

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
To exercise the various miscellaneous functions, including the giving of notices relating to the setting up of names of streets etc.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
7. SECTION 9 To vary street and building numbering and naming and to modify the regulations agreed by Committee under this section.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
8. SECTION 14 To keep a record of names of streets etc. and the numbers and/or names of buildings and to determine reasonable fees for the inspection and provision of copies of such records.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
9. SECTION 20 To impose conditions in respect of buildings of excess height or cubical extent.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
10. SECTION 21 Consent to uniting of buildings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
11. SECTION 30 Consent to erection and retention of special and temporary structures.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
12. SECTION 31 To initiate proceedings for orders relating to erection/retention of buildings without consent and non-compliance with conditions.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
13. SECTION 34				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Protection against fire in certain new buildings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
14. SECTION 35 Protection against fire in certain old buildings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
15. SECTION 36 To exercise powers as to fire resistance of roofs of projecting shops.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
16. SECTION 37 Means of access to roofs.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
17. SECTION 38 Storage of inflammable liquids.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
18. SECTION 39 To consent to alterations where means of escape approved under London Building Acts (Amendment) Act 1905, London Building Act 1930 and London Building Acts (Amendment) Act 1939.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
19. SECTION 40 To initiate proceedings against offender not being owner.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
20. SECTION 61				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
21. To survey dangerous structures and take steps to remove immediate danger. SECTION 62	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
Certification of dangerous structures and authorisation of shoring etc.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
22. SECTION 63				
Appointment of arbitrator and authorisation of payment costs.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
23. SECTION 64				
Authorisation of works in default.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
24. SECTION 65				
Initiate proceedings notwithstanding arbitration.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
25. SECTION 67				
Initiate proceedings for removal of occupants of dangerous structures.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
26. SECTION 69				
Initiate proceedings in respect of neglected structure.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
27. SECTION 70				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Initiate proceedings in respect of non payment of expenses incurred by Council.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
28. SECTION 82 Duties of District Surveyor.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
29. SECTION 87 Notices of objection.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
30. SECTION 88 Notices of irregularity.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
31. SECTION 89 Notices of irregularity after completion.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
32. SECTION 90 Initiate proceedings for non-compliance with Notice of Irregularity.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
33. SECTION 95 Abate fees due under London Building Acts after consultation with the Director of Finance.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
34. SECTION 96				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Initiate proceedings for recovery of fees.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
35. SECTION 104 Initiate proceedings to demolish and alter buildings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
36. SECTION 106 Removal and disposal of materials.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
37. SECTIONS 109 TO 120 Authorisation of Tribunal of Appeals to hear appeals under London Buildings Acts.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
38. SECTION 122 To sign documents.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
39. SECTION 126 Information as to ownership.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
40. SECTION 132 Consent to restoration of historic buildings without complying with London Building Acts and by-laws.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
41. SECTION 133 Maintenance of means of escape etc.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
42. SECTION 134 Consent to alter buildings without compliance with statutory requirements.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
43. SECTION 138 Consent to rebuilding of party/external walls demolished by more than 50%.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
44. SECTION 139 Consent to conversion without compliance with statutory requirements.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
45. SECTION 144 Power to annex conditions to consents.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
46. SECTION 153 Receipt of notice of Cessation of Exemption.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
<p>Note: All references to London Building Acts also refer to amendments made by the Building (Inner London) Regulations 1985, the Local Government Reorganisation Miscellaneous Provision [No. 4] Order 1986) and the Building (Inner London) Regulations 1987.</p> <p>BUILDING ACT 1984</p> <p>To exercise the following powers:</p> <p>47. SECTIONS 8,9 AND 10</p> <p>Relaxation of building regulations.</p>	<p>Cabinet Urgency Committee 12 February 2003</p>	<p>Cabinet</p>	<p>Executive</p>	<p>Transfer</p>
<p>48. SECTION 15</p> <p>Consultation with fire authority.</p>	<p>Cabinet Urgency Committee 12 February 2003</p>	<p>Cabinet</p>	<p>Executive</p>	<p>Transfer</p>
<p>49. SECTION 16</p> <p>Passing or rejection of plans.</p>	<p>Cabinet Urgency Committee 12 February 2003</p>	<p>Cabinet</p>	<p>Executive</p>	<p>Transfer</p>
<p>50. SECTION 19</p> <p>Use of short-lived materials.</p>	<p>Cabinet Urgency Committee 12 February 2003</p>	<p>Cabinet</p>	<p>Executive</p>	<p>Transfer</p>
<p>51. SECTION 21</p> <p>Provision of drainage.</p>	<p>Cabinet Urgency Committee 12 February 2003</p>	<p>Cabinet</p>	<p>Executive</p>	<p>Transfer</p>
<p>52. SECTION 22</p>				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Drainage of buildings in combination.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
53. SECTION 32 Lapse of deposit of plans.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
54. SECTION 35 Initiating proceeding for contravention of regulations.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
55. SECTION 36 Service of notice requiring removal or alteration of offending work and authorisation of work to comply.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
56. SECTION 37 Acceptance/refusal of an independent report and authorisation of expenses.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
57. SECTION 39 Submission to Secretary of State of grounds for refusing relaxation.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
58. SECTION 47 AND 48 Acceptance/rejection of initial notice.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
59. SECTION 50				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Acceptance/rejection of plans certificate.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
60. SECTION 51 Acceptance of final certificate.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
61. SECTIONS 52 AND 53 Cancellation of initial notice.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
62. SECTION 54 Acceptance/rejection of public body's notice.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
63. SECTION 56 Maintenance of register of initial notices.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
64. SECTION 57 Initiate proceedings against certifier for supplying misleading information.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
65. SECTION 62 Require disused drains to be sealed where work supervised under Building Regulations.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
66. SECTION 84				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
Drainage of yards and passages.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
67. SECTION 91(2) Duty to enforce regulations including inspection policy.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
68. SECTION 93 Power to authorise the signing of documents.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
69. SECTIONS 95(3), (4) & SECTION 96 Applications for warrant to effect entry after consultation with the Chairman or Vice-Chairman of the Planning and Licensing Committee.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
70. SECTION 99 Enforcement of Notice requiring works.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
71. SECTION 100 Sale of materials.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
72. SECTION 104 Modify decision after appeals.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER**DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE**

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
73. SECTION 106 Agree appointment of arbitrator in case of claim for compensation.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
74. SECTION 112 Initiate proceedings for obstruction.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
BUILDING REGULATIONS 1991, 1992, 1994, 1995, 1997, 2000,2002 To exercise the following powers:				
75. REGULATIONS 12, 13, 14, 15 AND 16 Receipt of building notices full plans and other notifications.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
76. REGULATION 15 Service of open up notices where notification not given.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
77. REGULATION 17 To give Completion Certificates.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
78. REGULATION 18 Authorisation of tests of drains and sewers.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
79. REGULATION 19 Authorisation of sampling.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
80. REGULATION 21 To give regularisation certificates.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
CITY OF WESTMINSTER BUILDING REGULATIONS CHARGES SCHEME:				
81. To determine whether estimated costs are reasonable and make alterations to scheme.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
RIGHT OF ENTRY				
82. To authorise the exercise of powers of entry under Section 142 of the London Building Acts (Amendment) Act 1939, Section 94 of Building Act 1984 and Section 11 of the Safety of Sports Grounds Act 1975 for the purposes of, and subject to the notice set out in those sections.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
THE PARTY WALL ETC. ACT 1996				
83. To act as "appointing officer" under Section 19(8) of the above Act.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
LONDON LOCAL AUTHORITIES ACT 1991 (SECTION 22)				
84. To authorise the removal of distribution containers on the highway.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
GREATER LONDON COUNCIL (GENERAL POWERS ACT 1986)				
85. SECTION 5 To grant consent for demolition works under street level.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
86. SECTION 6				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
87. SECTION 7 To grant consent for construction which causes obstruction to access to vaults and cellars.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
88. SECTION 8 To exercise powers relating to certain retaining walls.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
GREATER LONDON COUNCIL (GENERAL POWERS) ACT 1984				
89. To make charges in respect of approval of plans etc. relating to claims.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
90. SECTION 38 To authorise the removal of occupants of buildings in vicinity of dangerous structures etc.	General Purposes Committee 12 February 2003	General Purposes Committee	Non-Executive	Transfer
TRANSPORTATION Highways Acts				
1. To determine applications for bus stop signs and bus shelters.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
2. To temporarily relocate pedestrian crossings where this is incidental to the carrying out of other works affecting the highway.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

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3. To grant or refuse applications other than under the Planning Acts for: (a) the establishment of petrol stations; (b) taxi cab standings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
4. To deal with applications for new bus and coach routes and terminal workings or alterations to existing routes.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
5. To respond, in consultation as appropriate with the relevant Cabinet Member and Ward Councillors, to London Regional Transport consultations on bus service changes under Section 36 of the Transport Act 1985 and London Regional Transport Underground Service changes (non-statutory) consultations.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
6. To sign traffic management orders and actions under Section 10(2) of the Road Traffic Regulation Act 1984.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
7. To provide traffic signs.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
8. To deal with applications for bus stands.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
9. To provide box junction markings.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
10. To designate cycle parking places.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
TRAFFIC ORDERS UNDER SECTIONS 6, 9 AND 45 OF THE ROAD TRAFFIC REGULATION ACT 1984				
11. To make Orders under Section 45 of the Road Traffic Regulation Act 1984 to enable the temporary conversion of parking places from meters to residents' bays where there are problems caused by long term suspensions of residents' bays, such authority to include the function of formulating Statements of Reasons for the Orders.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
12. To provide new crossing patrols in consultation with the relevant Cabinet Member.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
13. To carry out the procedures leading to the making of an order.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
14. To consult more widely than with those on the approved list when in individual cases the Director of Environment and Leisure considers it appropriate.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
15. To make the Orders and to take any consequential procedural steps where no objections are received as a result of Public Notice.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
16. To consider objections to proposed Traffic Management Orders and, after consultation with the relevant Cabinet Member which authorised the order on any objections which raises issues not previously considered by the former Committee or Cabinet Member, to decide whether or not to make the order as proposed except that, where as a pre-condition of the making of the order as proposed to a Public Inquiry would have to be held, the proposal shall be referred back for further consideration.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
17. To carry out the procedures leading to the making of Experimental Traffic Orders under Section 9 of the Road Traffic Regulation Act 1984 and incorporating provisions to modify or suspend them and to take such consequential procedural steps as may be necessary.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
18. To authorise the making of Traffic Management Orders (Prescribed Routes) for banned or compulsory turns.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
19. To authorise and/or place in the carriageway such bollards or other obstructions as may be appropriate to prevent the passage of vehicles pursuant to Section 94 of the Road Traffic Regulation Act 1984.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
20. To make amendments to Traffic Orders required as a result of the Traffic Signs Regulations.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
21. To make amendments to parking places and the related Parking Places Orders and deal with minor amendments to Waiting and Loading Restrictions Orders subject to consulting with the relevant Cabinet Member where objections other than those which in the opinion of the Director are of a minor or non-controversial nature arise.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
22. To carry out the procedures leading to the establishment, alteration and removal of pedestrian crossings under Section 23 of the Road Traffic Regulation Act 1984.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
23. To authorise orders prohibiting cycling on footpaths.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
24. To undertake the improvement, repair and maintenance of highways (including bridges and subways) for which the City Council is responsible, including the negotiation and placing of contracts within amounts provided for in the Revenue and Capital Estimates or in legal agreements with developers or others.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
25. To consider objections to the installation or removal of road humps and having consulted the relevant Cabinet Member on any objection which raises issues not previously considered by the Sub-Committee, to decide whether or not to proceed with any installations.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
26. To give Notice of Variation under Section 46A of the Road Traffic Regulation Act 1984.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
Planning Acts				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
27. To authorise agreements and Undertakings under Section 106 of the Town and Country Planning Act 1990, Section 16 of the GLC (General Powers) Act 1974, Section 278 of the Highways Act 1980 and Section 33 of the Local Government Act 1972, the release of such obligations and the modification or discharge of planning obligations, but only where in the opinion of the Director no major, controversial or sensitive issues are raised.	Major Planning Applications Committee 30 January 2003	Planning & City Development Committee	Non – Executive	Transfer. <u>The power to authorise agreements needs to be given to the Director of Environment and Leisure (as well as to the Director of Planning and City Development) because he is responsible for highway maintenance and improvement. There will be occasions when he needs to authorise an agreement under one of these statutory provisions for minor highway works unconnected with a planning application</u>
28. To agree the details of highway works that are linked by legal agreement to a development scheme where in the opinion of the Director no significant issues are raised.	Major Planning Applications Committee 30 January 2003	Planning & City Development Committee	Non – Executive	Transfer
TO DEAL WITH THE FOLLOWING FUNCTIONS EXCEPT WHERE, IN THE OPINION OF THE DIRECTOR, ISSUES OF A MAJOR, CONTROVERSIAL OR SENSITIVE NATURE ARE RAISED:				
29. To exercise powers under Section 11 (Part III) of the General London Council (General Powers) Act 1969 including powers related to the provision and declaration of walkways.	General Purpose Committee 12 February 2003	General Purpose Committee	Non-Executive	Transfer
GENERAL				
1. To authorise notices under the Highways Act 1980, the Housing Acts, the Public Health Act 1936 and the Planning Acts requiring the provision of information as to the ownership of premises where the Council has authorised action under the appropriate Acts.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
2. To request information as to persons having an interest in land pursuant to Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
3. To appoint and brief consultants in connection with the carrying out of works on behalf of the Cabinet Member or Cabinet.	Cabinet Urgency Committee 12 February 2003	Cabinet	Executive	Transfer
CLEANSING				
1 To authorise the service of notices under the London Local Authorities Act 1995 to secure the removal of unauthorised advertisement hoardings, and entry to the land, removal and disposal of the advert hoardings and recovery of expenses if required.	Major Planning Applications Committee 30 January 2003	Planning and City Development Committee	Non – Executive	Transfer
2 To authorise and secure the removal or obliteration of any placard or poster in accordance with the Town and Country Planning Act 1990 or London Local Authorities Act 1995.	Major Planning Applications Committee 30 January 2003	Planning and City Development Committee	Non – Executive	Transfer
Highways Act 1980				
Section 132				
2 Power to remove and issue fines in relation to unauthorised marks on the highways	New	Cabinet	Executive	New Relates to additional powers for removing flyposting and graffiti from Highways.
Section 185				
4. Power to install refuse or storage bins in street.	New	Cabinet	Cabinet	New Relates to placing of litter bins, recycling bins etc in the street. Supports those powers already in operation.
Dog (Fouling of Land) Act 1996				
Section 3 & 4				

Previous Issue:

This Issue: November 2003

CITY OF WESTMINSTER

DELEGATED AUTHORITY TO DIRECTOR OF ENVIRONMENT AND LEISURE

Subject	Last Delegated by:	To be Delegated by:	Executive/ Non-Executive	Reason For Change
5. Proceedings for offence of failing to clean up after a dog and issuing of fixed penalty notices London Local Authorities Act 2000 Section 18	New	Cabinet	Executive	New New delegation to reflect adoption of new legislation
6. Enforcement of Waste Control enactments Section 19 & 20	New	Cabinet	Executive	New Delegation to enforce against those who do not comply with waste enactments
7. Cleansing relevant land of litter and refuse Section 21	New	Cabinet	Executive	New General enabling power relating to removal of litter and refuse from non-highway land
8. Offence of leaving litter	New	Cabinet	Executive	New To allow enforcement against those who abandon or dump litter on non-highway land

Previous Issue:

This Issue: November 2003
