

SCHEME OF DELEGATION FOR OFFICERS

1. Definition.

- 1.1 In this scheme, “chief officer” means the Chief Executive, any *Corporate* Director or Head of Service, depending on the service area in question.
- 1.2 Any reference to an Act in this scheme includes a reference to any amendment thereto or re-enactment thereof of any order or secondary legislation made thereunder.

2. General.

- 2.1 Under this scheme, each chief officer is authorised to act on behalf of the Council in relation to any matter within his/her service area SUBJECT TO THE FOLLOWING :-
 - 2.1.1 policies approved by the Council or the Board.
 - 2.1.2 any matters reserved to the Council, the Board, Committee or sub-committee or delegated to a Portfolio Holder;
 - 2.1.3. the Constitution of the Council (including the Council’s Procedure Rules, the Financial Procedure Rules and the Contracts Procedure Rules.
- 2.2 Where the exercise of delegated powers is likely to affect more than one service, the chief officer must consult with any other chief officer whose service may be so affected
- 2.3 Without prejudice to his/her delegated powers or to that of the relevant Committee, and in appropriate circumstances only, each chief officer should, when exercising his/her powers:-
 - 2.3.1 keep the Board fully informed, in particular members of the Board who are the portfolio holders for the service area in question and also have due regard to any comments made by the relevant scrutiny committee regarding the matter in question.
 - 2.3.2 ensure that he/she consults with/or informs the local member(s) in advance;
 - 2.3.3 ensure that he/she consults with/or informs the Chief Executive.
- 2.4 2.4.1. Before exercising a delegated power, each chief officer must consider whether the decision is one that should be referred to the Board, or appropriate committee or sub-committee for decision.
- 2.5 In deciding whether to refer a matter to the Board, committee or sub-committee the chief officer will have regard to the following considerations :-
 - 2.5.1 day to day decision on technical or professional issues will normally be taken without reference to members.

- 2.5.2 the views of the local member, portfolio leader and Chief Executive must be taken into account.
- 2.5.3 if a decision is likely to have a significant impact on the Council's profile or is likely to attract unfavourable comment in the press, there will be a presumption in favour of referring it to members.
- 2.6. Any new function which becomes the Council's responsibility will be included within this scheme without the need for the full Council to amend the scheme and if any doubt should arise as to which chief officer is responsible for the function the Chief Executive shall decide.

3. General Delegation.

- 3.1 Each chief officer (having consulted with the relevant portfolio holder where appropriate) is authorised to take any action necessary to protect or promote the Council's interests, subject to the restrictions noted in paragraph 1 above.
- 3.2 Without prejudice to the generality of the above provisions, this includes exercising his/her professional judgment to take such decisions as are necessary to implement the Council's policies and to promote the management and delivery of the services which are his/her responsibility.
- 3.3 Any powers granted to a chief officer may be discharged either in his/her absence by such officer(s) as may be authorised by him/her or in accordance with any general instructions or provisions made by him. In the absence of the chief officer, any officer appointed by him/her to deputise on his behalf may also authorise the exercise of the delegated powers. For the avoidance of doubt such authorisations may be granted to persons who are not officers of the Council.
- 3.4 Each chief officer may authorise his/her staff to exercise such powers as necessary to enter or inspect any land, buildings or properties and to provide any evidence or authority as necessary for discharging their duties in accordance with the Council's statutory powers.
- 3.5 In relation to matters reserved to the Council, the Council Board or other committee or sub-committee, if the matter is urgent, the relevant chief officer will be permitted to act in between meetings, in consultation with the appropriate portfolio holder and local members and leaders of the political groups as necessary, on condition that any such action is consistent with the Council's general policies and that a report on the action taken is presented to the next meeting of the Council, Council Board, committee or sub-committee.
- 3.6 In consultation with the Head of Human Resources, each chief officer is authorised to act in relation to staffing matters including the recruitment, appointment, review of structure, approving accelerated increments within the grade for the post, awarding a temporary honorarium, disciplining and dismissal of staff, subject to any matters which have been reserved to the Council or the Human Resources Committee and subject (in cases of a change of structure which involves viring finance from other budget headings) to compliance with the Financial Procedure Rules and to receiving the approval of the relevant Senior Leader to the business case.

- 3.7 Each chief officer is authorised to act in relation to procurement and contracts within the approved budget and in accordance with the Contracts Procedure Rules.
- 3.8 Each chief officer is authorised to act on financial matters, in accordance with the Financial Procedure Rules.
- 3.9 Each chief officer is authorised to serve such statutory notices as necessary to determine whether any person has a legal interest in land.
- 3.10 Each chief officer is authorised to manage the assets, vehicles and equipment belonging to the Service for which he/she has responsibility. This includes the granting of permission for any event to be held on Council land and the letting of rooms in buildings for which he/she is responsible for periods of 24 hours or less.
- 3.11 Each chief officer is authorised as an Authorised Officer for the purpose of the Regulation of Investigatory Powers Act 2000 and may authorise other officers within their service similarly to be Authorised Officer.
- 3.12 Each chief officer is authorised, in consultation with the relevant portfolio leader, to set fees for licences, consents, etc. which are not the responsibility of the Board or any other central committee, subject to prior confirmation by the Head of Finance that he is persuaded that the proposals recommended are not likely to create a deficit in the Service's accounts.
- 3.13 ***Each chief officer is authorised to determine and vary (after considering usage, public opinion and finance) the opening hours of all sites relating to the service.***

4. Specific Powers

4.1 The powers listed in the document entitled “Functions which are not to be the responsibility of the Board” contained in Part 3 of the Constitution are delegated to the chief officer named in the fourth column of that document. (Where no Chief Officer is named the power is not delegated to officers but is retained by the committee named in the third column).

4.2 The following specific powers and duties are delegated to the chief officer named below.

4.3 The Chief Executive

4.3.1 Head of paid service under Section 4 – Local Government and Housing Act 1989.

4.3.2 Overall responsibility for policy and performance in general.

4.3.3 Exercising the duties of the Clerk to the Lieutenancy.

4.3.4 Exercising the Council’s powers under the Civil Contingencies Act 2004 and emergency planning

4.4 Corporate Director (with responsibility for the pension fund)

4.4.1 The right to act on the practical aspects of the investment strategy set by the Pensions Committee.

4.5 }

4.6 } ***Not being used.***

4.7 }

4.8 Head of Human Resources

- 4.8.1 To act on a day to day basis and within the scheme in the following areas:-
- Terms and conditions of services
 - Industrial relations
 - Staff training and development
 - Recruitment and appointment procedure
 - Employer's responsibility of health and safety matters.
- 4.8.2. To be the proper officer for signing applications for checks with the Criminal Records Bureau.
- 4.8.3 To determine, on behalf of the Council as employer, stage 1 of an appeal under the internal dispute resolution procedure of the Local Government Pension Scheme.
- 4.8.4 To decide on regrading applications (to be discharged through the job evaluation procedure).

4.9 Head of Customer Care Support

- 4.9.1 To act on a day to day basis and within the scheme in the following areas:-
- Information technology
 - **Business transformation.**
 - **Customer contact**
 - "Information management
 - **Asset Management Plan**
 - ~~Valuation service~~
 - ~~Building design and maintenance~~
 - Offices and reception areas
 - Communication **and public consultation**
 - **Libraries**
 - **Life Long Learning Centres**
 - **Emergency planning.**
 - **Children and young people's information service.**
- 4.9.2 The right, where terms cannot be agreed with landowners for the purchase of interest in land within six months of the commencement of negotiations, to purchase the same through compulsory purchase order subject to the provision of the law.
- 4.9.3. To grant licences, easements and rights-of-way to, or by, the Council.
- 4.9.4. In appropriate cases to pay compensation under the Compensation Act 1973, the Planning and Compensation Act 1991, the Landlord and Tenant Act 1954, or any claim of dilapidation or tenants claims.
- 4.9.5 To negotiate and pay any claims presented against the Council for damage or loss caused by work carried out under the Council's statutory powers.
- 4.9.6 To authorise tenants to sub-let.

- 4.9.7 To publish a statutory notice of the intention to conduct a rent review on tenancies.
- 4.9.8 To commence possession proceedings through the Courts against any tenant, licensee or trespasser.
- 4.9.9 To approve the terms for purchasing, procuring, selling or disposing of all the Council's interest in land where a decision has been made by the Board, Committee, Portfolio Leader or chief officer exercising delegated powers so to buy, procure, sell or dispose.
- 4.9.10 To approve terms and conditions for and then grant the renewal of a lease.
- 4.9.11 To approve an extension of an existing lease.
- 4.9.12 To give consent to assign a lease.
- 4.9.13 *Waive or vary the levying of charges and fees in individual cases where circumstances so dictate.***
- 4.9.14 *Implement library bye-laws.***
- 4.10 Head of Finance
- 4.10.1 To act on a day to day basis and within the scheme in the following areas:-
- Internal Audit
 - Accountancy
 - Risk management and insurance
 - The pension fund and the pension scheme
 - Treasury management (including investments)
 - Council Tax and non-domestic rates
 - Housing benefits and rates
 - Payments
 - Income and creditors
 - Payroll
- 4.10.2 To be the proper officer for the purpose of Section 151 Local Government Act 1972 and Section 114 Local Government Finance Act 1988.
- 4.10.3 To be the proper officer for the purposes of Sections 115 and 146 Local Government Act 1972.
- 4.10.4 The right to sign a certificate that a lease or contract does not constitute credit arrangements under Section 48 Local Government and Housing Act 1989.
- 4.10.5 The right to sign a certificate that contracts comply with the Local Government (Contracts) 1997.
- 4.10.6 To nominate benefit anti-fraud officer.
To authorise the write-off of debts up to the amounts noted in the
- 4.10.7 Financial Procedure Rules.

4.11 Head of **Regulatory.**

4.11.1 To act on a day to day basis and within the scheme in the following areas:-

- Development Control (subject to relevant delegation scheme)
- Conservation
- Rights of way and countryside management (in accordance with the delegation scheme at Appendix 2)
- Public transport
- Street improvements
- Transport grant matters
- Highways and traffic enforcement
- Road safety
- Snowdonia Green Key
- **Markets and fairs.**
- **Licensing**
- **Trading Standards**
- **Environmental Health**

4.11.2 The power to make or confirm any order or give notice under the Highways Act 1980, the Wildlife and Countryside Act 1981, the Road Traffic Regulation Act 1984 and the Parking Act 1989 (with the exception of confirming permanent traffic orders where objections have been received).

4.11.3 To exercise the Council's powers under the Road Traffic Act 1988 and the Traffic Management Act 2004.

4.11.4 The power to enter into access agreements in respect of land under the Countryside and Rights of Way Act 2000 or any other act.

4.11.5 The power to issue notices to temporarily close a road.

4.11.6 Powers to deal with any obstruction on the highway, including issuing notices.

4.11.7 To exercise the Council's powers in relation to high hedges under the Anti-Social Behaviour Act 2003.

4.11.8 To exercise the Council's powers under the acts listed in Appendix 1 (together with any other acts relating to Public Protection which will become the Council's responsibility and which will be included on the list in Appendix 1).

4.11.9 Authorisation to appoint inspectors under the Health and Safety at Work Act, etc. 1974

4.12 **Not Used.**

4.13 Head of *Economic Development and Community*

- 4.13.1 To act on a day to day basis and within the scheme in the following areas:-
- Europe
 - Objective 1
 - Regeneration programmes
 - Cwlwm Gwledig
 - Business services
 - Marketing
 - Tourism
 - Events Commission
 - Film Commission
 - Gwynedd Training
 - Communities First
 - Getting on in Gwynedd
 - Regeneration grants
 - *Museums*
 - *Archives*
 - *Galleries*
 - *Theatres and Cinemas*
 - *Art*
 - *Maritime*
 - *Village Halls*
 - *Country Parks*
 - *Youth services.*
- 4.13.2 To approve grants up to a maximum of £50,000 in any single case by an eligible applicant whose home or business is situated within Gwynedd.
- 4.13.3 To let industrial units *and land*
- 4.13.4 To issue a notice to quit to a tenant of an industrial unit *or land* and to seek possession through the courts.
- 4.13.5 To grant rent discounts on industrial units *and land*.
- 4.13.6 *The right to determine or vary entrance fees to Council's museums and galleries where appropriate.*
- 4.13.7 *In consultation with the Portfolio Leader to allocate grants to arts organisations from the Section's general funding up to £5000 each.*
- 4.13.8 *Authority to make applications for grant monies from different sources and implement programmes deriving from them.*
- 4.13.9 *Allocate students grants.*
- 4.13.10 *In consultation with the Portfolio Leader allocate community grants up to £5,000 in individual cases from different community funds.*

4.14. Head of *Leisure and*

4.14.1 To act on a day to day basis and within the scheme in the following areas:-

- Home care
- Residential and day services
- Catering
- Cleaning
- Carers
- *Leisure Centres*
- *Sports Development*

4.14.2 *Act as a “responsible person” for the purposes of the Care Standards Act 2000*

4.15. Head of Social Services

4.15.1 To act on a day to day basis and within the scheme in the following areas:-

- Director of Social Services
- Elderly
- Mental health
- Physical disabilities
- Learning disabilities
- Children
- Welfare Rights Unit
- Youth Offending Team

4.15.2 To act as the Director of Social Services.

4.15.3 To exercise powers under all the Acts listed in Schedule 1 to the Local Authorities (Social Services) Act 1970.

4.15.4 *To exercise the powers under Section 47 of the National Assistance Act 1948.*

4.16. Head of Administration and Public Protection.

4.16.1 To act on a day to day basis and within the scheme in the following areas:-

- Legal
- Complaints
- Elections
- Member Services
- Print room
- Committees and translation
- Registration of births, marriages and deaths
- Searches, land charges and common land
- *Coroner*

- 4.16.2 To instigate, defend or settle proceedings (either in the name of the Council or in the name of an individual Council officer) under the common law or under any legislation, secondary legislation, or the bye-law which either grants functions to the Council or which relates to functions discharged by the Council and to appeal against any legal judgement. For the avoidance of doubt this authority includes the authority to take all procedural measures including the serving of statutory or non-statutory notices or counter notices and eviction notices.
- 4.16.3 To authorise a Council officer to act under paragraph 4.16.3 in the same manner as himself/herself and to prosecute, defend or appear in any legal proceedings under the provisions of Section 223 of the Local Government Act 1972 or any other relevant legislation that may be in force from time to time. The Head of Administration and Public Protection must keep a list of all the authorisations granted when exercising powers under this sub-clause.
- 4.16.4 To be the proper officer for the purposes of the registrations of births, deaths and marriages.
- 4.16.5 *To exercise the Council's powers under the Marriage Act 1994 and the Civil Partnership Act 2004.***
- 4.16.6 To act as the Council's Monitoring Officer under Section 5 of the Local Government and Housing Act 1989.
- 4.16.7 To act as the Proper Officer of the Council except where the provisions of the law, this scheme or other parts of the Constitution specify that the function should be discharged by another officer.
- 4.16.8 Authority to sign a certificate for the purposes of Her Majesty's Land Registry and to register any land charge on behalf of the Council.
- 4.16.9 Authority to make orders under the Town Police Clauses Act 1847.
- 4.16.10 Authority to affix the Common Seal of the Council to documents following a valid decision by the Council or the Board, Committee, Portfolio Leaders or officer exercising delegated powers, and to authorise other officers to do likewise.
- 4.16.11 To exercise all the Council's powers as a common land registration authority.
- 4.16.12 *To exercise the Council's powers under the Local Government Act 1972 and the Local Government and Housing Act 1989 in relation to appoint members to serve on committees.***
- 4.16.13 *Authority to give certificates regarding the political duties of posts under section 3 of the Housing and Local Government Act 1989.***

4.17. Head of **Improvement and Strategy**

4.17.1 To act on a day to day basis and within the scheme in the following areas:-

- Improvement Programme
- Priorities
- Policy overview
- Community plan
- Procurement
- Scrutiny
- Research
- **Community safety**

4.17.2 *The right to give consent under section 30 of the Antisocial Behaviour Act 2003 (the use of dispersal orders)*

4.18. Head of Municipal and Highways

4.18.1 To act on a day to day basis and within the scheme in the following areas:-

- Refuse Collection
- Recycle/waste disposal
- Public Conveniences
- Repairs and maintenance of roads and structures.
- Council's Fleet
- Street cleaning
- Car Parks
- Crematorium/burial service
- Playing fields
- Ground maintenance

4.18.2 The power to issue notices of temporary road closures.

4.18.3 The power to deal with any obstruction on a highway, including the issuing of notices.

4.18.4 The power to do anything that may be necessary in the management of the Council's fleet.

4.18.5 The power to apply for an operator's licence in connection with the Council's waste functions.

4.18.6 The power to exercise enforcement powers in relation to environmental offences arising under any one of the Acts listed below (including steps which may be deemed necessary to prevent offences, educate, and issue Fixed Penalty Notices).

- Dogs (Fouling of Land) Act 1996
- Environmental Protection Act 1990
- Removal and Disposal of Vehicles Regulations 1986
- Refuse Disposal (Amenity) Act 1978
- Clean Neighbourhoods and Environment Act 2005
- Anti-social Behaviour Act 2003
- The Control of Pollution (Amendment) Act 1989

4.19. Head of Housing.

4.19.1 To act on a day to day basis and within the scheme in the following areas:-

- Council house management and rents
- Housing maintenance
- Homelessness
- Private sector housing enforcement
- Housing and renovation grants

- 4.19.2 To exercise the Council's functions as landlord (including the letting and general management of the housing stock).
- 4.19.3 To exercise the Council's functions in relation to homelessness in accordance with Part 8 – Housing Act 1996.
- 4.19.4 To exercise the Council's functions in relation to the Right to Buy scheme under the Housing Act 1985.
- 4.19.5 To approve the sale of former Council Houses for people who meet the statutory conditions and accept or refuse an offer to re-purchase a former Council House under Section 157 Housing Act 1985.
- 4.19.6 To exercise the Council's functions in relation to unfit housing under the Housing Act 1985 and the Housing Grants, Construction and Regeneration Act 1996.
- 4.19.7 To exercise the Council's functions to issue notices and to take enforcement proceedings in relation to houses in multiple occupation.
- 4.19.8 To exercise the Council's enforcement powers in the private housing sector.
- 4.19.9 To approve or refuse and administer grant application under the Housing Grants, Construction and Regeneration Act 1996.
- 4.19.10 To operate a transferable discount scheme.
- 4.19.11 To exercise the Council's functions relating to drainage, water supply and other environmental health matters under the Building Regulations Act 1984 and nuisance under the Environmental Protection Act 1990.

4.20. Head of Gwynedd Consultancy

- 4.20.1 To act on a day to day basis and within the scheme in the following areas:-
 - Environmental assessments
 - Drafting, management and supervision of road works contracts
 - Building control
 - Traffic assessments
 - Technical surveys, inspections and tests
 - Coastal defence
 - ***Building design and maintenance.***
- 4.20.2 To exercise all the Council's function in relation to building control under the Building Act 1984 or otherwise.

4.21. Head of **Education.**

- 4.21.1 To act on a day to day basis and within the scheme in the following areas:-

- Schools' support
- Special educational needs
- Education welfare service
- Governors' support
- Schools improvement and raising educational standards
- Schools' admissions
- Child employment
- School transport
- School staffing matters
- ***Children and Young People's Partnership***

- 4.21.2 To be the Chief Education Officer.
- 4.21.3 To decide on the commencement and finishing dates for school terms and holidays.
- 4.21.4 To intervene to prevent discipline in school from breaking down or in cases where there is concern about standards or management.
- 4.21.5 To decide on applications by parents noting a preference for a school for their children.
- 4.21.6 To decide on admission arrangements for county and voluntary school.
- 4.21.7 To exercise the Council's powers in relation to the employment of children.
- 4.21.8 To take any steps that may be taken under legislation to exclude people from school premises and take steps to have them removed as required.
- 4.21.9 To decide on applications for free or reduced costs transport to school and to deal with school transport contracts.
- 4.21.10 To consider individual cases of pupils who are excluded from school and decide on the response of the Education Authority.
- 4.21.11 To suspend the right of the governing body to have a delegated budget in circumstances permitted by the Act.
- 4.21.12 To act on any school staffing matters where the decision is that of the Local Education Authority (rather than the Governing Body).
- 4.21.13 To implement the Special Educational Needs provisions in so far as the decisions have not been delegated to the Special Educational Needs Joint Committee.
- 4.21.14 To appoint governors to school governing bodies.

<u>LEGISLATION</u>
Administration of Justice Act 1970
Agricultural Produce (Grading and Marking) Acts 1928 and 1931
Agriculture (Miscellaneous Provisions) Act 1972
Agriculture Act 1970
Animal and Animal Products (Import and Export) Regulations 1998
Animal Health Act 1981
Animal Health Establishments Act 1963
Animal By-products (Wales) Regulations 2003
Animal Welfare Act 2006
Antisocial Behaviour Act 2003
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
BSE Offspring Slaughter Regulations 1998
Cancer Act 1939
Caravan Site and Control of Development Act 1960
Cattle Database Regulations 1998
Cattle Identification Regulations 1998
Children and Young People (Protection from Tobacco) Act 1991
Clean Air Act 1993
Clean Neighbourhoods and Environment Act 2005
Common Land Registration Act 1965
Companies Act 2006
Consumer Credit Act 1974
Consumer Protection Act 1987
Control of Pollution Act 1974
Copyright, Design and Patents Act 1988 as amended by the Broadcasting Act 1990
Criminal Justice Act 1988
Criminal Justice and Public Order Act 1994
Dangerous Dogs Act 1991
Dangerous Wild Animals Act 1976
Development of Tourism Act 1969
Dogs (Fouling of Land] Act 1996
Education Reform Act 1988
Energy Act 1976
Energy Conservation Act 1981
Enterprise Act 2002
Environment Act 1995
Environmental Protection Act 1990.
Estate Agents Act 1979
European Communities Act 1972
Explosives (Age of Purchase) Act 1976
Explosives Acts 1875 and 1923
Fair Trading Act 1973
Farm and Garden Chemicals Act 1967
Fireworks Acts 1951, 1964 and 2003.
Food Act 1984

LEGISLATION
Food and Environment Protection Act 1985
Food Health (General Food Hygiene) Regulations 1995
Food Safety Act 1990
Forgery and Counterfeiting Act 1981
Fraud Act 2006
Gambling Act 2005
Gaming Act 1968
Game Licences Act 1860
Hallmarking Act 1973
Health Act 2006
Health and Safety at Work etc. Act 1974
Home Safety Act 1961
House to House Collections Act 1939
Housing Act 1996 and 2004
Insurance Brokers (Registration) Act 1977
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Local Government Act 1972
Local Government and Housing Act 1989
Lotteries and Amusements Act 1976
Medicines Act 1968
Merchant Shipping Act 1979
Mock Auctions Act 1961
Motor Cycle Noise Act 1987
Motor Vehicles (Safety Equipment for Children) Act 1991
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Olympic Symbol, etc. (Protection) Act 1995
Pet Animals Act 1951
Petroleum (Consolidation) Act 1928
Petroleum (Transfer of Licences) Act 1936
Poisons Act 1972
Police, Factories (Miscellaneous Provisions) Act 1916
Prevention of Damage by Pests Act 1949
Prices Acts 1974 and 1975
Property Misdescriptions Act 1991

LEGISLATION
Protection of Children (Tobacco) Act 1986
Public Health (Aeroplanes) Act 1979
Public Health (Control of Diseases) Act 1984
Public Health (Shellfish) Regulations 1934
Public Health (Shipping) Regulations 1979
Public Health (TB Prevention) Regulations 1925
Public Health Act 1936
Public Health Act 1961
Rag Flock and other filling Materials Act 1951
Refuse Disposal (Amenity] Act 1978
Removal and Disposal of Vehicles Regulations 1986
Riding Establishments Act 1964
Road Traffic (Consequential Provisions) Act 1988
Road Traffic Offenders (Foreign Vehicles) Act 1972
Road Traffic Acts 1988 and 1991
Road Traffic Offenders Act 1988
Safety of Sports Grounds Act 1975
Scotch Whisky Act 1988
Scrap Metal Dealers Act 1964
Shops Act 1950
Slaughterhouses Act 1974
Small Holdings and Allotments Acts 1908-1950
Solicitors Act 1974
Sunday Trading Act 1994
Telecommunications Act 1984
The Products of Animal origin (Third Country Imports) (Wales) Regulations 2004.
The TSE (Wales) Regulations 2002
Theft Acts 1968 and 1978.
Timeshare Act 1992
Tobacco Advertising and Promotions Act 2002
Town Police Clauses Act 1847
Trade Descriptions Act 1968
Trademarks Act 1994
Trading Representations (Disabled Persons) Acts 1958 and 1972.
Trading Stamps Act 1964
Transport Act 1985
Unsolicited Goods and Services Act 1971 and 1975.
Video Recording Acts 1984 and 1993
Waste Removal Regulations 1967
Water Industries Act 1991
Weights and Measures Act 1985
General Food Regulations 2004
Food Hygiene (England, N.I., Wales, Scotland, etc.) Regulations 2005

GWYNEDD RIGHTS OF WAY DELEGATION SCHEME

All functions relating to rights of way as contained within the following Acts as amended and including all subordinate legislation are delegated to the Head of Planning and Transportation:

- National Parks and Access to Countryside Act 1949;
- Countryside Act 1968;
- Highways Act 1980;
- Wildlife and Countryside Act 1981;
- Road Traffic Regulation Act 1984;
- Cycle Tracks Act 1984;
- Countryside and Rights of Way Act 2000;
- Clean Neighbourhoods and Environment Act 2005 (gating Orders)
- Natural Environment and Rural Communities Act 2006 – part 6

NB The above provides that *the determination of* all applications with regard to, and decisions to confirm, rights of way Orders are delegated to Head of Planning and Transportation with the exception of the following:

- i Applications submitted by serving Members or staff of the Planning and Transportation Department.
- ii Applications involving land owned by the Council.
- iii Decisions to submit Orders made under the Highways Act 1980, where objections are received to the Order and are not withdrawn, to the National Assembly for confirmation
- iv Applications which the Head of Planning and Transportation considers should be referred to Committee.
- v Applications for Orders made under the Highways Act 1980 where the Councillor in whose ward a proposed diversion is located submits a written request to the head of Planning and Transportation within the established time scale for consultation that the matter should be decided by the Area Committee. The prescribed period for notification shall be 16 calendar days from the date of the letter of consultation regarding the proposal.