

EAST DUNBARTONSHIRE COUNCIL

SCHEME OF DELEGATION TO OFFICERS

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1.0 GENERAL PROVISIONS

1.1 DELEGATION

The powers specified in this Scheme of Delegation are delegated to officers of the Council. Except where prohibited by law or otherwise prohibited by the Council, an officer to whom powers have been delegated may nominate a person or designate a post within his/her Service to exercise certain specified delegated powers as he/she considers necessary to facilitate the business of the Council, and subject to such conditions as are appropriate. Notwithstanding any such delegation, the officer to whom the power is delegated shall remain responsible for any exercise of that power. The powers delegated under this Scheme are in addition to the normally accepted powers of an officer to deal with routine management and operational matters within the scope of their service responsibilities.

Where an officer deems it appropriate, he/she may refer a delegated matter to the Council or the appropriate Committee rather than exercise the delegation.

1.2 LIMITATIONS

The following limitations apply to the exercise of any powers delegated to officers in terms of this Scheme of Delegation:

- (a) Where any delegated matters involve professional or technical considerations not within the competence of the officer concerned, he/she shall consult the appropriate professional or technical officer of the Council before authorising action and where a question of policy is or may be involved he/she shall consult the Chief Executive. Any matter delegated shall include an authorisation for the officer to take any action to enable the delegation to be exercised.
- (b) Officers to whom powers are delegated will ensure that in exercising such powers they:-
 - (1) act in accordance with any relevant legislation, the Council's Financial Regulations and all other provisions of the Administrative Scheme;
 - (2) have regard to approved budgets;

- (3) ensure that they consult local members where it appears that a proposed decision or action is likely to affect the constituency interests of a local member or members; and
- (4) ensure that they consult the Convener, or Vice-Convener in his/her absence, of the appropriate Committee in respect of all matters which the officer considers to be sensitive or complex, or otherwise where consultation appears to him/her to be appropriate.

1.3 INDEMNIFICATION

The Council agrees to indemnify the respective officers against any damages and expenses they might incur as a result of any action brought against them in respect of acts done by them in the discharge or purported discharge of the functions delegated to them, provided they honestly believe both that the acts complained of were done in the discharge of those functions and that their duty required or entitled them to do so.

2.0 GENERAL DELEGATION TO CHIEF EXECUTIVE, DEPUTE CHIEF EXECUTIVES AND EXECUTIVE OFFICERS

2.1 BUDGET

- (a) Authorised to exercise virement within the overall Capital and Revenue Budgets for the Service concerned, all in terms of Section 7 of the Council's Financial Regulations.
- (b) Authorised to approve the purchase of materials, equipment and services necessary for delivery of the Service concerned, within the approved budget and subject to financial authorisation limits, the provisions of the Council's Financial Regulations and Contract Standing Orders.

2.2 CONTRACTS

- (a) Authorised to accept tenders and approve variations of contracts, subject to the requirements of the Council's Contract Standing Orders.

2.3 HUMAN RESOURCES / PERSONNEL MATTERS

- (a) Authorised to appoint employees within the approved establishment up to, but excluding, Chief Officer level.
- (b) Authorised to appoint employees to temporary vacancies in second tier posts, following consultation with the Convener of the Policy & Resources Sub-Committee and the appropriate Service Committee Convener, for a period not exceeding 6 months.
- (c) Authorised to create temporary posts for not more than 2 years, providing that there is adequate funding within the Revenue Estimates for the Service concerned, and subject to consultation with the Executive Officer – Organisational Transformation.
- (d) Authorised to conduct disciplinary procedures in respect of employees within the terms of the Council's approved disciplinary procedure in consultation with the Executive Officer – Organisational Transformation.
- (e) Authorised in consultation with the Executive Officer – Organisational Transformation:

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- (1) to approve initial placing with an approved salary scale;
and
- (2) to review salary placing in appropriate circumstances
within approved salary scales in conformity with accepted
practice.

- (f) Authorised to approve, in consultation with the Executive Officer
– Organisational Transformation, special leave with or without
pay where the period of leave is in excess of the provision of the
Council's conditions of service.

- (g) Authorised to consider and determine, in consultation with the
Executive Officer – Organisational Transformation, applications
for extension of leave for overseas visits for employees who
have not completed the necessary period of continued service in
terms of the Council's conditions of service.

3.0 SPECIFIC DELEGATION TO CHIEF EXECUTIVE, DEPUTE CHIEF EXECUTIVES AND EXECUTIVE OFFICERS

CHIEF EXECUTIVE

- (a) Authorised in an emergency or in cases of urgency to instruct executive action on a report from the appropriate Depute Chief executive on any matter delegated or referred to a Committee, after consultation with the Convener or, in his/her absence, Vice-Convener, of the appropriate Committee.
- (b) Authorised to arrange, in cases of emergency, civic receptions after consultation with the Convener or, in his/her absence, Vice-Convener, of the appropriate Committee.
- (c) Authorised to direct in circumstances he/she deems appropriate, that an officer shall not exercise a delegated function.
- (d) Authorised to sign contracts and similar documents binding the Council except where otherwise provided for in this Scheme of Delegation.
- (e) Authorised to grant the use of Council accommodation to outside bodies for the purpose of holding meetings and functions etc., providing same complies with the Council's policies and is within the scope of any relevant approved scheme.
- (f) Authorised to determine and control the standard of furniture, furnishings and equipment within Council offices.
- (g) Authorised, after consultation with the Chief Solicitor & Monitoring Officer and Police Scotland, and subject to the Council's published procedure, to make and execute on behalf of the Council, orders under Section 63 of the Civic Government (Scotland) Act 1987 (Public Processions).
- (h) Authorised, subject to consultation with the Executive Officer – Roads & Environment, Police Scotland and the authorised representative of the Strathclyde Passenger Transport Executive to make requests to the Traffic Commissioner to determine and attach to operators licences, traffic regulation conditions restricting the operations of local services, all in terms of Section 7 of the Transport Act 1985.
- (i) Authorised to approve, in appropriate circumstances, applications from employees for reimbursement of reasonable

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legal expenses incurred in defending Court Actions raised personally against them, providing such Court Actions relate to acts (a) carried out within the course of their employment (b) in accordance with Council procedures and (c) carried out in good faith.

DEPUTE CHIEF EXECUTIVE – EDUCATION PEOPLE & BUSINESS

The Depute Chief Executive is empowered to operate the delegations granted to the Chief Executive in his/her absence.

The Depute Chief Executive – Education, People & Business has overall strategic responsibility and provides strategic direction for the delivery of a range of services via the Executive Officers of the Council. The relevant Executive Officers are as follows:-

- Executive Officer – Organisational Transformation
- Executive Officer – Customer & Digital Services
- Executive Officer – Legal & Democratic Services (Chief Solicitor & Monitoring Officer)
- Executive Officer – Education (Chief Education Officer)

The Executive Officers of these Services have the delegated powers set out below. The Depute Chief Executive – Education, People & Business is also authorised to exercise these delegated powers.

Executive Officer – Organisational Transformation

1. Authorised to instruct the immediate implementation of any Circular relating to employment matters (including pay and other conditions of employment) from any officially recognised body which allows no discretion to the Council.
2. Authorised to approve appointments of temporary staff, where considered necessary, and where budgetary provision exists.
3. Authorised to approve requests by the Chief Executive or Depute Chief Executives for the establishment of temporary posts funded under departmental Budgets.
4. Authorised to approve requests by the Chief Executive or Depute Chief Executives for the establishment of temporary posts which are fully funded by an external agency.
5. Authorised to approve the recruitment of all permanent posts within the approved establishment.
6. Authorised to approve requests by the Chief Executive, Depute Chief Executives, or Executive Officers for the secondment of employees to external agencies where the total cost of the secondment is recoverable from that external agency and to approve the appointment where necessary of a temporary replacement for the duration of the secondment.

7. Authorised to approve, in conjunction with the appropriate Depute Chief Executive / Executive Officer, special leave with or without pay where the period of leave is in excess of the provision of the Council's Conditions of Service.
8. Authorised to approve, in conjunction with the appropriate Depute Chief Executive / Executive Officer, unpaid leave of absence for employees to undertake courses of further education.
9. Authorised to grant, in accordance with the guidelines previously approved by the Policy & Resources Committee, unpaid leave of absence up to a maximum of two years to enable employees to undertake voluntary service in developing countries with a voluntary sector organisation.
10. Authorised in exceptional cases to approve an extension to a holiday period but without pay.
11. Authorised to approve changes in post designations in conjunction with the appropriate Depute Chief Executive.
12. Authorised in conjunction with the appropriate Executive Officer of Head of Service to approve initial placing within approved salary scales.
13. Authorised to exercise the discretionary powers available to the employer in implementation of the conditions of service in respect of all employees in the employment of the Council.
14. Authorised to implement the decisions of the Job Evaluation Steering Group in respect of job evaluation outcomes
15. Authorised to settle individual employment disputes and sign any Settlement Agreements arising from the same where the Chief Solicitor & Monitoring Officer has provided or arranged for the provision of legal advice.
16. Authorised to pay claims which he/she may deem valid in respect of damage to or loss of personal property of employees in his/her Department occurring during the course of their employment, subject to the Council's insurance arrangements and up to an amount of £1,000 per claim for any one incident.
17. Authorised to appoint and supervise teaching staff within complements approved by the Council or otherwise in conjunction with the Depute

Chief Executive – Education People & Business or Chief Education Officer.

18. Authorised to exercise the discretionary powers available in implementation of conditions of service in relation to teachers in the employment of the authority.
19. Authorised to grant, in accordance with guidelines approved by Committee, unpaid leave of absence up to a maximum of two years to enable teachers to undertake voluntary service in developing countries with a voluntary sector organisation.
20. Authorised to approve the employment in appropriate circumstances of teachers in receipt of occupational pensions.
21. Authorised together with the Chief Education Officer to transfer teachers within the policy established by the Council and, in accordance with policy guidelines.
22. Authorised to have full oversight and authority over all aspects of the Corporate Procurement arrangements.
23. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters).
24. Authorised in terms of the Health and Safety at Work Act 1974 to establish the Council's Health & Safety Policy, being its "General Statement of Policy on Health and Safety at Work". This sets out the responsibilities and arrangements in order to achieve the Council's Health & Safety objectives,
25. Authorised, in appropriate circumstances, to approve applications by employees charged in the course of their employment with offences under the Health and Safety at Work Act 1974, the Factories Act 1961, the Offices Shops and Railway Premises Act 1963, or similar legislation, for assistance with legal expenses in connection with their defence, subject to the right of an employee aggrieved by any decision of the Chief Executive to appeal to the Human Resources Appeals Board.

Executive Officer – Customer & Digital Services

1. Authorised in conjunction with the Chief Finance Officer, to take out and maintain at an appropriate and adequate level any and all insurances necessary to protect the interests of the Council.
2. Authorised in conjunction with the Chief Finance Officer to make arrangements with insurance companies concerning the settlement of claims.
3. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters).

Chief Solicitor & Monitoring Officer
Executive Officer – Legal & Democratic Services

1. Authorised to sign all missives, agreements, contracts and any similar documents binding the Council, and to authorise solicitors to sign missives in defined circumstances.
2. Authorised to engage private legal firms to carry out legal work on behalf of the Council, in appropriate cases.
3. Authorised to appoint Counsel or a Solicitor Advocate to act for the Council in appropriate cases and to seek Counsel's Opinions.
4. Authorised to appoint Parliamentary Agents.
5. Authorised to discharge the Council's functions in relation to any type of judicial and quasi-judicial proceedings and in that regard, to initiate, enter, defend and settle or otherwise withdraw from such proceedings.
6. Authorised in consultation with the Executive Officer – Assets & Facilities to settle claims arising in terms of the Land Compensation (Scotland) Act 1973, in respect of Home Loss and Disturbance Payments following compulsory acquisitions and also to settle any discretionary payments arising from acquisitions by voluntary agreement, providing that the statutory requirements have been met.
7. Authorised to review and maintain the Council's Curator Ad Litem panel membership, including the power to appoint new panel members and remove existing panel members as appropriate
8. Authorised to exercise the following powers in relation to the Council's Housing function:
 - to sign Notices of Proceedings and Notices to Quit and to raise proceedings for re-possession of dwelling houses;
 - to carry out and/or settle procedures for repossession of dwelling houses and other housing properties, and to sign notices connected therewith;
 - to instigate the necessary procedures where tenants fail, refuse or delay to formally accept an offer of lease; and
 - to consent to discharge or variation of community burdens imposed in house sale transactions provided that no objections have been received from relevant departments or the local members.

9. Authorised in consultation with the Executive Officer –Housing, to agree and complete conveyances required to correct issues in respect of former Council owned properties (including the disposal of additional property) which was previously sold under the former Right to Buy legislation, where in the opinion of the Chief Solicitor & Monitoring Officer, the issue has arisen as a result of an error or oversight in the original plan or conveyance and, in the opinion of the Executive Officer – Housing, there is no material detriment to remaining Housing assets.
10. Authorised to approve applications for housing improvement or repair grants or loans under section 75 of the Housing (Scotland) Act 2006.
11. Authorised to act as the Council's Data Protection Officer in terms of the General Data Protection Regulations 2016 and the Data Protection Act 2018.
12. Authorised to act as Senior Responsible Officer in terms of the Public Records (Scotland) Act 2011.
13. Authorised to manage and have oversight of the Council's framework for responses to access requests in terms of the Freedom of Information (Scotland) Act 2002.
14. Authorised to issue, review, or suspend (whether immediately or otherwise) licences in respect of all licensing matters not specifically delegated to other Officers or Council Services.
15. Authorised to monitor implementation of any conditions included in a General Safety Certificate issued by the Council in terms of the Safety of Sports Grounds Act 1975.
16. Authorised Officer to carry out specific duties relative to the Civic Government (Scotland) Act 1982 and to execute on behalf of the Council all Orders made under the said Act.
17. Authorised to grant licences for charitable collections where (a) Police Scotland has no objection, (b) the applicant has no convictions, (c) the dates do not clash with dates already allocated to other organisations and (d) there are no unusual features about the application.
18. Authorised to determine whether any convictions, penalties, endorsements and the like are relevant for the purposes of consideration of any application for the grant or renewal of a licence where there are no other adverse comments made by relevant agencies and to determine such applications accordingly.

19. Authorised to grant or renew licences where the applicant has agreed in writing to adhere to any conditions or recommendations made within reports by relevant consultees and there are no other adverse comments made.
20. Authorised to grant licences under the Civic Government (Scotland) Act 1982 in respect of which no objections or representations have been received and where there are no unusual features about the application.
21. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982 an application for a renewal of licence which is received outwith the relevant deadline can be accepted where there is good cause for the late application.
22. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982, an application for a licence is valid and to refuse any licence application where sufficient supporting information and documentation has not been provided.
23. Authorised to approve new vehicle types in line with current Council policy and in consultation with the Executive Officer – Neighbourhood Services and the Conveners of Policy & Resources and the Civic Government Appeals Board
24. Authorised in conjunction with the Executive Officer – Neighbourhood Services, to determine whether in terms of the Civic Government (Scotland) Act 1982 a vehicle type or meter type meets the Council's policy requirements.
25. Authorised to approve the installation of any CCTV or similar recording equipment in any taxi or private hire vehicle in line with the Council's Taxi and/or Private Hire Vehicle Operator's licence conditions and associated policy.
26. Authorised to approve the display of advertisements, signage, and company logos on private hire vehicles which are in line with the conditions attached to the Taxi and/or Private Hire Vehicle Operator's licence.
27. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982 an application for a licence must be accompanied by a medical examination or certification of fitness to drive by an appropriate medical practitioner to the standard required in line with Council policy.

28. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982 any change in the circumstances of a licensee requires to be referred to the Civic Government Appeals Board.
29. Authorised to issue a warning to a Licence Holder as to their future conduct following receipt of complaints from the public or representations made by any party, or to decide whether the alleged conduct is sufficiently serious that it should be referred to the Civic Government Appeals Board for determination. Where, in the previous 12 month period from the date of the conduct complained of, the Licence Holder has already been issued with such a warning as to their conduct, the matter will automatically be referred to the Civic Government Appeals Board for a decision to be made.
30. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982 to instigate reasonable inquiries in respect of an application in terms of paragraph 4(1) of Schedule 1 and paragraph 11(4)(b) of Schedule 1 of the Act to obtain information for consideration by the Board.
31. Authorised to determine whether in terms of the Civic Government (Scotland) Act 1982, a licence application is required in specific circumstances.
32. Authorised to reinstate any licence suspended by the Chief Solicitor & Monitoring Officer on any ground. Where a licence has been suspended on medical grounds, authorised to reinstate on the production of a medical report to the required standard in line with Council policy.
33. Authorised to suspend approval for any motor vehicle testing centre approved for the testing of taxi and private hire vehicles licensed by the Council, to refer any such suspension to the Civic Government Appeals Board for determination, and to reject any certificates of compliance issued by a non-approved or suspended testing centre.
34. Authorised to determine whether any objection received to a notified public procession should be referred to the Civic Government Appeals Board for determination.
35. Authorised to issue exemption certificates under sections 166, 169 and 171 of the Equality Act 2010 to a holder of a taxi or private hire driver's licence where satisfied that it is appropriate to do so on medical grounds, or where the licence holder's physical condition is such that it makes it impossible or unreasonably difficult to comply with the duties under the 2010 Act.
36. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or

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operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters).

Chief Education Officer
Executive Officer – Education

1. Authorised to grant leave of absence with salary to enable teachers to undertake part-time courses approved by him/her, provided such leave of absence will not give rise to, or increase, the incidence of part time education in schools and colleges.
2. Authorised to arrange programmes of in-service training for teachers.
3. Authorised to arrange in-service courses for chaplains to schools as and when considered desirable.
4. Authorised to carry out the functions of the Council as Education Authority in relation to the provision of education for children in terms of Part 1 of the Education (Scotland) Act 1980 including placement in day and residential schools.
5. Authorised to receive and determine applications for disbursements of funds in accordance with the provisions of the education trust schemes vested in the Council and any endowments administered by such trusts.
6. Authorised to decide from time to time which courses will be supported by the Council Bursary Scheme.
7. Authorised to satisfy themselves that dance and drama courses are at an establishment accredited by the approved national body and that support for them is reasonable.
8. Authorised to exercise his/her discretion in deciding whether theology courses may be supported.
9. Authorised to exercise the power to include within the administration of bursary awards, financial assistance towards the running costs of appropriate student associations.
10. Authorised to exercise the power, after consultation with the education establishment the student is attending, to include within the assessment of the award, an allowance for essential books, instruments, tools and materials and special clothing.
11. Authorised to amend the levels of tuition fees, examination expenses, dependant's allowances, maintenance allowances and contribution scale.

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12. Authorised to make grants to pupils to enable them to attend courses and conferences and to undertake educational visits and excursions at home and abroad within the approved estimates and policies of the Council.
13. Authorised to make the necessary arrangements for the boarding out of pupils and for the allocation of hostel accommodation.
14. Authorised to issue licences in terms of the Children (Performances) Regulations 1968.
15. Authorised to approve or refuse applications received from schools for arrangements to be made for visits during school terms in accordance with approved policy.
16. Authorised to provide courses in education training as requested by outside agencies and to negotiate appropriate charges for these services.
17. Authorised to make grants to pupils from schools within the Council area or who are normally resident within the Council area, who are selected to join the National Youth Orchestra of Scotland, in respect of fees and attendance at courses related to their membership of the Orchestra.
18. Authorised to increase, in cases of hardship, and at his/her discretion, the amount of grant awarded to school pupils attending part-time courses at the Royal Conservatoire of Scotland and the Scottish Ballet School up to a maximum of the cost of fees and travelling expenses.
19. Authorised to exercise at his/her discretion the powers available to the Council as Education Authority, in terms of Section 23 of the Education (Scotland) Act 1980, with regard to the provision by the Council of education for pupils belonging to the areas of other Education Authorities and to incur outwith area fees, and to pay the approved CoSLA rate to any other Education Authority which has provided education for pupils normally resident in the area of the Council but who are, for various reasons, placed in schools outwith the Council area.
20. Authorised to exercise, at his/her discretion, the powers available to the Council as Education Authority in relation to the exclusion of pupils from schools.
21. Authorised to accept and administer any new trusts or small endowments which may be offered to the Council for schools in their area.

22. Authorised to carry out the functions of the Council in terms of section 58 of the Education (Scotland) Act 1980 relating to the cleanliness of pupils at schools.
23. Authorised to exercise the functions of the Council in terms of Section 50 of the Education (Scotland) Act 1980 (provision of travelling facilities and accommodation in exceptional circumstances).
24. Authorised, along with heads of educational establishments to grant or refuse requests for access to and amendment of records in terms of the School Pupil Records (Scotland) Regulations 1990 and the Further Education Student Records (Scotland) Regulations 1990.
25. Authorised, to make grants to organisations, groups or persons in respect of the provision of Out of School Care.
26. Authorised to exercise the functions of the Education Authority in relation to the irregular attendance of pupils at schools under their management all in terms of Sections 36 to 41 of the Education (Scotland) Act 1980 after appropriate consultation.
27. Authorised to approve, without reference to the Chief Executive, attendance by Community Education employees on authorised youth exchange visits overseas where the employees, as part of their duties, are required to accompany the group undertaking the exchange.
28. Authorised to determine the policy for applications for footwear and clothing grants and free school meals in terms of the Education Authority's responsibilities and in keeping with Council policies on criteria for such grants and to determine applications for the provision of footwear and clothing for pupils at public schools, in terms of Section 54 of the Education (Scotland) Act 1980 outwith the guidelines approved by the Council.
29. Authorised to exercise the power to disregard parental income, in part or in total, where the parents of the students are divorced or living apart.
30. Authorised to carry out the administration, assessment and award of Education Maintenance Allowance (EMA).
31. Authorised to amend the levels of tuition fees, examination expenses, dependant's allowances, maintenance allowances and contribution scales.

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32. Authorised to ensure that requisite provision is made for any pupil entitled in terms of Section 53(3) of the Education (Scotland) Act 1980 to receive refreshment in the middle of the day.
33. Authorised to consider and determine all placing requests under Section 28 of the Education (Scotland) Act 1980 in accordance with the guidelines formulated by the Council.
34. Authorised in consultation with the Convener or Vice Convener of the Education Committee to accept placing requests in terms of the Education (Scotland) Act 1980 and to make whatever transport arrangements are deemed to be appropriate in individual cases brought to his/her attention, where supporting documentation satisfies him/her that the child concerned has serious emotional or psychological problems.
35. Authorised, in cases where the parent changes residence and in terms of the Education (Scotland) Act 1980 makes a placing request that his/her child remain in the school attended prior to that change, to accept that request provided that (a) the parent agrees to comply with the Council's policy on transport arrangements and costs, and (b) in all the circumstances the Executive Officer - Education considers it is appropriate to accept the request.
36. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

CHIEF FINANCE OFFICER
EXECUTIVE OFFICER – FINANCE & AUDIT (SECTION 95 OFFICER)

1. Authorised to prepare, maintain and enforce the Council's Financial Regulations.
2. Authorised to make the necessary arrangements for duly authorised borrowing by all means specified in Schedule 3 of the Local Government (Scotland) Act 1975, subject to any and all statutory limitations.
3. Authorised to act as the Proper Officer in terms of the Local Government (Scotland) Acts 1973 and 1975, the Abolition of Domestic Rates etc. (Scotland) Act 1987, the Local Government Finance Act 1992 and associated delegated legislation for all administrative functions including the preparation and issue of non-domestic rates notices, collection of non-domestic rates, receiving and settling claims for exemption from non-domestic rates, handling objections to non-domestic rates levels and the abatement, remission or repayment of non-domestic rates under the relevant rating provisions.
4. Authorised to act as the Proper Officer in terms of the Local Government Finance Act 1992 and associated delegated legislation for all administrative functions including the preparation and issue of Council Tax Notices, the collection of Council Tax, the handling of objections to assessments and the exemption, abatements or remission of charges.
5. Authorised to act as the Proper Officer for the completion of certificates in terms of Section 92 of the Local Government (Scotland) Act 1973 (transfer of securities).
6. Authorised to apply for the necessary consents for the issue of stock and foreign borrowing in terms of the Local Government (Scotland) Acts 1973 and 1975 and any and all regulations made thereunder.
7. Authorised to ensure a placing with the Bank of England relative to negotiable bonds.
8. Authorised to act as Registrar of Stocks, Bonds and Mortgages, except for negotiable bonds and to appoint, if required, any United Kingdom or foreign bank as Registrar of Stocks, Bonds and Mortgages raised either within or outwith the United Kingdom and whether in sterling or a foreign currency.
9. Authorised to make arrangements for the signature of cheques and/or payment settlement on behalf of the Council.

10. Authorised to carry out temporary investment of surplus funds by making deposits with appropriate financial institutions consistent with the Treasury Management Strategy.
11. Authorised to enquire into the financial standing of any tenderer who has submitted a tender, or who may be asked to submit a tender, in relation to any contract.
12. Authorised in conjunction with the Executive Officer – Customer & Digital Services to take out and maintain at an appropriate and adequate level any and all insurances necessary to protect the interests of the Council.
13. Authorised in conjunction with the Executive Officer – Customer & Digital Services to make arrangements with insurance companies concerning the settlement of claims.
14. Authorised to exercise the Council's option to tax, under and in accordance with the Value Added Tax (VAT) law, in relation to supplies of land and property.
15. Authorised to lodge objections on behalf of the Council with respect to applications for licences in terms of the Licensing (Scotland) Act 1976 and Civic Government (Scotland) Act 1982.
16. Authorised to make appropriate changes to Treasury Management Practices to reflect changes in organisational structures, bankers, treasury consultants, technology or credit worthiness selection methodology.
17. Authorised to execute letters of grant from outside bodies and agencies on behalf of the Council, in consultation, where appropriate, with the Chief Solicitor & Monitoring Officer.
18. Authorised to oversee the administration of housing benefit within the Council area and certify the Council's subsidy claim in accordance with the relevant regulations, any directions issued by the Department of Work & Pensions, and the requirements of section 95 of the Local Government (Scotland) Act 1973.
19. Discretionary Housing Payment Scheme administration, including making minor changes to the Policy and Scheme for administrative reasons.
20. Scottish Welfare Fund administration including in particular the setting of priority level for the Scottish Welfare Fund and the ability to vire between the crisis grant and community care grant budget.

21. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

DEPUTE CHIEF EXECUTIVE – PLACE, NEIGHBOURHOOD & CORPORATE ASSETS

The Depute Chief Executive – Place, Neighbourhood & Corporate Assets is empowered to operate the delegations granted to the Chief Executive in his/her absence.

Authorised, in consultation with the Convener of the Place Neighbourhood & Corporate Assets Committee and the Members of the affected Ward to agree to any future requests for suspension of car park charges required to support events, but subject always to the terms of the relevant Traffic Regulation Order.

Authorised to make temporary loans of archival material for submission and research and to accept private archives that may be offered to the Council, whether permanently or on loan.

Authorised to exercise overall strategic responsibility for the commissioning and development of sports, recreation and leisure facilities in liaison with other bodies including the East Dunbartonshire Leisure & Culture Trust (EDLCT)

The Depute Chief Executive – Place, Neighbourhood & Corporate Assets has overall strategic responsibility and provides strategic direction for the delivery of a range of services via the Executive Officers of the Council. The relevant Executive Officers are as follows:-

- Executive Officer – Land Planning & Development
- Executive Officer - Housing
- Executive Officer – Place & Community Planning
- Executive Officer – Roads & Environment
- Executive Officer – Neighbourhood Services
- Executive Officer – Assets & Facilities

The Executive Officer Officers of these Services have the delegated powers set out below. The Depute Chief Executive – Place, Neighbourhood & Corporate Assets is also authorised to exercise these delegated powers.

Executive Officer – Land Planning & Development

Development Applications

1. Authorised to determine in accordance with the Town & Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, the Planning (Scotland) Act 2019 and the Town & Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.

2. The appointed officer of the Council is the Executive Officer – Land Planning & Development, being the officer appointed in terms of Section 43A of the Town & Country Planning (Scotland) Act and s/he and any officer authorised on his/her behalf is authorised to determine applications for planning permission specified below:
- grant (with or without conditions) planning applications, except where an objection has been received from the local community council, and/or where objections have been received from six or more addresses;
 - agree non material variations to permissions;
 - refuse applications in accordance with Local Plan Policy whether or not objections have been received;
 - agree fulfilment of conditions;
 - agree the requirement for an environmental assessment and matters to be contained within a screening report;
 - negotiate and finalise legal agreements in consultation with the Chief Solicitor & Monitoring Officer, where the details reflect the terms agreed in a consent; and
 - refer a case to the Planning Board or Committee if it is deemed appropriate and/or necessary.

Other Consents

3. Subject to the provisions of the Local Government (Scotland) Act 1984, the Executive Officer – Land Planning & Development and any officer authorised on his/her behalf is authorised to determine applications specified below:
- grant (with or without conditions) applications, except where an objection has been received from the local community council, and/or where objections have been received from six or more addresses;
 - agree non material variations to permissions;
 - refuse applications in accordance with Local Plan Policy whether or not objections have been received;
 - agree fulfilment of conditions;
 - agree the requirement for an environmental assessment and matters to be contained within a screening report;
 - negotiate and finalise legal agreements where the details reflect the terms agreed in a consent; and
 - refer a case to the Planning Board or Committee if it is deemed necessary.

In these circumstances applications relate to: -

- conservation area consent
- listed building consent

- renewal of permissions
- advertisement consent
- prior notifications/approvals
- certificates of existing or proposed lawful use
- approval of matters specified in conditions
- material variations to permissions, including applications for planning permission and applications for the modification or discharge of section 75 Agreements.

** Objections (above) is defined as written (or emailed) correspondence including (1) a return address and (2) a material planning objection to an application received by the planning service prior to determination of the application if delegated; or prior to Noon on the day of planning board pre-agenda if the application is to be considered by planning board.

Planning Appeals

4. Authorised to progress matters in line with the decision of the Planning Board in consultation with the Chief Solicitor & Monitoring Officer, the Convenor and Vice Convenor of the Planning Board and relevant ward members.
5. Miscellaneous Planning Matters
 - Authorised to respond to requests for observations on applications from adjoining authorities (after consultation with local members): and
 - Authorised to respond to consultations from the Scottish Government in relation to Forestry and other matters.

Planning Enforcement

6. Authorised to carry out the statutory planning enforcement functions of the Council in terms of the following legislation:-
 - Planning (Scotland) Act 2019
 - Planning Etc (Scotland) Act 2006
 - Town and Country Planning (Scotland) Act 1997
 - Planning (Listed Building and Conservation Areas)(Scotland) Act 1997
 - Town and Country Planning (Control Of Advertisement) (Scotland) Amendment Regulations 2013
 - Planning (Hazardous Substances)(Scotland) Act 1997

Trees

7. Authorised as required:-
 - To serve emergency Tree Preservation Orders (TPO).
 - To agree works on, or the removal of, protected trees.

- To determine applications and process appeals in relation to the High Hedges (Scotland) Act 2013.

Building Standards

8. Authorised to carry out the statutory and verification functions of the Council in terms of the following legislation:-
 - Building (Scotland) Act 2003
 - Civic Government (Scotland) Act 1982
 - Safety of Sports Grounds Act 1975
9. Authorised to issue letters of comfort/intent in relation to unauthorised building work.

Licensing Board

10. Authorised to issue or refuse certificates as to Building Standards and Planning under Section 50 of Licensing (Scotland) Act 2005 and provide services as required by the Licensing Board.

Parking

11. Authorised in conjunction with the Executive Officers – Place & Community and Assets & Facilities to make arrangements for the management of car parks, etc, including granting their use of part thereof to other persons or bodies, taking account of the Council's policy in relation to off-street parking charges and decriminalised parking enforcement.

Miscellaneous

12. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

Executive Officer – Housing

1. Authorised to manage the Council's housing stock within approved policies.
2. Authorised to sign missives of let issued under the terms of the Housing (Scotland) Act 1987 (as amended).
3. Authorised to exercise powers with respect to sub-standard housing under Sections 99-101 of the Housing (Scotland) Act 1987.
4. Authorised to exercise powers with respect to closing and demolition orders under Sections 117 of the Housing (Scotland) Act 1987.
5. Authorised to exercise powers with respect to houses in multiple occupation under Sections 152-177 and 185-190 of the Housing (Scotland) Act 1987.
6. Authorised to exercise powers with respect to compensation payments under Sections 304-310 of the Housing (Scotland) Act 1987.
7. Authorised to sign Notices of Proceedings and Notices to Quit to raise proceedings for re-possession of dwelling houses.
8. Authorised to exercise powers with respect to Regulation of Private Landlords as required under the Antisocial Behaviour etc (Scotland) Act 2004 – Sections 7 & 8.
9. Authorised to provide temporary & permanent accommodation and make decisions / exercise Council obligations in terms of the Homelessness etc (Scotland) Act 2003.
10. Authorised to put in place a process to review homelessness decisions, if requested, under section 35A of the 1987 Act as amended
11. Authorised to put in place a process of appeal in term of Housing decisions, if requested, under the 1987 Act as amended.
12. Authorised in conjunction with the Chief Finance Officer and the Chief Solicitor & Monitoring Officer, to purchase domestic/residential properties, subject to the available funds set out in the Council's approved Housing Capital Budget
13. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or

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operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

Executive Officer – Place & Community

The Executive Officer – Place and Community Planning is authorised to exercise the delegated powers listed below to ensure that the Council fulfils its statutory obligations in relation to the Environmental Health, Trading Standards, and Community Safety functions.

- (1) To exercise the powers of an Inspector and Authorised Officer (including powers of entry, inspection, sampling, purchase of goods and services, opening containers, seizure of goods, serving and issuing notices, issue and renewal of licences, registration and approval of premises, issue of certificates of registration and compliance, granting of authorisations and initiating prosecutions, where appropriate) on behalf of the Council in terms of the Acts listed below, and any Orders or Regulations made thereunder and any amendments thereto.
- (2) To authorise such officers as he/ she deems necessary and appropriate to exercise the powers and duties of an Inspector and Authorised Officer (including powers of entry, inspection, sampling, purchase of goods and services, opening containers, seizure of goods, serving and issuing notices, issue and renewal of licences, registration and approval of premises, issue of certificates of registration and compliance, granting of authorisations and initiating prosecutions, where appropriate) on behalf of the Council in terms of the Acts listed below, and any Orders or Regulations made thereunder and any amendments thereto.
- (3) To update the Community Protection Legislation list contained below, as necessary and required, between any revisions to the Scheme of Delegation to Officers, for the purposes of maintaining officer authorisations.

Community Protection Legislation

Agriculture (Miscellaneous Provisions) Act 1972
Agriculture Act 1970
Animal Boarding Establishments Act 1963
Animal Health Act 1981
Animal Health and Welfare (Scotland) Act 2006
Animal Health and Welfare Act 1984
Antisocial Behaviour etc. (Scotland) Act 2004
Biocidal Products and Chemicals (Appointment of Authorities and Enforcement) Regulations 2013
Breeding of Dogs Acts 1973 and 1991
Building (Scotland) Act 2003
Business Protection from Misleading Marketing Regulations 2008

Cancer Act 1939
Caravan Sites and Control of Development Act 1960
Cat and Dog Fur (Control of Import, Export and Placing on the Market) Regulations 2008
Chemicals (Hazard Information and Packaging for Supply) Regulations 2009
Children and Young Persons (Protection from Tobacco) Act 1991
Civic Amenities Act 1967
Civic Government (Scotland) Act 1982
Clean Air Act 1993
Climate Change (Scotland) Act 2009
Companies Act 2006
Construction Products Regulations 2013
Consumer Contracts (Information, Cancellations and Additional Charges) Regulations 2013
Consumer Credit Acts 1974 and 2006
Consumer Protection (Distance Selling) Regulations 2000
Consumer Protection Act 1987
Consumer Protection from Unfair Trading Regulations 2008
Consumer Rights (Payment Surcharges) Regulations 2012
Consumer Rights Act 2015
Consumers, Estate Agents and Redress Act 2007
Control of Dogs (Scotland) Act 2010
Control of Pollution Act 1974
Copyright, Designs and Patents Act 1988
Copyright, etc. and Trade Marks (Offences and Enforcement) Act 2002
Cosmetic Products Enforcement Regulations 2013
Dangerous Dogs Act 1991
Dangerous Substances and Explosive Atmospheres Regulations 2002
Dangerous Wild Animals Act 1976
Detergents Regulations 2010
Development of Tourism Act 1969
Disabled Persons' Parking Badges (Scotland) Act 2014
Diseases of Animals Act 1950
Dog Fouling (Scotland) Act 2003
EC Cosmetics Regulation 1223/2009
EC No. 1272/2008 Classification, Labelling and Packaging Regulations
EC Regulation 178/2002
EC Regulation 2073/2005
EC Regulation 852/2004
EC Regulation 853/2004
EC Regulation 854/2004
EC Regulation 882/2004
Electrical Equipment (Safety) Regulations 2016
Electromagnetic Compatibility Regulations 2016
Energy Act 1976
Energy Information Regulations 2011
Enterprise Act 2002

Environment Act 1995
Environmental Protection Act 1990
Estate Agents Act 1979
European Communities Act 1972
Explosives Acts 1875 and 1923
Explosives Regulations 2014
Feed (Hygiene and Enforcement) (Scotland) Regulations 2005
Financial Services (Distance Marketing) Regulations 2004
Fireworks Act 2003
Fireworks Regulations 2004
Food and Environment Protection Act 1985
Food Hygiene (Scotland) Regulations 2006
Food Safety Act 1990
Footwear (Indication of Composition) Labelling Regulations 1995
Gambling Act 2005
Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018
General Product Safety Regulations 2005
Hallmarking Act 1973
Health (Tobacco, Nicotine, etc. Care) (Scotland) Act 2016
Health and Safety at Work etc. Act 1974
Housing (Scotland) Act 1987
Housing (Scotland) Act 2006
Hydrogen Cyanide (Fumigation) Act 1937
Land Compensation (Scotland) Act 1973
Legal Services Act 2007
Licensing (Scotland) Act 2005
Measuring Container Bottles (EEC Requirements) Regulations 1977
Measuring Instruments (EEC Requirements) Regulations 1988
Measuring Instruments Regulations 2016
Medicines Act 1968
Mines and Quarries Act 1954
Mobile Homes Act 1975
Motor Fuel (Composition and Content) Regulations 1999
Motorcycle Noise Act 1987
Noise and Statutory Nuisance Act 1993
Non-automatic Weighing Instruments Regulations 2016
Official Feed and Food Controls (Scotland) Regulations 2009
Olympic Symbol etc. (Protection) Act 1995
Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001
Performing Animals (Regulations) Act 1925
Personal Protective Equipment (Enforcement) Regulations 2018
Pet Animals Act 1951
Petroleum (Consolidation) Regulations 2014
Poisons Act 1972
Prevention of Damage by Pests Act 1949

Price Marking Order 2004
Prices Act 1974
Psychoactive Substances Act 2016
Public Health etc. (Scotland) Act 2008
Pyrotechnic Articles (Safety) Regulations 2015
Radio Equipment and Telecommunications Terminal Equipment Regulations 2000
Radio Equipment Regulations 2017
Radioactive Substances Act 1993
Rag Flock and Other Filling Materials Act 1951
REACH Enforcement Regulations 2008
Recreational Craft Regulations 2004
Refuse Disposal (Amenity) Act 1978
Registered Designs Act 1949
Regulation 765/2008/EC on Accreditation and Market Surveillance
Rent (Scotland) Act 1971
Riding Establishments Acts 1964 and 1970
Rights of Passengers in Bus and Coach Transport (Exemptions and Enforcement) Regulations 2013
Road Traffic Act 1988
Road Traffic Act 1991
Road Traffic Regulation Act 1984
Sale of Venison (Scotland) Act 1968
Sewerage (Scotland) Act 1968
Simple Pressure Vessels (Safety) Regulations 2016
Single Use Carrier Bags Charge (Scotland) Regulations 2014
Slaughter of Animals (Scotland) Act 1980
Slaughterhouses Act 1958
Smoking, Health and Social Care (Scotland) Act 2005
Standardised Packaging of Tobacco Products Regulations 2015
Supply of Machinery (Safety) Regulations 2008
Tenants' Rights, etc. (Scotland) Act 1980
Textile Products (Labelling and Fibre Composition) Regulations 2012
Timeshare, Holiday Products, Resale and Exchange Contracts Regulations 2010
Tobacco Advertising and Promotion Act 2002
Tobacco and Primary Medical Services (Scotland) Act 2010
Tobacco and Related Products Regulations 2016
Toys (Safety) Regulations 2011
Trade Descriptions Act 1968
Trade Marks Act 1994
Unsolicited Goods and Services Act 1971
Video Recording Acts 1984 and 2010
Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012
Water (Scotland) Act 1980
Weights and Measures (Packaged Goods) Regulations 2006

Weights and Measures Acts 1976 and 1985
Wildlife and Countryside Act 1981

Authorised in conjunction with the Executive Officers – Land Planning & Development and Assets & Facilities to make arrangements for the management of car parks, etc, including granting their use or part thereof to other persons or bodies, taking account of the Council’s policy in relation to off-street parking charges and decriminalised parking enforcement.

Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

Executive Officer – Roads & Environment

1. Authorised, after consultation with Police Scotland and the Chief Executive and after consulting the Convener, and Vice-Convener of the Place Neighbourhood and Corporate Assets Committee, and the local members, to arrange for the advertisement of any proposal for the making, revocation, or variation of (non DPE) Orders and Schemes under:
 - the Road Traffic Regulations Act 1984;
 - The Land Reform (Scotland) Act 2003;
 - The Countryside (Scotland) Act 1967; and
 - Sections 68, 69, 70 and 71 of the Roads (Scotland) Act 1984.
2. Authorised to maintain and improve the road network under:
 - The Roads (Scotland) Act 1984;
 - The Traffic Regulation Act 1984; and
 - The Traffic Signs, General Directions and Regulation Act 2016
3. Authorised to carry out the functions of the Joint Road Safety Officer in conjunction with Police Scotland.
4. Authorised to deal with all requests for information in connection with grant applications made under Section 8 of the Railways Act 1974 (grants to assist the provision of facilities for freight haulage by rail).
5. Authorised to carry out the functions of the Council under the Public Utilities Street Works Act 1950 and the New Roads and Street Works Act 1991 in relation to roads for which the Council is responsible.
6. Authorised after consultation with the local member, to make grants to householders for the purpose of making good fabric and decoration (excluding curtains) in houses affected by work carried out by the Council under the Noise Insulation (Scotland) Regulations 1975 at the rates and on conditions which may be prescribed from time to time by the Council.
7. Authorised to exercise the functions of the Council under Section 12 of the Roads (Scotland) Act 1984 in relation to the stopping-up or diversion of highways crossing or entering routes of proposed new highways.
8. Authorised after consultation with the Chief Solicitor & Monitoring Officer to agree terms for Bridge Agreements with the relevant Railway Body and terms of discharge of the Council's liability for annual maintenance and renewal charges in that connection.

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9. Authorised, after consultation with Police Scotland to consider and, where acceptable in road safety terms, approve locations for advertisements on road safety barriers and similar structures.
10. Authorised in conjunction with the Chief Solicitor & Monitoring Officer under Section 19(5), of the Civic Government (Scotland) Act 1982, after consultation with the local members, to approve proposals for taxi stances.
11. Authorised in terms of the Health and Safety at Work Act 1974 to carry out all duties set out in the Statements of Responsibilities for "Health, Safety and Welfare in Places of Work" and the "General Statement of Policy on Health and Safety at Work" issued in 1985 as amended.
12. Authorised to respond to consultation for applications for Planning Development Management where these relate to roads issues.
13. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

Executive Officer – Neighbourhood Services

1. Authorised to make application for extensions to the Operator's Licence to the Vehicle Licensing Authority or any other decisions necessary to ensure the legal operation of the Council's fleet.
2. Authorised where appropriate, to enter objections on behalf of the Council to applications for Goods Vehicles Operator's Licences, under Section 63 of the Transport Act 1968.
3. Authorised to make applications for extensions to the Operator's Licence to the Vehicle Licensing Authority or any other decisions necessary to ensure the legal operation of the Council's fleet.
4. Authorised where appropriate, to enter objections on behalf of the Council to applications for Goods Vehicles Operator's Licences, under Section 63 of the Transport Act 1968.
5. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

Executive Officer – Assets & Facilities

1. Authorised to approve the terms & conditions of, and enter into, leases in conjunction with the Chief Solicitor & Monitoring Officer, for periods up to 15 years.
1. Authorised to agree to sub-leases and assignments of lease on receipt of satisfactory references and completion of appropriate checks to ensure suitability of the incoming tenant.
2. Authorised, in respect of leases, sub-leases and assignments referred to in paragraphs (1) and (2) above to consent to rent free periods.
3. Authorised to terminate leases at their natural expiry date and at any break point detailed in the lease agreement and to agree terms for the renunciation of leases prior to their natural expiry.
4. Authorised to agree lease rentals at review periods.
5. Authorised to agree to extensions and variations to existing lease agreements, subject to the extensions or variations not extending the term of the existing lease by a period in excess of 15 years.
6. Authorised, where arrears of rent have arisen, to instruct the Chief Solicitor & Monitoring Officer to raise the appropriate action necessary in order to recover the arrears and/or to secure vacant possession of the heritable property, and if any other term of the lease has been breached, to instruct the Chief Solicitor & Monitoring Officer to use the standard breach of contract remedies available which she/he considers appropriate.
7. Authorised, in conjunction with the Chief Solicitor & Monitoring Officer, to settle or otherwise agree claims for dilapidations at the termination of a lease, howsoever occasioned.
8. Authorised to proceed with repairs and capital investment to land, commercial and industrial premises in the ownership of the Council subject to budgetary provisions.
9. Authorised to enter into wayleaves, servitudes and leases with statutory bodies and other providers of utility services who require rights over land for particular purposes. For the avoidance of doubt, this authorisation shall extend to land or property held on the Housing Account.
10. Authorised to enter into servitude agreements with parties other than those referred to in paragraph (10) above where the value of the

servitude does not exceed £20,000. For the avoidance of doubt, this authorisation shall extend to land or property held on the Housing Account.

11. Authorised in conjunction with the Chief Solicitor & Monitoring Officer to negotiate and settle all claims arising from the exercise of the Council's power to enter upon and take land in the discharge of statutory powers.
12. Authorised, where land and/or property has been or is declared surplus to the Council's requirements, to agree terms for and conclude the disposal of such land and property up to the value of £20,000, in accordance with the Council's Standing Orders for the Disposal or Leasing of Heritable Property.
13. Authorised, in consultation with the Depute Chief Executive – Place Neighbourhood & Corporate Assets, to acquire land and property on behalf of the Council up to a value of £500,000 subject to budgetary provision.
14. Authorised where a property transaction has been agreed by the Place, Neighbourhood & Corporate Assets Committee, to avoid unnecessary delay to the completion of the transaction, to agree appropriate variations in the transaction terms and conditions in conjunction with the Chief Solicitor & Monitoring Officer, and subject to the approval of the Chief Executive. Notwithstanding the foregoing, in the event that any amendment or variation on the transaction results in the value of the transaction diminishing by 10% or more, or where the cost of the transaction to the Council increases by 10% or more, then the variation will require to be submitted to Place, Neighbourhood & Corporate Assets Committee for further approval.
15. Authorised in conjunction with the Executive Officers – Land Planning & Development and Place & Community to make arrangements for the management of car parks, etc, including granting their use of part thereof to other persons or bodies, taking account of the Council's policy in relation to off-street parking charges and decriminalised parking enforcement.
16. Authorised, in conjunction with the Chief Solicitor & Monitoring Officer, to negotiate and conclude purchases under the Mortgage to Rent Scheme, within the approved budget.
17. Authorised, in conjunction with the Chief Finance Officer and Chief Solicitor & Monitoring Officer, to negotiate and conclude purchases under the Shared Equity Scheme within the approved budget.

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18. Authorised to discharge the Service's functions in relation to Improvement Grants under the Housing (Scotland) Act 2006 in liaison with the Chief Solicitor & Monitoring Officer.
19. Authorised to formulate and submit responses on behalf of the Council in respect of any consultation exercises relating to technical or operational matters falling within the strategic portfolio (but not including any policy or significant legislative matters)

4.0 PROPER OFFICERS AND STATUTORY APPOINTEES

4.1 PROPER OFFICERS

The undernoted officers are appointed to act as Proper Officer for the following purposes.

(a) Local Government (Scotland) Act 1973

- (1) Section 33A – Councillors’ declaration of acceptance of office:
 - Chief Executive
 - Chief Solicitor & Monitoring Officer
- (2) Section 34 – Receipt of Councillors’ resignations:
 - Chief Executive
 - Chief Solicitor & Monitoring Officer
- (3) Section 40 – Receipt of general notices from Councillors in respect of pecuniary interests and for recording of Councillors’ disclosures of pecuniary interests:
 - Chief Solicitor & Monitoring Officer
- (4) Section 43 and Schedule 7 paragraph 1(4) – Receipt of requisition for special Council meeting:
 - Chief Executive
 - Chief Solicitor & Monitoring Officer
- (5) Section 43 and Schedule 7 paragraph 2(1) – Signing summons to Council meeting:
 - Chief Executive
 - Depute Chief Executive – Education, People & Business
- (6) Section 43 and Schedule 7 paragraph 2(2) – Receipt of notice by Councillor of alternative address:
 - Chief Executive
 - Chief Solicitor & Monitoring Officer

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- (7) Section 50B – Excluding reports containing exempt information from public, and providing documents to the press:
 - Chief Solicitor & Monitoring Officer
- (8) Section 50C – Providing written summary where minutes are excluded from public:
 - Chief Solicitor & Monitoring Officer
- (9) Section 50F – determining documents which are not open to inspection:
 - Chief Solicitor & Monitoring Officer
- (10) Section 92 – Dealing with the transfer of securities:
 - Chief Solicitor & Monitoring Officer
 - Executive Officer – Finance, (Chief Finance – Sect. 95 Officer)
- (11) Section 95 – Administration of the Council’s financial affairs:
 - Executive Officer – Finance, (Chief Finance – Sect. 95 Officer)
- (12) Section 145 – Ordnance Survey applications:
 - Depute Chief Executive – Place, Neighbourhood & Corporate Assets
- (13) Section 189 – Instituting legal proceedings:
 - Chief Solicitor & Monitoring Officer
- (14) Section 190 – Service of legal proceedings, notices on the Council:
 - Chief Solicitor & Monitoring Officer
- (15) Section 191 – Signing any claim on behalf of the Council in any sequestration, liquidation and other such proceedings in which the Council is entitled to make a claim:

- Chief Solicitor & Monitoring Officer
- (16) Section 193 – Signing notices, orders, etc:
- Executive Officer with responsibility for the relevant function to which the notice, order etc relates
- (17) Section 194 - Execution of all deeds and/or other legally binding documents, whether or not they require to be sealed with the Council's common seal (other than stock certificates, bonds and mortgages):
- Chief Executive
 - Chief Solicitor & Monitoring Officer
 - Legal Manager
- (18) Section 197 – Inspection and deposit of documents:
- Chief Solicitor & Monitoring Officer
- (19) Section 202 – Authenticating byelaws:
- Chief Solicitor & Monitoring Officer
- (20) Section 202B – Certifying entry in register of byelaws:
- Chief Solicitor & Monitoring Officer
- (21) Section 204 – Providing certificate as evidence of byelaws:
- Chief Solicitor & Monitoring Officer
- (22) Section 231 – Making application to the Sheriff on questions arising from the Local government (Scotland) Act 1973:
- Chief Solicitor & Monitoring Officer
- (b) Civic Government (Scotland) Act 1982**
- (1) Section 113 – Evidence of management rules:
- Chief Solicitor & Monitoring Officer
- (c) Local Government and Housing Act 1989**
- (1) Section 2 – Lists of politically restricted posts:

- Executive Officer - Organisational Transformation
- (2) Section 19 - Receipt of notices of Councillors' interests and maintenance of records:
- Chief Solicitor & Monitoring Officer
- (d) Local Government (Scotland) Acts 1973 and 1975, Abolition of Domestic Rates etc (Scotland) Act 1987, Local Government Finance Act 1992 and associated delegated legislation**
- (1) All administrative functions, including preparation of the Assessment Roll, preparation and issue of rates notices, collection of rates, receiving and settling claims for exemption from rates, handling objections to rates levels and the abatement, remission or repayment of rates under the relevant rating provisions:
- Executive Officer – Finance, (Chief Finance – Sect. 95 Officer)
- (e) Local Government Finance Act 1992 and associated delegated legislation**
- (1) All administrative functions, including preparation and issue of council tax notices, collection of council tax, handling of objections to assessments and the exemption, abatement or remission of charges:
- Executive Officer – Finance, (Chief Finance – Sect. 95 Officer)
- (f) Local Government etc (Scotland) Act 1994**
- (1) Section 16 – Property held in trust:
- Chief Solicitor & Monitoring Officer
- (g) Requirements of Writing (Scotland) Act 1995**
- (1) Schedule 2, paragraph 4(1) – Signing of documents:
- Chief Executive
 - Chief Solicitor & Monitoring Officer
 - Legal Manager

- (h) Local Authorities (Contracts) (Scotland) Regulations 1997**
- (1) Regulation 4 – Certification purposes
- Chief Solicitor & Monitoring Officer
- (i) Ethical Standards in Public Life etc (Scotland) Act 2000 (Register of Interests) Regulations 2003**
- (1) Regulation 3 – Setting up, maintaining and making available for public inspection the register of interests:
- Chief Solicitor & Monitoring Officer
- (k) Scottish Local Government Elections Order 2007**
- (1) Schedule 1, Rule 57 – Receipt of documents following an election:
- Chief Solicitor & Monitoring Officer
- (l) Planning etc (Scotland) Act 2006**
- (1) Regulation 17 – Local Developments – Schemes of delegation – Appointed Officer
- Executive Officer – Land Planning & Development

4.2 STATUTORY APPOINTEES

The following appointments are made in terms of the undernoted legislation:

(a) Social Work (Scotland) Act 1968

Section 3 - Chief Social Work Officer

(b) Representation of the People Act 1983

Section 41 - Returning Officer:

- Chief Executive

(c) Weights and Measures Act 1985

Section 72(1)(a) – Chief Inspector of Weights and Measures:

- Executive Officer – Place & Community Planning

(d) Local Government and Housing Act 1989

Section 4 – Head of Paid Service:

- Chief Executive

Section 5 – Monitoring Officer:

- Chief Solicitor & Monitoring Officer

(e) Environmental Protection Act 1990

Section 149(1) – Officer appointed for the purposes of discharging the functions imposed or conferred on the Council for dealing with stray dogs in its area:

- Executive Officer – Place & Community Planning

(f) Regulation of Investigatory Powers (Scotland) Act 2000

Section 6 – Authorising officer – directed surveillance:

- Chief Solicitor & Monitoring Officer
- Executive Officer – Place & Community Planning
- Chief Finance Officer

Section 7 – Authorising officer – covert human intelligence sources:

- Chief Executive (where required by statute)
- Chief Solicitor & Monitoring Officer
- Executive Officer – Place & Community Planning
- Chief Finance Officer

(8) Licensing (Scotland) Act 2005

Schedule 1, paragraph 8 – Clerk to the Licensing Board:

- Chief Solicitor & Monitoring Officer