

DIRECTOR OF SOCIAL SERVICES, HEALTH AND HOUSING

Proper Officer Provisions

Proper Officer Appointments

- (a) Signing of Notices to Quit
- (b) Signing of Licenses and Tenancy Agreements issued in accordance with the Discharge of Homeless duties
- (c) Local Government Act 1972 – Section 234(1) and (2) authentication of all Notices, Orders or Documents for the purpose of approved delegated powers

DIRECTOR OF SOCIAL SERVICES, HEALTH AND HOUSING

Delegation Arrangements

A. Social Services

1. Adoption Panel and Foster Parent Approval

To take decisions upon recommendations made by the Panel.

(Note: An Adoption Panel and Foster Carer Approval Panel has been jointly established with a remit to make recommendations upon those issues that fall within the scope of the Adoption Agency Regulations 1993 and the Foster Parent (Children) Regulations 1991).

2. Discretionary Expenditure upon Children and Families

- (a) To authorise discretionary expenditure in relation to children in need and their families, children who are being looked after, and young people formally looked after, up to a limit of £1,000;
- (b) For sums over the limit of £1,000 to consult with the relevant Cabinet member before taking a decision.

3. Monitoring and Review of Children's Cases

Authorised to establish a system ensuring the planning and review process is effectively monitored by Senior Officers in Children's Services.

4. Authority to Institute Legal Proceedings

To authorise the institution of legal proceedings and the issue of warrants, on behalf of the Authority, under the following statutes:-

- (a) the Children Act 1989;
- (b) the Children and Young Persons Act 1969;
- (c) the Mental Health Act 1983, and
- (d) the Registered Homes Act 1984

5. Memorandum of Understanding between South Wales Police and Partner Agencies in pursuance of the Sex Offenders Act 1997

That the Head of Children's Services be appointed as the Senior Designated Officer and point of contact with the Police in relation to the arrangements contained within the proposed Protocol.

6. South Wales Fostering and Residential Placements Framework Agreement

When the Framework is unable to meet the need of its placements, and after following the Framework protocols the Head of Children and Young Peoples Services be authorised to obtain the necessary provision internally or through the CSSR database.

B. Housing Services

1. Grants

The administration of all aspects of the Neath Port Talbot County Borough Council Private Sector Housing Renewal Strategy and Policy, including:

- (a) approval of grant;
- (b) approval of interim payment;
- (c) approval of final payment;
- (d) approval of variation of grant for unforeseen works;
- (e) redetermination of grant in the event of works not being possible for the sum originally approved;
- (f) administration of Mandatory Disabled Facilities Grants under the strategy above and the Housing Grant Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

2. Homelessness

- (a) receipt of enquiry and related investigation of cases;
- (b) all initial decisions relating to homelessness status and discharge of duties and referrals to other Authorities, required by the Housing Act, 1996 (as amended by the Homelessness Act 2002);
- (c) to authorise legal proceedings for the recovery of rent arrears and/or recovery of possession of premises for non-payment of rent;
- (d) to authorise legal proceedings to recover other debts arising from charges levied by the Council for its services or for the services of other organisations and businesses for which the Council acts as agent.

3. Notices to Quit (under homelessness but no review)

To serve Notices to Quit where there is no secure tenancy.

4. Anti-Social Behaviour

- (a) that in respect of applications for Anti-Social Behaviour Orders, including Interim Orders:
 - (i) to consider under the Crime and Disorder Act 1998, with the Police and other appropriate agencies, whether such Orders should be applied for; and
 - (ii) following consultation as in (i) above to issue the requisite Certificate under the Act to allow the Police and other bodies falling within Section 1(1A) of the Crime and Disorder Act 1998 to institute proceedings for an Order, and where the Authority is to institute proceedings, to take those proceedings;
 - (iii) where there has been a breach of an Anti-Social Behaviour Order, the terms of which apply in the Neath Port Talbot County Borough Council, to prosecute the respondent for the breaches of that Order.

- (b) that with regard to Injunctions against Nuisance and in respect of unlawful use of premises and Anti-Social Behaviour, to apply for and enforce an Injunction to prevent such Behaviour, including seeking an Exclusion Order and/or power of arrest where appropriate;
- (c) Crack Houses – to consider under the Anti-Social Behaviour Act 2003 (“ASB Act”) with the Police and, except in urgent cases, other appropriate agencies whether a closure notice under Section 1 of that Act be issued and to provide to the Police a certificate that the statutory consultation has taken place. Where the Police are considering applying for an extension of a closure order issued under the ASB Act, to respond to the consultation that the Police must make with the Council under Section 5 of the ASB Act.

If appropriate and after the necessary consultation with the Police and any other relevant agencies, have taken place:

- to apply to the Magistrates Court for a discharge of a closure order under Section 5(6) of the ASB Act;
 - to lodge an appeal pursuant to Section 6 of the ASB Act against a decision of the Magistrates Court not to make a closure order or extend a closure order;
 - pursuant to Sections 8 or 10 of the ASB Act to make an application for re-imbursement of costs or losses incurred by the Council in connection with a closure order.
- (d) Dispersal Orders - that in respect of authorisations for the exercise of powers under Section 30 of the Anti-Social Behaviour Act 2003 (Dispersal of groups, etc.) to consider with the Police (and, where appropriate the British Transport Police - BTP) and other appropriate agencies, whether such authorisations should be issued and following such consultation to consent, or otherwise, on behalf of the Council to the giving of such authorisation, and following consultation as above, to provide to the Police or BTP, a certificate that the statutory consultation under Section 31(7) for the withdrawal of an authorisation has taken place.

5. Provision of Lists of External Agency Services to Grant Applicants

- (a) that where requested by a grant applicant, a list of external agencies is provided on the understanding that the authority accepts no liability or responsibility whatsoever for the levels of service provided by such private agents;
- (b) there is no vetting process of such agents/agencies undertaken by the authority save that the agent/agency has submitted formal applications on behalf of grant applicants within the previous twelve months, and officers have discretion to remove agents/agencies from such a list should they not perform to a satisfactory standard.

6. The Housing Grants, Construction and Regeneration Act 1996 (as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

The administration and approval of loan assistance under the 1996 Act (as amended).

That where an applicant ceases to be entitled to a grant, repayment of grant monies are recovered in line with the adopted Private Sector Housing Renewal Strategy and Policy.

7. Renovation Grant – Maximum Amount

To approve renovation grants in excess of £24,000 subject to an assessment by an appropriate officer of the Council that repair of the premises in question is the best option.

8. Schedule of Rates – Amendments

To approve amendments to the grant schedule of rates used when considering applications for grant aid.

9. Section 12 Anti-Social Behaviour Act 2003

To prepare and publish the procedures and policies and the summaries and statements thereof regarding anti-social behaviour

which are required by Section 12 of the Anti-Social Behaviour Act 2003.