

Having made arrangements in accordance with Section 4 of the Council's Constitution entitled Delegation of Functions to Officers, the table below sets out functions which may be carried out by specified officers.

	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior EHO	EHO	A EHO	Senior HS	EPO	HMO Licensing Officer
Housing Act 1985												
1.	To withdraw notices served under Section 189,190, 352, 363 or 372 of the Housing Act 1985 and Section 81 of the Housing Grants, Construction and Regeneration Act 1996 To determine closing orders pursuant to Section 278 of the Housing Act 1985			x	x	x	x	x				
2.	Power to investigate potential criminal offences for failure to comply with a closing order under Section 277 of the Housing Act 1985.		X	x	x	x	x					
3.	Power to investigate whether or not a property is overcrowded under Housing Act 1985 Part X (Section 324 to 326) and to request information about people sleeping in the dwelling (Section 335). Including power of entry under Section 337 and Section 340 once authorised by the appropriate officer.		X	x	x	x	x	x	x			
4.	Power to investigate potential offences for causing or permitting overcrowding pursuant to Section 327 and Section 331 and Section 341 of the Housing Act 1985.		X	X	X	X	X	X				

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Part 1 (Housing Conditions)												
19.	Power to review housing conditions in the district, Section 3 Housing Act 2004			x	x	x	x					
20.	To remedy a category 1 or 2 Hazard, the power to serve, vary, suspend, review or revoke: <ul style="list-style-type: none"> i. an improvement notice under Sections 11 to 19; ii. a prohibition order under sections 20 to 27 			x	x	x	x	x				
21.	Power to authorise works in default under Schedule 3 for notices served under s11-19 (with or without agreement of owner)		x	x	x	x						
22.	Power to serve notice under Schedule 3 to authorise entry to undertake works in default for notices served under sections 11-19 (with or without agreement of owner) and power to recover expenses.			x	x							

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23.	To remedy a category 1 or 2 hazard the power to serve, vary or revoke a hazard awareness notice under Section 28 and 29			x	x	x	x	x	x	x		
24.	To remedy a category 1 hazard power to: <ul style="list-style-type: none"> i. take emergency remedial action under Sections 40 and 41 ii. recover expenses incurred under Section 42 of the and to vary or revoke such action iii. Make, vary, review or revoke an emergency prohibition order under Section 43. 			x	x	x	x					
25.	To remedy a category 1 hazard power to: <ul style="list-style-type: none"> i. Make, vary or revoke a demolition order under Section 265 of the Housing Act 1985 as amended by the Housing Act 2004 Section 46. ii. Declare, vary or revoke clearance areas under Section 289(2) of the Housing Act 1985 as amended by the Housing Act 2004 Section 47. 			x	x							
26.	The power under Sections 49 and 50 to charge and recover expenses in respect			x	x	x	x	x				

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30.	Power under Sections 69 and 92 to vary a licence.			x	x	x	x	x				x
31.	Power under Sections 70 and 93 to revoke a licence			x	x	x	x					x
32.	Power to apply for a rent repayment order under Section 73 and 96 where an offence has been committed.		x	x	x	x	x					
Part 4 – Additional Controls Provisions in relation to residential accommodation												
33.	Powers to make: <ul style="list-style-type: none"> i. an Interim Management Order (IMO), ii. Interim Empty Dwelling Management Order (IEDMO) iii. Special Interim Management Order SIMO and to exercise the powers given by such orders and all powers under Part 4 Chapter I and II.		x	x	x							
34.	Power to serve an IMO in respect of a		x	x	x							

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	licensable HMO											
35.	Powers to make: <ul style="list-style-type: none"> i. a Final Management Order ii. Final Empty Dwelling Management Order iii. Final Special Management Order and all Necessary powers in relations to these Orders under Part 4 Chapter I and II.			x	x							
36.	Power to serve, revoke or vary overcrowding notices in HMOs that are not licensable			x	x	x	x	x				
37.	Power to serve, vary or revoke a HMO declaration under section 255 Housing Act 2004			x	x	x	x	x				
Financial Penalties												
38.	Power to authorise a recommendation to impose a financial penalty under section 249A as an alternative to prosecution for offences under 30, 72, 95, 139 and 234		x	x	x							
39.	Power to impose a financial penalty under section 249A as an alternative to prosecution for offences under section 30,72, 95, 139 and 234		x	x	x	x	x					

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Housing and Planning Act 2016												
40.	Power to apply to the First Tier Tribunal for a banning order under sections 15 and 18	x										
41.	Power under section 19 to require information for the purposes of enabling the authority to decide whether to apply for a banning order		x	x	x	x	x	x	x	x		
42.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence under section 19.		x	x	x							
43.	Power to administer a simple caution for an offence under section 19 following authorisation		x	x	x	x	x					
44.	Power to authorise a recommendation to prosecute or offer a simple caution under section 21 or 22.		x	x	x							
45.	Power to administer a simple caution for an offence under section 21 or 22.		x	x	x	x	x					

	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior EHO	EHO	A EHO	Senior HS	EPO	HMO Licensing Officer
46.	Power to authorise a recommendation to impose a financial penalty under section 23 as an alternative to prosecution for breaching a banning order under section 21 or section 22		x	x	x							
47.	Power under section 30 to include a person convicted of a banning order offence on the database of rogue landlords and property agents		x	x	x	x	x					
48.	Power under section 35 to require information about a person for the purposes of enabling the authority to decide whether to make an entry in the database in respect of that person		x	x	x	x	x					
Environmental Protection Act 1990												
49.	Power under Section 79 to investigate and inspect for statutory nuisances and compliance with notices.			x	x	x	x	x	x	x	x	
50.	Power to: <ul style="list-style-type: none"> i. Issue and serve notices under section 80 pursuant to Section 79 in respect of premises which constitute a statutory nuisance. ii. Under Section 81 abate the nuisance and ensure Section 80 notice complied with and to recover costs thereafter pursuant to Sections 81, 81A and 81B. 			x	x	x	x	x				

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51.	Power to apply to the court for a warrant to authorise entry under Schedule 3			x	x	x	x	x				
52.	Power of entry under Schedule 3 once duly authorised			x	x	x	x	x	x	x	x	
53.	Power to investigate criminal offences under section 79 of the Environmental Protection Act 1990			x	x	x	x	x				
54.	Power to authorise a recommendation to prosecute or offer a simple caution for offences under section 79 the Environmental Protection Act 1990		x	x	x							
55.	Power to administer a simple caution for an offence of failing to comply with a notice under section 79 of the Environmental Protection Act 1990		x	x	x	x	x					
56.	Power to serve requisitions for information pursuant to Section 16 and investigate offences for failing to comply with a requisition for information served under Section 16			x	x	x	x	x	x	x	x	
57.	The power under Section 33, to make arrangements with statutory undertakers for the restoration or continuation of supplies of water, gas or electricity to dwellings, where the supply is cut of, or is likely to be cut off.			x	x	x	x	x				

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58.	All powers under section 33 including the power to recover expenses.			x	x	x	x	x				
59.	Power to authorise a recommendation to prosecute or offer a simple caution under section 16.			x	x	x	x					
60.	Power to administer a simple caution under section 16.			x	x	x	x					
Local Government (Miscellaneous Provisions) Act 1982												
61.	Powers to undertake all provisions under Section 29 for protection of empty buildings.			x	x	x	x	x			x	
62.	Power to apply to the court to recover expenses under section 32.	x										
Local Government and Housing Act 1989												
63.	To declare a renewal area under Section 89 as amended by the Regulatory Reform Order 2002		x	x	x							
Public Health Act 1936												
64.	Power to enter premises under Section 287(1) at any reasonable hour to determine if any function under this Act should be exercised.			x	x	x	x	x	x	x		
65.	Power to apply to the Court for a warrant to enter premises under Section 287(2) at	x	x	x	x	x	x	x				

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	inspect and investigate drainage to a building and to investigate compliance with notices served under this section											
73.	Power to apply to the Court for a warrant to enter premises to determine if any function under this Act should be exercised.	x	x	x	x	x	x	x			x	
74.	Power under section 17 to serve notice		x	x	x	x	x					
75.	Power to authorise a recommendation to prosecute or offer a simple caution under section 17.		x	x	x							
76.	Power to administer a simple caution under section 17.		x	x	x	x	x	x				
77.	Power under section 17 to recover expenditure		x	x	x							
Prevention of Damage by Pests Act 1949												
78.	Power under section 22 to enter and inspect and investigate and under section 9 to require information for the purposes of this Act		x	x	x	x	x	x	x	x	x	
79.	Power under section 4 to serve notice		x	x	x	x	x	x				

	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior EHO	EHO	A EHO	Senior HS	EPO	HMO Licensing Officer
80.	Power to apply to the court for a warrant of entry, to organise works in default and to recover expenses	x	x	x	x							
81.	Power to authorise a recommendation to prosecute or offer a simple caution under the Prevention of Damage by Pests Act 1949		x	x	x							
82.	Power to administer a simple caution for an offence under the Prevention of Damage by Pests Act 1949		x	x	x	x	x					
	Financial Assistance											
83.	In connection with the system of financial assistance contained in the Housing, Grants Construction and Regeneration Act 1996 ("the 1996 Act") and the Regulatory Reform (Housing Assistance) Order 2002 and in connection with the Housing Renewal Policy (or equivalent) - to process and approve all grant applications and applications for financial assistance made under Part I of the 1996 Act and to make payments in respect of approved grants.			x	x	x	x					

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84.	After approval of a grant or financial assistance, the power to re-determine the estimated expense of the additional cost and approve those amounts.			x	x	x	x					
85.	In accordance with a scheme approved by the Council the approval or refusal of applications for, disabled facilities grants, and of applications for assistance as specified in the Housing Renewal Policy (or equivalent).			x	x	x	x					
86.	In accordance with the above points 84 and 85 the assessment of the cost of the relevant works which is attributable to the applicants, and the apportionment of that cost among them.		x	x	x	x	x	x	x	x		
87.	To demand repayment of financial assistance on breach of condition.		x	x	x	x	x					
88.	To reduce, withhold, or demand repayment of financial assistance in the circumstances permitted.		x	x	x	x	x					

	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior EHO	EHO	A EHO	Senior HS	EPO	HMO Licensing Officer
95.	Power to serve a remedial notice under regulation 5 and amend, suspend or revoke the notice.			x	x	x	x	x	x			
96.	Power to authorise a person to take remedial action under regulation 7.			x	x	x	x					
97.	Power to arrange for remedial action to be taken under regulation 7.			x	x	x	x	x	x			
98.	Power to serve a penalty charge notice under regulation 8 and amend, suspend or revoke the notice.			x	x	x	x	x	x			
99.	Power to review a penalty charge notice and confirm, vary or withdraw the notice and serve a notice of that decision under regulation 10.			x	x	x						
100.	Power to apply to the court to recover the penalty charge notice under regulation 12.	x										
101.	Power to prepare, review and publish a statement of principles under regulation 13 in determining the penalty charge under regulation 8.			x	x	x						

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	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior Housing Practitioner	Review and policy officer	Housing Advisor	Homelessness Advisor/S	Team Administrator	
114.	To arrange for temporary accommodation pursuant to the Council's duty under Section 188 of the Housing Act 1996, in accordance with the authority's policies and financial regulations.			x	x	x	x	x	x			
115.	To determine whether or not to provide temporary accommodation pending a review or appeal to the court pursuant to Section 188 of the Housing Act 1996			x	x	x	x	x				
116.	To refer applicants to other local authorities to which they have a local connection and to determine referrals from other authorities pursuant to Section 198.		x	x	x	x	x	x				
117.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence under section 214.		x	x	x	x	x					
118.	Power to administer a simple caution for an offence under section 214.		x	x	x	x	x					
119.	To exercise the power of the council pursuant to Section 211 of the Housing Act 1996 to protect the property of a homeless applicant.		x	x	x	x	x	x	x			
120.	To operate the Common Housing Register pursuant to Part VI.			x	x	x	x					

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121.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence under section 171.		x	x	x							
122.	Power to administer a simple caution for an offence under section 171.		x	x	x	x	x					
	Accommodation Agencies Act 1953											
123.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence under section 1.		x	x	x	x						
124.	Power to administer a simple caution for an offence under section 1.		x	x	x	x	x					
	Protection from Eviction Act 1977											
125.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence under sections 1 and 6.		x	x	x	x						
126.	Power to administer a simple caution for an offence under sections 1 and 6.		x	x	x	x	x					
	Landlord and Tenant Act 1985											
127.	Power to authorise a recommendation to prosecute or offer a simple caution for an offence(s) under sections 2, 3, 3A, 7 and 25.		x	x	x	x						
128.	Power to administer a simple caution for an offence(s) under sections 2, 3, 3A, 7 and 25.			x	x	x	x					

	Matters to be dealt with	Legal Services	Corporate Director	Director	Head of Housing	Team Manager	Senior Housing Practitioner	Review and policy officer	Housing Advisor	Homesearch Advisor/S	Team Administrator	
	All of the above legislation											
129.	To institute and conduct all civil and criminal proceedings by the Council.	x										
130.	To defend or participate in any legal proceedings brought against the Council or whether the Council's interests are affected and to negotiate settlement.	x										
131.	To institute and conduct all proceedings and procedures to implement and enforce any decision of the Council.	x										

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