

## Section 6 - Schedule of Functions Delegated to Officers

- 1 Members have the right to ask for a matter to be considered by a Committee even though it may have been delegated to an officer subject to complying with any agreed procedures. Officers may also occasionally refer matters to a Committee where they consider the subject matter to be particularly sensitive and would better be decided by members.
- 2 Where an officer has been given delegated authority to undertake a function the officer shall have the authority to authorise another officer within their department or service to carry out that function on their behalf. In determining the suitability of an officer to be given this authority, regard must be had to the nature of the authority being given, the seniority of the post, the experience of the relevant officer and all other relevant circumstances so as to ensure that the authority and the relevant officer are appropriately matched. This authorisation must:
  - be in writing, dated and signed by the officer giving the authority.
  - specifically identify the post and person authorised to carry out the functions.
  - specifically identify the functions to which the authorisation relates (attach an extract from the scheme as the numbering may change over time).
  - identify any conditions (if any) to which the authorisation is subject.
- 3 A copy of all authorisations under this provision must be provided within seven days of being made to the Specialist - Democratic Services who will provide a copy to the Monitoring Officer. ~~Director (Support Services)~~.
- 4 The officer who has been given delegated authority under this schedule retains concurrent jurisdiction to act in those matters where that officer has given another officer authority to undertake any function.
- 5 The functions shown in this schedule are specific delegated powers. Officers shall also undertake all the operational duties within the remit of their team or service and all necessary powers to do this are therefore deemed to be delegated to the relevant director or officer who has responsibility for the discharge of the function. Officers shall exercise their delegated powers subject to statutory limitations, duties and responsibilities and in compliance with Council policies, approved budget limitations, the Constitution and Financial Procedure Rules.
- 6 The Chief Executive and Directors must ensure that functions in relation to the management of employees must be carried out in accordance with the Council's approved human resources policies.
- 7 Where legislation specifically referred to in this schedule, is amended or replaced or added to by new legislation and in the event that the powers contained in the new legislation are substantially the same as those which it replaces or relate to the same service areas, then it shall be deemed that the relevant authority delegated in this schedule applies as if the new legislation had been specifically referred to as regards that relevant authority.

No	Function	Delegated to	Delegated By
<b>Chief Executive</b>			
1	As Head of Paid Service to be responsible for the corporate and overall strategic management of the authority and other statutory functions as listed in the Council's Constitution.	Chief Executive	Council
2	To make any decision which has been delegated to any other officer.	Chief Executive	Council
3	To draw up the list of authorised officers in relation to Housing Corporation activity in consultation with the Leader of the Council and relevant Portfolio Holder.	Chief Executive	Executive
4	To take urgent decisions as follows: <ul style="list-style-type: none"> <li>in relation to Executive matters in consultation with the Leader of the Council (or Deputy) and the relevant Portfolio Holder;</li> <li>in relation to non-Executive matters in consultation with the Chairman (or Vice-Chairman) of Council or Chairman (or Vice-Chairman) of the relevant committee.</li> </ul> An urgent decision is one that is considered by the Chief Executive to be necessary to protect the interests of, or advancing the business of, the Council. All such action shall in all cases be reported to the next appropriate meeting of the Executive, Council or relevant Committee.	Chief Executive	Council / Executive
<b>Deputy Chief Executive and all Directors (as indicated)</b>			
5	To authorise proceedings in any Court or Tribunal.	Chief Executive and Director ( <u>Strategy &amp; Support Services</u> )	Council
6	To authorise officers to appear in any Court or Tribunal.	Chief Executive and Director ( <u>Strategy &amp; Support Services</u> )	Council
7	In the absence of a prior decision of the Council, a Committee or Sub-Committee, to select the most appropriate method of tendering for any contract.	Chief Executive and Directors	Council
8	To invite all or a selected number of persons or firms named in the Standing List to take part in a tendering exercise <u>under Standing Order No.49 (Ad Hoc List)</u> .	Chief Executive and Directors	Council
9	Acceptance of a tender for works except where a tender other than the lowest value tender is proposed to be accepted and there is sufficient budget provision.	Chief Executive and Directors	Council
10	Purchase at a price not exceeding the District Valuer's or other expert valuation of property required for schemes, which have been approved by the Council or a Committee, and for which capital finance from any source has been approved.	Chief Executive and Directors <u>in line with the Financial Procedure Rules</u>	Executive

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11	(a) In conjunction with the Chief Executive to consider claims for compensation up to and including £5,000. (b) To consider claims for compensation up to and including £500.	Chief Executive and Directors	Executive
12	To appoint consultants, provided that the cost is covered by an approved capital or revenue budget.	Chief Executive and Directors	Executive
13	In consultation with the <u>Lead Specialist – Legal Director – (Support Services)</u> :- a. to seek the opinion of Counsel; or b. to appoint outside Solicitors or Counsel provided that the cost can be met from an appropriate heading in a budget.	Chief Executive and Directors	Council
14	To decide staff and expert authorisations to exercise statutory powers in respect of those functional areas that fall within the Directors' respective areas of responsibility.	Chief Executive and Directors	Council / Executive
15	All functions in relation to the management of employees. These must be carried out in accordance with the council's approved human resources policies.	Chief Executive and Directors	Executive
16	Disciplinary action subject to compliance with the Council's disciplinary procedures.	Chief Executive and Directors	Executive
17	Power to serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	Chief Executive and Directors	Council
18	In consultation with the Director ( <u>Service Delivery Support Services</u> ) authorisation under the Regulation of Investigatory Powers Act to authorise enforcement Officers to carry out surveillance as part of an enforcement investigation.	Chief Executive, Director ( <u>Strategy &amp; Support Services</u> ), Director ( <u>Commercial Services &amp; Income Generation</u> )s and Lead Specialist - Legal	Executive
19	Attendance by themselves, and to approve the attendance of employees at meetings, courses and conferences in line with the corporate training programme and subject to budget approval	Chief Executive and Directors	Executive
20	The Portfolio Holders are authorised to respond to consultation documents. The relevant Director or someone authorised by them may respond to consultation documents, after consultation with the Portfolio Holder subject to the Council's consultation protocol set out in Part 5 of this Constitution.	Chief Executive and Directors	Executive
21	To manage budgets and financial transactions in accordance with Financial Procedure Rules.	Chief Executive and Directors	Council
22	To let contracts in accordance with Procurement Procedure Rules and the Council's Financial Procedure Rules and other policies which govern the letting of contracts.	Chief Executive and Directors	Council

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23	To undertake all functions allocated to their post within Council Financial Procedure Rules and other Council Procedure Rules.	Chief Executive and Directors	Council
24	To authorise others to sign notices and take enforcement action on the Council's behalf subject to approval of a Council officer with suitable qualifications and experience.	Chief Executive and Directors	Council
25	To set fees for chargeable services and revise existing fees on a regular (normally annual) basis.	Chief Executive and Directors	Council
26	To execute all deeds and documents on behalf of the Council (including affixing the Council's Seal thereto) as they consider necessary to implement any decision of the Council or any Committee or any officer of the Council acting under delegated authority. Any documents required to be sealed shall have the seal affixed to them in the presence of any <u>one</u> of the officers referred to in this section. Every such document shall be attested by the signature of the person in whose presence the seal was affixed.  <i>Note: When executing documents the person shall include their name or office alongside the unique sealing reference.</i>	<ul style="list-style-type: none"> <li>- Chief Executive</li> <li>- Director (<u>Strategy &amp; Support Services</u>)</li> <li>- Director (Service Delivery)</li> <li>- Director (Commercial Services &amp; Income Generation)</li> <li>- Lead Specialist - Legal</li> </ul>	Council
<b>S151 Officer</b>			
27	As the Council's Chief Financial Officer, to be responsible for the proper administration of the Council's financial affairs and other statutory functions as listed in the Council's Constitution.	Designated S151 Officer	Council
28	Setting the Council Tax Base under the Local Authorities (Calculation of Tax Base) Regulations 1992.	Designated S151 Officer	Council
29	Write off bad debts of £20,000 or less	Designated S151 Officer	Executive
30	In consultation with the Director concerned, to recover all liquidated and ascertained damages arising from contracts let by any Committee.	Designated S151 Officer	Executive
31	Decisions on applications for the reduction or remittance of non-domestic rates and <i>discretionary rate relief</i> up to £5,000 subject to the conditions and limitations set out in Minute 199 of the District Executive meeting held on 2 <sup>nd</sup> March 2000. (Decisions on applications over £5,000 to be determined by the District Executive.)	Designated S151 Officer	Executive
32	Repayment of mortgages on the rates on the death of the mortgagee, and otherwise to prematurely repay mortgages if the mortgagee is prepared to pay the appropriate premium.	Designated S151 Officer	Executive
33	Payment of small claims up to the value of £2000, which have not been accepted by the Insurance Company - grievances to be referred to the District Executive.	Designated S151 Officer	Executive

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34	Waiving of premiums for premature repayment of loans in appropriate cases where the premium does not exceed £200.	Designated S151 Officer	Executive
35	Implementation of salary and wage awards to employees.	Designated S151 Officer	Executive
36	Day-to-day administration of the Collection Fund including estimating the surplus or deficit as required by the Local Authorities (Funds) (England) Regulations 1992.	Designated S151 Officer	Executive
37	Reimbursement of reasonable Cashier operating shortages.	Designated S151 Officer	Executive
38	To be responsible for all Treasury Management matters including the borrowing of money, management of investment funds and to take all executive decisions on borrowing, investment or financing and to act in accordance with CIPFA's Code of Practice on Treasury Management in Local Authorities.	Designated S151 Officer in consultation with Director (Support Services)	Executive
39	Authorisation of the National Non-Domestic Rates 1 Returns (NNDR1)	Designated S151 Officer in consultation with Portfolio Holder for Finance and Legal Services	Council (Jan 2013, min 58)
<b><u>Director (Support Services)Lead Specialist – Legal/Monitoring Officer</u></b>			
<u>40</u>	<u>To authorise proceedings in any Court or Tribunal.</u>	<u>Lead Specialist - Legal</u>	<u>Council</u>
<u>41</u>	<u>To authorise officers to appear in any Court or Tribunal.</u>	<u>Lead Specialist - Leal</u>	<u>Council</u>
<u>420</u>	Request to Court for warrant for possession in cases where Court Order has not been complied with, subject to right of a member to request referral to a Committee.	<u>Director (Support Services)Lead Specialist - Legal</u>	Council
<u>434</u>	Authority to make application for costs in connection with court and tribunal proceedings and planning and enforcement appeals in all cases where he/she considers it appropriate.	<u>Director (Support Services)Lead Specialist - Legal</u>	Council
<u>442</u>	To defend any legal proceedings brought against the Council in any court or tribunal.	<u>Director (Support Services)Lead Specialist - Legal</u>	Council
<u>453</u>	Power to serve requisitions for information under Section 330 of the Town and Country Planning Act 1990.	<u>Director (Support Services)Lead Specialist - Legal</u>	Council

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<u>46</u>	<u>Power to serve requisitions for information under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976</u>	<u>Lead Specialist - Legal</u>	<u>Council</u>
<u>474</u>	Making of appropriate orders temporarily closing bridleways and footpaths subject to closure not exceeding 3 months and to notice being given to the Ward Member(s) and Parish Council - difficult and complex cases and requests to the Secretary of State to be referred to the Committee for consideration.	<del>Director (Support Services)</del> <u>Lead Specialist – Legal</u>	Council
<u>485</u>	Applications for diverting, stopping up and extinguishment of public rights of way and confirmation of consequent orders, subject to consultation with Ward Members.	<del>Director (Support Services)</del> <u>Lead Specialist - Legal</u>	Council
<b>Revenues &amp; Benefits Manager</b>			
<u>496</u>	To administer the Council's functions in relation to the collection of non-domestic rates in accordance with the Local Government Act 1988 (as amended) and all relevant regulations made thereunder including the granting of charitable rate relief under the Act.	Revenues & Benefits Manager	Executive
<u>5047</u>	Registration of charging orders against properties the subject of rate arrears.	Revenues & Benefits Manager	Executive
<u>5148</u>	Determination of benefit claims in accordance with the appropriate regulations.	Revenues & Benefits Manager	Executive
<b>Environment Services Manager</b>			
<u>5249</u>	Provision of Floral Displays on payment of charges.	Environment Services Manager	Executive
<u>530</u>	In respect of Parks, open spaces and other recreational facilities or establishments for which the Assistant Director has managerial responsibility:- (i) the variation, for special events, of the charges and opening hours and (ii) approve the occasional use of the same by outside organisations/bodies	Environment Services Manager	
<u>544</u>	Powers under the Cleaner Neighbourhoods and Environment Act 2005	Environment Services Manager	Executive