

Appendix 1

GENERAL DELEGATIONS TO OFFICERS

1. All matters which have not been reserved to Council or a Committee are delegated to Officers. Delegated decisions are to be taken by Chief Officers or Directors of Service. Each Directorate must develop and maintain their own internal scheme of management which will be published on the Council's website, as required by section 100G of The Local Government (Access to Information) Act 1985. Delegated decisions are to be taken in accordance with the relevant internal scheme of management. Officers may take decisions within the responsibilities of their directorate as determined by the Chief Executive.
2. Chief Officers and Directors of Service are authorised to take the necessary action to implement decisions taken by Committees of the Council.
3. The Council may use provisions of the Local Government Act 1972 and the Localism Act 2011 to commission and monitor work for and on behalf of the Council. When services remain the responsibility of the Council, but are delivered by people who are not officers of the authority, Chief Officers and Directors of Service may authorise non-Council employees to take delegated decisions, such people will be bound by the Constitution, this scheme, and the obligations contained in it, at all times when engaged on Council business.
4. Under this scheme officers must keep Members properly informed of action arising within the scope of these delegations. Officers must liaise closely with the relevant Chairman when the matter falls within the remit of that committee or the Council. Officers shall inform the local Ward Members when they exercise delegated powers specifically affecting their ward and when the matter is likely to be politically sensitive or contentious unless legal reasons prevent this.
5. The Openness of Local Government Bodies Regulations 2014 require every local authority to publish details of certain decisions taken by Officers under delegated authority as soon as practicable. Chief Officers and Directors of Service are responsible for ensuring that decisions taken within their areas of responsibility are recorded in accordance with these regulations.
6. In exercising their delegated powers, Chief Officers and Directors of Service must act within the law and the Council's Procedures, Contract Standing Orders and Financial Regulations, and must follow Council policy and the instructions of Council committees. If, exceptionally, it is necessary to depart from Council policy or Committee instructions, a full report must be submitted to Committee as soon as is practicable.

7. The Chief Executive, subject to the concurrence of the Leader or, in his/her absence, the Deputy Leader together with the Chairman or, in his/her absence, the Vice-Chairman of the relevant committee, may authorise Chief Officers or Directors of Service to perform all functions within the Powers and Duties of that Committee in any case of urgency in which the prompt performance of any of the Council's functions is desirable and necessary.
8. Where an officer has delegated powers, the Council or relevant Committee can still exercise that power in a particular case if it considers it appropriate to do so. Equally it is always open to an Officer not to exercise delegated powers but to refer the matter up as appropriate.
9. Subject to any matters being expressly reserved to the Council or its Committees, Chief Officers and Directors of Service are authorised to take decisions and to act:
 - (a) To discharge the functions allocated to them or dealt with by them or their staff
 - (b) In all matters in which they have managerial or professional authority unless there is a legal or professional impediment
10. Subject to any matters being expressly reserved to the Council or its Committees, Chief Officers or Directors of Service may exercise discretion and use whatever means they consider appropriate to discharge those functions and implement those decisions and to exercise general, specific or special delegated powers, including:
 - (a) Incurring expenditure, collecting income and writing off debts
 - (b) Determining use of land and premises and all other resources within their control
 - (c) Placing contracts and procuring other resources within or outside of the Council
 - (d) Settling claims and disputes
 - (e) Making statutory determinations and orders, granting and refusing permissions, licences and consents, and certificates of all kinds
 - (f) Signing and authenticating documents of all kinds
 - (g) To make representations in respect of applications under the Licensing Act 2003 and Gambling Act 2005
 - (h) To appoint "authorised officers / persons", "approved officers / persons", "inspectors" etc. to carry out duties and exercise powers within that individual's area of responsibility, including but not limited to:
 - (i) Entering and inspecting premises;
 - (ii) Taking action under the Scheme of Delegation from Council and committees

(Chief Officers and Directors of Service must keep lists of who they have authorised, for what purpose and what limitations apply.)

- (i) To authorise the Director of Corporate and Customer Services and the Legal Services Manager to issue and pursue legal proceedings and serve notices in respect of functions
 - (j) To serve statutory notices, issue cautions and take enforcement action (including but not limited to the issue of fixed penalty notices)
 - (k) Submitting a planning application for development linked to their area of responsibility
 - (l) To make decisions in relation to the spend of grant funding received in connection with approved projects or government initiatives
 - (m) To make decisions in relation to the spend of monies allocated to Council approved specific reserves
11. Subject to Officer Employment Procedure Rules, the delegated powers of Chief Officers and Directors of Service include:
- (a) Power to determine staffing arrangements and structures within approved budgets subject to:
 - (i) Agreement on grading following Job Evaluation
 - (ii) Conformance with approved Council policies and procedures; and
 - (iii) Chief Executive approval for structural changes establishing or affecting posts beyond the approved budget for the service
 - (b) Power to recruit, appoint, agree conditions of service, appraise, develop, manage and reward employees subject to compliance with Council policies and procedures
 - (c) Power to suspend, dismiss or take other disciplinary action and to deal with grievance, capability and sickness matters in accordance with the Council's policies and procedures
12. Chief Officers or Directors of Service may enter into contracts, make payments, write off debts etc in accordance with the financial levels of authority set out in Contract Standing Orders and Financial Regulations.