Suffolk County Council

# PART 3

# Officer Delegations

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1. Directors (which for this part, unless specified otherwise, includes the Joint Chief Executives, Executive Directors, and Directors) are authorised to exercise the powers and duties of the County Council in relation to the service and activities for which they are responsible, and the professional and managerial responsibilities of their posts. They are accountable to the elected members of the County Council for the efficient and economic discharge of these responsibilities. Members are accountable to the public and are responsible for all major matters which impact upon the public in the course of the County Council exercising its powers and duties. Officers can only act within delegated powers and these are exercisable subject to

   (a) strategies, policies, priorities and Financial Regulations determined by the members of the County Council;

   (b) referral to the appropriate body of members for consultation or decision on all matters of public controversy or undecided matters of policy or substantial change from previous practice or which involve difficult or major issues relating to (a) above where custom and practice or initial consultation with elected members indicates that such referral should take place;

   (c) members with specific functional responsibilities or being the electoral division representative receiving appropriate information about the exercise of the powers;

   (d) compliance with the law and all policies, regulations, orders, codes, protocols, and similar documents approved by Council, Cabinet or a Regulatory Committee;

   (e) consultation with appropriate officers and proper regard to any advice given;

   (f) other specific delegations in this scheme or similar documents to another officer;

   (g) decisions by the Joint Chief Executives or the Monitoring Officer on whether Directors should exercise any delegated power.

2. In addition to the constraints referred to above, there are exceptions to all officers' delegated powers. In particular there is no delegation to officers of:

   (a) matters specifically reserved to members by resolution of Council or the Cabinet;

(b) approval to exceed the provision in the revenue or capital budgets for their service responsibilities;

(c) decisions on permanent savings in the budget to achieve the Council's policies;

(d) the making of an order for the compulsory acquisition of land;

(e) the right to confirm any order or issue or grant any permission, consent, licence or other determination which is the subject of a statutory right of objection that has been duly exercised;

(f) the right to make appointments to posts which are made by the Staff Appointments Committee or Full Council;

(g) the right to determine any matter within the remit of the Dismissal Appeals Committee;

(h) the right to determine a major employee reorganisation.

3. Delegations made from Council or Cabinet to officers must include a specific definition of the desired outcome, must be time limited and monitored, and the extent of any authority to modify parameters and arrangements should be clearly stated.

4. When transfers of responsibility occur between officers, there should be a formally documented handover, which includes a clear definition of the project or service status, progress to date, the extent of any delegations, and any constraints or controversial issues that may require active stakeholder communication or involvement. The relevant Cabinet Member(s) should also be consulted.

5. Ex-gratia payments (to customers and third parties)

5.1 Directors as defined under Human Resources Delegations below may make an ex-gratia payment not exceeding £500, in consultation with the Council Lead for Complaints and Customer Feedback.

5.2 Directors as defined under Human Resources Delegations below may make an ex-gratia payment not exceeding £3,000, in consultation with the appropriate Cabinet Member, subject to the approval of the Joint Chief Executive (Head of Paid Service) and the Assistant Director (Governance, Legal & Assurance).

5.3 The Joint Chief Executives may make an ex-gratia payment not exceeding £5,000 in consultation with the appropriate Cabinet Member and after agreement with the Assistant Director (Governance, Legal & Assurance).

5.4 Payments made by an individual Director or the Joint Chief Executives under paragraphs 5.1, 5.2 and 5.3 respectively shall not exceed £10,000 in total in any particular financial year, subject to prior approval by the Chief Financial Officer (S151 Officer)

5.5 Payments made by the Assistant Director (Governance, Legal & Assurance) shall be in consultation with the appropriate Cabinet

Member and subject to the approval of the Joint Chief Executive (Head of Paid Service).

6. Absence of Joint Chief Executives and other Directors as defined under Human Resources Delegations

6.1 The terms 'Joint Chief Executive', 'Executive Director', 'and 'Director' shall include any officer nominated by them, in writing, to act on their behalf in their absence, when one is unable to act or otherwise in both cases.

6.2 The Joint Chief Executives may act on each others' behalf in their absence, when one is unable to act or otherwise in both cases.

## HUMAN RESOURCES DELEGATIONS

***The following is a summary of those HR matters delegated to Directors. In addition, the final section sets out those matters, related to Director delegations, which should be referred for decisions by councillors.***

The terms Director, and Executive Director are taken to refer to those officers authorised to take decisions in relation to their Directorate/Department and to the Joint Chief Executive (LGR, Devolution and Transformation) for functions in the corporate centre. Specific roles are allocated to the Assistant Director (HR & OD) and to the Chief Financial Officer (S151 Officer); these are areas of delegated corporate responsibility arising from those officers' respective professional remit.

**Pay and Conditions of Service**

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|---|---|
| To implement national, regional and local pay awards, terms and conditions of service, and approved HR policies and procedures including the interpretation of any discretionary clauses | Assistant Director (HR & OD), Chief Financial Officer (S151 Officer), Executive Directors, and Directors |
| To agree the grading of all posts within the County Council excluding Teachers, and Fire-fighters | Assistant Director (HR & OD) |
| To take decisions for all posts, excluding Directors, which relate to starting salary, progression, honoraria, market force supplements and other contractual payments. | Executive Directors, and Directors |
| To take decisions for Directors relating to starting salary, progression, honoraria, market force supplements and other contractual payments. | Joint Chief Executives |
| To extend sick pay at full or half rate for a period of up to 6 months | Executive Directors, and Directors |

**Posts**

| | |
|---|---|
| To make all appointments to posts other than those reserved to the Staff Appointments Committee | Executive Directors, and Directors |
| To make temporary and/or supernumerary appointments beyond approved staffing complements to cover exceptional events e.g. long-term sickness, peak workloads, etc, for a period not exceeding 12 months. | Executive Directors, and Directors |
| To establish externally funded posts, ensuring there is a clear audit trail for the funding. | Executive Directors, and Directors |
| In accordance with County Council policies and procedures to dismiss or formally warn an employee below Director level. | Executive Directors, and Directors |

| | |
|---|---|
| In accordance with County Council policies and procedures to dismiss or formally warn an employee at Director level. | Joint Chief Executives |

**Travel**

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| To authorise the granting of car loans | Chief Financial Officer (S151 Officer) with Executive Directors/ Directors |

**Training**

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|---|---|
| The authorisation of all training requirements including attendance, expenditure and allowances | Executive Directors, and Directors |

**Industrial Relations**

| | |
|---|---|
| To undertake negotiations, consultations and discussions with recognised trade unions and other staff associations | Executive Directors/Directors on operational matters; Assistant Director (HR & OD) on strategic/corporate HR matters |

7. The following summaries of Directors' delegations detail further exceptions and provide appropriate clarification:

## Joint Chief Executive (Head of Paid Service)

1. To be the Head of the Paid Service in accordance with the Local Government and Housing Act 1989.

2. To be responsible for ensuring the Council continues to operate effectively, meeting all statutory requirements whilst delivery safe, high quality and reliable services to residents;

3. To ensure robust financial control across the authority, balancing financial pressures of the organisation with service delivery;

4. To ensure that existing governance arrangements continue and the organisation remains compliant across all statutory and legislative requirements, supporting and responding to inspections from external bodies (Ofsted, CQC, HMI);

5. To support the workforce to remain strong, focussed and resilient through the wider changes of LGR and Devolution;

6. To have authority over all other officers so far as is necessary for the efficient management and execution of the County Council's affairs, functions or services except:

   (i) where officers are exercising specific responsibilities imposed on them under statute;

   (ii) that where the professional judgement or expertise of a Director is involved the officer shall have full opportunity to explain his or her views.

7. Subject to observance of the appropriate procedures and rights of appeal, to decide disciplinary, incapability and salary related matters concerning Directors.

8. To undertake executive powers where necessary in the event of a civil emergency.

9. To exercise the functions of the County Council under the Crime and Disorder Act 1998 and the Learning and Skills Act 2000.

10. To exercise the powers of the County Council under S. 2 of the Local Government Act 2000 (well-being powers), and the Localism Act 2011 (general power of competence).

11. To hold the Executive Director for Children and Young People's Services to account for the effective working of the local safeguarding arrangements.

12. To provide leadership on matters pertaining to health and safety in order to protect our employees and those who may be affected by our activities in accordance with the Health and Safety at Work etc Act (HSWA) 1974.

    Whilst the Joint Chief Executive (Head of Paid Service) cannot delegate accountability under HSWA, they can delegate responsibility to ensure that arrangements are in place to ensure compliance with HSWA. The County Council has delegated this responsibility to the Safety, Health and Wellbeing Board (SHAW Board), chaired by the Head of Health and Safety as the Health and Safety champion for the Council.

13. To be responsible for ensuring that the Council meets its responsibilities with regard to the Counter-Terrorism and Security legislation and statutory Government Guidance, and for providing an Annual Assurance Statement to the Home Office as required.

14. To exercise the functions of the Executive Director of Growth, Highways and Infrastructure

**Joint Chief Executive (LGR, Devolution, Transformation and Change)**

1. To work effectively with the relevant Cabinet Member, so that political direction shapes the programme and that there is support to ensure senior political leadership of the council is kept up to date on the programme and aware of key milestones.
2. To work closely and effectively with the Joint Chief Executive (Head of Paid Service) to ensure the overall DPP work plan is appropriately resourced and managed, and the work on devolution and LGR complement each other for the benefit of Suffolk.
3. To develop and lead with the Joint Chief Executive (Head of Paid Service) and Cabinet Member for Devolution, LGR and NSIPs an effective and timely engagement plan, internally and externally, so that

all councillors, key partners and stakeholders and staff are effectively engaged and kept up to date throughout the DPP.

4. To ensure appropriate governance is followed for key decisions, cost management and operational change, working with senior HR lead, Monitoring officer and S151officer.
5. To work effectively with CLT and cabinet (and wider teams and services) to ensure the ideas, opportunities of LGR are embedded in our approach and the interface with other corporate change programmes (and risks) are properly understood and managed.
6. To support the Joint Chief Executive (Head of Paid Service) and senior Members in engagement with MHCLG officials and Ministers
7. To work effectively with organisations such as CCN and LGA, to ensure we learn lessons from others and use best practice in the development of proposals and integrated service delivery in future structures.
8. Following the government's decision, to be the named Senior Responsible Officer (SRO) for the County Council for Devolution and Local Government Reorganisation.
9. To ensure the development, resourcing and leadership of the implementation plan to move to new unitary council(s) and to be business ready for Vesting Day(s), including working with any new shadow council(s) arrangements and political leadership in the transition phases.
10. Post-vesting day(s), lead the continued organisational change programme and ongoing transformations and integration of services and systems to make the new unitary council(s) as productive and cost-effective as possible, with strong customer service and performance.
11. To support the Joint Chief Executive (Head of Paid Service) in setting the right culture, values and behaviours during the different stages of this programme, and ultimately in the establishment of new unitary council(s) with high visibility and leadership in the organisation and Suffolk.
12. To exercise and delegate to a senior Corporate Services Officer the functions of the County Council relating to Corporate Strategy, Communications and Public Affairs, Finance, Assets and Investment, Governance, Legal and Assurance, Customer Experience and Digital, Human Resources and Organisational Development. In respect of HR the delegation does not apply to matters delegated to the Assistant Director (HR & OD)
13. To be the Clerk to the Lieutenancy (Lord-Lieutenant of Suffolk).

**Assistant Director (Governance, Legal & Assurance)**

1. To act as solicitor to the Council and to institute, conduct and, where appropriate, defend and settle criminal and civil legal proceedings and claims concerning the County Council’s responsibilities and interests except in relation to those covered by the County Council’s insurance policies.

2. To take any action in order to protect the interests of the Council or of any person or property to whom, or for which, the Council has responsibility or in order to give legal effect to any decision or action properly taken by the Council or a Committee or person on behalf of the Council.

3. To be the Monitoring Officer and the Proper Officer in accordance with the Local Government Acts (except where signified under other officer delegations) and the Registration Service Act 1953.

4. To be responsible for the administration of the Council's political management structures.

5. To determine applications for planning permission under Regulation 3 of the Town and Country Planning General Regulations 1992 where such applications relate to land or buildings managed by the Strategic Development Division within the Growth, Highways and Infrastructure Directorate and provided that no objections have been received.

6. To appoint members and clerks to Education Appeal Panels established under the School Standards and Framework Act 1998.

7. To determine applications under Section 15(8) of the Commons Act 2006.

8. To be the 'Qualified Person' in accordance with the Freedom of Information Act 2000.

9. To exercise the function of Senior Information Risk Owner (SIRO) for the County Council.

The SIRO will:

1. Establish an effective Information Governance Framework and ensure compliance with regulatory, statutory and organisational information security policies and standards.

2. Act as the champion for information management within the organisation, being an exemplar for all staff and encouraging the CLT to do likewise.

3. Oversee incident response as well as the investigation of security breaches, and assist as necessary with disciplinary and legal matters associated with such breaches.

**Assistant Director (HR & OD)**

To exercise the functions of the County Council relating to all human resources and employment matters, including the salary and grading structures of all posts subject to observance of appropriate procedures and rights of appeal. The following powers are not within the functions of the Assistant Director (HR & OD):

1. The power to determine the salary and grading structures for posts from JNC Chief Executive to senior manager level (see Part 1, para 12.3).

2. The power to determine the grading of posts does not apply to teachers and other employees subject to the local management of schools, and fire fighters.

3. Executive Directors /Directors having the right to:

   (a) Make temporary and/or supernumerary appointments beyond approved staffing complements to cover exceptional events e.g. long-term sickness, peak workloads, etc for a period not exceeding 12 months.

   (b) Dismiss or formally warn all employees below Director level in accordance with County Council policies and procedures.

4. The scheme of delegation to Executive Directors/ Directors covering detailed HR issues set out above.

To exercise the functions of the County Council relating to all operations of the scheme employer discretions under the local government pension scheme regulations, subject to observance of appropriate statutory rules and limitations, and to report annually to the Suffolk Pension Board any discretions so applied.

**Executive Director of Growth, Highways and Infrastructure**

1. To exercise the functions of the County Council relating to highways, transportation, town and country planning, waste disposal, economic development, flood and water management, environment and countryside.

   In accordance with the National Scheme of Delegation sections 319ZZC – 319ZZF of the Town and Country Planning Act 1990 (introduced through section 54 of the Planning and Infrastructure Act 2025) and the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ("the Regulations"), in considering Schedule 1 Decisions, the Service Director of Growth, Highways and Infrastructure delegates the following functions to the Assistant Director for Housing, Planning and Growth and the Head of Planning: -

   <u>Schedule 1 Decisions</u>

   (i) Applications under section 73 of the Town and Country Planning Act 1990 to develop land without compliance with conditions, where the original permission was a Schedule 1 permission.

   (ii) Applications for reserved matters approval under Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, other than reserved matters relating to a large outline planning permission.

(iii) Applications for the discharge of conditions under Article 27(1) of Town and Country Planning (Development Management Procedure) (England) Order 2015).

(iv) Applications for prior approval under Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015).

(v) Applications for permission in principle under section 58A of the Town and Country Planning Act 1990.

(vi) Requests to agree to modify or discharge a planning obligation under section 106(A)(1)(a) of the Town and Country Planning Act 1990, where the obligation is connected to a Schedule 1 application.

(vii) Applications to modify or discharge a planning obligation under section 106A(3) of the Town and Country Planning Act 1990, where the obligation is connected to a Schedule 1 application.

(viii) Applications for non-material amendments to planning permission or permission in principle under section 96A(4) of the Town and Country Planning Act 1990.

(ix) Applications for certificates of lawfulness of existing use or development under section 191(1) of the Town and Country Planning Act 1990.

(x) Applications for certificates of lawfulness of proposed used or development under section 192(1) of the Town and Country Planning Act 1990.

(xi) Certificates of lawfulness for proposed works to listed buildings under section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(xii) Decisions on Biodiversity Gain Plans under paragraph 13 (2) A of Schedule 7A to the Town and Country Planning Act 1990.

(xiii) Applications for certificates of appropriate alternative development under section 17 of the Land and Compensation Act 1961.

(xiv) Any other function specified in Schedule 1 to the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 which falls within the responsibility of the Minerals, Waste or County Planning Authority.

2. In accordance with the National Scheme of Delegation and the 2026 Regulations, in considering Schedule 2 decisions, the Service Director of Growth, Highways and Infrastructure delegates the following functions to the Assistant Director for Housing, Planning and Growth and the Head of Planning.

a) That the application should be referred to the Committee; and

b) That the application meets at least one of the following criteria in regulation 5(3):

i. The application raises an economic, social or environmental issue of significance to the local area; or

ii. The application raises a significant planning matter having regard to the development plan and any other material planning considerations.

In considering whether to make a referral under paragraph (3), the Head of Planning and the Chair of the Development and Regulation Committee must have regard to any relevant guidance issued by the Secretary of State under Section 319ZZE (4) of the Town and Country Planning Act 1990.

The Head of Planning and the Chair of the Development and Regulation Committee shall make every effort to reach agreement on which Schedule 2 applications should be referred to the Committee. Where agreement is not reached, the application must be determined by an authorised officer in accordance with regulation 5 (2) of the 2026 Regulations.

Where the Head of Planning is unavailable or has an interest in the application, the Development Manager shall act as the nominated officer for the purposes of exercising this function. Where the Chair of the Development and Regulation Committee is unavailable or has an interest in the application, the Vice-Chair of the Development and Regulation Committee shall act as the nominated member for the purposes of exercising this function.

<u>Schedule 2 Decisions</u>

(i) Applications for planning permission not listed in Schedule 1.

(ii) Applications for planning permission which are not householder, minor commercial or minor residential applications and which are the responsibility of the Minerals, Waste and County Planning Authority.

(iii) Applications for planning permission which would otherwise be a Schedule 1 decision but are connected to a Schedule 2 application for listed building consent or for the variation or discharge of conditions attached to a listed building consent.

(iv) Applications for planning permission for development which has already been carried out under section 73A(1) of the Town and Country Planning Act 1990.

(v) Applications under section 73 (1) of the Town and Country Planning Act 1990 to develop land without compliance with conditions previously attached, where the original planning permission was a Scheule 2 planning permission.

(vi) Applications for reserved matters approval under Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 where they relate to a large outline planning permission.

(vii) Where the Minerals, Waste or County Planning Authority considers that a planning obligation is connected to a Scheule 2 application, requests to agree to modify or discharge the

planning obligation under section 106A(1)(a) of the Town and Country Planning Act 1990.

(viii) Where the Minerals, Waste or County Planning Authority considers that a planning obligation is connected to a Schedule 2 application, applications to modify or discharge the planning obligation under section 106A(3) of the Town and Country Planning Act 1990.

(ix) Applications for listed building consent under section 10 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where these fall within the functions of the County Council.

(x) Applications for the variation or discharge of conditions attached to listed building consent under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where these fall within the functions of the County Council.

(xi) Any other function specified in Schedule 2 to the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 which falls within the functions of the Minerals, Waste or County Planning Authority.

3. Own Interest applications

The Development Manager may identify own interest applications for the purposes of regulation 6 of the 2026 Regulations which should be considered by the Head of Planning and the Chair of the Development & Regulation Committee for possible referral before determination. This includes application made by or on behalf of the County Council, a member or officer of the County Council, or applications in which the County Council, a member or officer has an interest.

This includes applications made by or on behalf of the County Council under regulation 3 of the Town and Country Planning General Regulations 1992.

The Head of Planning and the Chair may agree that an identified application should be referred to the Committee in the interests of transparency or propriety. The criteria in regulation 5(3) of the 2026 Regulations do not need to be met. In considering whether to make a referral under paragraph (4), the Head of Planning and the Chair of the Development and Regulation Committee must have regard to any relevant guidance issued by the Secretary of State under Section 319ZZE (4) of the Town and Country Planning Act 1990.

The Head of Planning and the Chair of the Development and Regulation Committee should make every effort to reach agreement on which applications should be referred to the Committee. Where agreement is not reached, the application must be determined by an authorised officer in accordance with regulation 6(3) of the 202 Regulations.

Where the Head of Planning is unavailable or has an interest in the application, the Development Manager shall act as the nominated officer for the purposes of exercising this function. Where the Chair of the Development and Regulation Committee is unavailable or has an interest in the application, the Vice-Chair of the Development and

Regulation Committee shall act as the nominated member for the purposes of exercising this function.

4. Record of Referral

A record shall be included in the published officer report for any application considered by the nominated officer and nominated member for possible referral under regulation 5 or regulation 6 of the 2026 Regulations, setting out the outcome and the reasons for the decision. A summary of such cases shall be report to the Development and Regulation Committee at least annually.

5. Other Planning Functions Delegated to Officers

In addition to the Schedule 1 and Schedule 2 decisions set out above, the following planning functions will be exercised by officers authorised by the Service Director of Growth, Highways and Infrastructure, the Head of Planning or the Development Manager. These delegations apply where the functions are the responsibility of the Minerals, Waste or County Planning Authority and are subject to any review or approval requirements specified below.

These functions fall outside the National Scheme of Delegation of Planning Functions.

a. Planning advice and consultation responses:

(i) Officers can respond to general planning enquiries and provide informally pre-application advice.

(ii) To prepare, sign and issue formal paid pre-application advice. Where the advice has been prepared by an officer below Senior Planning Officer level, it shall be reviewed and approved before issue by a Senior Planning Officer, the Development Manager, the Head of Planning or the Assistant Director for Housing, Planning and Growth. Once approved, the officer who prepared the advice may formally sign and issue the final response.

(iii) To prepare, sign and issue formal consultation responses on behalf of the Minerals and Waste Planning Authority, including responses relating to minerals and waste safeguarding. A response which raises an objection, recommends refusal or identifies a significant conflict with the Minerals and Waste Local Plan shall be reviewed and approved before issue by a Senior Planning Officer, the Development Manager, the Head of Planning or the Assistant Director for Housing, Planning and Growth. Once approved, the officer who prepared the response may formally sign and issue the final response.

(iv) To make representations to outside bodies on matters relating to development proposals, including Local Impact Reports, provided that those representations are not inconsistent with any criteria formally determined by Councillors.

(v) In consultation with the relevant Cabinet Member and local County Councillor(s), to prepare responses to district council, borough council and the Broad Authority local plan consultations. Matters of significant interest or disagreement shall be referred to Cabinet for determination.

(vi) In consultation with the relevant Cabinet Member and local County Councillor(s), to prepare responses to neighbourhood plan consultations. Matters of significant interest or disagreement shall be referred to Cabinet for determination.

b. Enforcement

(i) To investigate alleged breaches of planning control and determine whether enforcement action is expedient.

(ii) To issue a Planning Contravention Notice, Breach of Condition Notice, Enforcement Notice, Temporary Stop Notice or Stop Notice. Before issuing a Stop Notice (but not a Temporary Stop Notice) the Head of Planning or Development Manager shall consult with the Chair and Vice-Chair of the Development & Regulation Committee and notify the relevant local county councillor(s).

(iii) To determine whether to request the commencement of legal proceedings where a person fails to comply with the requirements of a notice.

c. Additional Planning Functions

(i) To adopt screening and scoping opinions and to request further information, under the Town and Country Planning (Environmental Impact Assessment) regulations 2017. Screening opinions and scoping opinions shall be approved by the Head of Planning before issue.

(ii) Before the issue of a planning permission following a resolution of the Development and Regulation Committee, to impose an additional condition where further consultation advice or other information justifies it, provided that the condition accords wholly with the Committee's resolution.

(iii) Before the issue of a planning permission, to make minor amendments to conditions, reasons or informatives for clarity or consistency, or to correct numbering, typographical or drafting errors. Where the decision was made by the Development and Regulation Committee, any amendment must not alter the substance of the Committee's resolution.

(iv) To revoke or modify or discontinue an existing planning permission under section 97 or section 102 of the Town and Country Planning Act 1990. Other than to address an administrative error, before revoking or modifying or discontinuing a planning permission previously determined by a Committee, the proposed action shall be referred to the local county councillor(s), Chairman and Vice Chairman of the Development and Regulation Committee for consultation. The matter shall be referred to the Committee where the Assistant Director for Housing, Planning and Growth or the Head of Planning considered Committee determination appropriate.

(v) To determine whether or not to require the submission of an application for the periodic review of mineral planning

permissions, following consultation with the local county councillor(s), in accordance with the power provided by Section 10 and Schedule 3 of the Growth and Infrastructure Act 2013.

(vi) To determine applications for the review of mineral planning permissions and the determination of conditions under Schedules 13 and 14 of the Environment Act 1995.

(vii) To negotiate and agree the terms of planning obligations under section 106 of the Town and Country Planning Act 1990 and to authorise their completion, variation or enforcement.

6. To be the proper officer of the County Council for the purposes of Ordnance Survey matters under section 191 of the Local Government Act 1972 and for the purpose of receiving for deposit lists of buildings of special architectural or historic interest under the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Decisions on the use and distribution of any surplus from the On-Street Parking Account in consultation with the relevant Cabinet Member.

8. To consider, take decisions on, and sign Traffic Regulation orders under section 16A of the Road and Traffic Regulation Act 1984, in consultation with the relevant Cabinet Member; and where appropriate, refer matters to the Development and Regulation Committee.

**Chief Financial Officer (S151 Officer) - Responsible Financial Officer (under section 151 of the Local Government Act 1972)**

1. To be responsible for the proper administration of the financial affairs of the Council in accordance with section 151 of the Local Government Act 1972, which responsibility shall include all arrangements concerning financial planning, financial control, banking, accounts, income, insurances, investments, bonds, loans, leasing, borrowing (including methods of borrowing), trust funds, the payment of creditors and the payment of salaries and wages.

2. To provide independent financial oversight and challenge on matters relating to the pension fund to ensure all financial risks relating to the fund are properly managed as part of the Council's financial affairs. The Chief Financial Officer will ensure that the Pension Fund complies with Council's Financial Regulations

3. To be responsible for the provisions of the Accounts and Audit Regulations 2015 in respect of the need to maintain an adequate and effective system of internal audit of the Council's accounting records and of its system of internal control in accordance with proper internal audit practices

4. To be the Proper Officer of the Council in relation to the following statutory provisions

Local Government Act 1972

(1) Section 115(2) .. The officer to whom all money due from every officer employed by the Council shall be paid.

(2) Section 146 .. The officer to make any statutory declaration in connection with the transfer of securities.

Local Government (Miscellaneous Provisions) Act 1976

(3) Section 30 .. The officer to write off overpayment of salary, allowances or pensions which occur as a result of the death of an employee or pensioner.

Local Government Finance Act 1988

(4) Section 114-115 .. The officer responsible for reporting on unlawful expenditure decisions or where expenditure exceeds the resources available.

Local Government Act 2003

(5) Section 25 .. The officer responsible for reporting on the robustness of the estimates made for the purposes of calculating the annual budget and precept, and the adequacy of the proposed financial reserves.

**Head of Pensions (LGPS Senior Officer**

1. To be responsible for all pension functions of the authority as the administering authority for the Suffolk Pension Fund, in accordance with Regulation 53A of the Local Government Pension Scheme Regulations 2013 as amended by the Local Government Pension Scheme (Amendment) (Governance) Regulations 2026. This responsibility includes ensuring that the pension fund maintained by the administering authority is appropriately managed and resourced in respect of all matters relating to the Scheme (including administration, investment and governance).

2. The LGPS Senior Officer is responsible for the effective functioning of the fund, ensuring good governance, decision making and regulatory compliance. They are responsible for ensuring that all risks relating to the fund are escalated appropriately and that the Chief Financial Officer (S151 Officer) is involved in all decisions that impact on the financial affairs of the Council.

**Executive Director for Children and Young People's Services (EDCS)**

**3. To exercise the Council's functions relating to Children's Social Care and to exercise the Council's functions relating to the health of children**

(i) **Section 11 of the Children Act 2004** requires local authorities and other named statutory partners to make arrangements to ensure that their functions are discharged with a view to safeguarding and promoting the welfare of children; ensure that there are clear and effective arrangements to protect children and young people from harm (including those attending independent schools).

(ii) Local authorities are also required to set up a LSCB to coordinate the effectiveness of arrangements to safeguard and promote the welfare of children and young people in that area.

(iii) To have responsibility within the local authority for improving outcomes for children and young people, children's social care functions and local cooperation arrangements for children's services.

(iv) To have a shared responsibility with all officers and members of the local authority to act as effective and caring corporate parents for looked after children, with key roles in improving their educational attainment, providing stable and high-quality placements and proper planning for when they leave care.

(v) To ensure that disabled children and those with special educational needs (SEN) can access high quality provision that meets their needs and fund provision for children with statements of SEN.

(vi) To ensure arrangements are in place for alternative provision for children outside mainstream education or missing education (e.g. due to permanent exclusion or illness) to receive suitable full-time education.

(vii) To understand local need and secure provision of services taking account of the benefits of prevention and early intervention and the importance of co-operating with other agencies to offer early help to children, young people and families.

**4. To exercise the Council's functions relating to the Youth Offending service**

(i) To ensure there is coherent planning between all agencies providing services for children involved in the youth justice system (including those leaving custody), secure the provision of education for young people in custody and ensure that safeguarding responsibilities are effectively carried out.

(ii) **Section 10 of the Children Act 2004** places a duty on local authorities and certain named partners (including health) to co-operate to improve children's well-being. The **EDCS** must lead, promote and create opportunities for co-operation with local partners (for example, health, police, schools, housing services,

early years, youth justice, probation, higher and further education, and employers) to improve the well-being of children and young people.

**5. To exercise the Council's functions relating to education and training and to make decisions on the licensing of the employment of children**

(i) Working with headteachers, school governors and academy sponsors and principals, local authorities should promote educational excellence for all children and young people and be ambitious in tackling underperformance.

(ii) Taking rapid and decisive action in relation to poorly performing schools, including using intervention powers with regard to maintained schools and considering alternative structural and operational solutions.

(iii) To develop robust school improvement strategies, including choosing whether to offer such services in a competitive and open school improvement market, working beyond local authority boundaries.

(iv) To promote high standards in education by supporting effective school to school collaboration and providing local leadership for tackling issues needing attention which cut across more than one school, such as poor performance in a subject area across a cluster of schools.

(v) To support maintained schools in delivering an appropriate National Curriculum and early years providers in meeting the requirements of the Early Years Foundation Stage (as outlined in the EYFS Statutory Framework).

(vi) To establish a school's forum for the area, maintain a scheme for financing-maintained schools and provide financial information;

(vii) To undertake specified responsibilities in relation to staffing and governance of maintained schools.

(viii) Local authorities should promote the interests of children, young people, parents and families and work with local communities to stimulate and support a diversity of school, early years and 16-19 provision that meets local needs.

(ix) To ensure fair access to all schools for every child in accordance with the statutory School Admissions and School Admissions Appeal Codes and ensure appropriate information is provided to parents.

(x) To ensure provision for suitable home to school transport arrangements.

(xi) To actively promote a diverse supply of strong schools, including by encouraging good schools to expand and, where there is a need for a new school, seeking proposals for an Academy or Free School;

(xii) To promote high quality early years provision, including helping to develop the market, securing free early education for all three/ four year old's and for all disadvantaged two year old's, providing information, advice and assistance to parents and prospective parents and providing information, advice and assistance to parents and prospective parents, and ensuring there are sufficient Sure Start children's centre services to meet local need and sufficient childcare for working parents.

(xiii) To secure access for young people to enough educational and recreational leisure-time activities and facilities for the improvement of their well-being and personal and social development.

(xiv) To promote children's and young people's participation in public decision- making so they can influence local commissioners; and should promote participation in education or training of young people, including by securing provision for young people.

(xv) To act as a representative on the Suffolk Health and Wellbeing Board (section 194(2)(c) of the Health and Social Care Act 2012

**Executive Director for Adult Social Care (EDASC)**

1. To exercise the functions of the County Council with regard to its responsibilities for care and support for adults, support for carers and safeguarding adults from abuse or neglect as set out in:

   Care Act 2014

   The Mental Capacity Act (2005) and Deprivation of Liberty Safeguards

   The Mental Health Act 2007

   The Human Rights Act 1998

   The Domestic Violence, Crime and Victims Act 2004 and subsequent legislation relating to Domestic Violence Protection Notices and Orders, the criminal offence of Coercive and Controlling Behaviour, Modern Slavery and Forces Marriages

2. To undertake the function of the supervisory body for the purposes of the Mental Capacity Act 2005 Deprivation of Liberty Safeguards, and to act as Authorised Signatory when the supervisory body gives an authorisation for deprivation of liberty.

The Council should, through the office of the EDASC, ensure that effective systems are in place for discharging the following functions (including where a local authority has commissioned any services from another provider rather than delivering them itself):

- Prevention, information and advice
- Systems leadership and making sure the voice of social care social work and the social model is heard, particularly by working with NHS partners, the police, providers, voluntary organisations, the wider council and members of the community etc. to:

  - shape care and health and wider public services in the area
  - promote the inclusion and rights of disabled and older people

- Leading and championing the voice of people needing social care by engagement with them, shaping, influencing and implementing policy

- Meeting essential needs for care and support, including market shaping and continuity: commissioning effectively and ensure the availability and quality of services that people want in order to be in control of their lives.

- Safeguarding adults needing care and support:

  - from abuse or neglect
  - when doctors are considering compulsory treatment or admission to psychiatric hospital
  - when people lack capacity to decide and may be restricted of their liberty.

- Financial and resources management - to manage within resources, including fair charging policies and to advocate for a fair share for adults needing care and support

3. To exercise the functions of the County Council relating to adult and community learning;

4. To act as a representative on the Suffolk Health and Wellbeing Board (section 194(2)(b) of the Health and Social Care Act 2012.

**Executive Director of Public Health**

1. To exercise the statutory public health function of the County Council under the Health and Social Care Act 2012.

2. To produce and publish a report on the health of the local population in accordance with Section 31 of the 2012 Act.

3. To have responsibility, in accordance with Section 30 of the 2012 Act, for:

- all of the County Council's duties to take steps to improve the health of the people in its area;

- any of the Secretary of State's public health protection or health improvement functions delegated to local authorities, either by arrangement or under regulations – these include services mandated by regulations made under section 6C of the 2006 Act, inserted by section 18 of the 2012 Act;

- exercising the County Council's functions in planning for, and responding to, emergencies that present a risk to the public's health;

- the County Council's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders; and

- such other public health functions as the Secretary of State specified in regulations.

4. As well as those core functions, the Acts and regulations give the Director of Public Health responsibility for:

   - the County Council's public health response as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications (a function given to local authorities by sections 5(3), 13(4), 69(4) and 172B(4) of the Licensing Act, as amended by Schedule 5 of the 2012 Act);

   - ensuring that if the County Council provides or commissions a maternity or child health clinic, then through regulations made under section 73A(1), having responsibility for providing Healthy Start vitamins (a function conferred on local authorities by the Health Start and Welfare Food Regulations 2005 as amended); and

   - having a place on the Suffolk Health and Wellbeing Board (section 194(2)(d) of the 2012 Act.

5. To exercise the functions of the County Council relating to libraries, museums, archives and the arts and heritage.

**Chief Fire Officer and Executive Director for Public Safety**

The Chief Fire Officer and Executive Director for Public Safety is authorised to:

1. <u>Licences, Notices and Registrations</u>
   Exercise the County Council's powers and duties arising by virtue of any provision under the statutes or any amendments, regulations or EC directives appertaining thereto listed in relevant legislation below.

2. <u>Appointment and Authorisation for Powers of Entry</u>

Exercise the County Council's statutory powers with regard to authorising officers for the purposes of exercising powers of entry under relevant statutes.

3. Appointment of Fire Service Inspectors
Exercise the County Council's statutory powers and duties to appoint such officers of the Service as are in the opinion of the Chief Officer suitably qualified to act as inspectors pursuant to relevant statute.

4. In consultation with the Assistant Director (HR & OD), to exercise the functions of the County Council relating to all operations of the scheme manager discretions under the firefighters pension scheme regulations, subject to the observance of the appropriate statutory rules and limitations, and to report annually to the Suffolk Firefighters' Pension Board any discretions so applied.

5. Exercise the County Council's statutory functions under relevant legislation and authorise officers to carry out such functions.

Legislation
The Fire and Rescue Services Act 2004
The Regulatory Reform (Fire Safety) Order 2005
The Health and Safety at Work etc. Act 1974
The Construction (Design and Management) Regulations 2007
The Theatres Act 1968
The Gaming Act 1968
The Cinemas Act 1985
The Local Government (Miscellaneous Provisions) Act 1982
The Licensing Act 2003
Policing and Crime Act 2017

Administer and negotiate general conditions of service issues for staff covered by the National Joint Council for Local Authority Fire Brigades and the Local Government Services Schemes of Conditions of Service.

Emergency Planning

To exercise the functions of the County Council under the Civil Contingencies Act 2004, the Radiation (Emergency Preparedness and Public Information) Regulations 2019, the Control of Major Accident Hazards Regulations 2015 and the Pipelines Safety Regulations 1996. These functions are routinely discharged by the Suffolk Joint Emergency Planning partnership established under the Local Authority (Goods & Services) Act 1970. The public information duties under Regulations 21 and 22 of the Radiation (Emergency Preparedness and Public Information) Regulations 2019 is routinely discharged by the Head of Communications.

**Head of Trading Standards**

1. To exercise the functions of the County Council under legislation concerning food, agriculture, weights and measures, consumer safety,

consumer protection, petroleum, explosives, animal health and other fair trading matters.

2. To exercise the County Council's statutory functions under The Fire Safety and Places of Sport Act 1987 and authorise officers to carry out such functions.

3. To discharge the functions of the County Council under the Safety of Sports Grounds Act 1975 (as amended

4. Exercise the County Council's powers to obtain communications data, undertake directed surveillance and utilise covert human intelligence sources, whether employed by the Authority or otherwise subject to compliance investigatory powers legislation.

Exercise the County Council's powers as consultee under any legislation including objecting to the issue of licences, consents, registrations or permissions and/or submitting responses or representation.