

APPENDIX B

**TABLE 2B: LEADER OF THE COUNCIL'S SCHEME OF DELEGATION OF EXECUTIVE FUNCTIONS**

Given below are executive functions reserved for decision by the Leader of the Council, whole Cabinet, ~~or by~~ individual portfolio holders or Local Ward Members.

**Notes:**

1. In all cases decisions shall be referred to Council if there are or likely to be financial implications which cannot be met from within the financial discretion allowed to the Leader of the Council. Council has delegated authority to the Leader of the Council to approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to Level 3 (£50,000 per item), subject to this expenditure being within approved policy.
2. Specific executive functions not referred to in the table are delegated to Chief Officers as operational management. ~~In exercising delegated powers, Chief Officers shall have regard to the provisions of the Delegation Rules set out at Part 4 of this Constitution.~~

**General Matters**

The following delegations would apply to all portfolios. Where matters are delegated to portfolio holders, the delegation would be to the portfolio holder for the relevant service area.

<u>For decision by the whole Cabinet</u>		<u>For decision by Portfolio Holders</u>
<b><u>General</u></b>		
1	<u>The exercise of functions, ordinarily within Portfolio Holders' delegated powers, in respect of matters which the Portfolio Holder has referred upwards in accordance with the Delegation Rules at Part 4 of this Constitution</u> <del>deems are of such significance as to warrant collective decisions by the whole Cabinet.</del>	<u>The exercise of functions, ordinarily within chief officers' delegated powers, in respect of matters which the chief officer has referred upwards in accordance with the Delegation Rules at Part 4 of this Constitution</u>

<u>For decision by the whole Cabinet</u>		<u>For decision by Portfolio Holders</u>
<b><u>Staffing Matters</u></b>		
4		<u>Approval of annual Service Plans</u>
2	To recommend to Council approval or rejection of pay awards or allowance adjustments beyond provision made in the budget for.	To approve or reject pay awards or allowance adjustments within budget provision. The Chief Executive may approve the implementation of national allowance adjustments provided they are within budget.
3	To approve new policies relating to employment; health and safety; and recruitment and retention of staff which have significant financial implications or are not in accordance with national agreements.	

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For decision by the whole Cabinet		For decision by Portfolio Holders
4	To approve or refuse proposals to transfer services between departments or carry out substantial restructurings within one department.	

**Notes:**

1. ~~In all cases the above matters would be subject to the decision being referred to Council if there are or likely to be financial implications which cannot be met from within the financial discretion allowed to the Executive.~~
2. ~~Cabinet on 10 May 2007 resolved to delegate authority to the Chief Executive to approve the use of the £425,000 allocated by the Council for the CGI improvement project, including the approval of new posts.~~
3. ~~Council on 18 October 2007 resolved to delegate authority to the Chief Executive to approve all new posts within budgets and likely duration of funding.~~
4. ~~Regradings or other matters relating to the employment or terms of conditions of individual officers are not executive matters but the Chairman of the Employment Committee may consult with the Staffing Portfolio Holder (Council amendment 26 / 9 / 02)~~
5. ~~Council on 18 October 2007 resolved to delegate authority to the Cabinet to approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to Level 3 (£50,000 per item), subject to this expenditure being within approved policy.~~

For decision by the whole Cabinet		For decision by Portfolio Holders	
<i>Financial Matters</i>			
5	To approve capital and revenue estimates (for recommendation to Council)		
6	<u>To approve, after opportunities for virement have been exhausted, in-year supplementary revenue and capital estimates up to Level 3 (£50,000 per item), subject to this expenditure being within approved policy, and to make recommendations to Council where the revenue or capital requirement exceeds this amount.</u>		
<u>67</u>	To approve virement where the affected portfolio holders have not agreed	Relevant portfolio holders to approve virement across 2 or more portfolios (with the Chief Finance Officer). <b>See Rule 5, Budget and Policy Framework.</b>	
<u>78</u>	To approve project appraisals (i.e., approval of a report on the proposals) for non-housing new general fund revenue schemes greater than £50,000 or capital schemes greater than £200,000 included in the budget or capital estimates.		
<u>89</u>	To approve policies for fees and charges	To approve changes to fees and charges within policy (except charges for one-off publications and events – delegated to officers)	

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For decision by the whole Cabinet		For decision by Portfolio Holders	
<a href="#">910</a>		To accept tenders above 10% and up to 15% greater than the budget provision for the proposal in question, provided that the cost can be met from resources within the portfolio.  [All Chief Officers are authorised to accept tenders up to 10% above estimate (provided that the cost can be met from within the same budget.)]	
<a href="#">101</a>	To approve financial monitoring reports, outturn statements and trading accounts referred to the Executive by the relevant portfolio holder.	To decide that financial monitoring reports, outturn statements and trading accounts do not require submission to the full Cabinet on the grounds that they comply with budgets and financial projections - except the annual report and accounts and Business Plan for Commercial Services.	
<a href="#">112</a>	To approve carry forward of uncommitted balances on reserve account for grants over 2 years old	To approve carry forward of uncommitted balances on reserve account for grants under 2 years old	
<b>Grants</b>			
<a href="#">121</a>	To approve policies and criteria for the approval of grants		
<a href="#">131</a>	To approve statutory or non-statutory grants, guarantees or loans above Level 4.	To approve non-statutory grants or guarantees or loans above Level 3 up to and including Level 4 (in consultation with Finance Portfolio Holder).	
<a href="#">141</a>		To approve Disabled Facilities or Renovation Grant to cover unforeseen works above Level 2.	

**Notes:**

Chief Officers have delegated powers to approve non-statutory grants and further Disabled Facilities or Renovation Grant to cover unforeseen urgent works, above Level 1 up to and including Level 2, such awards to be consistent with policy and in consultation with local members, and to approve statutory grants up to and including Level 3. (See Rule 7 of Delegation Rules)

The limits above for the approval of further Disabled Facilities or Renovation Grant to cover unforeseen urgent works are to be observed regardless of the amount of the original grant approved and whether it is statutory or mandatory

For the purposes of construing levels or amounts of grant, all procedural rules relate to net grant expenditure being the ultimate grant sum expended or to be expended by the Council after all relevant associated credits (re)paid or (re)payable have been taken into account in respect of any particular matter

For decision by the whole Cabinet		For decision by Portfolio Holders	
<b>Policy and Performance</b>			
<a href="#">151</a>	<u>Review of the Council's corporate objectives, making recommendations to Council where appropriate.</u>		

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<b>For decision by the whole Cabinet</b>		<b>For decision by Portfolio Holders</b>	
<a href="#">1517</a>	To consider (for recommendation to Council) policies, strategies or plans which would have the effect of amending or adding to the Council's finance and policy framework.		
<a href="#">1618</a>	To approve policies, strategies or plans which would <ul style="list-style-type: none"> <li>not impact upon the Council's finance and policy framework and</li> <li>would have implications across portfolios or a substantial impact within a service in terms of the service received by the public</li> </ul>	To approve operational guidelines which relate only to the service within the portfolio holders' responsibilities.	
<a href="#">1719</a>	To release a draft policy, strategy or plan for consultation, if referred to the Executive by a portfolio holder	To release a draft policy, strategy or plan for consultation (subject to consultation with the Leader) or refer the matter to the Executive if likely to be sensitive or controversial or affect other portfolios.	
<a href="#">1820</a>	To consider final reports from service reviews (and interim reports referred to the Executive by a portfolio holder) and approve the recommendations therein, subject to reference to Council of any matters which would impact on the policy and budget framework.	To decide that interim reports from service reviews do not need to be referred to the Executive on the grounds that they do not raise issues requiring Executive consideration (subject to consultation with the Leader).	
<a href="#">1921</a>	To recommend a programme of service reviews to the Council.		
<a href="#">2022</a>		To approve annual Service Plans for services ( <del>for inclusion of targets in the Performance Plan and financial implications in the budget recommended to Council</del> ).	
<a href="#">2123</a>	To consider concerns referred by a portfolio holder in relation to the achievement of service <b>improvement</b> plans.	To monitor the implementation of service <b>improvement</b> plans and to decide whether to refer matters of concern to the Executive	
<a href="#">2224</a>	To consider (for recommendation to Council) responses to consultation papers from the Government or other statutory agencies which would conflict with or substantially add to or amend the Council's policy and budget framework.	To approve responses to consultation papers from the Government or other statutory agencies, other than those which would conflict with or substantially add to or amend the Council's policy and budget framework.	
<b>Service Levels / Efficiency</b>			
<a href="#">2325</a>	To approve, reject or amend substantial changes (planned or unplanned) to services (or new services) received by the public.		
<a href="#">2426</a>	To consider any concerns referred by a portfolio holder in relation to the achievement of targets in the Performance Plan.	To receive reports monitoring the achievement of targets in the Performance Plan and to decide whether refer to Executive any matters of concern.	
<a href="#">2527</a>	To consider the external auditors' annual Management Letter and any other external audit report referred to the Executive by a portfolio holder.	To receive external audit reports and decide whether to refer to the Executive any matters of concern.	

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For decision by the whole Cabinet		For decision by Portfolio Holders
<b>Personal Applications</b>		
<a href="#">262</a>		Payment of ex-gratia payments or compensation above Level 2, in relation to matters which are executive matters.

**Notes:**

Council on 18 October 2007 delegated authority to Chief Officers to approve any requests for financial assistance, grants or services from the Council falling outside the normal rules or policies. Examples would include (but not exclusively):

- Rate relief
- Rents or charges
- Ex-gratia payments or compensation up to and including Level 2.

<b>Contracts</b>		
<a href="#">272</a>	In the case of new contracts for the provision of services, works or goods, to approve the principle of contracting out and the key elements of the service specification. (To Council if there are or are likely to be implications for the policy / budget framework – in particular if the contract binds the Council to future additional financial commitments).	
<a href="#">283</a>		To terminate a contract before expiry of the term (relevant Portfolio Holder in consultation with Finance Portfolio Holder).

**Notes:**

Council on 18 October 2007 delegated authority to Chief Officers for all other matters relating to contracts, after consulting the Finance Portfolio Holder and any other relevant Portfolio Holder(s). This will include consortium framework contract considerations, tender listing, acceptance, adjustments of any kind, extensions and emergency or urgent provision.

<b>Conferences / Appointments</b>		
<a href="#">293</a>		Portfolio holders may attend such courses or conferences as they see fit where these are funded from their own portfolio budget. The Leader may attend such conferences or courses as required, subject to budget availability. (See also Staffing below)
<a href="#">303</a>	To appoint member representatives on outside bodies where delegated to the Executive.	
<a href="#">343</a>	To approve submission of motions to the LGA or other conferences on behalf of the Council	

For decision by the whole Cabinet		For decision by Portfolio Holders
<b>Partnerships</b>		
<a href="#">323</a>	To approve policies, objectives, targets, or substantial commitments entered into with partner organisations (to Council if the policy framework would be affected or if the commitment would bind the Council in future years).	To approve commitments entered into with partner organisations, which are within existing budgets and policies and would not involve other portfolios.

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<b>For decision by the whole Cabinet</b>		<b>For decision by Portfolio Holders</b>
<b><i>Land and Property</i></b>		
<a href="#">333</a>	<p>Disposal of Council interest in land or property where the value exceeds Level 4 or where other conditions in Para 3.6.2 of the Delegation Rules are not met.</p> <p>Does not apply to disposals under right to buy legislation or the Council's equity share scheme which are delegated to officers.</p> <p>An additional delegation relating to the disposal of housing land is given under Housing delegations.</p>	<p>Disposal of Council interest in land and or property where the value exceeds Level 2 up to and including Level 4 or where other conditions in Para.3.6.2 of the Delegation Rules are not met.</p>
<a href="#">343</a>		<p>Acquisition of leases or other ongoing commitment where the value exceeds Level 2 (to Council if budget provision not available).</p>
<b><i>Appointment of Proper Officers</i></b>		
<a href="#">353</a>		<p>Appointment of Proper Officers not employed by the Council.</p>

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**Executive Matters ~~Reserved~~delegated to the Executive and Portfolio Holders – by Portfolio**

Given below are proposals for matters within individual portfolios to be ~~reserved~~delegated to the Executive and portfolio holders.

For decision by the Cabinet		For decision by Portfolio Holders	
<b>Environmental Services</b>			
<a href="#">3636</a>	To approve the Council's contribution and commitments under the Joint Municipal Waste Strategy (making recommendations to Council where the budget and policy framework would be affected)		
<a href="#">3739</a>		To approve Air Quality Strategy and declaration of Air Quality Management Areas	
<a href="#">3840</a>	To approve the Council's contribution to the Health Improvement Plan (HiMP) and any commitments undertaken on behalf of the Council.		
<a href="#">3941</a>	To approve the Council's Contaminated Land Strategy		
<a href="#">4042</a>		To approve the Land Drainage Maintenance Plan.	
<a href="#">4143</a>		To approve operating practices and representation on the Swavesey Byways Advisory Committee.	
<a href="#">4244</a>	To approve Licensing Committee policies and procedures, subject to consultation with the Licensing Committee		
<a href="#">4345</a>	To approve the Council's emergency planning arrangements, subject to the Council's policy and budget framework.		
<a href="#">4446</a>		To approve the Council's flood defence statement	
<a href="#">4547</a>	To recommend the Council's HIP Strategy and submission to Council.		

For decision by the Cabinet		For decision by Portfolio Holders	
<b>Finance</b>			
<a href="#">4648</a>	To approve relevant strategies, plans and policies, including: Financial Strategy, budget, Council Tax levels, Performance Plan and Corporate Plan (to Council where in the budget / policy framework)		
<a href="#">4749</a>		To approve policies and criteria for rate relief	
<a href="#">4850</a>		To determine applications for discretionary rate relief outside the approved policy and criteria.	
<a href="#">4951</a>		To approve discretionary rate relief appeals <del>(or Leader of the Council, dependent upon original decision taker).</del>	

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<b>For decision by the Cabinet</b>	<b>For decision by Portfolio Holders</b>
<a href="#">505</a>	To approve the list of rural settlements / rural settlement boundaries
<a href="#">515</a>	To write off debts above Level 2.



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**Notes:**

The Chief Finance Officer shall be authorised to write off any individual debt up to and including Level 2, provided that he is satisfied that all action for recovery of the debt appropriate to the amount has been taken (see Financial Regulations 13.8).

Council on 18 October 2007 delegated authority to the Chief Finance Officer to determine applications for discretionary rate relief within the approved policy and criteria, and to determine discretionary housing payments.

<del>525</del>	To approve policies and guidelines for Treasury Management	
<del>535</del>	To give approvals to matters which do not comply with Financial Regulations and Contract Standing Orders	
54	<del>To consider the annual report and accounts and Business Plan for Commercial Services</del>	<del>To receive monitoring reports on the financial and business performance of Commercial Services and decide whether to refer issues of concern to Cabinet</del>

For decision by the Cabinet		For decision by Portfolio Holders
<b>Housing</b>		
<del>555</del>	To make recommendations to Council on the HRA, rents and charges.	
56		<del>To approve the Housing Business Plan</del>
57	To approve changes to Housing Allocations policy	
58		To approve changes to and variations of Conditions of Tenancy
59		To approve programmes of parking, lighting and estate roads improvement schemes, subject to consultation with local members
60	To approve land / property being made available at nil cost for affordable housing schemes where the annual limit of £1 million will be exceeded  See also Delegation Rule 3.6.2	To approve (Housing and Planning Portfolio Holders) decisions by Chief Officers to make land / property available at nil cost for affordable housing schemes, subject to an annual limit of £1 million and compliance with current planning policies and General Consent under the Local Government Act 1988
61	To approve any proposals which would have the effect of adding to or reducing the housing stock (other than through Right to Buy legislation or the Council's equity share scheme and subject to the Council's policy and budget framework)	
62	To approve the Housing Capital Programme.	
63		To allocate the s106 money received by SCDC in lieu of an affordable housing contribution on site.
64	To approve substantial changes in policy and provision of new sites for Travellers, in consultation with local member(s) (subject to any necessary planning consents from the Planning Committee).	

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**Notes:**

Council on 18 October 2007 delegated authority to Chief Officers to approve allowances or expenses to Council Tenants.

<b>For decision by the Cabinet</b>		<b>For decision by Portfolio Holders</b>
<b><i>New Communities:</i></b>		
65	To approve the Council's planning policy framework and the Council's response towards regional, structure and planning policies prepared by other organisations which have implications for the district.  Approval of the Local Development Plan and other elements of the Council's statutory local planning policy framework require approval by Council.	To approve Supplementary Planning Guidance where 1 parish only is affected
66	To approve new strategies and policies in relation to Community Development, Arts Development, Sports and Community Safety (making recommendations to Council where there are implications for the policy and budget framework).	
67		To approve new programmes of work—covering such areas as Culture; Community Development; Sports and Dual Use and Arts Development.
68		To approve dual use agreements
69	To monitor achievement of the ICT strategy and IEG Statement.	

<b>For decision by the Cabinet</b>		<b>For decision by Portfolio Holders</b>
<b><i>Planning :</i></b>		
70	To approve the Economic Development Strategy	
71		To approve street names, where there is an objection from the local member(s) or any statutory consultees.
72	To review of areas of special control of advertisements	
73	To approve concessionary fare levels	
74		To respond as consultee to traffic-related issues from Cambridgeshire County Council
75	To approve Conservation policies and guidance, which do not have implications for planning or other services.	
76		To approve the Conservation Management Plan
77		To approve the programme of Conservation Area Appraisals

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For decision by the Cabinet		For decision by Portfolio Holders
78		To designate Conservation Areas, agree amendments to their boundaries and agree supplementary planning guidance (e.g., Village Appraisal) where 1 parish only affected

For decision by the Cabinet		For decision by Portfolio Holders
<b><u>Member training and development</u>Staffing:</b>		
79		To approve arrangements for member training and support (including IT support), together with approval of attendance of members at conferences or external training events beyond those allowed for portfolio holders and the Leader, where funded from the Democratic Representation budget