Part 3

Delegation Scheme

Part 3a – Delegation to Officers

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Principles of Delegation

1. Section 101 of the Local Government Act 1972 provides that:

    a. A Council may delegate its powers (except those incapable of delegation) to a committee or an officer
    b. A Committee may delegate its powers to a sub-committee
    c. A Committee may delegate its powers to an officer
    d. Powers which have been delegated may be exercised by the delegating body or officer.

2. Under the Localism Act 2011 the Council has been given a general power of competence, enabling it to do anything that an individual might do. This is subject to certain qualifications.

3. Any delegation to a Committee or a Senior Officer shall be exercised in compliance with the Council's Constitution, any other policies or conditions imposed by the Council and with the law.

4. In making any decision regard shall be had to the Council's Corporate Strategy and Themes and principles of decision-making as set out in the Articles of the Constitution.

5. A Senior Officer may nominate another named Officer to carry out any powers and duties which have been delegated to that Senior Officer.

6. If any officer to whom a function has been delegated is for any reason unable to act, or if the post of any such officer is vacant, the Head of Paid Service, or in his/her absence, the Deputy Chief Executive may exercise the delegated power or nominate another named officer to carry out those duties.

7. In an emergency the Head of Paid Service (or in his/her absence the Deputy Chief Executive or one of the Directors) is empowered to carry out any function of the Council and take all necessary decisions. Emergency will usually be defined in this context as 'any situation in which the relevant officer believes that failure to act would seriously prejudice the Council's or the public's interests. Such interests will be interpreted widely and include (but are not limited to) the risk of damage.

8. Where officers are contemplating any action under delegated powers which is likely to have a significant impact in a particular area, they should also consult the Members for the appropriate Wards.

9. A delegated officer must ensure that s/he obtains appropriate advice from the Council's legal, financial and other specialist staff before action is taken.

10. The Monitoring Officer may at any time, make consequential amendments to the Delegation Scheme to reflect the re-designation of posts or reallocation of responsibilities in any service which affects the terms of the Scheme.

11. The Monitoring Officer shall settle any points requiring interpretation or clarification in the practical application of this Delegation Scheme.

Delegation to Senior Officers

Matters reserved for Council or Committee

1. Subject to **urgent items** (see paragraph 2 below), the following matters shall be referred to the relevant Committee or Council, where appropriate.

   Any matter which:

   (a) is strategic in nature (as determined by Senior Leadership Team); or

   (b) requires a new policy; or

   (c) requires an alteration to an existing policy (other than a minor amendment); or

   (d) would be contrary to the Policy Framework; or

   (e) involves expenditure, or a reduction in income, for which there is no sufficient budgetary provision; or

   (f) is an issue of principle as determined by the Senior Leadership Team; or

   (g) in the opinion of the Head of Paid Service or Monitoring Officer, cannot in law or in accordance with the Constitution be decided by an Officer; or

   (h) upon which a Committee has requested a report; or

   (i) a Member has requested an item to be put on an agenda under Procedure Rules 12 and 13; or

   (j) in the opinion of the Officer concerned, should be determined by a Committee; or

   (k) is reserved to the Development Management Committee

   (l) Is reserved to the Council

Urgent Items

2. Matters of urgency, as determined by the Head of Paid Service (or in his/her absence another Senior Officer) shall be delegated to the relevant officer in consultation with the Chairman and Vice-Chairman of the appropriate Committee/body subject to a report being made to the next meeting of the appropriate Committee/body.

Authority for Officers to Act

3. The term 'Senior Officers' includes the Chief Executive, s151 Officer, Directors, Heads of Practice, Lead Specialists, Managers (Level 3) and Monitoring Officer.

4. Throughout the Constitution references to:

    - Head of Paid Service shall include Chief Executive (and vice versa)
    - Section 151 Officer shall include the Strategic Finance Lead and Chief Finance Officer or her nominated Deputy Section 151 Officer (and vice versa)
    - The Monitoring Officer shall in include her nominated Deputy Monitoring Officer(s)
    - Directors shall include references to former Group Managers (and vice versa)
    - Heads of Practice / Service and Managers shall include Community of Practice Leads and Lead Specialists (and vice versa)

5. Subject to those matters which are reserved for Council or Committee (see paragraph 1 above) **all Senior Officers** shall be responsible and shall have **delegated authority** for the **day-to-day operation and management** of his/her Directorship / Service Area and of the services and land for which s/he is responsible.

6. Any matter not reserved for Council or Committee (i.e. any matter falling outside the criteria contained in paragraph 1 above) shall be regarded as falling within the day-to-day operation and management of the relevant department and shall be delegated to the appropriate Senior Officer and shall be exercised in accordance with the principles of delegation.

7. **All Senior Officers** are appointed across both West Devon Borough Council and South Hams District Council and shall have authority to:

    - issue written authorisation to individual officers to act as the Council's authorised officers in the performance of their statutory or other duties (provided that any written authority to enter upon the land or premises shall be in pursuance of a statutory power of entry or inspection)**
    - to nominate officers to deputise in their absence
    - call for and accept quotes and tenders within the Contract Procedure Rules
    - to act as Proper Officer for their service

    ** to be recorded in a separate record held by the relevant Head of Practice or other Lead Specialist / Manager

8. In the absence of the Monitoring Officer or Section 151 Officer, any officer duly appointed by them to act as their deputy may exercise any of the powers or duties delegated to the Monitoring Officer or Section 151 Officer.

9. Delegations to Senior and other Officers in respect of **financial matters** are set out in the Financial Procedure Rules (Part 4 of the Constitution).

10. Delegations to Senior and other Officers in relation to the letting of **contracts** are set out in the Contract Procedure Rules (Part 4 of the Constitution).

11. Delegations to Senior and other Officers in respect of **land and premises** are set out in the Financial Procedure Rules.

12. The **Council's** Monitoring Officer shall be responsible for signing or sealing all the Council's Official Documents (unless otherwise specifically delegated). In her absence, any other Lawyer employed by the Councils may carry out these functions, or in their absence a Senior Officer.

13. All Heads of Practice are responsible for considering and issuing a formal caution in respect of any matter for which they are responsible. In the absence of the Head of Practice Lead this can be carried out by his/her nominated deputy.

14. All Senior Officers are responsible for authorising, signing and issuing Notices and all other documentation (save for legal proceedings) for those matters for which they have responsibility.

15. The Head of Paid Service shall be the Proper Officer for any function of the Council in the absence of any other appointment (or in the absence of that Officer for any reason) as specified within this Delegation Scheme.

16. Where the Council is required to institute or defend legal proceedings, authority must be first obtained from the Monitoring Officer.

17. Officers are authorised to attend Court in relation to Revenue & Benefit proceedings, RIPA applications and sundry debts.

18. The Head of Paid Service shall determine from time to time any interim arrangements in the event of a vacancy or other long term absence of any Senior Officer.

Delegation to Senior Officers, Heads of Practice, Senior Lead Specialists and Managers

Statutory Officers

Delegation to Head of Paid Service / Chief Executive

The **Chief Executive (Head of Paid Service)** is appointed as:

- Head of Paid Service
- Electoral Registration Officer and Returning Officer (South Hams District Council)
- Senior Responsible Officer (RIPA)
- Safeguarding Children & Vulnerable Adults Officer

The **Chief Executive (Head of Paid Service)** shall have delegated authority for the following:

- Head of Paid Service functions
- Overarching responsibility for the services, functions and roles of the following:
    - Elections
    - Directorship of Customer Services & Delivery
    - Directorship of Place & Enterprise
    - Directorship of Strategic Finance
    - Directorship of Governance & Assurance
- External partnerships
- Corporate Strategy and strategic direction
- Member engagement

Delegation to the Corporate Director of Strategic Finance (Section 151 Officer / Chief Finance Officer)

The **Director for Strategic Finance is the appointed Section 151 Officer** and shall have delegated authority for the following:

- Section 151 responsibilities
- Strategic Finance, to include:
    - Medium Term Financial Strategy
    - Budget Process Capital Strategy
    - Treasury Management Strategy
    - Business rates strategy (pooling, pilots, appeals etc)
    - Assurance and due diligence for Commercial Strategy (investment and development)
    - Borrowing Strategy and proportionality
    - Pension Strategy
- Matters set out in the Financial Procedural Rules
- To act as the Proper Officer relating to financial matters in the Local Government Acts and Finance Acts

Delegation to the Monitoring Officer

The **Monitoring Officer** shall have delegated authority for the following:

- Statutory Monitoring Officer responsibilities (including, but not limited to, those matters set out in the Articles above)
- Governance
- Standards
- Conduct of legal proceedings on behalf of the Council as its Solicitor

Delegation to the Statutory Officers' Panel

The Statutory Officers' Panel comprises the Head of Paid Service, Section 151 Officer, and Monitoring Officer (supported by other officers such as Director of Governance and Assurance as required) and has authority for oversight of, and providing direction on, the following:

- the principles and elements of control and governance frameworks (including direction on the Annual Governance Statement)
- strategic risk management
- fraud and corruption
- investigations undertaken under Disciplinary Procedures
- regulatory framework (policies and strategies)

Delegation to Directors

Delegation to the Strategic Director of Customer Service & Delivery (Deputy Chief Executive)

The **Strategic Director of Customer Service & Delivery** shall have delegated authority for the following services and functions:

- **Deputy Chief Executive**: all of the powers of the Chief Executive and Head of Paid Service to act in her absence
- **Electoral Registration Officer and Returning Officer** (West Devon Borough Council)
- Senior Information Risk Officer (**SIRO**)
- **Responsibility and Management** of the following service areas and functions:

    - **Customer Services** (Customer Contact Centre)
    - **Development Management** (Planning, Enforcement, Green Space, Land Charges, TPOs, LLPG, Street Naming)
    - **Environmental Health** (Environmental Health, Health & Safety, Private Sector Housing, Housing Standards, Business Continuity, Emergency Planning, Pollution, Anti-social Behaviour / Nuisance, Community Safety Partnership, DFGs, Licensing, environmental protection, events and markets)
    - **Housing, Revenues & Benefits** (Housing Advice, Homelessness, Safeguarding, Council Tax, NNDR, Benefits)
    - **Support Services** (Finance, Legal, ICT, IT Security, HR, Payroll, Communications, Design, Creditors, Debtors / Recovery, Insurance, DMR)

- **Responsibility** to support the Director of Place and Enterprise by providing **specialist and case management** support for:
    - Assets (Engineering, Estates and Facilities)
    - Commercial (Property acquisition and development)
    - Climate Change (Developing and delivering the Council's response)
    - Place Making (Urban Fringe delivery, Trees / Landscape, Biodiversity, S106, Neighbourhood Planning, Green Infrastructure

Delegation to the Strategic Director of Place & Enterprise

The **Strategic Director of Place & Enterprise** shall have delegated authority for the following services and functions:

Overarching Responsibility and Management of the following services and functions:

- Joint Local Plan
- Housing Strategy
- Commercial Property and Assets
- AONB
- Strategic Planning Town & Parishes Liaison
- Leisure
- Neighbourhood Planning
- New Income Streams
- Salcombe Harbour & Dartmouth Ferry
- Place making
- Funding Applications & Grants
- Representing the Council's interests at Regional Level (HotSW, LEP, etc.)
- Private Sector Housing/Housing Standards
- Pollution, Antisocial Behaviour/Nuisance
- Community Safety Partnership Planning (DM)
- Urban Fringe delivery team
- Bio Diversity/S106/Community
- Car parking (strategy)
- Public Conveniences (strategy)
- Facilities, building and grounds maintenance

Delegation to the Corporate Director of Governance & Assurance

The **Strategic Director of Governance & Assurance** shall have delegated authority for the following services and functions:

- The Council's **Data Protection Officer**
- **Deputy Returning Officer** (South Hams)
- **Overarching Responsibility and Management** of the following services and functions:

    - Audit

- Member Services
- Monitoring Officer & Constitution
- Electoral Services
- Contract Oversight & Management (Waste, Leisure and other contracts)
- Procurement
- Programme Board
- Project Management
- Business Intelligence
- Risk Management & Register
- Complaints and Ombudsman
- Information Governance (Data Protection / FOI/ EIR / ICT Security)
- Health & Safety
- Business Continuity/Emergency Planning
- Climate Change and biodiversity response
- Building Control Partnership

Delegation to the Senior Leadership Team

The **Senior Leadership Team** shall be responsible for:

- Approving the setting of the Council Tax base
- Strategic direction

Delegation to Managers, Heads of Practice, and Lead Specialists

Delegation to the Business Manager (Case Management)

The **Business Manager (Case Management)** shall have delegated authority and responsibility for the following:

- Delivery & performance of the case management functions
- Case Managers
- Case Management Team Leaders
- Case Management resources
- Digital Mail Room
- Gazetteer
- Grounds Maintenance
- Payroll
- Locality Officers who have the following responsibilities / functions:
    - Site inspections from public land or where invited on to private land
    - Play Park inspections
    - Posting site notices and serving notices
    - Initial investigations and assessments, evidence gathering and preliminary interviews
    - Monitoring and compliance – contracts, repairs and assets
    - Customer visits
    - Enforcement
    - Community Liaison
- Street Naming & Numbering
- Contact Centre
- ICT Service Desk
- Customer Reception

Delegation to Business Manager (Specialists)

The **Business Manager (Specialists)** shall have delegated authority and overarching responsibility for the management of the Heads of Practice and Specialists (and resources) for:

- Assets
- Communications & Media
- Democratic Services
- Development Management
- Finance
- Environmental Health
- Housing Revenues & Benefits
- Human Resources
- ICT
- Internal Audit
- Legal Services
- Place Making
- Developing & supporting business development

Delegation to Head of Strategy & Projects

The **Head of Strategy & Projects** shall have delegated authority for the following services and functions:

- Corporate Procurement
- Project Management
- Corporate strategy, themes and priorities
- Development, implementation and monitoring of strategic plans and policies
- Information Governance and Compliance
- Business development
- Risk and Opportunities Management
- Business Continuity

Delegation to Customer Service Improvement Manager

The **Customer Service Improvement Manager** shall have delegated authority for the following services and functions:

- Customer satisfaction and continuous improvement initiatives
- Create and monitor / benchmark performance management data and indicators

- Corporate complaints policy and processes
- Management of the Business Development Team
- Corporate training to support customer improvement
- Website development and maintenance

Delegation to Head of Commissioning & Contracts

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The **Head of Commissioning & Contracts** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- Contract Management (waste, leisure and other contracts)
- Strategic responsibility for recycling and waste services including:
    - Recycling
    - Waste collection
    - Commercial waste services
- Strategic street scene (litterbins, road sweeping and cleansing services)

Delegation to Head of Practice for Assets

The **Head of Practice for Assets** shall have delegated authority for the following:

- To be the Council's **Corporate Property Officer**
- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- **Estates/Assets** - to include:

    - Asset Delivery Programme
    - Estates management
    - In-house management of operational assets
    - Strategic Asset Management
    - Valuations

- Matters set out in relation to Assets in the Council's **Financial Procedure Rules**

- **Engineering** - to include:

    - Asset Capital Programme Management
    - Civil engineering (drainage, flood, coastal and fluvial)
    - Coastal protection statutory functions
    - Engineering services – commercial
    - Flood Protection statutory functions

- **Natural Environment, Countryside and Leisure** – to include:

    - Policy and management of parks, green space, play area and outdoor sport
    - Grounds maintenance
    - Leisure Services
    - Car Parking
    - Public Conveniences
    - Facilities Management
    - Building Maintenance

Delegation to Head of Practice for Development Management

The **Head of Practice for Development Management** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- **Development Management** (as set out in the Development Management Committee remit) including:

    - Development management
    - Pre-application advice
    - Enforcement and Prosecution
    - Conservation and historic buildings
    - Planning Policy (Development Management)
    - Land Charges

Delegation to Head of Practice for Environmental Health

The **Head of Practice for Environmental Health** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- **Environmental Protection and Licensing**:
    - Emergency planning and response
    - Contaminated land
    - Nuisance
    - Private water supplies
    - Licensing (licences, enforcement, advice)
    - Community Safety
    - Antisocial behaviour
- **Environmental Health** – business:
    - Food safety and enforcement
    - Inspections
    - Approved premises
    - Infectious disease control
    - Health and safety (regulatory)
    - Fatalities /accidents
    - Health and safety (internal functions /corporate liability)
    - Inspections / enforcement
- **Housing and Health**
    - Private sector housing and enforcement
    - Houses in multiple occupation
    - Disabled facilities grants
    - Private sector renewal – loans / grants
    - Caravan sites
    - Public Health / Health and well-being
    - Fuel poverty
    - Home energy conservation
    - Empty homes
- **Environmental Protection**
    - Abandoned vehicles
    - Dog Fouling and Stray dogs
    - Environmental enforcement
    - Events management
    - Markets
- Management of **out of hours service** (including homelessness and emergency planning)

In relation to **Licensing functions** the **Head of Practice for Environmental Health** shall have authority:

- To determine whether to refuse to grant an application for Hackney Carriage or Private Hire Vehicle Licence.

- To determine in consultation with the Chair and Vice-chair of the DM ~~P&L~~ Committee whether to revoke a Hackney Carriage or Driver licence in situations of urgency ('urgency' to be determined by the Head of Practice Lead for Environmental Health).

- To refer such applications which, in the opinion of the Head of Practice Lead for Environmental Health, should be determined by a Licensing Sub-Committee.

- To determine applications for Licences under the following areas of work not previously delegated to other committees or individuals;

    - Public Health (e.g. Animal Boarding Establishments, Dangerous Wild Animals, Pet Shop, Riding Establishments, Skin Piercing and other special treatments).
    - Public Safety (e.g. Alcohol and entertainment licences, personal licences, club premises certificates, Hypnotism licences, Gambling licences etc.)
    - Housing (e.g. Selective licensing of residential accommodation, Licensing of houses in multiple occupation, Licensing of camping sites, Licensing of caravan sites)
    - Environmental (e.g. Environmental Permits, Licensing of scrap metal dealers)

- To investigate complaints relating to licensed and licensable activities with the relevant powers of entry in order to undertake these investigation.

- To instigate informal or formal action in order to resolve complaints or unlicensed activities and take appropriate action or remedy.

- To undertake formal consultations on amendments to policy, (or fares in accordance with the Maximum Chargeable Fare setting policy - South Hams only)

- **to suspend licences** in situations of urgency where there are reasonable grounds to do so (where urgency is determined by the Head of Practice for Environmental Health

The **Head of Practice for Environmental Health shall** act as the **Proper Officer** in respect of the signing of all appointments and authorisations of authorised officers or Inspectors appointed under legislation relevant to environmental health, food safety, health and safety, housing and licensing and also the signing of authorisations of other persons to accompany authorised officers or Inspectors (including Consultants or other agencies where appropriate) and to be given discretion to specify which powers under the relevant legislation are to be exercised by particular authorised officers or Inspectors.

The **Health & Safety** at Work Act 1974 and The Management of Health & Safety Regulations 1999 requires the Councils to appoint one or more competent persons to provide competent technical advice on health and safety matters. The appointed "competent person" is the Head of Environmental Health and Licensing.

Delegation to Head of Practice for Housing, Benefits and Revenue

The **Head of Practice for Housing, Benefits and Revenue** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- **Vulnerable customers – safeguarding and child protection:**
  - Identification and protection
- **Business rates**:
  - Collection and enforcement
  - Billing
  - Government submissions
  - Pool membership
  - Policy
- **Housing Benefit:**
  - Assessment of claims
  - Collection and recovery
  - Subsidy maximisation
  - Discretionary housing payments
- **Housing, Options & advice**
  - Prevention and homelessness
  - Choice based letting
  - Direct lets
  - Administration & maintenance of the Housing Register for allocation of social housing
  - Refugees
- **Council tax and non-domestic rates**:
  - Collection and enforcement
  - Billing
  - Government submissions
  - Council tax reduction
  - Exceptional hardship fund and rate relief
- **Fraud:**
  - Maximising income
  - Recovery

Delegation to Head of Practice for Place Making

The **Head of Practice for Place Making** shall have delegated authority and responsibility for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- **Strategic Planning**
  - Local Plan and Local Development Framework, SPDs
  - Infrastructure planning and delivery
  - Supporting neighbourhood planning
- **Economic Development:**
  - Regeneration
  - Development
  - Business engagement
- **Housing enabling:**
  - Affordable housing
  - Specialist housing needs
- **Community Development**
  - Assets of Community Value
- **Neighbourhood Planning**
- **Natural Environment:**
  - Areas of Outstanding Natural Beauty and South Devon AONB Partnership
  - Tree and Hedge protection
  - Protected landscapes and landscape character
  - Biodiversity conservation and enhancement
  - Green infrastructure and Healthy Communities Partnerships

Delegation to Head of Practice for Legal

The **Head of Practice for Legal** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- Legal Services
- To act as the **Council's Deputy Monitoring Officer** and have all of the powers of the Monitoring Officer (in her absence or as delegated by the Monitoring Officer)

Delegation to Head of Practice for Human Resources

The **Head of Practice for Human Resources** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- Human Resources services
- Recruitment and resourcing
- Employee relations
- Employee Learning and Development
- Employment law

Delegation to Head of Practice for Finance

The **Head of Practice for Finance** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- Strategic Finance
- Finance
- Budget setting (capital and revenue)
- Income and expenditure
- Financial Statements
- Investments, taxation and insurance
- To act as the **Council's Deputy Section 151 Officer** and have all of the powers of the Section 151 Officer and Chief Finance Officer (in her absence or as delegated by the section 151 Officer) as set out above for Delegation to the 151 Officer
- Matters set out in the Council's Financial Procedure Rules for the Section 151 Officer

Delegation to Head of Practice for ICT

The **Head of Practice for ICT** shall have delegated authority for the following:

- **Day to day supervision of specialists** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- Strategic IT
- ICT Services
- Infrastructure design and delivery
- Business systems design and delivery
- Information security management and delivery

Delegation to the Democratic Services Senior Specialist

The **Democratic Services Senior Specialist** shall have delegated authority for the following:

- **Day to day supervision of specialists and Case Managers** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- Democratic Support Services
- Member Learning & Development
- Scheme of Members' Allowances

Delegation to Elections Senior Specialist

The **Elections Senior Specialist** shall have delegated authority for the following:

- **Day to day supervision of specialists and Case Managers** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- **Deputy Electoral Registration Officer** (South Hams District Council)
- Elections

Delegation to Communications & Media Lead Specialist

The **Communications & Media Lead Specialist** shall have delegated authority for the following:

- **Day to day supervision of specialists and Case Managers** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)

- Communications (Internal and External)

- Communications Strategy
- Media and social media

Delegation to the Head of Maritime (SH only)

The **Head of Maritime** shall have delegated authority for the following:

- **Day to day supervision of officers** within the service area (including setting SMART targets, prioritisation of workload and holding PCI discussions)
- **Salcombe Harbour Master**
- Salcombe and Kingsbridge estuary
- In-house management of Harbour Authority assets
- Ferry operation
- Marine byelaw enforcement
- Beach, marine and water safety
- Prevention and management of marine pollution

Delegation to the Internal Audit Service

The Internal Audit Service is an independent appraisal function that objectively examines, evaluates and reports on the adequacy of internal control. Management of the Council's Internal Audit function is carried out by **Devon Audit Partnership** together with the Council's Internal Audit Officers. The **Internal Audit Service s**hall have delegated authority and responsibility for the following:

- Review the Council's financial and management systems and must act if fraud or corruption is found. Internal Audit will also comment on how to achieve better value.
- Carrying out audits of Council functions and in the proper exercise of their duties, the Internal Audit Service have the right to:

    - Access to all records, documents and correspondence held by or on behalf of the Council;
    - Require from staff co-operation and such explanations as are necessary;
    - Require any Council employee to produce cash, stores or any other Council property under their control;
    - Investigate irregularities
    - Liaise with Police and other enforcement agencies under the Accounts and Audit Regulations 2006.

Delegation to the Corporate Procurement Officer

The **Corporate Procurement Officer** (shared officer between South Hams, Teignbridge and West Devon) shall have delegated authority for the Council's Procurement and Contract Services and advice.

Delegation to the Devon Building Control Partnership and Director of Governance and Assurance

The Director of Governance & Assurance has overarching responsibility for Building Control Services. The **Devon Building Control Partnership** has delegated authority to exercise on behalf of the Council such statutory duties or powers conferred on the Council by the following enactments and any enactments amending or replacing them and also any regulations, orders, bylaws and other subsidiary legislation made under the following enactments.

For the avoidance of doubt the functions conferred by this scheme of delegation shall include:

- Appointment and/or authorisation of officers to exercise statutory functions
- Undertaking of inspections, investigations, interviews, service of notices, notifications, consultation responses, and legal proceedings under the legislation applicable thereto set out below, and to exercise all other relevant powers, including powers of entry provided under such legislation.
- Determination of applications, service of notice, exercise of powers in default and recovery of expenses.
- The institution of legal proceedings including the issuing of formal cautions.
- Exercise of powers of entry
- The production and operation of a Scale of Building Regulation Charges that will comply with the Building (Local Authority Charges) Regulations 1998.
- Setting of fees and charges which it has discretion to levy.

List of Enactments:

- The Building Act 1984 and regulations made under that Act, including the Building Regulations 1991 (as amended), the Building Regulations 2000 together with the Fire Precautions Act 1971

- Local Government (Miscellaneous Provisions) Act 1982
- Town Improvement Clauses Act 1847 and the Public Health Act 1925
- Town and Country Planning Act 1990
- The Fire Safety and Places of Sport Act 1987
- Licensing Act 2003
- Party Wall etc Act 1996
- The Building (Local Authority Charges) Regulations 1998
- The Building (Approved Inspectors etc) Regulations 1985 and The Building (Approved Inspectors etc) Regulations 2000

Note: the above list of enactments is also to include any subsequent amendments or new legislation to the acts listed that are introduced.