

Health, Adults and Community Scheme of Delegation

The Council's legal powers are granted by law either to the Mayor or full Council, allowing the authority to carry out its functions for the benefit of the residents, workers and businesses in the borough of Tower Hamlets.

The Mayor and full Council both have power to delegate the exercise of these duties to members and officers. These delegations are set out in the Constitution. In addition, each Corporate Director also has the power to further delegate powers to individual officers and these are set out for the [Insert Directorate Name] in this scheme of delegation.

Note that - under the Local Government Act 2000, all of the Council's functions, its legal powers and duties, are the responsibility of the Mayor and are known as "executive functions", except where they are expressly specified under sch.1, sch.3 or sch.4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 to not be the responsibility or sole responsibility of an authority's executive.

1. CARE AND SUPPORT

Decision		Corporate Director	Divisional Director	Head of Service	Other
Care Act 2014					
1.1	Section 2 – Provide services to prevent needs for care and support developing	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care		
1.2	Section 4 - Establish and maintain an information and advice service	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care		
1.3	Sections 9 and 12 - Undertaking a needs assessment where it appears that a person may have needs for care and support:	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Team Manager ASC Principal Social Worker Social Worker, Occupational Therapist or

					Long Term Support Officer
1.4	Sections 10 and 12 - Undertaking a carer's assessment where it appears that a person may have needs for care and support, now or in the future	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Team Manager ASC Principal Social Worker Social Worker, Occupational Therapist or Long Term Support Officer
1.5	Sections 58 and 59 - Undertaking a child's needs assessments where it appears that a child may have needs for care and support post-18	Health, Adults and Community Children and Culture	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care Divisional Director, Children's Social Care	Service Managers	Team Manager ASC, C&C Principal Social Worker Social Worker, Occupational Therapist or Long Term Support Officer
1.6	Sections 60 and 61 - Undertaking a child's carer's assessment where it appears that a child may have needs for care and support post-18	Health, Adults and Community Children and Culture	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care Divisional Director, Children's Social Care	Service Managers	Team Manager ASC, C&C Principal Social Worker Social Worker, Occupational Therapist or Long Term Support Officer
1.7	Sections 63 and 64 - Undertaking a young carer's assessment where it appears that a person may have needs for care and support	Health, Adults and Community Children and Culture	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care Divisional Director, Children's Social Care	Service Managers	Team Manager ASC, C&C Principal Social Worker Social Worker or Occupational Therapist
1.8	Sections 13 and 18 and the Care and Support	Health, Adults and Community	Joint Director of Integrated	Service Managers	Team Managers within approved

	(Eligibility Criteria) Regulations 2014) - Decisions as to whether identified needs meet the eligibility criteria and if so consider what could be done to meet those needs		Commissioning Divisional Director, Adult Social Care		expenditure limits Principal Social Worker Social Worker or Occupational Therapist. Long term support officers Brokerage Manager /Seniors. Brokerage officer - Within approved expenditure
1.9	Sections 25 and 27 - Preparing or reviewing a care and support plan	Health, Adults and Community	Divisional Director, Adult Social Care	Service Managers	Team Manager ASC Principal Social Worker Social Worker or Occupational Therapist
1.10	Section 14 - Exercising power to charge for care	Health, Adults and Community	Divisional Director, Adult Social Care	Service Managers	Team Manager ASC Principal Social Worker Social Worker or Occupational Therapist
1.11	Section 17 - Undertake an assessment of financial resources	Health, Adults and Community / Resources	Divisional Director, Adult Social Care	Service Managers	
1.12	Section 26 – prepare a personal budget in respect of the costs of meeting a person’s eligible care needs	Health, Adults and Community	Divisional Director, Adult Social Care		
1.13	Section 30 - Provide or arrange accommodation in a person’s preferred accommodation	Health, Adults and Community	Divisional Director, Adult Social Care Joint Director of Integrated Commissioning	Service Managers	Team Managers within approved expenditure limits Principal Social Worker

					<p>Social Worker or Occupational Therapist.</p> <p>Long term support officers</p> <p>Brokerage Manager /Seniors. Brokerage officer - Within approved expenditure</p>
1.14	Sections 31 and 32, and The Care and Support (Direct Payments) Regulations 2014 Agreement to offer a Direct Payment	Health, Adults and Community	<p>Joint Director of Integrated Commissioning</p> <p>Divisional Director, Adult Social Care</p>	Service Managers	<p>Team Managers/ Senior Practitioners within approved expenditure limits</p> <p>Social Worker within approved expenditure</p>
1.15	Sections 34-36 and The Care and Support (Deferred Payment) Regulations 2014- Enter into a deferred payment agreement where the conditions are met.	Resources / Health, Adults and Community	Divisional Director, Adult Social Care	Financial Assessment Team Manager	
1.16	Section 69 – Take a decision to recover a debt owing to the Council under the Act	Health, Adults and Community	Divisional Director, Adult Social Care		
1.17	Section 70 – Take a decision to recover the value of assets transferred to avoid charges	Health, Adults and Community	Divisional Director, Adult Social Care		
1.18	Section 19 – Take decision to meet the care needs of someone who is ordinarily resident in another local authority's area in urgent circumstances	Health, Adults and Community	Divisional Director, Adult Social Care	Service Managers	
1.19	Section 37 – notify another local authority that an adult in need of care and support intends to move to their area	Health, Adults and Community	Divisional Director, Adult Social Care	Service Managers	Social Worker / Occupational Therapist

	and provide relevant documentation				
1.20	Sections 40 and 41 Apply to the Secretary of State or determination of ordinary residence and recover costs of support from another local authority	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care		
1.21	Section 42 – carrying out a safeguarding enquiry	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Staff trained as Safeguarding Adults Managers
1.22	Section 43 & Schedule 2 - Establishing and maintaining a Safeguarding Adults Board	Health, Adults and Community	Divisional Director, Adult Social Care		
1.23	Section 48 - Temporary duty on local authority to meet care and support needs where there has been a care provider business failure	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	
1.24	Section 67 and 68 - Arrange independent advocacy to represent and support the individual.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Team Manager Senior Practitioner Social worker/Occupational Therapist
1.25	Section 74 and Schedule 3 - Assessment of needs and provision of services upon discharge from hospital	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Team Manager Senior Practitioner Social worker/Occupational Therapist within approved expenditure limits
1.26	Section 74 Schedule 3, Paragraph 4 - Making daily reimbursement payments to the relevant	Health, Adults and Community	Joint Director of Integrated Commissioning	Service Manager Within approved	

	NHS body if the local authority is solely responsible for any delays in the discharge of a patient from hospital.		Divisional Director, Adult Social Care	expenditure	
1.27	Section 77 - establish and maintain a register of sight-impaired and severely sight-impaired adults, and a register of adults in needs of care and support if appropriate	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care		
Miscellaneous					
1.28	Disabled Persons (Services, Consultation and Representation) Act 1986 Section 10 - Consultation with organisations of disabled people regarding appointment or co-option to committees of persons with special knowledge of the needs of disabled persons	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Team Manager Social Worker or Occupational Therapist. Long term support officers Principal Social Worker
1.29	Health and Social Care (Community Health and Standards) Act 2003, Section 114, the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 - Consider a complaint made about Social Services or services commissioned by Social Services	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Team Manager
1.30	Disabled Persons (Employment) Act 1958, Section 3 - Arranging for the provision of facilities for enabling seriously disabled persons to be employed under special conditions.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Commissioning Managers within agreed budgets and Financial Regulations Team Managers ASC Principal Social Worker

2. MENTAL HEALTH

Decision		Corporate Director	Divisional Director	Head of Service	Other
Mental Health Act 1983					
2.1	Section 11 - Applications for admission for assessment or for treatment or for guardianship. Specification of the qualification of the applicant is to be detailed.				Delegated to approved Mental Health Professional only
2.2	Section 13 - Applications for admission to hospital or guardianship in respect of a patient in any case where an approved mental health professional is satisfied that an application ought to be made.				Delegated to approved Mental Health Professional only
2.3	Section 14 - Providing an approved mental health professional's report on the patient's social circumstances to the hospital managers pursuant to an application made by a patient's nearest relative.				Delegated to Approved Mental Health Professional only
2.4	Section 17A – agreement to a person being placed under a community treatment order				Delegated to Approved Mental Health Professional only
2.5	Section 29 - Applications to Court to displace the nearest relative where the conditions are met.				Delegated to Approved Mental Health Professional only
2.6	Section 37 - Arrangements for reception into guardianship where such directions are made by the criminal courts.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	
2.7	Section 114 & 130A - Appointment of a sufficient number of approved mental health professionals and	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional	Service Manager	

	Independent mental health advocates		Director, Adult Social Care		
2.8	Section 115 - Entry and inspection of any premises in the area of the authority in which a mentally disordered patient is living, with reasonable cause to believe that the patient is not under proper care.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care		Approved Mental Health Professional with warrants/legal authorisation appropriate to the circumstances
2.9	Section 116 - Visiting and attending to the welfare of the following patients admitted to a hospital or care home: - a looked after child; - where the local authority holds guardianship - where the local authority is the nearest relative	Health, Adults and Community Children and Culture	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care Divisional Director, Children's Social Care	Service Manager	
2.10	Section 117 - Identification of and arranging provision of after-care services together with the clinical commissioning group; and discharge from such services.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Delegated to Team Managers/ Senior Practitioners [within approved expenditure limits for the provision of services]
2.11	Section 117A - Provide or arrange accommodation in a person's preferred accommodation	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Delegated to Team Managers/ Senior Practitioners [within approved expenditure limits for the provision of services]
Miscellaneous					
2.12	Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008, Rule 32 - Provision of reports to Mental Health Act Review Tribunals.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Delegated to social work staff, Community Mental Health Teams

2.13	National Assistance Act 1948, Section 49 – compliance with duty to protect the property of a person temporarily admitted to hospital	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Delegated to Team Managers/ Senior Practitioners within approved expenditure limits
2.14	Disabled Persons (Services Consultation and Representation) Act 1986, Section 7 - Assessment of needs and provision of services upon discharge from hospital after 6 months treatment for a mental disorder	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Delegated to Team Manager Senior Practitioner Social worker/Occupational Therapist Occupational Therapist Social Workers within approved expenditure limits

3. MENTAL CAPACITY ACT

Decision		Corporate Director	Divisional Director	Head of Service	Other
Mental Capacity Act 2005					
3.1	Section 2 and Schedule A1 – Assessment as to whether an individual has capacity to make a particular decision	Health, Adults and Community	Divisional Director, Adult Social Care	Service Manager	Team Manager Senior Practitioner Social worker/Occupational Therapist Occupational Therapist Social Workers
3.2	Section 4 and Schedule A1– carry out a Best Interest assessment				Best Interest assessors
3.3	Section 4A – authority to deprive a person of their liberty on behalf of the Council if authorised to do so under the provisions of the MCA	Health, Adults and Community	Divisional Director, Adult Social Care	Service Manager	Team Manager Senior Practitioner Social worker
3.4	Section 16 – Apply to become the welfare or financial deputy for a person lacking capacity	Health, Adults and Community	Divisional Director, Adult Social Care	Service Manager	
3.5	Section 19 – be appointed to position of deputy as a	Health, Adults and Community	Divisional Director, Adult Social Care		

	consequence of holding a position or office within the Council, and if appropriate, seek reimbursement of reasonable expenses in carrying function of deputy				
3.6	Section 22 and 23 – apply to court for invalidation or variation of lasting power of attorney	Health, Adults and Community	Divisional Director, Adult Social Care	Service Manager	
3.7	Section 35 – Make arrangements for independent mental capacity advocates to be available to represent and support persons to under the relevant provisions.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Manager	Team Manager
3.8	Schedule A1 - Responsibility to undertake deprivation of liberty safeguards assessments on request from the managing authority	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Approved Best Interest Assessors
3.9	Schedule A1 - Decision to give a standard authorisation for the deprivation of a person's liberty on behalf of the council as the supervisory body.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	
3.10	Schedule A1 - Duty to inform the hospital or care home management, the person concerned, any IMCA instructed and all interested persons consulted by the best interest assessor of their decision and the reason for it where the Local Authority is the supervisory body.	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	Central Safeguarding Team
3.11	Miscellaneous				
3.12	The Mental Capacity (Deprivation of Liberty: Standard Authorisations,	Health, Adults and Community	Joint Director of Integrated Commissioning	Service Managers	Team Manager and Senior Practitioners in

	Assessments and Ordinary Residence) Regulations 2008 - Approval of sufficient numbers of qualified Best Interest Assessors for the conducting of Best Interest Assessments		Divisional Director, Adult Social Care		the Central Safeguarding Team
3.13	The Mental Capacity (Deprivation of Liberty: Appointment of Relevant Person's Representative) Regulations 2008 - appointment of relevant person's representatives	Health, Adults and Community	Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Service Managers	

4. PUBLIC HEALTH

Decision		Corporate Director	Divisional Director	Head of Service	Other
National Health Act 2006					
4.1	Section 2B - Comply with the council's duty to take steps to improve public health through provision of advice, information, services, incentives and training	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning	Associate Directors of Public Health Service Managers	
4.2	Section 111 - Exercise functions in respect of dental public health (National Health Act 2006)	Health, Adults and Community	Director of Public Health	Associate Directors of Public Health	
4.3	Section 75 - Enter into prescribed arrangement with an NHS body	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning	Associate Directors of Public Health	
4.4	Section 76 and National Health Service (Conditions Relating to Payments by Local Authorities to NHS bodies) Directions 2013 - Authorising payments	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning	Associate Directors of Public Health	

	to the NHS Board or clinical commissioning group		Divisional Director, Adult Social Care		
4.5	Schedule 1 - Making provision for health assessments of school children, the weighing and measuring of junior school and early years children	Health, Adults and Community	Director of Public Health	Associate Directors of Public Health	
Care Act 2014					
4.6	Section 3 - Exercise duties under the Care Act with a view to promoting integration of health and social care	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Associate Directors of Public Health Service Managers	
Health and Social Care Act 2012					
4.7	Section 199 – provide information requested by the Health and Wellbeing Board	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Associate Directors of Public Health Service Managers	Team Managers
Local Government and Public Involvement in Health Act 2007					
4.8	Section 116A – Comply with the Council's duties in respect of preparing, refreshing and publishing a joint health and wellbeing strategy	Health, Adults and Community	Director of Public Health		
4.9	Section 221 and 222 – enter contractual arrangements and provide funding for services to promote and support the involvement of local people in the commissioning, provision, scrutiny and review of local care services and how these could be improved	Health, Adults and Community	Director of Public Health Joint Director of Integrated Commissioning Divisional Director, Adult Social Care	Associate Directors of Public Health	

Community Safety Services, Safer Neighbourhood Operations Service, Drugs Action and Alcohol Team

Anti-Social Behaviour Crime and Policing Act 2014				
Decision	Corporate Director	Divisional Director	Head of Service	Other
Following under the Antisocial Behaviour Crime and Policing Act 2014				
Section 5 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for an injunction under section 1 of the Act	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team	Neighbourhood ASB and Enforcement Manager Community Safety Team Leader DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 6 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community	Neighbourhood ASB and Enforcement Manager

<p>to apply for an injunction under section 1 of the Act without notice being given to the respondent</p>			<p>Safety Head of Service Drugs and Alcohol Team</p>	<p>DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers</p>
<p>Section 8 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for the variation or discharge of an injunction under section 1 of the Act, to make a further application for variation or discharge of an injunction when an application under this section is dismissed but only with the consent of the court or with the agreement of the other party</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety</p>

				Officers
Section 10 - To apply for the issue of an arrest warrant if the respondent is believed to be in breach of any of the provisions of an injunction	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 14 - To consult the local youth offending team and inform any other appropriate body or individual before an application (including an application for variation or discharge) is made under section 1 if the respondent will be under 18 when the application is made or when the respondent will be under 18 on the date of the first on-notice hearing when the court has adjourned a without-notice	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team

application				<p>Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
Section 19 - To have regard to any guidance issued by the Secretary of State to persons entitled to apply for injunctions under section 1 about the exercise of functions under this Part	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
Section 22 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for a criminal behaviour order and to find out the views of the local youth offending team before	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p>

<p>applying for an order to be made if the offender will be under the age of 18 when the application is made</p>				<p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 23 - To provide evidence in proceedings for the application of a criminal behaviour order</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>

<p>Section 27 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for a variation or discharge of a criminal behaviour order, to make a further application for variation or discharge of a criminal behaviour order when an application under this section is dismissed but only with the consent of the court which made the order or with the agreement of the other party</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers</p>
<p>Section 28 - To have regard to any relevant guidance issued by the Secretary of State under Section 32 in relation to participation in a review of a criminal behaviour order when considering how the review should be carried out, what particular matters the review should deal with and what action (if any) it would be appropriate to take as a result of the findings of the review</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse</p>

				Investigation Officers Neighbourhood Community Safety Officers
Section 29 - To cooperate with the police in carrying out a review under section 28.	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	
Section 32 - To have regard to any guidance issued by the Secretary of State about the exercise of functions under this Part (Criminal Behaviour Orders)	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 43 - To issue, or designate a person to issue in accordance with section 53 (or an enactment amended by that section) of the Act a community	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager

<p>protection warning or/and community protection notice.</p>			<p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 45 - To post a community protection notice on the premises after reasonable enquiries to find out the name or proper address of the occupier have failed</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>

<p>Section 47 - To take remedial action on failure by the defaulter to comply with the requirements of a community protection notice, to give notice to the defaulter of the work carried out and the cost</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers</p>
<p>Section 49 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for a remedial order under section 48</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist</p>

				<p>Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 50 - To destroy or dispose of any forfeited item used in the commission of an offence under section 48 if ordered to do so by a court in accordance with the order or, if no arrangements are specified in the order, in whatever way seems appropriate</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 52 - To issue a fixed penalty notice to anyone who it is believed has committed an offence under section 48 (failing to comply with a community protection notice)</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p>

				<p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 53 - To designate a person of a description specified in an order made by the Secretary of State to issue a community protection notice or a fixed penalty notice or to enter a premises and seize an item used in the commission of an offence under a warrant issued by a justice of the peace under section 51 of this Act</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 55 - To issue a community protection notice in the manner prescribed by this</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of</p>	<p>Neighbourhood ASB and Enforcement Manager</p>

<p>section</p>			<p>Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 56 - To have regard to any guidance issued by the Secretary of State to local authorities about the exercise of their functions under this Chapter and those of persons designated under section 53(1)(c).</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p> <p>Head of Service Drugs and Alcohol Team</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety</p>

				Officers
Section 59 - To make a public spaces protection order, to publish a public spaces protection order in accordance with regulations made by the Secretary of State	Health, Adults and Community	Divisional Director Community Safety (if affects only one ward)	None	<i>Full Cabinet if it affects more than one ward and likely to have a significant impact and/or considered politically sensitive.</i>
Section 60 - To extend a public spaces protection order, to publish an extension of a public spaces protection order in accordance with regulations made by the Secretary of State	Health, Adults and Community	Divisional Director Community Safety	As above	As above
Section 61 - To vary or discharge a public spaces protection order, to publish details of a varied or discharged order in accordance with regulations made by the Secretary of State	Health, Adults and Community	Divisional Director Community Safety	As above	As above
Section 63 - To authorise a person to exercise the functions described in this section (consumption of alcohol in breach of prohibition in public spaces protection order)	Health, Adults and Community	Divisional Director Community Safety	As above	As above
Section 64 - To comply with the requirements of this section when making a public spaces protection order which restricts the public right of way over a highway, to install, operate and maintain barriers authorised under subsection (7)	Health, Adults and Community	Divisional Director Community Safety	As above	As above

<p>Section 68 - To authorise a person to issue a fixed penalty notice to anyone believed to have committed an offence under section 63 or 67 in relation to a public spaces protection order _</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager Neighbourhood Manager THEOs</p>
<p>Section 72 - To have regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the Convention (as defined by section 21(1) of the Human Rights Act 1998) before deciding whether to make, extend, vary or discharge a public spaces protection order, to carry out the necessary consultation and the necessary publicity and the necessary notification (if any) before making, extending, varying or discharging a public spaces protection order</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers</p>
<p>Section 73 - To have regard to any guidance issued to local authorities by the Secretary of State in regard to the exercise of functions under this Chapter and those of persons authorised by local authorities under section 63 or 68</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal</p>

				Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 76 - To issue a closure notice in accordance with the requirements of this section, to consult with any appropriate body or individual before issuing a closure notice, to comply with and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to specifying premises or descriptions of premises in relation to which a closure notice may not be issued	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 78 - To issue a cancellation notice or variation notice in accordance with the provisions of this	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of	Neighbourhood ASB and Enforcement Manager

section			Community Safety	Neighbourhood Manager
Section 79 - To serve a closure notice, an extension notice, a cancellation notice or a variation notice in the manner prescribed by this section, to enter any premises (using reasonable force if necessary) for the purposes of fixing a copy of the notice or giving it to a person appearing to have control of or responsibility for the premises, to designate a person, or employee of a person, to act on behalf of the Council for the purposes of this section (a 'representative')	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Section 80 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply to a magistrate's court for a closure order (unless cancelled under section 78) within 48 hours of service of a closure notice	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team

				<p>Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 82 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to make an application to a justice of the peace, by complaint, for an extension (or further extension) of the period for which a closure order is in force, to consult the chief officer of police for the area in which the premises are situated before applying for an extension</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 83 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to make an application to a justice of the peace, by complaint, for the discharge of a closure</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p>

order				<p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>
<p>Section 84 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to appeal to the Crown Court against a decision not to make or extend a closure order or a decision not to order the continuation in force of a closure notice</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety Officers and Team Leader</p> <p>Specialist Substance Misuse Investigation Officers</p> <p>Neighbourhood Community Safety Officers</p>

<p>Section 85 - To authorise a person to enter premises in respect of which a closure order is in force (producing evidence of identity or authority if required to do so), to do anything necessary to secure the premises against entry (using reasonable force if necessary) and to carry out essential maintenance or repairs</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager Neighbourhood Manager</p>
<p>Section 88 - To apply for reimbursement of expenditure incurred for the purpose of clearing, securing or maintaining premises in respect of which a closure order is in force</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>NONE</p>
<p>Section 91 - To have regard to any guidance issued by the Secretary of State about the exercise of the functions of local authorities and those of their representatives (within the meaning of section 79)</p>	<p>Health, Adults and Community</p>	<p>Divisional Director Community Safety</p>	<p>Head of Safer Neighbourhood Operations Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager DAAT Criminal Justice Manager Neighbourhood Manager DAAT Criminal Justice Manager THEOs ASB and Community Safety Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety</p>

				Officers
<p>Section 104 and Schedule 4 - To establish and publish an ASB case review procedure, to carry out a review following 4 receipt of a complaint about anti-social behaviour if requested to do so by the complainant and subject to the threshold for a review being met, to inform the applicant whether the review threshold has been met, to inform the applicant of the outcome of the review and of any recommendations made, to make recommendations to a person who exercises public functions in respect of any matters arising from the review, to publish prescribed information concerning reviews as soon as practicable after the end of a reporting period</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	NONE
<p>Schedule 2 - To give instructions to the Corporate Director, Law, Probity and Governance or his/her nominated deputy to apply for a supervision order or a detention order if a person aged under 18 is believed to be in breach of a provision of an injunction under section 1 and to consult with the relevant youth offending team and inform any individual or body thought</p>	Health, Adults and Community	Divisional Director Community Safety	<p>Head of Safer Neighbourhood Operations</p> <p>Head of Community Safety</p>	<p>Neighbourhood ASB and Enforcement Manager</p> <p>DAAT Criminal Justice Manager</p> <p>Neighbourhood Manager</p> <p>DAAT Criminal Justice Manager</p> <p>THEOs</p> <p>ASB and Community Safety</p>

appropriate before applying for an order, to supply to a person specified in paragraph [This function is also included in the Scheme of Delegation for Children's Services in so far as it relates to complying with and exercising and performing any powers and duties contained in Part 2 of the Schedule]				Officers and Team Leader Specialist Substance Misuse Investigation Officers Neighbourhood Community Safety Officers
Provisions as regards Noise Enforcement (THEOS currently retain this role – Out of Hours response)				
Environmental Protection Act 1990	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager THEOs
Clean Neighbourhoods and Environment Act 2005	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager THEOs
Local Government (Miscellaneous Provisions) Act 1976 Section 16 – requisition of information regarding building/land ownership	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager THEOs
Control of Pollution Act 1974 and Noise Act 1996	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations Head of Community Safety	Neighbourhood ASB and Enforcement Manager THEO

				ASB and Community Safety Officers and Team Leader
Road Traffic (Vehicle Emissions) (fixed penalty) (England) Regulations 2002	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhood Operations	Neighbourhood ASB and Enforcement Manager THEOs
London Local Authorities Act 2007 Sections 24 and 61 – Littering from Vehicles	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
Local Government Act 1972 (Breach of Bylaws)	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
London Local Authorities Act 1990 (Part III) – Street Trading Issues	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
Refuse Disposal (Amenity) Act 1978 – Abandoned Vehicles	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
Town and Country Planning Act 1990 (Part VIII Chapter III)	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
Highways Act 1980 (Part IX)	Health, Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs

Noise Act 1996 as amended by the Antisocial Behaviour Act 2003	Health Adults and Community	Divisional Director Community Safety	Head of Safer Neighbourhoods Operations	Neighbourhood ASB and Enforcement Manager THEOs
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