council the Watford Council Tax Reduction Scheme.</p> <p>To agree Council Tax Discounts</p> <p>To agree the write off of debts over the sum of £3001</p> <p>To set the Council's policy in relation to Council Tax and NNDR, and Income Collection</p> <p>To agree write off of debt below the sum of £3001</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Manager Council		To agree the Watford Council Tax Reduction Scheme and all policies relating to Council Tax and NNDR where legislation requires Full Council approval
19. Building Control	Group Head of Place Shaping /Head of Planning & Development / Building Control Manager		To exercise all the Council's building control functions
20. Land Drainage	Group Head of Place Shaping /Head of Transport and Infrastructure The Executive		To exercise all functions in relation to the Council's land drainage powers and duties including the power to enter into agreements to execute land drainage works and to be responsible for the preparation and review of land drainage policy To formulate policy in relation to land drainage within the remit of the Council
21. Licensing To exercise all powers relating to the Council's Licensing	The Executive Group Head of Community & Environmental Services		Setting the tariff for hackney carriage fares

Function	Body/Individual with Delegation	Members	Terms of Delegation
functions not otherwise reserved to the Council			
21. General	The Executive		<p>To form partnerships as appropriate with outside organisations to promote the social, economic or environmental well-being of the Borough</p> <p>Where the Council has entered into contracts with contractors who are exercising the functions of the Council on the Council's behalf and the terms of those contracts include the establishment of the Board made up of representatives of the Council and the Contractor to appoint Council representatives to those Boards and delegate to those representatives all necessary authority to make decisions in accordance with the terms of the relevant contract.</p> <p>To delegate as appropriate to outside bodies any functions of the Executive as the Executive sees fit</p> <p>To accept delegation of functions from outside bodies as is within the responsibility of the Executive as it sees fit</p> <p>To receive petitions from local residents on matters within its</p>

Function	Body/Individual with Delegation	Members	Terms of Delegation
	Relevant Portfolio Holder		<p>area of responsibility</p> <p>To comment on Government Consultation, Papers, Bills and other Consultation that is likely to affect or impact on the functions within the Portfolio Holder's area of responsibility</p> <p>To agree any submission to any body for funding to support or enhance the performance by the Council of its functions within the Portfolio Holder's area of responsibility</p> <p>To receive and agree any work/service plans relating to any functions within the Portfolio Holder's area of responsibility where there is a statutory requirement for them to be agreed by Members</p>

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