

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, 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.

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
General			
1	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.	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.	

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
Staffing Matters			
2	To recommend to Council approval or rejection of pay awards or allowance adjustments beyond provision made in the budget and outside the financial discretion allowed in delegation (6) below.	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.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
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.		
4	To determine proposals to carry out substantial changes to the organisational structure.		

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Financial Matters			
5	To approve capital and revenue estimates (for recommendation to Council).		
6	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.		
7		Relevant portfolio holders to approve virement across 2 or more portfolios (with the Chief Finance Officer). See Rule 5 , Budget and Policy Framework.	To approve virement where the affected portfolio holders have not agreed.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
8		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.	
9	To approve policies for fees and charges, where resulting income is estimated to be over £50,000 per annum.	To approve policies for fees and charges where resulting income is estimated to be up to £50,000 per annum. To approve changes to fees and charges within policy (except charges for one-off publications and events – delegated to officers).	
10		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.)]	
11	To receive integrated business monitoring reports combining financial and performance information.		
12		To approve carry forward of uncommitted balances on reserve account for grants.	
Grants			
13	To approve policies and criteria for the approval of grants.		

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
14	To approve statutory or non-statutory grants, guarantees or loans above Level 4.	To approve non-statutory grants or guarantees or loans above Level 1 up to and including Level 4 (in consultation with Finance Portfolio Holder).	
15		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	Matters reserved for the Leader
<i>Policy and Performance</i>			
16	Review of the Council's corporate objectives, making recommendations to Council where appropriate.		
17	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.		

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
18	To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across portfolios or a substantial impact within a service, in terms of the service received by the public.	To approve operational guidelines which relate only to the service within the portfolio holders' responsibilities.	
19		To release a draft policy, strategy or plan for consultation or refer the matter to the Leader if likely to be sensitive or controversial or affect other portfolios. (Note –this delegation does not apply to Development Plan Documents brought forward as part of the Council's Local Development Framework – see delegation 60 below)	To release a draft policy, strategy or plan for consultation, if referred to the Leader by a portfolio holder.
20		To approve annual Service Plans for services.	
21		To monitor the implementation of service plans and to decide whether to refer matters of concern to the Leader.	To consider concerns referred by a portfolio holder in relation to the achievement of service plans.
22	To consider (for recommendation to Council) responses to consultation papers from the Government or other statutory agencies, containing proposals 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 containing proposals which would conflict with or substantially add to or amend the Council's policy and budget framework.	
Service Levels / Efficiency			

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
23	To approve, reject or amend substantial changes (planned or unplanned) to services (or new services) received by the public.		
24	To consider the external auditors' annual Management Letter	To receive external audit reports and decide whether to refer to the Leader any matters of concern.	To receive external audit reports referred by Portfolio Holders.
<i>Personal Applications</i>			
25		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.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Contracts			
26	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).		
27		To terminate a contract before expiry of the term (relevant Portfolio Holder in consultation with Finance and Staffing Portfolio Holder).	

Notes:

Council on 18 October 2007 delegated authority to Chief Officers for all other matters relating to contracts, after consulting the Finance and Staffing 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.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Conferences / Appointments			
28		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.)	
29			To appoint member representatives on outside bodies where delegated to the Executive.

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
30			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	Matters reserved for the Leader
<i>Partnerships</i>			
31	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.	
<i>Land and Property</i>			
32	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. Does not apply to disposals under right to buy legislation or the Council's equity share scheme which are delegated to officers. An additional delegation relating to the disposal of housing land is given under Housing delegations.	Disposal of Council interest in land 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.	
33		Acquisition of leases or other ongoing commitment where the value exceeds Level 2 (to Council if budget provision not available).	
<i>Appointment of Proper Officers</i>			
34		Appointment of Proper Officers not employed by the Council.	

Executive Matters delegated to the Executive and Portfolio Holders – by Portfolio

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

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
Environmental Services			
35			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).
36		To approve Air Quality Strategy and declaration of Air Quality Management Areas.	
37		To approve the Council's contribution to the Health Improvement Plan (HImP) and any commitments undertaken on behalf of the Council.	
38			To approve the Council's Contaminated Land Strategy.
39		To approve the Land Drainage Maintenance Plan.	
40		To approve operating practices and representation on the Swavesey Byways Advisory Committee.	
41			To approve Licensing Committee policies and procedures, subject to consultation with the Licensing Committee.
42			To approve the Council's emergency planning arrangements, subject to the Council's policy and budget framework.
43		To approve the Council's flood defence statement.	

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
Finance			
44	To approve relevant strategies, plans and policies, including: Financial Strategy, budget, Council Tax levels, Investment Strategy, and Corporate Plan for recommendation to Council where in the budget / policy framework.	To approve the Capital Strategy and Asset Management Plan.	
45		To approve policies and criteria for rate relief.	
46		To determine applications for discretionary rate relief outside the approved policy and criteria.	
47		To approve discretionary rate relief appeals.	
48		To approve the list of rural settlements / rural settlement boundaries.	
49		To write off debts above Level 2.	
50	To give approvals to matters which do not comply with Financial and Contract Regulations.		

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.

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
Housing			
51	To make recommendations to Council on the HRA, rents and charges.		
52	To approve changes to Housing Allocations policy.		
53		To approve changes to and variations of Conditions of Tenancy.	
54		To approve programmes of parking, lighting and estate roads improvement schemes, subject to consultation with local members.	
55	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.	
56	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).		
57		To allocate the s106 money received by SCDC in lieu of an affordable housing contribution on site.	

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
58	To determine proposals for substantial changes in the Council's service provision relating to Traveller sites managed on behalf of the County Council (subject to any necessary planning consents from the Planning Committee)		

Notes:

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

	For decision by the whole Cabinet	For decision by Portfolio Holders	Matters reserved for the Leader
<i>Member Training and Development</i>			
59		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	

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
<i>New Communities</i>			
60	To approve draft Development Plan Documents for statutory consultation and recommend to Council approval of Development Plan Documents for submission to the Secretary of State.	To determine all relevant stages of the plan-making process up to the approval of draft Development Plan documents for statutory consultation.	
61		To approve draft and final Supplementary Planning Guidance	
62		To approve dual use agreements.	

For decision by the whole Cabinet		For decision by Portfolio Holders	Matters reserved for the Leader
<i>Planning</i>			
63		To approve street names, where there is an objection from the local member(s) or any statutory consultees.	
64		To review areas of special control of advertisements	
65		To respond as consultee to traffic-related issues from Cambridgeshire County Council	
66		To approve the programme of Conservation Area Appraisals.	
67		To designate Conservation Areas, agree amendments to their boundaries and agree supplementary planning guidance (e.g., Village Appraisal) where 1 parish only affected.	