

THE DELEGATION SCHEME

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1 Introduction

- 1.1 This part of the Constitution explains who the responsible members or officers are for the different decisions that the Council makes.
- 1.2 It also provides a short summary of the decision-makers and the general principles that govern how decisions are made.

2 The Decision-Makers

- 2.1 All powers that the Council/ the Leader have may be delegated to:-

Council Committees	The Leader
<ul style="list-style-type: none"> • Appeals Committee • Audit Committee • Boundary Review Committee • Constitution Committee • Health & Wellbeing Board • Licensing Committee and Licensing Sub Committee • Personnel Committee • Planning Committee • Standards Committee and Hearings Sub Committee • Other committees and sub committees as may be agreed from time to time 	<ul style="list-style-type: none"> • Cabinet • Cabinet Members • Other sub committees as may be agreed from time to time
<ul style="list-style-type: none"> • Officers 	<ul style="list-style-type: none"> • Officers

3 Principles of Decision-Making

- 3.1 All decisions, however they are taken must take into account the following principles of governance and good practice:-

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1. Key Decisions are taken by members
2. Consideration of all options available
3. Having regard to due consultation
4. Consideration of professional advice from officers
5. Clarity of aims and desired outcomes
6. The action proposed must be proportionate to the desired outcome
7. Having respect and regard for the Council's co-operative principles and human rights
8. Presumption for openness, transparency and accountability
9. Presumption for economy, efficiency and effectiveness
10. Only relevant matters taken into account
11. Due weight to all material considerations (including opportunities and risks)
12. Proper procedures will be followed

4 Principles of Delegation

4.1 To ensure efficient and effective local government:-

1. decisions are delegated to the lowest level that is consistent with the principles of openness and accountability – a delegation granted to a specific post may be delegated onwards to an appropriately qualified officer as required for the operational efficiency of the service
2. where decisions are delegated the person making the delegation may call it back for their own decision. The Leader must provide written notice and details of any changes to delegations that he has made to the Proper Officer. Withdrawal of a delegation to a Joint Committee will be deemed to take place upon service of written notice on the Chairman of the Joint Committee and the Proper Officer
3. where decisions are significant or sensitive the person with a delegation may refer the decision upwards for determination

5 General Provisions Council

- 5.1** All matters which, by law must be reserved to Council are reserved to Council or where appropriate to a Council Committee. The Terms of Reference for Council and Council Committees detail specific functions that have been retained for their decision. Attached is a list of functions that have been determined to be reserved to Council.

The Leader

- 5.2** Decisions in respect of all functions that are not either by law reserved to Council or that, by local choice have been reserved to Council. The Leader may delegate these to Cabinet, individual Cabinet Members, a sub-committee, a joint committee or officers in accordance with the Principles of Delegation

General Provisions

- 5.3** Save as expressly reserved to Council, the Leader or other decision maker as detailed in the Terms of Reference, Chief Officers and Assistant Directors may take any action

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in accordance with the Council's Budget and Policy Framework in so far as these are in compliance with the Budget and Policy Framework or the legal or general requirements of service delivery in their respective areas of responsibility.

Officers

Urgent Decisions

- 5.4 The Managing Director, having as far as reasonably possible consulted the Leader or, the absence of the Leader, the Deputy Leader shall, in the event of civil emergency or other issues of extreme urgency, have the power to make decisions for the protection of the Borough and its inhabitants which cannot be dealt with in accordance with the normal decision making powers of the Council

- 5.5 The Managing Director has delegated authority to deal with those urgent items of business falling within the remit of the Leader where the Leader is not in office, including acting as consultee for the purposes of this delegation scheme.