

## **PART 3**

### **RESPONSIBILITY FOR FUNCTIONS**

#### *References:*

*Chapter 3, The Local Government Act 2000 Part II: Guidance for County and County Borough Councils in Wales on Executive Arrangements, July 2006*

*The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 (SI2007 No. 399) (W.45)*  
*Section 13, Local Government Act 2000*

This Part of the Constitution sets out: -

- (1) Those functions which the law says only the Council can exercise ("the Council functions").
- (2) The functions which the law says may be dealt with in a way which is chosen by the Council ("local choice functions").
- (3) Functions not to be the sole responsibility of an Authority's Executive.
- (4) The functions which the law says are functions of the Executive ("Executive functions").
- (5) Other general delegations of functions.
- (6) Joint arrangements.

## 1. NOT RESPONSIBILITY OF THE EXECUTIVE - COUNCIL FUNCTIONS

### Schedule 1 The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 - SI2007 No. 399

Note that for each delegation set out in this part, the delegation includes the power to take any steps in relation to the delegated function, including the authorisation of, or defence of, any proceedings in any court, tribunal, board or panel.

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
Section A paras. 1 to <b>39 42</b> incl.	Planning Committee (as set out in Article 8)	As set out in Article 8.
Section B paras 1 to 5, 12 to <b>17, 19 to</b> 20, 26 to 30, 32, 35, 35A, 39 to 41	Taxi & General Committee (as set out in Article 8)	As set out in Article 8.
Section B paras 6 to 7	Licensing & Gambling Committee (as set out in Article 8)	As set out in Article 8.
Section B paras 22, 23, 24, 31, 33, 34, 36, 37, 42, 43	The Council	The Council, or the Chief Executive or any Director or the relevant Head of Service. In relation to paras. 33 & 34 any Principal Solicitor.
Section C	The Council	The Council, or the Chief Executive or any Director or the relevant Head of Service or any of the following: - *Trading Standards, Licensing & Registrars Manager * Licensing <b><i>Officer-Manager</i></b> * Assistant Licensing <b><i>ManagerOfficer</i></b> * Senior Licensing Administrator * Licensing Administrator *Environmental Health Manager *Senior Trading Standards Officer *Senior Environmental Health Officer *Trading Standards Officer *Senior Fair Trading Officer * Environmental Health Officer *Senior Commercial Safety Officer *Commercial Safety Officer *Fair Trading Officer (Officers marked * are appointed under Section 19(1) of the Health and Safety at Work Act 1974 or any statutory amendment thereto)
Sections D, E, F, G and H.	The Council	The Council, or the Chief

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
		Executive or any Director or the relevant Head of Service. In relation to Section D, the Electoral Services Manager.
Section I paras. 1, 2, 5, 7, 9, 11, 12, 13, 14, 15, 16	The Council	The Council, or the Chief Executive or any Director or the relevant Head of Service.
Section I para 17	The Council	The Council
Section I para. 6	<p>(a) In relation to the appointment of Head of Paid Service, the Council <u>but note</u> the provisions in I paras. 11-13 below, which must be exercised by the Council.</p> <p>(b) A Committee of 9 Members (the Appointments Committee) shall discharge on behalf of the Council the appointment of a Chief Officer, deputy Chief Officers and Head of Democratic Services and to determine any details relating to such appointments (except remuneration of Chief Officers which must be determined by Council)</p> <p>(c) In relation to applications for voluntary early retirement/ redundancy, a committee ("the Pensions/ Compensation Committee") of 7 members to determine such applications and to approve the early release of pension benefits exercising the Council's discretionary powers under the Local Government Pensions Scheme Regulations</p> <p>(d) In relation to all other staff the Head of Paid</p>	<p>(b) All those matters within the Committee's Terms of Reference are delegated to that Committee.</p> <p>(c) All those matters within the Committee's Terms of Reference are delegated to that Committee.</p> <p>(d) The Chief Executive and any person nominated by the</p>

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
	Service or his/her nominee.	Chief Executive.
Section I paras, 3 & 4.	The Planning Committee as described in Article 8.	As set out in Article 8.
Section I para. 8	The Standards Committee as described in Article 9.	As set out in Article 9.
Section I para. 10	Licensing Committee (as set out in Article 8)	As set out in Article 8.
Those functions specified by law as being the responsibility of the Council including: (a) the setting of the Budget; (b) the setting of the policy framework; (c) any housing land transfers.	The Council (receiving recommendations from the Executive)	The Council, or the Chief Executive or any Director or the relevant Head of Service.
The functions of - (a) imposing any condition, limitation or other restriction on an approval, consent, licence, permission or registration granted — (i) in the exercise of a function specified in column (1) of Schedule 1; or (ii) otherwise than by an executive of the authority, in the exercise of any function under a local Act; or (b) determining any other terms to which any such approval, consent, licence, permission or registration is subject, are not to be the responsibility of an executive of the authority.	The Council (receiving recommendations from the Executive)	The Council, or the Chief Executive or any Director or the relevant Head of Service.
The functions of determining whether, and in what manner, to enforce - (a) any failure to comply with an approval, consent, licence, permission or registration granted in the exercise of a function	The Council (receiving recommendations from the Executive)	The Council, or the Chief Executive or any Director or the relevant Head of Service.

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
specified in column (1) of Schedule 1. (b) any failure to comply with a condition, limitation or term to which any such approval, consent, licence, permission or registration is subject, or (c) any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of an executive of the authority is not to be the responsibility of the executive of the authority.		
The function of - (a) amending, modifying or varying any such approval, consent, licence, permission or registration granted or any condition, limitation, restriction or term as mentioned in paragraph (2) to which it is subject; or (b) revoking any such approval, consent, licence, permission or registration, is not to be the responsibility of an executive of the authority.	The Council (receiving recommendations from the Executive)	The Council, or the Chief Executive or any Director or the relevant Head of Service.
The function of making any scheme authorised or required by regulations under section 18 of the Local Government and Housing Act 1989 (schemes for basic, attendance and special responsibility allowances for local authority members), or of amending, revoking or replacing any such scheme, is not to be the responsibility	The Council (receiving recommendations from the Executive)	

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
of an executive of the authority. <ul style="list-style-type: none"> <li>• Section 101 of the Local Government Act 1972 (Powers to Delegate Functions) does not apply in relation to this provision.</li> </ul>		
The functions of determining <p>(a) the amount of any allowance payable under —</p> <ul style="list-style-type: none"> <li>(i) subsection (5) of section 22 of the 1972 Act (chairman's expenses);</li> <li>(ii) subsection (4) of section 24 of that Act (vice-chairman's expenses);</li> <li>(iii) subsection (4) of section 173 (financial loss allowance) of that Act(1);</li> <li>(iv) section 175 of that Act (allowances for attending conferences and meetings);</li> </ul> <p>(b) the rates at which payments are to be made under section 174 of that Act (travelling and subsistence allowances);</p> <p>(c) the amount of any allowance payable pursuant to a scheme under section 18 of the Local Government and Housing Act 1989 or regulations made under section 100 of the 2000 Act, or the rates at which payments by way of any such allowance are to be made;</p> <p>(d) whether a charge should be made for any</p>	The Council (receiving recommendations from the Executive)	

<b>Function*</b> *The detail of each function is set out in the next Table.	<b>Decision making body</b>	<b>Delegation of functions</b>
<p>approval, consent, licence, permit or registration the issue of which is not the responsibility of an executive of the authority; and</p> <p>(e) where a charge is made for any such approval, consent, licence, permit or registration, the amount of the charge; are not to be the responsibility of an executive of the authority.</p> <p>* Section 101 of the Local Government Act 1972 (Powers to Delegate) does not apply in relation to (a) to (c) above.</p>		
<p>Subject to any provision of regulations under section 20 (joint exercise of functions) of the 2000 Act the function of making arrangements for the discharge of functions by a committee or officer under section 101(5) of the 1972 Act is not to be the responsibility of an executive of the authority.</p>	The Council	The Chief Executive or any Director or the relevant Head of Service.
<p>The function of making appointments under section 102 (appointment of committees) of the 1972 Act is not to be the responsibility of an executive of the authority.</p>	The Council	The Chief Executive or any Director or the relevant Head of Service.

The detail of the functions set out above is as follows:-

<b>(1)</b>	<b>(2)</b>
<b>Function</b>	<b>Provision of Act or Statutory Instrument</b>
<b>A. Functions relating to town and country planning and development control</b>	
1. Power to determine applications for planning permission.	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990 (c.8).

2. Power to determine applications to develop land without compliance with conditions previously attached.	Section 73 of the Town and Country Planning Act 1990.
3. Power to grant planning permission for development already carried out.	Section 73A of the Town and Country Planning Act 1990.
4. Power to decline to determine application for planning permission & overlapping applications.	Sections S70A & S70B of the Town and Country Planning Act 1990.
5. Duties relating to the making of determinations of planning applications.	Sections 69, 74, 76, 91 and 92 of the Town and Country Planning Act 1990 and supporting regulations
6. Power to determine applications for planning permission made by a local authority, alone or jointly with another person.	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)
7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (as amended).
8. Power to enter into planning obligation, regulating development or use of land.	Section 106 of the Town and Country Planning Act 1990.
9. Power to issue a certificate of existing or proposed lawful use or development.	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990.
10. Power to serve a completion notice.	Section 94(2) of the Town and Country Planning Act 1990.
11. Power to control the display of advertisements.	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 1992.
12. Power to authorise entry onto land.	Section 196A of the Town and Country Planning Act 1990.
13. Power to require the discontinuance of a use of land or alteration or renewal of buildings or works .	Section 102 of the Town and Country Planning Act 1990.
14. Power to serve a planning contravention notice, breach of condition notice or stop notice.	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990.
15. Power to issue an enforcement notice.	Section 172 of the Town and Country Planning Act 1990.



<b>16.</b> Power to apply for an injunction restraining a breach of planning control.	Section 187B of the Town and Country Planning Act 1990.
<b>17.</b> Power to determine applications for hazardous substances consent, and related powers.	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990 (c. 10).
<b>18.</b> Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act.
<b>19.</b> Power to require proper maintenance of land.	Section 215(1) of the Town and Country Planning Act 1990.
<b>20.</b> Power to determine applications for listed building consent, and related powers.	Sections 16(1) and (2), 17, 19 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9).
<b>21.</b> Power to determine applications for conservation area consent.	Section 16(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as applied by section 74(3) of that Act.
<b>22.</b> Duties relating to applications for listed building consent and conservation area consent.	Section 13(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and regulations 3 to 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 and paragraph 127 of the Welsh Office circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas.
<b>23.</b> Power to serve a building preservation notice, and related powers.	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
<b>24.</b> Power to issue a listed building enforcement notice.	Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
<b>25.</b> Powers to acquire a listed building in need of repair and to serve a repairs notice.	Sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
<b>26.</b> Power to apply for an injunction in relation to a listed building.	Section 44A of the Planning (Listed Buildings and Conservation Areas) Act 1990.
<b>27.</b> Power to execute urgent works and	Section 54 & 55 of the Planning (Listed

recovery of expenses.	Buildings and Buildings in Conservation Areas) Act 1990.
28. Power related to discontinuance of mineral workings.	Schedule 9 of the Town and Country Planning Act 1990.
29. Power related to footpaths and bridleways.	Section 257 & 258 of the Town and Country Planning Act 1990.
30. Power as to certification of appropriate alternative development.	Section 17 of the Land Compensation Act 1961 (c.33).
31. Duties in relation to purchase notices.	Sections 137-144 of the Town and Country Planning Act 1990.
32. Powers related to blight notices.	Sections 149-171 of the Town and Country Planning Act 1990.
33. Local development orders	Sections 61A to D of the Town and Country Planning Act 1990 as amended
34. Simplified planning zones	Sections 82 to 87 and Schedule 7 of the Town and Country Planning Act 1990 as amended
35. Powers to revoke or modify a planning permission	Sections 97 to 99 of the Town and Country Planning Act 1990 as amended
36. Duty of mineral planning authority to review mineral workings	Section 105 of the Town and Country Planning Act 1990 as amended
37. Screening and scoping of Environmental Impact Assessment applications and other duties in respect of EIAs	Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended
38. The determination of applications submitted under the Building Regulations	The Building Act 1984 as amended and associated Building Regulations
39. Duties as specified under the Building Act 1984 including the service of notice on dangerous structures.	The Building Act 1984 as amended and associated Building Regulations
<b><u>40. Power to deal with non-material amendments</u></b>	<b><u>Section 96A of the Town &amp; Country Planning Act 1990</u></b>
<b><u>41. Power to declare an application invalid</u></b>	<b><u>Section 62 of the Town &amp; Country Planning Act 1990</u></b>
<b><u>42. Power to deal with statutory pre-application enquiries</u></b>	<b><u>The Town &amp; Country Planning (Pre-Application Services) (Wales) (Regulations) 2016</u></b>

<b>B. Licensing and registration functions (in so far as not covered by any other paragraph of this Schedule)</b>	
1. Power to issue licences authorising the use of land as a caravan site ("site licences").	Section 3(3) of the Caravan Sites and Control of Development Act 1960 (c. 62). <b><u>And Section 7(1) of the Mobile Homes (Wales) Act 2013</u></b>
2. Power to licence the use of moveable dwellings and camping sites.	Section 269(1) of the Public Health Act 1936 (c.49).
3. Power to licence hackney carriages and private hire vehicles.	(a) as to hackney carriages, the Town Police Clauses Act 1847 (10 & 11 Vict. c. 89), as extended by section 171 of the Public Health Act 1875 (38 & 39 Vict. c. 55), and section 15 of the Transport Act 1985 (c. 67); and sections 47, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57);  (b) as to private hire vehicles, sections 48, 57, 58, 60 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
4. Power to licence drivers of hackney carriages and private hire vehicles.	Sections 51, 53, 54, 59, 61 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
5. Power to licence operators of hackney carriages and private hire vehicles.	Sections 55 to 58, 62 and 79 of the Local Government (Miscellaneous Provisions) Act 1976.
6. Power to issue licences, certificates and permits in accordance with the Licensing Act 2003	Licensing Act 2003
7. Power to issues licences and permits in accordance with the Gambling Act 2005	Gambling Act 2005
There is no paragraph 8 duties are incorporated into the Gambling Act 2005	
There is no paragraph 9 duties are incorporated into the Gambling Act 2005	
There is no paragraph 10 duties are incorporated into the Gambling Act 2005	
There is no paragraph 11 duties are incorporated into the Gambling Act 2005	

12. Power to issue entertainments licences.	Section 12 of the Children and Young Persons Act 1933 (c.12)
13. Power to licence sex shops and sex cinemas & Sexual Entertainment Venues.	The Local Government (Miscellaneous Provisions) Act 1982, section 2 and Schedule 3 and S27 the Policing & Crime Act 2009.
14. Power to licence performances of hypnotism.	The Hypnotism Act 1952 (c. 46).
15. Power to licence premises for acupuncture, tattooing, cosmetic piercing, semi permanent skin colouring, and electrolysis.	Sections 13 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government Act 2003.
16. Power to licence pleasure boats and pleasure vessels.	Section 94 of the Public Health Acts Amendment Act 1907 (c. 53).
17. Power to licence market and street trading.	Part III of, and Schedule 4 to, the Local Government (Miscellaneous Provisions) Act 1982.
<b><u>18. Duty to keep list of persons entitled to sell non-medicinal poisons.</u></b> <b><u>Blank</u></b>	<b><u>Sections 3(1)(b)(ii), 5, 6 and 11 of the Poisons Act 1972 (c. 66).</u></b>
19. Power to issue registrations or licences for the manufacture and storage of explosives	<b><u>Manufacture and Storage of Explosives Regulations 2005</u></b> <b><u>The Explosive Regulations 2014</u></b>
19A. Power to issues licences for the supply of fireworks	Explosives Act 1875 and the Fireworks Regulations 2004
19B. Power to issues licences for the keeping of petroleum spirit	<b><u>Petroleum (Regulations) Act 1928 and 1936. The Petroleum (Consolidation) Regulations 2014</u></b> Health & Safety at Work etc Act 1974
20. Power of register and licence premises for the preparation of food.	Section 19 of the Food Safety Act 1990 (c. 16).
21. BLANK	
22. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds.	The Safety of Sports Grounds Act 1975 (c. 52).
23. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds.	Part III of the Fire Safety and Safety of Places of Sport Act 1987 (c.27).

24. Duty to promote fire safety	Section 6 of the Fire and Rescue Services Act 2004 (c.21)
25. BLANK	
26. Power to licence pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business.	Section 1 of the Pet Animals Act 1951 (c. 35); section 1 of the Animal Boarding Establishments Act 1963 (c. 43); the Riding Establishments Acts 1964 and 1970 (1964 c. 70 and 1970 c. 70); section 1 of the Breeding of Dogs Act 1973 (c. 60), and sections 1 and 8 of the Breeding and Sale of Dogs (Welfare) Act 1999.
27. Power to register animal trainers and exhibitors.	Section 1 of the Performing Animals (Regulation) Act 1925 (c. 38).
28. Power to licence zoos.	Section 1 of the Zoo Licensing Act 1981 (c. 37).
29. Power to licence dangerous wild animals.	Section 1 of the Dangerous Wild Animals Act 1976 (c. 38).
29A. Power to licence riding establishments	Riding Establishments Act 1964 & 1970
30. Power to enforce regulations in relation to animal by-products.	Animal By-products Enforcement No. 2 (Wales) Regulations 2011
31. Power to licence the employment of children.	Part II of the Children and Young Persons Act 1933 (c.12), byelaws made under that Part, and Part II of the Children and Young Persons Act 1963 (c. 37).
32. Power to approve premises for the solemnisation of marriages and the registration of civil partnerships.	Marriages & Civil Partnerships (Approved Premises) Regulations 2005 & 2011
33. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to—  (a) an exchange of lands effected by an order under section 19(3) of, or paragraph 6(4) of Schedule 3 to, the Acquisition of Land Act 1981 (c. 67) or  (b) an order under section 147 of the Inclosure Act 1845 (c. 8 & 9 Vict. c. 118).	Regulation 6 of the Commons Registration (New Land) Regulations 1969 (S.I. 1969/1843).

34. Power to register variation of rights of common.	Regulation 29 of the Commons Registration (General) Regulations 1966 (S.I. 1966/1471).
35. Power to issue a permit to conduct a street collection.	Police, Factories etc (Miscellaneous Provisions Act) 1916
35A. Power to issue a licence to conduct a house to house collection.	Section 2 of the House to House Collections Act 1939 as amended by the Local Government Act 1972 and the House to House Collections Regulations 1947
36. Power to grant consent for the operation of a loudspeaker.	Schedule 2 to the Noise and Statutory Nuisance Act 1993 (c. 40).
37. Power to grant a street works licence.	Section 50 of the New Roads and Street Works Act 1991 (c. 22).
38. BLANK	
39. Power to enforce regulations in relation to the movement of pigs.	Section 25 Pigs (Records, Identification and Movement (Wales) Order 2011.
40. Power to issue a licence to move cattle from a market.	Schedule 1 Para 3(3) of the Cattle Identification (Wales) Regulations 2007.
41. Power to sanction use of parts of buildings for storage of celluloid.	Section 1 of the Celluloid and Cinematograph Film Act 1922 (c. 35).
42. Duty to enforce and execute Regulations (EC) No. 852/2004 and 853/2004 in relation to food business operators as further specified in regulation 5 of the Food (Hygiene) (Wales) Regulations 2006.	Regulation 5 of the Food (Hygiene) (Wales) Regulations 2006.
43. Functions in respect of establishing a Licensing Committee.	Section 6 of the Licensing Act 2003 (c.17).
<b>C. Functions relating to health and safety at work</b>	
Functions under any of the "relevant statutory provisions" within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.	Part I of the Health and Safety at Work etc. Act 1974 (c. 37).

<b>D. Functions relating to elections</b>	
1. Duty to appoint an electoral registration officer.	Section 8(2A) of the Representation of the People Act 1983 (c. 2).
2. Power to assign officers in relation to requisitions of the registration officer.	Section 52(4) of the Representation of the People Act 1983.
3. Power to dissolve community councils.	Section 28 of the Local Government Act 1972 (amended by Local Government (Wales) Act 1994).
4. Power to make orders for grouping communities.	Section 29 of the Local Government Act 1972 (amended by Local Government (Wales) Act 1994).
5. Power to make orders for dissolving groups and separating community councils from groups.	Section 29A of the Local Government Act 1972 (amended by Local Government (Wales) Act 1994).
6. Duty to appoint returning officer for local government elections.	Section 35 of the Representation of the People Act 1983.
7. Duty to provide assistance at European Parliamentary elections.	Section 6(7) and (8) of the European Parliamentary Elections Act 2002.
8. Duty to divide constituency into polling districts.	Section 18 of the Representation of the People Act 1983.
9. Power to divide electoral divisions into polling districts at local government elections.	Section 31 of the Representation of the People Act 1983.
10. Powers in respect of holding of elections.	Section 39(4) of the Representation of the People Act 1983.
11. Power to pay expenses properly incurred by electoral registration officers.	Section 54 of the Representation of the People Act 1983.
12. Power to fill vacancies in the event of insufficient nominations.	Section 21 of the Representation of the People Act 1985.
13. Duty to declare vacancy in office in certain cases.	Section 86 of the Local Government Act 1972.
14. Duty to give public notice of a casual vacancy.	Section 87 of the Local Government Act 1972.
15. Power to make temporary appointments to community councils.	Section 91 of the Local Government Act 1972.
16. Power to determine fees and conditions for supply of copies of, or	Rule 48(3) of the Local Elections (Principal Areas) Rules 1986 (S.I. 1986/2214) and

extracts from, elections documents.	rule 48(3) of the Local Elections (Parishes and Communities) Rules 1986 (S.I. 1986/2215).
17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000.	Section 10 of the Representation of the People Act 2000 (c. 2).
18. Miscellaneous electoral functions under Part II, S.I. 2003/284.	The National Assembly for Wales (Representation of the People) Order 2003, S.I. (2003/284).
19. Duty to assign officers to assist at the elections of the Police & Crime Commissioner	Section 54(4) Police Reform & Social Responsibility Act 2011
<b>E. Functions relating to name and status of areas and individuals</b>	
1. Power to change the name of a county or county borough.	Section 74 of the Local Government Act 1972.
2. Power to change the name of a community.	Section 76 of the Local Government Act 1972.
3. Power to confer title of honorary alderman or to admit to be an honorary freeman.	Section 249 of the Local Government Act 1972.
4. Power to petition for a charter to confer county borough status.	Section 245A of the Local Government Act 1972.
<b>F. Power to make, amend, revoke or re-enact byelaws</b>	Any provision of any enactment (including a local Act), whenever passed, and section 14 of the Interpretation Act 1978 (c. 300).
<b>G. Power to promote or oppose local or personal Bills.</b>	Section 239 of the Local Government Act 1972.
<b>H. Functions relating to pensions etc.</b>	
1. Functions relating to local government pensions, etc.	Regulations under section 7, 12 or 24 of the Superannuation Act 1972 (c. 11)
2. Functions relating to pensions, allowances and gratuities.	Regulations under section 18 (3A) of the Local Government and Housing Act 1989 (c.42).
3. Functions under existing pension schemes as respects persons employed by the fire and rescue authorities pursuant to section 1 of the Fire and Rescue Services Act 2004.	Sections 34 and 36 of the Fire and Rescue Services Act 2004.



<b>I. Miscellaneous functions</b>	
1. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be).	The Accounts and Audit (Wales) Regulations 2005 .
2. Functions relating to sea fisheries.	Sections 1, 2, 10 and 19 of the Sea Fisheries Regulation Act 1966 (c. 38).
3. Powers relating to the preservation of trees.	Sections 197 to 214D of the Town and Country Planning Act 1990 and the Town and Country Planning (Trees) Regulations 1999 (S.I. 1999/1892).
4. Powers relating to the protection of important hedgerows.	The Hedgerows Regulations 1997 (S.I. 1997/1160).
5. Power to make standing orders.	Section 106 of, and paragraph 42 of Schedule 12 to, the Local Government Act 1972.
6. Appointment and dismissal of staff.	Section 112 of the Local Government Act 1972 and sections 7 and 8 of the Local Government and Housing Act 1989.
7. Power to make standing orders as to contracts.	Section 135 of the Local Government Act 1972.
8. Power to consider reports from the Public Services Ombudsman for Wales.	Section 19 of the Public Services Ombudsman (Wales) Act 2005 (c.10).
9. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption.	Section 13(2) of the Criminal Justice and Police Act 2001 (c.16).
10. Powers in respect of motor salvage operators.	Part 1 of the Vehicles (Crime) Act 2001 (c.3).
11. Power to appoint officers for particular purposes (appointment of "proper officers").	Section 270(3) of the Local Government Act 1972 (c.42).
12. Duty to designate an officer as the head of the authority's paid service, and to provide staff, etc.	Section 4(1) of the Local Government and Housing Act 1989 (c.42).
13(a) Duty to designate an officer as the monitoring officer and to provide staff, etc.	Section 5(1) of the Local Government and Housing Act 1989.
13(b) Duty to designate an officer as Head of Democratic Services to provide staff etc	Section 8 of the Local Government Wales Measure 2011
14. Duty to determine affordable borrowing	Section 3 of the Local Government Act

limit.	2003 (c.22).
15. Approval of annual investment strategy in accordance with guidance.	Section 15 of the Local Government Act 2003.
16. Duty to make arrangements for proper administration of financial affairs.	Section 151 of the Local Government Act 1972 (c.11).
17. Determination of level and any change in the level of remuneration to be paid to a Chief Officer	Regulation 7 of the Local Authorities (Standing Orders) (Wales) Regulations 2006 as amended by the 2014 amendment regulations.

The Constitution establishes the following Committees to discharge some of the Council's functions. Their Terms of Reference and delegated powers are set out in detail in the parts of this Constitution as follows:

Committee	In this Constitution at:
Audit Committee	Article 8
Planning Committee	Article 8
Rights of Way Cabinet Committee	Part 3 Responsibility for Executive Functions
Licensing & Gambling Committee	Article 8 and Part 3 Table 1
Taxi & General Committee	Article 8 and Part 3 Table 1
Standards Committee	Article 9
Appointments Committee	Part 3 Table 1
Appeals <b>Panel Committee</b>	Part 3 Table 2
Pensions/Compensation Committee	Part 3 Table 1
Democratic Services Committee	Article 8
Investigating and Disciplinary Committee	Officer Employment Procedure Rules Part 4

#### OTHER DELEGATED POWERS

Power	Delegation
1. The power to fix criteria by which the qualifications for authorisation to allow individual staff are measured and applied, and to issue and certify authorisations of officers.	The Director or any Head of Service in that Directorate in relation to any staff in that Directorate.
2. All other functions including emergency action where this is necessary to protect the Council's interests.	The Council, or the Chief Executive or any Director or the relevant Head of Service.

The statutory functions referred to in the above table are as follows:-

Accommodation Agencies Act 1953  
Administration of Justice Act 1970  
Agricultural Produce (Grading & Marking) Acts 1928, 1931  
Agriculture (Miscellaneous Provisions) Act 1968  
Agriculture Acts 1967 - 1970

Animal Boarding Establishments Act 1963  
Animal Health Act 1981  
Animal Health and Welfare Act 1984  
Animal Welfare Act 2006  
Anti Social Behaviour Act 2003  
Anti Social Behaviour Crime & Policing Act 2014  
Banking Act 1987

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***Breeding of Dogs Acts 1973 - 1991***

British Telecommunications Act 1981  
Building Act 1984  
Cancer Act 1939  
Caravan Sites Act 1968  
Caravan Sites and Control of Development Act 1960  
Charities Acts 1992 and 2006  
Children and Families Act 2014  
Children and Young Persons (Protection from Tobacco) Act 1991  
Children and Young Persons Acts 1933 - 1963  
Children Act 1989 – 2004  
Children Leaving Care Act 2000  
Clean Air Acts 1956 - 1993  
Clean Neighbourhood and Environment Act 2005  
Climate Change Act 2005  
Commons Registration Act 1965/2006  
Companies Act 1985 and 2006  
Consumer Credit Act 1974 & 2006  
Consumer Protection Act 1987  
Consumer Rights Act 2015  
Control of Horses (Wales) Act 2014  
Control of Pollution Acts 1974 – 1989  
Copyright Designs and Patents Act 1988  
Courts and Legal Services Act 1990  
Countryside and Rights of Way Act 2000  
Criminal Justice Act 1982, 1988, 1991  
Criminal Justice and Police Act 2001  
Dangerous Wild Animals Act 1976

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***Data Protection Act 1998***

Development of Tourism Act 1969  
Dogs (Fouling of Land) Act 1996  
Dogs Act 1906  
Education Act 1996  
Education Act 1997  
Education Act 2002 & 2005  
Education (Fees & Awards) Act 1983 (Discretionary Award)  
Education Reform Act 1988  
Education & Inspections Act 2006  
Electricity at Work Act 1989  
Energy Act 1976  
Energy Conservation Act 1981  
Enterprise Act 2002  
Environment Act 1995  
Environmental Protection Act 1990

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***Environment (Wales) Act 2016***

Estate Agents Act 1979  
\* European Communities Act 1972  
Explosives Act 1875

Factories Act 1961  
Fair Trading Act 1973  
Farm and Garden Chemicals Act 1967  
Fire Precautions Act 1971  
Fire Safety and Safety of Places of Sports Act 1987  
Fireworks Act 1951  
Fireworks Act 2003  
Flood Management Act 2010  
Food and Environment Protection Act 1985  
Food Hygiene Rating Wales Act 2013  
\* Food Safety Act 1990  
Forgery and Counterfeiting Act 1981  
Fraud Act 2006

**Freedom of Information Act 2000**

Gambling Act 2005  
Hallmarking Act 1973  
Hazardous Substances Act 1990  
Health Act 2006  
Health and Safety at Work etc Act 1974  
Highways Act 1980  
Home Safety Act 1961  
House to House Collections Act 1939  
Housing Act 1985  
Housing Act 1996  
Housing Act 2004

**Housing (Wales) Act 2014**

Housing Grants, Construction and Regeneration Act 1996  
The Hypnotism Act 1952  
Insurance Brokers (Registration) Act 1977  
Insurance Companies Act 1982  
Intoxicating Substances (Supply) Act 1985  
Land Drainage Act 1991  
Law of Property Act 1925  
Learning & Skills Act 2000  
Licensing Act 2003  
Local Government Byelaws (Wales) Act 2012  
Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
Local Government Acts 1972 – 2003  
Local Government and Housing Act 1989  
Malicious Communications Act 1988  
Medicines Act 1968  
Mines & Quarries (Tips) Act 1969  
Mobile Homes (Wales) Act 2013  
Mock Auctions Act 1961  
Motor Cycle Noise Act 1987  
Motor Vehicles (Safety Equipment for Children) Act 1991  
National Lotteries etc. Act 1993  
Natural Environment and Rural  
Communities Act 2006  
New Roads and Street Works Act 1991  
Noise Act 1996  
Noise and Statutory Nuisance Act 1993  
Offensive Weapons Act 1996  
Offices, Shops and Railway Premises Act 1963  
Olympic Symbol etc., (Protection) Act 1995

Performance of Animals (Regs) Act 1925  
Pet Animals Act 1951

**Petroleum (Consolidation)**

**Act 1928**

**Petroleum (Transfer of Licenses)**

**Act 1936**

Planning Act 2008

**Planning & Compensation Act 1991**

Planning and Compulsory Purchase Act 2004

Planning Listed Buildings and Conservation Areas Act 1990

**Planning (Wales) Act 2015**

**Poisons Act 1972**

Police Reform and Social Responsibility Act 2011

Pollution Prevention and Control Act 1999

Powers of the Criminal Courts (Sentencing) Act 2000

Prevention of Damage by Pests Act 1949

Prices Acts 1974 and 1975

Proceeds of Crime Act 2002

**Property Misdescriptions Act 1991**

Psychoactive Substances Act 2016

Public Health (Control of Disease) Act 1984

Public Health (Recurring Nuisances) Act 1969

Public Health Acts 1936 to 1961

Refuse Disposal (Amenity) Act 1978

Registration Service Act 1953

**Regulation and Inspection of Social Care (Wales) Act 2016**

Reservoirs Act 1975

Riding Establishments Acts 1964 to 1970

Road Traffic (Foreign Vehicles) Act 1972

Road Traffic Acts 1974 - 1988

Safety of Sports Grounds Act 1975

School Standards & Framework Act 1998

School Standards and Organisation Wales Act 2013

Scrap Metal Dealers Act 2013

Scotch Whisky Act 1988

Slaughter of Poultry Act 1967

Slaughterhouses Act 1974

**Social Services & Wellbeing (Wales) Act 2014**

Solicitors Act 1974

Special Educational Needs & Disability Act 2001

Sunbeds (Regulation) Act 2010

Sunday Trading Act 1994

Tattooing of Minors Act 1969

Teaching & Higher Education Act 1998

Telecommunications Act 1984

Theft Acts 1968 and 1978

Timeshare Act 1992

Town and Country Planning Act 1990

Tobacco Advertising & Promotion Act 2002

Town Police Clauses Act 1847

**Trade Descriptions Act 1968**

Trade Marks Act 1994

Trading Representations (Disabled Persons) Acts 1958 and 1972

Trading Schemes Act 1996

Trading Stamps Act 1964

Traffic Management Act 2004  
Transport Act 1985, 2000 & 2006  
Unsolicited Goods and Services Acts 1971 and 1975  
Vehicles (Crime) Act 2001  
Vehicles (Excise) and Registration Act 1994  
Video Recordings Acts – 2010  
Water Industry Act 1991  
Water Act 1989  
Weights and Measures Act 1985  
Wellbeing of Future Generations Act 2015  
Wildlife and Countryside Act 1981

- \* The Food Hygiene (Wales) Regulations which enact in regulations the provisions under the Food Safety Act and European Communities Act regulations.

2. **FUNCTIONS WHICH MAY BE (BUT NEED NOT BE) THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE - "LOCAL CHOICE FUNCTIONS"**

Function	Decision making body	Membership	Delegation of Functions
1. Any function under a local Act other than a function specified or referred to in Schedule 1 of the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 (as amended)	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
2. The determination of an appeal against any decision made by or on behalf of the authority.	(a) The Council in relation to matters of disciplinary appeals a committee designated "the Appeals <b><u>Panel Committee</u></b> " whose terms of reference are to hear and determine appeals from decisions connected with officer dismissal; (b) In relation to other appeals or applications as may fall to be considered by the Council in a quasi judicial manner, the Licensing Committee described in Article 8;	(a) 3 members  (b) 15 members	(a) All those matters within the <b><u>Panels Committee's</u></b> Terms of Reference.  (b) All those matters within the Committee's Terms of Reference.
3. Functions in relation to the revision of decisions made in connection with claims for housing benefit or council tax benefit and for appeals against such decisions under section 68 of and Schedule 7 to the Child Support, Pensions and Social Security Act 2000.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.

Function	Decision making body	Membership	Delegation of Functions
4. The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under section 52 of the Education Act 2002.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
5. The making of arrangements pursuant to section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
6. The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
7. Any function relating to contaminated land.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or any of the following:- Environmental Health Manager; Senior Environmental Health Officer; Environmental Health Officer; Enforcement Officer <b><u>(Directorate of the Environment)</u></b> after consultation with the Leader or the appropriate Cabinet member.
8. The discharge of any function relating to the control of pollution or the management of air	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or any of the following:-



Function	Decision making body	Membership	Delegation of Functions
quality			Environmental Health Manager; Senior Environmental Health Officer; Environmental Health Officer; Enforcement Officer <b><u>(Directorate of the Environment)</u></b> after consultation with the Leader or the appropriate Cabinet member.
9. The service of an abatement notice in respect of a statutory nuisance	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or any of the following:- Environmental Health Manager; Senior Environmental Health Officer; Environmental Health Officer; Enforcement Officer <b><u>(Directorate of the Environment)</u></b> after consultation with the Leader or the appropriate Cabinet member.
10. The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
11. The inspection of the authority's area to detect any statutory nuisance.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or any of the following:- Environmental Health Manager; Senior Environmental Health Officer; Environmental Health Officer;

Function	Decision making body	Membership	Delegation of Functions
			Enforcement Officer <b><u>(Directorate of the Environment)</u></b> after consultation with the Leader or the appropriate Cabinet member.
12. The investigation of any complaint as to the existence of a statutory nuisance.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or any of the following:- Environmental Health Manager; Senior Environmental Health Officer; Environmental Health Officer; Enforcement Officer <b><u>(Directorate of the Environment)</u></b> after consultation with the Leader or the appropriate Cabinet member.
13. The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or the Development Control Manager after consultation with the Leader or the appropriate Cabinet member.
14. The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.
15. The making of agreements for the execution of highways works	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	(a) The Cabinet (b) The Chief Executive or a Director or the relevant Head of Service or the Transportation

Function	Decision making body	Membership	Delegation of Functions
			Engineering Group Manager or the Highways Operations Group Manager after consultation with the Leader or the appropriate Cabinet member.
<p><b>16.</b> The appointment of any individual:-  (a) to any office other than an office in which he is employed by the authority;  (b) to any body other than:-  (i) the authority;  (ii) a joint committee of two or more authorities;  or  (c) to any committee or sub-committee of such a body,  and the revocation of any such appointment.</p>	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	<p>(a) The Cabinet</p> <p>(b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.</p>
<p><b>17.</b> Power to make payments or provide other benefits in cases of maladministration etc.</p>	The Council acting through the Standards Committee (Standards Committee may approve payments of up to £10,000 total in any one case.	Standards Committee as defined in Article 9 of Part 2 of this Constitution.	As set out in the terms of reference of the Standards Committee.
<p><b>18.</b> Functions in respect of the calculation of council tax base in accordance with any of the following-  (a) the determination of an item for T in section 33(1) and 44(1) of the Local Government Finance Act 1992;  (b) the determination of an amount for item TP in sections</p>	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution.	<p>(a) The Cabinet</p> <p>(b) The Chief Executive or a Director or the relevant Head of Service after consultation with the Leader or the appropriate Cabinet member.</p>

Function	Decision making body	Membership	Delegation of Functions
<p>34(3), 45(3) 48(3) and 48(4) of the Local Government Finance Act 1992;</p> <p>(c) the determination of an amount required for determining an amount for the item mentioned in paragraph (a) or (b) above.</p>			
<p>19. Licensing functions in accordance with Part 2 of the Licensing Act 2003 except section 6.</p>	<p>Council (through the Licensing &amp; Gambling Committee)</p>	<p>As in Article 8.</p>	<p>Licensing &amp; Gambling Committee. As set out in Article 8.</p>
<p>20. Functions in respect of gambling in accordance with any of the following-</p> <p>(a) a resolution not to issue casino licenses in accordance with section 166 of the Gambling Act 2005 (c.19);</p> <p>(b) prescribing of fees in accordance with section 212 of the Gambling Act 2005;</p> <p>(c) making an order disapplying section 279 or section 282(1) of the Gambling Act 2005 in accordance with section 284 of the Gambling Act 2005;</p> <p>(d) authorised persons in accordance with section 304 of the Gambling Act 2005;</p> <p>(e) prosecutions by a licensing authority in accordance with section 346 of the Gambling Act 2005;</p> <p>(f) three-year licensing policy in accordance with</p>	<p>The Council in respect of (a) and (f).</p> <p>The Council through the Licensing &amp; Gambling Committee in respect of (b), (c), (d), (e)</p>	<p>As in Article 8.</p>	<p>None in relation to (a) and (f)</p> <p>The Licensing &amp; Gambling Committee as set out in Article 8 in respect of (b), (c), (d), (e)</p>

Function	Decision making body	Membership	Delegation of Functions
Gambling Act 2005.			
21. The approval and/or determination of school organisation proposals (including those which receive objections (except for those that are required to be considered by Welsh Ministers).	The Executive	The Executive as defined in Article 7 of Part 2 of this Constitution	The Cabinet

**3. FUNCTIONS NOT TO BE THE SOLE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE**

These relate to the approval of specified plans which the law, or separate decision of the Council, requires that the Executive will consider those plans but pass them by way of a recommendation to the Council to finally determine.

<b>(1)</b>	<b>(2)</b>
<b>Plans, schemes and strategies</b>	<b>Reference</b>
The Caerphilly Delivers Single Integrated Plan 2013 to 2017	Shared Purpose - Shared Delivery Guidance on Integrating Partnerships and Plans Welsh Government 19th June 2012
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37).
Local Transport Plan	Section 108 of the Transport Act 2000 (c.38).
Plans and alterations which together comprise the Local Development Plan	Section 10A of the Town and Country Planning Act 1990 (c.8).
<u><del>Welsh Language Scheme</del></u>	<u><del>Section 5 of the Welsh Language Act 1993 (c.38).</del></u>
Blaenau Gwent & Caerphilly Youth Offending Service Youth Justice Plan 2012-2014	Section 40 of the Crime and Disorder Act 1998 (c.37).
Local Housing Strategy	Section 87 of the Local Government Act 2003 (c.26).
Local Wellbeing Plan	As required under the Wellbeing of Future Generations Act 2015

**Note: the provisions of regulation 5 of the 2007 regulations in relation to the above table.**

**CIRCUMSTANCES IN WHICH THE FUNCTIONS ARE NOT TO BE THE RESPONSIBILITY OF AN AUTHORITY'S EXECUTIVE**

These provisions limit the right of the Executive to take a decision under certain circumstances (e.g. not in accordance with approved budget or policy framework). In these circumstances the Executive will refer the matter by way of a recommendation to the Council, for final determination.

<b>(1)</b>	<b>(2)</b>
<b>Function</b>	<b>Circumstances</b>
<p>1. The adoption or approval of a plan or strategy (whether statutory or non-statutory), other than a plan or strategy for the control of the authority's borrowing or capital expenditure or referred to in Article 4.</p>	<p>The authority determines that the decision whether the plan or strategy should be adopted or approved should be taken by them.</p>
<p>2. The determination of any matter in the discharge of a function which —</p> <ul style="list-style-type: none"> <li>(a) is the responsibility of the executive; and</li> <li>(b) is concerned with the authority's budget, or their borrowing or capital expenditure.</li> </ul>	<p>The individual or body by whom, by virtue of any of sections 14 to 17 of the Local Government Act 2000 or provision made under section 18 or 20 of that Act, the determination is to be made —</p> <ul style="list-style-type: none"> <li>(a) is minded to determine the matter contrary to, or not wholly in accordance with — <ul style="list-style-type: none"> <li>(i) the authority's budget; or</li> <li>(ii) the plan or strategy for the time being approved or adopted by the authority in relation to their borrowing or capital expenditure; and</li> </ul> </li> <li>(b) is not authorised by the authority's executive arrangements, financial regulations, standing orders or other rules or procedures to make a determination in those terms.</li> </ul>

**Note: the provisions of regs 6(2) to (5) of the 2007 regulations in relation to the above table.**

#### 4. RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

"Executive functions" are all the functions of the Council except:-

- (a) those which the law says are functions of the Council alone (Section 1 of this part of the Constitution);
- (b) the "local choice functions" (Section 2 of this part of the Constitution) which have been allocated to the Council rather than to the Executive. Note that Section 2 lists specific functions which have been allocated to the Executive;
- (c) functions which are not to be the sole responsibility of an authority's Executive. These are set out in the table below;
- (d) Circumstances in which functions are not to be the responsibility of an authority's Executive. These are set out in a table below and generally relate to circumstances where the decision would conflict with the Council's budget or its overall strategy policy framework.

#### EXECUTIVE FUNCTIONS

**NOTE THAT** the Executive powers delegated to any officer is subject to the right of the appropriate Cabinet member, or the Leader in any matter, to require that the proposed decision be taken by the Cabinet.

**NOTE THAT** each delegation includes the power to take any steps in relation to the delegated function, including the authorisation of or defence of any proceedings in any court, tribunal, board or panel.

Function	Responsible	Delegation
(a) The Finance and Resources function <ul style="list-style-type: none"> <li>• The proper financial planning budgeting and control</li> <li>• Control of the Authority's resources</li> <li>• Information Technology Services</li> <li>• Personnel Services</li> <li>• Financial Services</li> <li>• Electoral Registration</li> <li>• Legal Services</li> <li>• Audit Services</li> <li>• Procurement Services</li> <li>• Democratic Services</li> <li>• Corporate Policy (including Equalities &amp; Welsh Language see paragraph (f))</li> <li>• Property Services</li> <li>• Corporate Asset Management</li> <li>• Corporate Health &amp; Safety including liaison with the Health &amp; Safety Executive</li> <li>• <b><u>Information Governance including Data Protection/Freedom of Information</u></b></li> </ul>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service and in relation to Financial Services any of the following: Council Tax & NNDR Manager Finance Managers (Corporate Services, Education, Environment & Social Services) Housing Benefits Manager _____Internal Audit Manager <b><u>and in relation to Information Governance the Senior Information Risk Owner</u></b>



Function	Responsible	Delegation
<p>(b) The Personnel function All aspects of the Council's functions as an employer including the oversight of recruitment, terms and conditions of employment, conduct and discipline, structural review and the consequences thereof.</p>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.
<p>(c) The Housing function</p> <ul style="list-style-type: none"> <li>• Private Housing Enforcement (including the HMO's, clearance, compulsory purchase orders, renewal areas and all types of housing grants)</li> <li>• Housing Agency Service</li> <li>• <b><u>Homelessness &amp; Housing Advice</u></b></li> <li>• Landlord Services</li> <li>• Housing Strategy</li> <li>• <b><u>Older Persons</u></b> Accommodation Services</li> <li>• Housing Repair Operations</li> <li>• Delivery of Welsh Housing Quality Standards</li> </ul>	The Cabinet	<p>The Cabinet, or the Chief Executive, or any Director or the relevant Head of Service or any of the following:</p> <p><b><u>Head of Programmes</u></b>  <b><u>Building Maintenance</u></b>  <b><u>Manager Housing Repair</u></b>  <b><u>Operations Manager</u></b> (in relation to Housing Repair Operations)  Chief Housing Officer  Private Sector Housing Manager  Principal Housing Officer (Private Sector)  Public Sector Housing Manager  <b><u>Homelessness &amp; Housing Advice Manager</u></b></p>
<p>(d) The Social Services function</p> <ul style="list-style-type: none"> <li>• Strategic issues in relation to the provision of Children's &amp; Adult Social Services other than those functions imposed by Section 2 and Schedule 1 of the Local Authority Social Services Act 1970 which fall to be specifically discharged by the Health &amp; Social Care Scrutiny Committee</li> <li>• Provision of advice, guidance and support</li> <li>• The assessment, care planning and reviewing of all support packages for service users meeting the defined eligibility thresholds in line with current legislation, regulation and statutory guidance</li> <li>• Commissioning and contracting for Social Services</li> </ul>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.
<p>(e) The Education &amp; Lifelong Learning function</p> <ul style="list-style-type: none"> <li>• The discharge of the Council's obligations as Local Education Authority under statute</li> </ul>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.

Function	Responsible	Delegation
<ul style="list-style-type: none"> <li>• The implementation of the School Standards and Framework Act 1998 and associated legislation</li> <li>• The preparation and scrutiny of education and lifelong learning strategic plans and best value performance plans</li> <li>• Raising standards in schools, monitoring of schools' performance, curriculum advice and support and other activities set out in the LEA-Schools Code of Conduct</li> <li>• Local Management of Schools and Fair Funding</li> <li>• Forward planning re. school places, school admissions, student awards</li> <li>• Learning Support Services including educational psychology, education welfare, behavioural support and managing pupil exclusions</li> <li>• Governor support and training</li> <li>• Welsh Language Education</li> <li>• Agreed RE Syllabus</li> <li>• Partnerships</li> <li>• Lifelong learning, and <b><u>community Adult</u></b> education</li> <li>• Public libraries Library Service</li> <li>• Music Service</li> <li>• Securing grants</li> <li>• Youth Service</li> <li>• <del><b><u>Community Centres</u></b></del></li> </ul>		
<p>(f) The Environment function</p> <ul style="list-style-type: none"> <li>• Emergency Planning</li> <li>• Community &amp; Leisure Services including waste collection, waste disposal, street cleansing, , public conveniences, Cemeteries and Bereavement Services, Parks_&amp; Outdoor Sports Facilities, Fleet Management &amp; Maintenance, Sport &amp; Leisure Services, <b><u>Community Centres</u></b>, Building Cleaning</li> <li>• Pollution Control (including noise, litter and illicit tipping, air and water quality, contaminated land)</li> <li>• Public Health (including infectious diseases, statutory nuisance, sewer/drains, health promotion/education)</li> </ul>	<p>The Cabinet</p> <p>The Cabinet</p>	<p>The Cabinet or the Chief Executive or any Director or relevant Head of Service</p> <p>The Cabinet, or the Chief Executive or any Director or the relevant Head of Service or any of the following:</p> <p>Waste Strategy &amp; Operations Manager</p> <p>Parks &amp; Outdoor Facilities Manager, <b><u>Fleet Manager</u></b></p> <p><b><u>Principal Officer</u></b></p> <p><b><u>Bereavement &amp; Outdoor Facilities-Acting Parks Manager</u></b></p> <p>Sports and Leisure <b><u>Services Facilities</u></b> Manager, <b><u>Sports &amp; Leisure Development Manager</u></b> Trading Standards</p>

Function	Responsible	Delegation
<ul style="list-style-type: none"> <li>• Trading Standards Enforcement</li> <li>• Food Safety Enforcement</li> <li>• Community Safety</li> <li>• Pest Control, Dog Warden, Animal Trespassing Services</li> <li>• Animal Health and Welfare Enforcement</li> <li>• Power to issue Scrap Metal Dealers Licences (including enforcement action)</li> <li>• Licensing (other than those functions set out in the 'Council functions' and the 'Local Choice functions' sections of this Part of the Constitution, when the functions are Council functions.</li> <li>• Catering</li> </ul>		<p>Licensing &amp; Registrars Manager</p> <p><del>Community Safety</del> <b><u>Manager</u></b></p> <p>Community Safety Warden Community Safety Officer Assistant Community Safety Officer Environmental Health Manager Senior Trading Standards Officer Senior Environmental Health Officer</p> <p>with delegated powers to the Head of Public Protection and the Head of Community &amp; Leisure Services and the Head of Regeneration &amp; Planning to any authorised officer to take appropriate steps (including the service of any notices and taking of any proceedings) under the provisions of the Clean Neighbourhood and Environment Act 2005 and the Anti-Social Behaviour Act 2003. The Head of Public Protection is authorised to fix the level of fine for fixed penalty notices following consultation with relevant officers and Cabinet members.</p> <p>Trading Standards Officer Environmental Health Officer Licensing <del>Officer</del><b><u>Manager</u></b></p> <p><del>Special Projects</del> <b><u>Officer</u></b></p> <p>Assistant Licensing <del>Officer</del> <b><u>Manager</u></b></p> <p>Senior Fair Trading Officer Fair Trading Officer Senior Commercial Safety Officer Commercial Safety Officer Enforcement Officer Technical Assistant Senior Pest Control/Straying Animals Officer Pest Control/Animal Trespass/Dog Warden</p> <p>The above are authorised to take any action in relation to the functions in this section of the table including the authorising</p>

Function	Responsible	Delegation
<p>The power to grant, refuse, renew, vary, impose conditions and/or suspend a licence for dog breeding establishments</p> <p>The power to determine disputed decisions to suspend or vary and to reinstate or revoke a licence for dog breeding establishments</p> <p>Corporate Policy including Equalities and Welsh Language</p> <p>To approve or refuse applications for funding under the Technical Assistance Fund Greener Caerphilly Small Grants Fund</p> <p>Proper Officer for the Administration of Registration of Births, Deaths and Marriages under Section 13 of the Registration Service Act 1953 and Section 270 of the Local Government Act 1972</p>		<p>or defence of legal proceedings of any nature and in any court, tribunal, board or panel and without prejudice to the generality of this authorisation to exercise functions from the list of statutes appearing at the end of this table, so far as those functions are Executive functions.</p> <p>Licensing Officers</p> <p>Trading Standards, Licensing &amp; Registrar Manager</p> <p>The Cabinet or the Chief Executive or any Director or the Head of Public Protection</p> <p>The Cabinet or the Chief Executive or any Director or the Head of Public Protection</p> <p>Trading Standards, Licensing and Registrars Manager</p>
<p>(g) The Planning function</p> <ul style="list-style-type: none"> <li>• Planning - Development and Building Control</li> <li>• Planning - Strategic Planning and Urban Renewal</li> <li>• Planning - Countryside and Landscape Services</li> <li>• Planning - Land Management</li> <li>• Planning – public rights of way</li> <li>• Planning Economic Development &amp; Rural functions</li> <li>• Planning Economic Development including European &amp; Rural Development Programme functions</li> <li>• Planning – Tourism including inward investment and Arts Development</li> <li>• Planning Business Development</li> <li>• Planning maximisation of funding</li> </ul>	<p>The Cabinet</p>	<p>The Cabinet, or the Chief Executive or any Director or the relevant Head of Service <b><u>or the Development Control Manager.</u></b></p>

Function	Responsible	Delegation
<p>opportunities from external funding sources including funding from Europe</p> <ul style="list-style-type: none"> <li>• Planning Sustainable Development</li> <li>• Planning &amp; Bio-diversity duties</li> <li>• Planning control of non-native species</li> <li>• <u>Regeneration including Communities First</u></li> <li>• Rights of Way matters including Local Access Forum</li> </ul>	Rights of Way Cabinet Committee	See entry later in this section
<p>(h) Highways and Transportation Functions</p> <ul style="list-style-type: none"> <li>• Highways Maintenance</li> <li>• Street Lighting</li> <li>• Functions under the highways legislation</li> <li>• Construction</li> <li>• Civil Engineering Design and Procurement</li> <li>• Structures</li> <li>• Transportation Planning and Improvements</li> <li>• Engineering Services</li> <li>• Public Transport</li> <li>• Education and Social Services Transport Operations</li> <li>• Highway Development Control</li> <li>• Land Reclamation and Tips</li> <li>• Land Drainage</li> <li>• Road Safety Education and Training</li> <li>• Traffic Management including Traffic Regulation Orders and Notices</li> <li>• Car Parking</li> </ul>	Cabinet	The Cabinet, or the Chief Executive of any Director or the relevant Head of Service. In relation to approval and signing of emergency road closure orders the Transportation Engineering Group Manager or the Highways Operations Group Manager <b><u>or the Engineering Projects Group Manager.</u></b>
<p>(i) The development and implementation of the Council's Corporate Plan and corporate themes through a multi-agency approach of community planning of the delivery of services to achieve the Council's strategic objectives</p>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.
<p>(j) The power to enter into joint or delegated function arrangements with one or more other authorities or bodies as permitted by law from time to time and to delegate executive functions.</p>	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.
<p>(k) Any executive functions not allocated</p>	The Leader	The Leader

Function	Responsible	Delegation
in accordance with the executive arrangements of the Council. Section 15(4) Local Government Act 2000	(NOTE: this reflects a delegated power given by S.15(4) Local Government Act 2000)	
(l) The power to set up committees of the Cabinet for any purpose and to delegate to that committee such power or powers as may be appropriate.	The Cabinet	The Cabinet
(m) Emergency action where this is necessary to protect the Council's interests.	The Cabinet	The Cabinet, or the Chief Executive or any Director or the relevant Head of Service.

The statutory functions referred to in the above table are as follows:-

Accommodation Agencies Act 1953  
Administration of Justice Act 1970  
Agricultural Produce (Grading & Marking) Acts 1928, 1931  
Agriculture (Miscellaneous Provisions) Act 1968  
Agriculture Acts 1967 - 1970  
Animal Boarding Establishments Act 1963  
Animal Health Act 1981  
Animal Health and Welfare Act 1984  
Animal Welfare Act 2006  
Anti-Social Behaviour Act 2003  
Anti Social Behaviour Crime & Policing Act 2014  
Banking Act 1987  
**Breeding of Dogs Acts 1973 - 1991**  
British Telecommunications Act 1981  
Building Act 1984  
Cancer Act 1939  
Caravan Sites Act 1968  
Caravan Sites and Control of Development Act 1960  
Charities Act 1992 and 2006  
Children and Families Act 2014  
Children and Young Persons (Protection from Tobacco) Act 1991  
Children and Young Persons Acts 1933 - 1963  
Children Act 1989 – 2004  
Children Leaving Care Act 2000  
Clean Air Acts 1956 - 1993  
Clean Neighbourhoods and Environment Act 2005  
Climate Change Act 2008  
Commons Registration Act 1965/2006  
Companies Act 1985 and 2006  
Consumer Credit Act 1974 & 2006  
Consumer Protection Act 1987  
Consumer Rights Act 2015

Control of Horses (Wales) Act 2014  
Control of Pollution Acts 1974 - 1989  
Copyright Designs and Patents Act 1988  
Courts and Legal Services Act 1990  
Countryside & Rights of Way Act 2008  
Criminal Justice Act 1982, 1988, 1991  
Criminal Justice and Police Act 2001  
Dangerous Wild Animals Act 1976

**Data Protection Act 1998**

Development of Tourism Act 1969  
Dogs (Fouling of Land) Act 1996  
Dogs Act 1906  
Education Act 1996  
Education Act 1997  
Education Act 2002 & 2005  
Education (Fees & Awards) Act 1983 (Discretionary Award)  
Education Reform Act 1988  
Education & Inspections Act 2006  
Electricity at Work Act 1989  
Energy Act 1976  
Energy Conservation Act 1981  
Enterprise Act 2002  
Environment Act 1995  
Environmental Protection Act 1990

**Environment (Wales) Act 2016**

Estate Agents Act 1979  
\* European Communities Act 1972  
Explosives Act 1875  
Factories Act 1961  
Fair Trading Act 1973  
Farm and Garden Chemicals Act 1967  
Fire Precautions Act 1971  
Fire Safety and Safety of Places of Sports Act 1987  
Fireworks Act 1951  
Fireworks Act 2003  
Flood Management Act 2010  
Food and Environment Protection Act 1985  
Food Hygiene Rating (Wales) Act 2013  
\* Food Safety Act 1990  
Forgery and Counterfeiting Act 1981  
Fraud Act 2006

**Freedom of Information Act 2000**

Gambling Act 2005  
Hallmarking Act 1973  
Hazardous Substances Act 1990  
Health Act 2006  
Health and Safety at Work etc Act 1974  
Highways Act 1980  
House to House Collections Act 1939  
Home Safety Act 1961  
Housing Act 1985  
Housing Act 1996  
Housing Act 2004

**Housing (Wales) Act 2014**

Housing Grants, Construction and Regeneration Act 1996

The Hypnotism Act 1952  
 Insurance Brokers (Registration) Act 1977  
 Insurance Companies Act 1982  
 Intoxicating Substances (Supply) Act 1985  
 Land Drainage Act 1991  
 Law of Property Act 1925  
 Learning & Skills Act 2000  
 Licensing Act 2003  
 Local Government Byelaws (Wales) Act 2012  
 Local Government (Miscellaneous Provisions) Acts 1976 and 1982  
 Local Government Acts 1972 – 2003  
 Local Government and Housing Act 1989  
 Malicious Communications Act 1988  
 Medicines Act 1968  
 Mines and Quarries (Tips) Act 1969  
 Mobile Homes (Wales) Act 2013  
 Mock Auctions Act 1961  
 Motor Cycle Noise Act 1987  
 Motor Vehicles (Safety Equipment for Children) Act 1991  
 Natural Environment & Rural Communities Act 2006  
 New Roads & Street Works Act 1991  
 National Lotteries etc. Act 1993  
 Noise Act 1996  
 Noise and Statutory Nuisance Act 1993  
 Offensive Weapons Act 1996  
 Offices, Shops and Railway Premises Act 1963  
 Olympic Symbol etc., (Protection) Act 1995  
 Performance of Animals (Regs) Act 1925  
 Pet Animals Act 1951  
**Petroleum (Consolidation) Act 1928**  
**Petroleum (Transfer of Licenses) Act 1936**  
 Planning Act 2008  
 Planning & Compulsory Purchase Act 2004  
 Planning, Listed Buildings & Conservation Areas Act 1990  
**Planning & Compensation Act 1991**  
**Poisons Act 1972**  
**Planning (Wales) Act 2015**  
 Police Reform and Social Responsibility Act 2011  
 Pollution Prevention and Control Act 1999  
 Powers of the Criminal Courts (Sentencing) Act 2000  
 Prevention of Damage by Pests Act 1949  
 Prices Acts 1974 and 1975  
 Proceeds of Crime Act 2002  
**Property Misdemeanors Act 1991**  
 Psychoactive Substances Act 2016  
 Public Health (Control of Disease) Act 1984  
 Public Health (Recurring Nuisances) Act 1969  
 Public Health Acts 1936 to 1961  
 Refuse Disposal (Amenity) Act 1978  
 Registration Service Act 1953  
**Regulation & Inspection of Social Care (Wales) Act 2016**  
 Reservoirs Act 1975  
 Riding Establishments Acts 1964 to 1970  
 Road Traffic (Foreign Vehicles) Act 1972  
 Road Traffic Acts 1974 - 1988



Safety of Sports Grounds Act 1975  
School Standards & Framework Act 1998  
School Standards and Organisation Wales Act 2013  
Scotch Whisky Act 1988  
Scrap Metal Dealers Act 2013  
Slaughter of Poultry Act 1967  
Slaughterhouses Act 1974  
**Social Services & Wellbeing (Wales) Act 2014**

Solicitors Act 1974  
Special Educational Needs & Disability Act 2001  
Sunbeds (Regulation) Act 2010  
Sunday Trading Act 1994  
Tattooing of Minors Act 1969  
Teaching & Higher Education Act 1998  
Telecommunications Act 1984  
Theft Acts 1968 and 1978  
Timeshare Act 1992  
Tobacco Advertising & Promotion Act 2002  
Town Police Clauses Act 1847  
**Trade Descriptions Act 1968**  
Trade Marks Act 1994  
Trading Representations (Disabled Persons) Acts 1958 and 1972  
Trading Schemes Act 1996  
Trading Stamps Act 1964  
Traffic Management Act 2004  
Transport Act 1985, 2000 and 2006  
Town & Country Planning Act 1990  
Unsolicited Goods and Services Acts 1971 and 1975  
Vehicles (Crime) Act 2001  
Vehicles (Excise) and Registration Act 1994  
Video Recordings Acts – 2010  
Water Industry Act 1991  
Water Act 1989  
Weights and Measures Act 1985  
Wellbeing of Future Generations Act 2015  
Wildlife & Countryside Act 1981

- \* The Food Hygiene (Wales) Regulations which enact in regulations the provisions under the Food Safety Act and European Communities Act regulations.

## **RIGHTS OF WAY**

A Rights of Way Cabinet Committee whose terms of reference are to discharge on behalf of the Cabinet the following functions: -

- a) Generally to consider and determine the creation, diversion and extinguishment of public rights of way
- b) To consider evidence and determine matters relating to the reclassification of Roads Used as Public Paths as required by the Wildlife and Countryside Act 1981
- c) To consider errors in the Definitive Map or the Definitive Statement and how they can be corrected.
- d) To make where appropriate Stopping Up Orders on Rights of Way under the Highways Act 1980
- e) To make where appropriate Modification Orders to Rights of Way as permitted by the Wildlife and Countryside Act 1981
- f) To consider evidence on claimed rights of way and to determine those claims
- g) To consider other such matters relating to the management of rights of way as specified on the Definitive Map or Statement as required to discharge the Authority's duties to manage Rights of Way.

### **POWERS DELEGATED TO THE COMMITTEE**

Those matters listed in the terms of reference above.

### **POWERS DELEGATED TO OFFICERS**

<b>Power</b>	<b>Delegated to</b>
All matters arising from the exercise of the committee's terms of reference	The Chief Executive or a Director or the relevant Head of Service after consultation with the Chair or Vice Chair of the committee.

\* Note that the decisions of this committee are excluded from the Executive call-in provisions of the Council's Constitution.

\*Note in relation to quorum, Cabinet at its meeting on 8<sup>th</sup> May, 2007, agreed that the quorum for a Committee would not fall below three in number.

**5. GENERAL DELEGATIONS OF POWERS: COUNCIL & EXECUTIVE POWERS**

**NOTE THAT** each delegation includes the power to take any steps in relation to the delegated function, including the authorisation of or defence of any proceedings in any court, tribunal, board or panel.

POWER	DELEGATED TO
(a) Determination of all matters which are not required to be considered by the Council or Cabinet or which have not been referred to a committee or a sub-committee for determination.	The Chief Executive or any Director or the relevant Head of Service.
(b) Determination of any urgent matter in the purview of the Council, the Cabinet or any committee of these where it is impractical to convene a meeting of that body to consider the matter.	Chief Executive or in his absence any Director.
(c) To serve requisitions for information under Local Government (Miscellaneous Provisions) Act 1976 or any other enabling legislation.	Any Director or the relevant Head of Service.
(d) The approval of tenders or award of contracts within the terms of the Council's Financial Standing Orders or Financial Regulations	As set out in the Council's Standing Orders for Contracts or Financial Regulations as set out in Part 4 of the Constitution
(e) In any legal proceedings to have authority to take all action in relation to those proceedings, to prosecute pursue defend appeal abandon or settle those proceedings, and to have the authority to instruct or brief Counsel where considered appropriate.	Head of Legal Services or the Monitoring Officer or any Principal Solicitor; or the appropriate Director or the relevant Head of Service in consultation with the Head of Legal Services or any Principal Solicitor
(f) To act as proper officer:- (i) for the issue of determinations consents licences or notices within the Terms of Reference of the Planning Committee (ii) for the issue of determinations consents licences or notices on behalf of the Council (iii) for all matters arising out of Part VA of the Local	The Director of the Environment or the Head of Regeneration & Planning or the Development Control Manager.  Chief Executive or the appropriate Director or the relevant Head of Service.  Chief Executive or Director of Corporate Services or Monitoring

POWER	DELEGATED TO
Government Act 1972 (Access to Information) or the Local Government Act 2000	Officer
(iv) for the signing of any documents on behalf of the Council relating to land	Chief Executive or Head of Legal Services or any Principal Solicitor
(v) for the attestation of the Council's Seal as the officer authorised under the Council's Standing Orders	Chief Executive or Head of Legal Services or any Principal Solicitor.
(vi) for the signing of any contractual documents on behalf of the Council relating to any other matter	Chief Executive or Director of Corporate Services or Head of Legal Services or any Principal Solicitor or the appropriate Director or the relevant Head of Service subject to that officer advising and obtaining the approval of the Head of Legal Services of the proposed signing of such document in advance of such signing.
(vii) to act as Registrar of Local Land Charges and Commons Registration Officer.	Head of Regeneration & Planning or Development Control Manager or relevant Director or Head of Legal Services
(viii) Power to incur expenditure or take any other step in the day to day running in accordance with approved budgets of any Service area.	Chief Executive or the appropriate Director or the relevant Head of Service.
(ix) Power to set all fees and charges in accordance with the Council's policies.	The Chief Executive or any Director or relevant Head of Service in consultation with the Head of Corporate Finance and the appropriate Cabinet member. S.151 Officer or Head of Corporate Finance.
(x) To provide a certificate under Local Government (Contracts) Act 1997	
(xi) To act as 'proper officer' in relation to any other function not named above and referred to in any requirement in law in force for the time being.	The Chief Executive or Director of Corporate Services or Monitoring Officer
(xii) Functions relating to Cardiff Capital Region City Deal	The Chief Executive and the Leader or his/her nominated Deputy

6. The following joint arrangements have been established with other Local Authorities.

Glamorgan Archives Joint Committee.

Greater Gwent Cremation Joint Committee.

Gwent Frailty Joint Committee.

Gwent Archives Joint Committee

**Welsh Purchasing Consortium and associated joint arrangements.**

Heads of the Valleys Organic Waste Procurement Joint Committee

**Joint Supplies Service Joint Committee**

Cardiff Capital Region City Deal