

HOUSING OPERATIONS



Delegated Powers- Scheme of Delegation May 2024

Summary:

Each Director or Monitoring Officer has the authority to make amendments to this Scheme of Delegation necessitated by legislative changes as and when appropriate.

Officers may only exercise the powers delegated to them in accordance with all relevant statutory requirements, the provisions of the Council's Constitution, the revenue and capital budgets of the Council, its Contract Procedure Rules, Financial Procedure Rules and other relevant policies and procedures.

Where an officer post to which any function has been delegated is renamed or is affected by a staffing reorganization, then the relevant delegation shall be treated as applying to the renamed post or, as appropriate, to the post which has been allocated the same or substantially the same relevant duties as the original post following that reorganisation.

In exercising the power delegated to them officers must observe any additional procedural requirements that apply within their services, eg, any requirement to consult local ward Councillors, Cabinet Members and/or the Leader. It is also good practice to keep local ward councillors informed of decisions made and implemented under delegated powers that significantly affect members of the community in their ward.

This scheme of delegations will apply to all permanent, contract and temporary officers working for the Council.

The scheme of delegation is to be read in conjunction with relevant sections of the Constitution, including:

Part 3- Functions Scheme

Part 4 – Section 6 – Contract Procedure Rules

Part 4 – Section 7 – Financial Procedure Rules

Directorate Structure.

Directorate: Strategy & Transformation

Executive Director.

Director of Housing Operations

Head of Housing & Neighbourhoods Service

- Neighbourhood management, including Anti-social behaviour
- Tenancy support
- Safeguarding
- Rents
- Customer satisfaction

Head of Assets

- Asset Management (including repairs)
- Disrepair

Head of Compliance

- Property Compliance
- Property Health & Safety

Head of Homelessness & Housing Options

- Homelessness assessment
- Allocation
- Emergency accommodation
- Temporary accommodation

Service	Section	Officer's Job Title	List Nature of Delegation/Authorisation (General or Specific)
Housing Operations			ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014
	Housing & Neighbourhoods	Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager	Part 1: The power to authorise legal services to obtain a civil injunction. Part 4, Chapter 1: The power to issue and enforce Community Protection Notices. Part 4, Chapter 2: The power to make and enforce Public Spaces Protection Orders. Part 4, Chapter 3: The power to close premises associated with nuisance or disorder etc. Part 5: The power to recover possession of dwelling house under grounds of anti-social behaviour.
			CARE ACT 2014/CHILDREN AND FAMILIES ACT 2014/CHILDREN ACT 2004
	Assets	Director of Housing Operations; Head of Assets; Head of Homelessness & Housing Options	The requirement to undertake an assessment that may identify needs that can be met by adaptations or equipment to a property.
			ENVIRONMENTAL PROTECTION ACT 1990
	Housing & Neighbourhoods	Director of Housing Operations; Head of Housing & Neighbourhoods	Schedule 3: Entry of Premises.

		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager	Schedule 3: Relating to authorisation of legal proceedings for an offence of obstruction.
		Director of Housing Operations; Head of Housing & Neighbourhoods	S.80: Relating to the existence of a statutory nuisance and to the service of an abatement notice and instigation of legal proceedings.
		Director of Housing Operations; Head of Housing & Neighbourhoods	S.81: Relating to the power to do works in default and recovery of costs.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager	S.81A: Relating to recovery of costs and authorisations of notices following works in default carried out under Section 80 of the Environmental Protection Act.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager	S.81B: Relating to recovery of costs as above.
			HOUSING ACT 1985
	Housing & Neighbourhoods	Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager; Housing Officer;	S.79 granting secure tenancies Housing Act 1985.

		Director of Housing Operations; Head of Housing & Neighbourhoods	S.54. S.260, S.340: Entry of Premises.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager; Housing Officer;	S.83 and 83ZA Housing Act 1985- to serve Notice of Seeking Possession or Notice of seeking Demotion of a tenancy.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager; Housing Officer;	S.327: Relating to the institution of legal proceedings in relation to occupier causing or permitting overcrowding.
		Director of Housing Operations; Head of Housing & Neighbourhoods	S.330: Relating to the grant of a licence authorising a number in excess of the permitted number to sleep in a dwelling.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager;	S.339: Relating to the enforcement of Part X of the act (overcrowding)
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager;	S.341: Relating to the authorisation of instigation of legal proceedings for the offence of obstruction

		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager; Housing Officer;	S124 Housing act 1996 - granting Introductory Tenancies.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager; Housing Officer;	S.125A Housing Act 1996 - Notice to extend the term of Introductory Tenancy.
		Director of Housing Operations; Head of Housing & Neighbourhoods; Income Collection Manager; Housing & Neighbourhoods Manager; Housing Officer;	S.128 Housing Act 1996 - Notice of Possession Proceedings
		Director of Housing Operations; Head of Housing & Neighbourhoods; Income Collection Manager; Housing & Neighbourhoods Manager; Housing Officer;	S.143E Housing Act 1996 - Notice of Possession Proceedings for demoted tenancies.
	Homelessness & Housing Options; Head of Housing & Neighbourhoods	Director of Housing Operations; Head of Homelessness & Housing Options; Housing & Neighbourhoods Manager	To instruct the Head of Legal Services to take all necessary legal proceedings to obtain possession of properties which are being occupied without authority.

	Housing & Neighbourhoods	Director of Housing Operations; Head of Housing & Neighbourhoods; Income Collection Manager; Housing & Neighbourhoods Manager; Housing Officer;	To issue Notices to Quit as necessary, in order to commence proceedings for possession of Council dwellings and all other forms of property, land and buildings held or managed for housing purposes and to take such further action as is necessary to obtain possession thereof.
	Housing & Neighbourhoods /Assets	Director of Housing Operations; Head of Housing & Neighbourhoods; Head of Assets; Income Collection Manager	To authorise proceedings for pursuit and recover of rent arrears, former tenants' arrears, and any miscellaneous claim in respect of damage suffered to property held or managed for housing purposes.
	Housing & Neighbourhoods /Assets	Director of Housing Operations; Head of Housing & Neighbourhoods; Head of Assets	To take all necessary steps to ensure that the terms of the Council's Tenancy Agreement are complied with.
	Homelessness & Housing Options; Housing & Neighbourhoods /Assets	Director of Housing Operations; Head of Homelessness & Housing Options; Head of Housing & Neighbourhoods; Head of Assets	To authorise and implement the general maintenance of Council dwellings and communal areas including any property, land or buildings held or managed for temporary accommodation purposes.
	All	Director of Housing Operations; Head of Homelessness & Housing Options; Head of Assets; Head of Housing & Neighbourhoods; Housing & Neighbourhoods Manager	To recharge tenants (or others) with the costs of repairs replacements and to permit exemption in proved cases of hardship from this requirement

	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To determine the allocation of Council dwellings and all other forms of property, land and buildings held or managed for housing purposes in accordance with relevant policies
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To provide a service to fulfil the Council's obligations to deal with homelessness and threatened homelessness in accordance with the Housing Act 1996 and Homelessness Act 2002 and/or any subsequent legislation.
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To authorise temporary accommodation for persons ordinarily resident in private sector housing in appropriate cases where their homes are undergoing major works of improvement and/or repair
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To make determinations under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017 including: S195 Prevention of Homelessness Duty S198B Relief of Homelessness Duty S189A Duty to produce a Personal Housing Plan

	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness) and The Homelessness (Review Procedure etc.) Regulations 2018 S202 to make decisions on review requests
	All	Director of Housing Operations; Head of Homelessness & Housing Options; Head of Assets; Head of Housing & Neighbourhoods	Part VII (Homelessness): To authorise: (a) Provision of furnishing, fittings, board, and laundry facilities. (b) Financial assistance towards tenants/resident's removal expenses. (c) The exercise of powers of entry to premises held or managed by Cabinet for the purpose of survey and/or examination of works. The storage and/or disposal of property coming into the Council's possession as a result of its housing function.
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To procure and allocate temporary accommodation to homeless persons to whom the council owes a duty under Part VII of the Housing Act 1996 as amended by the Homelessness Act 2002 and the Homelessness Reduction Act 2017.
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	Part VII (Homelessness): To agree terms and conclude agreements with hoteliers for bed and breakfast accommodation for homeless people when other temporary accommodation is not available.

			LOCALISM ACT 2011
	Homelessness & Housing Options	Director of Housing Operations; Head of Homelessness & Housing Options	S148 Power to Discharge the Homelessness Duty into the private Rented Sector.
			LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
	All	Director of Housing Operations; Head of Homelessness & Housing Options; Head of Assets; Head of Housing & Neighbourhoods	S.16: Relating to the issue and service of a notice requiring particulars of persons interested in land. S.29: Relating to the securing of a residential premises to prevent unauthorised access. S.33: Relating to the re-instatement of essential services and the authorisation of the recovery.
			GENERAL
	All	Director of Housing Operations	Write off rent former tenants rent arrears which are irrecoverable.
		Director of Housing Operations ;	Re-appropriate properties acquired under the Housing Act 1985

Financial Approvals (Limit)	Name/Role	Approval Limit
	Kate Waterhouse (Executive Director)	£250,000
	John Holman (Director of Housing Operations)	£100,000
	Philip Cole (Head of Homelessness & Housing Options)	£50,000
	Kimberly Partridge (Head of Housing & Neighbourhoods Service)	£50,000
	Colin Somerville (Head of Assets)	£50,000

	Gareth Basterfield (Head of Compliance)	£50,000
	Claire Rogan (Business Manager)	£50,000
	Michelle Venn (Business Manager)	£50,000