



PORTFOLIO HOLDER DECISION NOTICE

INDIVIDUAL DECISION BY THE LEADER

TOPIC – DELEGATION BY LEADER 2017/18

PROCEDURAL INFORMATION

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

Cabinet Procedure Rule 1.2 provides that the requirements for a draft portfolio holder decision notice do not apply to appointments or delegations by the Leader under this Rule.

Contact Officers:

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SUMMARY

In accordance with Council Procedure Rule 17 (2), the Leader must make the following appointments and delegations. Cabinet Procedure Rule 1.2 states that these will be confirmed in a signed portfolio holder decision notice.

This notice also proposes changes to the Scheme of Delegation to Portfolio Holders.

DECISION

1. That Councillor Humby be appointed as Deputy Leader and Vice-Chairman of Cabinet.
2. That Councillor Brook be appointed as a new member of Cabinet (the other Members to be as previously appointed by the Leader, namely: Councillors Ashton, Godfrey, Griffiths, Humby, Miller and Warwick).
3. That the existing scheme of delegation of executive functions of Cabinet and Council Officers be confirmed.
4. That the consequential changes to the Scheme of Delegation to Portfolio Holders be approved as set out in the Appendix to this Notice.
5. That the Scheme of Delegation to Officers (as set out in Part 3 of the Constitution) and references in previous Cabinet decisions which require

officers to consult with particular portfolio holders before implementing decisions, be updated by the Head of Legal and Democratic Services to take account of the changes to the portfolios outlined above.

6. That the scheme of delegation of executive functions of Cabinet Committees be determined at the Cabinet meeting on 18 May 2017 (Report CAB2928 refers).

REASON FOR THE DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

To comply with provisions of the Council and Cabinet Procedure Rules referred to above.

RESOURCE IMPLICATIONS:

None.

CONSULTATION UNDERTAKEN ON THE DECISION

None.

FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE

n/a

DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED

None.

DISPENSATION GRANTED BY THE STANDARDS COMMITTEE

None.

Approved by: (signature)

Date of Decision: 18.05.17

Councillor Caroline Horrill - Leader

Appendix 1 – Proposed amendments to the Scheme of Delegation to Portfolio Holders (Part 3 of the Council's Constitution)

SECTION 3 – THE PORTFOLIO HOLDERS

- 3.1 The following Members have been appointed with responsibility for the portfolio set out below. No individual Member of the Cabinet, or Portfolio Holder, may discharge executive functions without the authority of the Leader. The authorisations that have been given are set out in paragraph 3.2 below. The procedure for decision making by an individual Member of Cabinet is set out in paragraph 22 of the Access to Information Procedure Rules.

Councillor	Portfolio (title in Bold)
Cllr Caroline Horrill	Leader with Portfolio for Housing Services <i>With responsibility for Housing Services; New Homes Delivery and Corporate Communications</i>
Cllr Rob Humby	Deputy Leader with Portfolio for Business Partnership <i>With responsibility for Business Partnerships, Economy & Arts and Tourism..</i>
Cllr Guy Ashton	Portfolio for Finance <i>With responsibility for Financial Services and Revenues & Benefits</i>
Cllr Caroline Brook	Portfolio for Built Environment <i>With responsibility for Development Management; Strategic Planning; Historic Environment; Building Control.</i>
Cllr Stephen Godfrey	Portfolio for Professional Services <i>With responsibility for Organisational Development; Business Management; Legal & Democratic Services; and IMT.</i>
Cllr Lisa Griffiths	Portfolio for Health and Wellbeing <i>With responsibility for Health and Wellbeing; Community Safety & Neighbourhood Services; and Sports & Physical Activity</i>
Cllr Stephen Miller	Portfolio for Estates <i>With responsibility for Estates; and Community Grants.</i>
Cllr Jan Warwick	Portfolio for Environment <i>With responsibility for Environment Health & Licensing: Environmental Contract; Street Care; Landscape & Open Spaces, Traffic, Transport & Engineering; Parking.</i>

3.2 Scheme of Delegation to Portfolio Holders

The Leader

1. To act in the place of any portfolio holder having delegated authority under this Scheme.

As Portfolio Holder for Housing Services

2. To authorise disposals of up to 10 vacant dwellings in any financial year, in accordance with approved policy and the Council's Housing Strategy.
3. To authorise public consultation on the possible development of Housing Revenue Account land.
4. To authorise the commitment of developers' contributions to support specific affordable housing schemes, subject to available resources.

Each Portfolio Holder

1. To incur expenditure or to make decisions in connection with the operation of services within the budget and policy framework approved by Council:
 - (a) in relation to individual matters where the Leader or Cabinet has specifically authorised delegation to a portfolio holder up to a limit per project determined in the delegation and
 - (b) in any other case up to £250,000.

This general delegation shall not apply where:

- (a) the Portfolio Holder has a more specific delegation under this Scheme; or
 - (b) In respect of granting approvals for procedural variations under the Contract Procedure Rules or approvals under the Financial Procedure Rules (as these are subject to the specific delegation to the Portfolio Holder for Finance and Organisational Development).
2. Determination of fees and charges for services within the budget and policy framework.
 3. To approve relevant in-year changes to Portfolio Holder Plans designed to deliver the Council's policy framework within the agreed budget.
 4. To authorise public consultation on strategies and policies within the budget and policy framework.

5. To comment on behalf of the Council on consultation papers issued by Government or any other public body.
6. To approve Equality and Diversity Service Reviews and Action Plans.
7. To approve the response to be taken to service action plans, external inspection reports, monitoring reports, scrutiny reports and post implementation reviews.

Portfolio Holder for Built Environment

1. To authorise comments on the Development Plan of other local authorities.
2. Approval of draft Supplementary Planning Guidance and Supplementary Planning Documents for publication for public consultation, with the approval of the final Guidance/Document to be made by Cabinet or the Cabinet (Local Plan) Committee.

Portfolio Holder for Environment

1. To agree the release of money from the Open Space Fund for individual projects, up to a limit of £250,000 per project.
2. To agree Environmental Improvement grants up to a limit of £25,000 per project.
3. To approve community transport scheme grants up to a limit of £5,000 per project.
4. To authorise public consultation on proposed traffic regulation orders.
5. To authorise the making of traffic regulation orders except where:
 - (a) a ward Councillor registers a request that the matter be not determined by the portfolio holder;
 - (b) a parish council submits representations contrary to the officer recommendation;
 - (c) Ten or more representations from separate addresses are received (and not withdrawn) which are contrary to the officer recommendation;

and in these cases the matter will be referred at the portfolio holder's discretion either to Cabinet, or to the Cabinet (Traffic and Parking) Committee for determination.

Portfolio Holder for Estates

1. The acquisition (within the budget and policy framework approved by Council) or the disposal of any interest in land at best consideration for a sum not exceeding £600,000.
2. To authorise any lettings, lease renewals, rent reviews or licences (at best consideration) either by the Council or to the Council, in respect of which the rent or licence payment does not exceed £200,000 per annum, in the case of lease renewals, rent and licence fee reviews the limit of £200,000 relates to the payment sum prior to the transaction.
3. To authorise any minor non-recurring or emergency grants (other than those approved under the Annual Revenue Grants Scheme) over £500 and up to a limit of £10,000 in any individual case

Portfolio Holder for Finance

1. In relation to procurement contracts for works, goods, software or services up to a value of £1,000,000 or £200,000 per annum, whichever is the greater:
 - (i) Approval of price/quality evaluation criteria.
 - (ii) Approval of short-listing procedures, short-list selection and approved lists of contractors, including the authorisation of any departures from Contract Procedure Rules.
 - (iii) Award of contract.
 - (iv) Approval of schemes under Financial Procedure Rule 6.4 – authority to release expenditure for capital schemes.
 - (v) Approval of final costs of capital schemes under Financial Procedure Rule 7.12.

Subject to there being appropriate budget provision within the budget and policy framework approved by Council, including appropriate virement up to £50,000.

2. To approve the Rural Settlement list.