

## **CABINET EXECUTIVE**

### **GENERAL**

- A body with both delegated and referred powers
- This body reports directly to the Council

### **MEMBERSHIP, CHAIRMANSHIP AND QUORUM**

- Number of Members: **6**
- Substitute Members permitted: **NO**
- Whether Proportionality applies: **NO**  
(s24 LGA 2000)
- Appointments/Removal from Office: Made by the Leader and notified to the Proper Officer.
- Eligibility/Non-Eligibility for Membership:
  - The Chairman of the Council cannot be a member of the Cabinet Executive
  - The Vice-Chairman should not ordinarily be a member of the Cabinet Executive
- Eligibility/Non-Eligibility for Chairmanship/Vice-Chairmanship:
  - In the absence of the Leader of the Cabinet Executive, any other Member of the Cabinet Executive may be elected as Chairman for that meeting only.
- Quorum: **3**

### **PROCEDURES**

(See also Cabinet Executive Procedure Rules set out in Part 4 of the Constitution)

## COMPILATION OF AGENDA

The Chief Executive, in consultation with the Leader of the Council, is responsible for the Compilation of the Agenda.

### Functions and Powers of the Executive

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| 1  | <p>To undertake the Council's executive role including:</p> <ul style="list-style-type: none"> <li>• service delivery</li> <li>• performance management</li> <li>• policies and strategies not falling within Article 4 of the Constitution</li> <li>• corporate governance</li> </ul> <p><b>NOTE:</b> With the exception of regulatory, quasi-judicial and other roles and powers delegated to other Committees (or Officers), the Cabinet Executive <b>is responsible for all functions of the Council not specified as the responsibility of another individual or body.</b></p> |
| 2  | To make recommendations to the Council on the policy and budget framework as defined in Article 4 of the Constitution. (The Cabinet Executive has powers to do all things not expressly reserved to the Council or regulatory and other bodies.)  |
| 3  | To undertake and monitor budgetary control including use of General Fund Balances in accordance with the Budget and Policy Framework (Procedure Rules Part 4 Section 3 Part 6).   |
| 4  | To be responsible for the Annual Governance Statement.  |
| 5  | To set fees and charges for services.   |
| 6  | To determine strategic issues in relation to the establishment (other than major restructuring which shall be a decision of the Council).   |
| 7  | To make Compulsory Purchase Orders.   |
| 8  | To be responsible for the Council's Health and Safety responsibilities as an employer.  |
| 9  | To be responsible for those strategic partnerships in respect of which the Council is a member or prospective member.   |
| 10 | To dispose of public open spaces to Parish/Town Councils at best consideration in accordance with the principles set out in the Code of Practice in this Constitution.  |
| 11 | To dispose of land (including buildings) where the Council no longer has a strategic need to retain the same provided that the disposal price does not exceed a valuation of £50,000, as determined by a qualified valuer (above £50,000 is reserved to Council). (Disposal decisions of £10,000 and below are delegated to Officers).  |

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| 12 | To adopt new open space and to determine potential exceptions cases under the Council's Policy for the Transfer of Open Spaces where the commuted sum calculation is not agreed by the Developer.  |
| 13 | To make recommendations to the Council on those Land and Building transactions, acquisitions and disposals which do not fall within the functions and powers of the Cabinet Executive.   |
| 14 | To make responses to Government Consultation Papers/Proposals and to external organisations including neighbouring local authorities on strategic policy proposals (where issues are covered by the Council's existing policy, strategic and budgetary framework, Officer delegated powers in consultation with a Member of the Cabinet Executive are appropriate. Such responses can only be via recommendation to the Council if contrary to the policy and budget framework set out in Article 4 of the Constitution. |
| 15 | To make responses to the Scrutiny Commission in relation to its reports/recommendations: -<br>a) indicating the action, the Executive proposes to take<br>b) publishing its response where Scrutiny has published its report recommendations<br>c) providing copies of the response to those who Scrutiny have copied.   |
| 16 | To be responsible for the approval of the National Non-Domestic Rates Base for each financial year.  |
| 17 | To be responsible for the approval of the Council Tax Base for each financial year.  |

### **Allocation of Responsibility for Cabinet Executive Functions – Preamble**

The details of the allocation of Cabinet Executive responsibilities are incorporated here (in tabular form), as required in Article 7. This includes the allocation of functions made by the Cabinet Executive arrangements under the Leader and Cabinet Constitution (section 15(2) Local Government Act 2000). It includes details of any delegations within the Cabinet Executive itself, and onward delegation to Officers. The tables are kept up-to-date as delegations change so that an accurate record is always available in order for transparency to be maintained.

## **THE CABINET EXECUTIVE AND ITS MEMBERSHIP**

### **Form and composition**

The Cabinet Executive will consist of the executive Leader together with at least 2, but not more than 9, Councillors appointed to the Cabinet Executive by the executive Leader.

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The Cabinet Executive and its Sub-Committees are exempt from the political balance rules (by virtue of s24 Local Government Act 2000).

### **Leader**

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is removed by a resolution of the Council;
- (c) he/she is no longer a Councillor; or
- (d) the day of the Annual Meeting of the Council following the District elections.

### **Deputy Leader**

The Deputy Leader will be a Councillor who is a member of the Cabinet Executive and is appointed to the position of Deputy Leader by the Leader of the Council. The Deputy Leader will hold office until:

- (a) he/she is removed from office by the Leader;
- (b) he/she resigns from office;
- (c) he/she is no longer a Councillor.

### **Other Cabinet Executive Members**

Only Blaby District Councillors may be appointed to the Cabinet Executive. The Chairman of the Council may not be appointed to the Cabinet. The Vice Chairman should not ordinarily be appointed to the Cabinet Executive, only where there are exceptional circumstances.

Executive and Members of the Cabinet Executive (including the Leader) may not be Members of the Scrutiny Commission.

Other Cabinet Executive Members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or

- (c) they are no longer Councillors; or
- (d) they are removed from office by the Leader who must give written notice of any removal to the Proper Officer. The removal will take effect two working days after receipt of the notice by the Proper Officer.

## DELEGATION OF FUNCTIONS BY THE EXECUTIVE

### A Cabinet Executive

1. Does not currently delegate any of its functions to an individual Executive Member; but
2. Shall through the Leader allocate a portfolio of the Cabinet Executive's areas of work to each Executive Member so that the Executive Member may:
  - (a) provide leadership on related issues within the Cabinet Executive through portfolio expertise; and
  - (b) act as consultee in relation to a power delegated to an Officer where such consultation is a requirement upon the Officer exercising that function.

| MEMBER                                 | PORFOLIOS/AREA OF RESPONSIBILITY | SCOPE  | KEY MEETINGS/PARTNERSHIPS  |
|--|----------------------------------|--|--|
| Cllr. Terry Richardson<br>(Leader)     | Leader                           | <ul style="list-style-type: none"> <li>• Delivery of the Blaby Plan</li> <li>• Governance &amp; Information Management</li> <li>• Democratic Services and Scrutiny</li> <li>• Emergency Planning / Business Continuity/Resilience</li> <li>• Electoral Services</li> <li>• Corporate Health &amp; Safety</li> <li>• Legal Services</li> <li>• Strategic Planning</li> <li>• Strategic Communications</li> <li>• Safeguarding</li> <li>• Delivery of the Green Agenda in conjunction with the Green Champion</li> </ul> | <ul style="list-style-type: none"> <li>• East Midlands Councils</li> <li>• District Council Leaders</li> <li>• Local Enterprise Partnership (Director)</li> <li>• District Council Network (DCN)</li> <li>• Planning Members Advisory Group</li> </ul> |
| Cllr. Maggie Wright<br>(Deputy Leader) | Finance, People & Performance    | <ul style="list-style-type: none"> <li>• Financial Planning</li> <li>• Treasury Management</li> <li>• Procurement</li> <li>• Capital Programme</li> <li>• Audit and Fraud</li> <li>• Risk Management</li> <li>• Revenues and Benefits</li> </ul>   |  |

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|                      |  | <ul style="list-style-type: none"> <li>• Recovery</li> <li>• Corporate Performance</li> <li>• HR &amp; People Strategy</li> <li>• Oversight of Major Corporate Project Delivery</li> <li>• Delivery of the Green Agenda in conjunction with the Green Champion</li> </ul>  |   |
| Cllr. Nigel Grundy   | Neighbourhood Services & Assets                                | <ul style="list-style-type: none"> <li>• Open Space Maintenance</li> <li>• Parks</li> <li>• Refuse and Recycling</li> <li>• District Cleansing</li> <li>• Fleet Management</li> <li>• Assets &amp; Facilities Management</li> <li>• Car Parks (Assets)</li> <li>• Delivery of Green Agenda in conjunction with Green Champion</li> <li>• Leisure Contract Management</li> <li>• Health Improvement</li> <li>• Building Control Partnership</li> <li>• Parish and Voluntary Sector Liaison</li> <li>• Community Development &amp; Support</li> <li>• Lightbulb</li> <li>• Community Grants/Blaby Lottery</li> <li>• External Funding</li> </ul> |   |
| Cllr. Les Phillimore | Housing, Community and Environmental Services                  | <ul style="list-style-type: none"> <li>• Community Safety</li> <li>• Strategic Housing and Homelessness</li> <li>• Community Services</li> <li>• Net Zero and Environmental Services</li> <li>• Environmental Health</li> <li>• Private Sector Housing Enforcement</li> <li>• Car Parks (Management)</li> <li>• Delivery of Green Agenda in conjunction with Green Champion</li> </ul>   | <ul style="list-style-type: none"> <li>• Community Safety Partnership</li> <li>• Police &amp; Crime Panel</li> <li>• Housing Member Advisory Group</li> </ul> |
| Cllr. Ben Taylor     | Planning Delivery and Enforcement and Corporate Transformation | <ul style="list-style-type: none"> <li>• Local Plan</li> <li>• Blaby Growth Plan</li> <li>• Planning Policy and S106</li> <li>• Planning Enforcement</li> <li>• Development Control</li> <li>• Customer Services / Transformation</li> <li>• ICT Partnership</li> <li>• Web Development / Digitalisation</li> <li>• Equalities Champion</li> <li>• Delivery of Green Agenda in conjunction with Green Champion</li> <li>• Tourism</li> <li>• Economic Development</li> </ul>   | <ul style="list-style-type: none"> <li>• Rural lead</li> <li>• A46 Partnership Meeting</li> <li>• A5 Partnership Meeting</li> </ul>                           |

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|  |  | <ul style="list-style-type: none"> <li>• Business Support</li> <li>• Work and Skills</li> <li>• Youth Champion</li> <li>• Armed Forces Champion</li> </ul> |  |
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## B Officers

The Cabinet Executive does delegate functions to Officers, as set out in the Officer Delegation Scheme.

## C Delegation to Committees

Cabinet does not ordinarily delegate to Council Committee's however, in light of the Scrap Metal Licensing Act 2013 and central government making this statutory power a Cabinet function which they suggest is further delegated to authorities Licensing Committees the following delegations have been made under the 2013 Act.

| Matter to be dealt with                                  | Licensing Committee | Licensing Sub-Committee                 | Technical Officers                       |
|--|---------------------|---|--|
| Determination of fees                                    | ✓                   | -                                       | -  |
| Application for Site licence or Collectors licence       | -                   | where a relevant representation is made | where no relevant representation is made |
| Application to vary site licence                         | -                   | where a relevant representation is made | where no relevant representation is made |
| Application to revoke site licence or collectors licence | ✓                   | ✓*                                      | -  |
| The inclusion of conditions on a licence                 | -                   | ✓                                       | -  |
| Issue of a Closure Notice                                | -                   | -                                       | ✓  |
| Cancellation of a Closure Notice                         | -                   | -                                       | ✓  |
| Application for a Magistrates Closure Order              | -                   | -                                       | In conjunction with Legal Services       |

\*The Licensing Sub-Committee will hear all applications ordinarily, but they may be heard by the Licensing & Regulatory Committee in exceptional circumstances where determined by the DSSGM in conjunction with the Chairman and the MO.

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## D Champions

Champions support the Cabinet Executive in driving corporate work around specific subjects.

The Members Champions currently appointed to are:

- Armed Forces Champion
- Green Champion
- Youth Council Champion
- Equalities Champion

The Members' Roles and Responsibilities Handbook contains specific duties and responsibilities of each Champion.

All Champions are required to adhere to the principles of collective responsibility and good governance by: -

1. Working with designated Officers in assisting delivery of operational decisions.
2. Supporting the Cabinet Executive in monitoring and reviewing performance of Council Services against determined objectives.
3. Overseeing delivery of projects assigned by the Leader.

## CABINET EXECUTIVE – OFFICER DELEGATION SCHEME

### Scheme

1. The following delegated powers shall constitute the officer delegated powers scheme of the Cabinet Executive.
2. Such delegated powers shall be exercised within its functions, powers and duties.
3. Delegated powers under such functions, powers and duties reserved to Council, Regulatory, Quasi Judicial and other Committees are set out in the Officer Delegation Schemes of the relevant body.

These delegation schemes make reference to the Cabinet Executive Officer Delegation Scheme, specifying that the delegated powers specified in that scheme shall constitute the delegated powers of the relevant body, so far as those powers fall within the functions, powers and duties of that body.

4. References to legislation shall include any re-enactment or amendment for the time being in force.



## Layout

All the posts listed here at A are defined for the purposes of this Constitution as Senior Managers and those listed at B are defined for the purposes of this Constitution as Operational Managers:-

### A Senior Managers (These are also referred to as Senior Management)

|  |  |
|--|--|
| Chief Executive  | CE   |
| <ul style="list-style-type: none"> <li>Executive Directors (where delegation is to both Directors)</li> <li>Executive Director (S.151)</li> <li>Executive Director</li> </ul>  | D<br>ED 151<br>ED                                  |
| Group Managers:  |  |
| <ul style="list-style-type: none"> <li>Corporate Services Group Manager</li> <li>Business, Partnerships and Health Improvement Group Manager</li> <li>Environmental Health, Housing &amp; Community Services Group Manager</li> <li>Finance Group Manager</li> <li>Neighbourhood Services &amp; Assets Group Manager</li> <li>Planning &amp; Strategic Growth Group Manager</li> </ul> | CSGM<br>BPHIGM<br>EHHCSGM<br>FGM<br>NSAGM<br>PSGGM |
| Strategic Managers:  |  |
| <ul style="list-style-type: none"> <li>HR Strategic Manager</li> </ul>   | HRSM   |

### B Operational Managers

|   |   |
|---|---|
| Managers  |   |
| <ul style="list-style-type: none"> <li>Building Control Manager</li> <li>Community Services Manager</li> <li>Democratic Services, Scrutiny &amp; Governance Manager</li> <li>Development Services Manager</li> <li>Environmental Services Manager</li> <li>Environmental Health Manager</li> <li>Housing Services Manager</li> <li>Performance &amp; Information Manager</li> <li>Planning Enforcement Manager</li> <li>Council Tax &amp; Benefits Manager</li> </ul> | BCM<br>CSM<br>DSSGM<br>DSM<br>ESM<br>EHM<br>HSM<br>PSM<br>PEM<br>CTBM |

There are a number of other Operational Managers and where delegated authority is relevant it will be specified under their Line Manager.

The Officer Delegation Scheme is set out in two main parts: -

- Officer Delegation Scheme
- Officer Delegation Scheme (In Consultation with Portfolio Holder)

## OFFICER DELEGATION SCHEME

**Delegated powers authorised to be exercised by the undernamed Officer(s) (whether on a substantive or acting basis) and not required to be in consultation with the relevant Cabinet Portfolio Holder.**

**In the event that any Officer with delegated powers is not available through absence or any other reason, the Chief Executive or Executive Directors are vested with the delegated power to exercise that function on his/her behalf.**

**Executive Directors have authority to carry out any functions exercisable by the Chief Executive under this Constitution in the absence of the Chief Executive.**

**The Introduction to the Officer Delegation Scheme sets out the framework within which those delegated powers are exercised.**

| <b>SECTION A (Proper Officer Appointments and Statutorily Authorised Officer Appointments)</b> |  |                              |
|--|--|------------------------------|
| 1  | To exercise such Proper Officer appointments (if any) in the name of the post holder, as set out at Part 3 of the Constitution and falling within the functions and powers of the Cabinet Executive  | CE, D and all Group Managers |
| <b>SECTION B (Delegations to Officers)</b>   |  |                              |
| 1  | To facilitate the delivery of the strategic objectives as set out in the Council's Corporate Plan and Medium-Term Financial Strategy and to take corporate, administrative or other action pursuant to the policies and procedures of the Council. | CE, D                        |
| 2  | To manage budgets in accordance with the budget framework and financial regulations.   | All Senior Managers          |
| 3  | To authorise any Officer to act under their name, (recording such authorisation in writing, where appropriate).  | CE, D                        |
| 4  | To respond to consultation documents of a purely technical or operational nature, in respect of those areas falling within the post-holder's responsibility, subject to advising the relevant Cabinet Portfolio Holder of the responses            | All Senior Managers          |

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| 5   | To respond to government, local authorities and other external organisations on non-strategic proposals.   | All Senior Managers                             |
| 6   | To seek and accept tenders or quotations and enter into contracts or agreements subject to compliance with the Council's Standing Orders on Contracts and to being within budget.  | All Senior Managers & Operational Managers      |
| 7   | To endorse and/or support bids and expressions of interest to Government and other non-Governmental organisations.   | All Senior Managers                             |
| 8   | To appoint consultants.  | All Senior Managers                             |
| 9   | To extend sick pay (following consultation) in exceptional circumstances as considered appropriate.  | HRSM in consultation with CE, ED 151            |
| 10  | To carry out designated duties under the Council's Emergency Plan or pursuant to the work of the Local Resilience Forum under the Civil Contingencies Act 2004.  | CE and Officers specified in the Emergency Plan |
| 11  | To represent the Council on such bodies as determined by the Chief Executive in consultation with the Leader of the Council, such representation to be in accordance with any Council Partnership protocols.   | All Senior Managers                             |
| <b>SECTION C (Individual Delegations)</b> |  |   |
| 1   | To exercise, where appropriate, the delegated powers to Officers named in the subsequent sections of this part of the Constitution.  | CE  |
| 2   | To determine allocation of Services to Divisions and Officers.   | CE  |
| 3   | To determine Officer representation on partnerships/bodies and to represent the Council on such partnerships as are appropriate.   | CE  |
| 4   | To approve attendance by Members at appropriate Conferences, Seminars or meetings for the purposes of Members' Allowances and otherwise.   | CE, ED 151                                      |
| 5   | To incur expenditure up to £50,000 on any one item in circumstances where action is deemed necessary, to be funded from within current capital/revenue budgets or from balances as appropriate, any such expenditure to be reported annually to the Cabinet Executive (See also Part 10 – Appendix D). | CE  |

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| 6  | To evaluate and regrade posts (whether by permanent or temporary adjustments), within the approved staffing budget, including the awarding of increments.   | CE, ED 151, in consultation with HRSM       |
| 7  | To determine staff payments pursuant to the Market Increment Scheme.  | CE, ED 151                                  |
| 8  | To implement the Outstanding Achievement Awards   | CE, ED 151                                  |
| 9  | To seal and attest any documents which require sealing by the Council.  | CE D, CSGM, DSSGM                           |
| 10 | To act as a designated person to authorise directed surveillance and the conduct or use of covert human intelligence sources and to renew or cancel such authorisations as appropriate under the Regulation of Investigatory Powers Act 2000.   | ED  |
| 11 | To give consent in accordance with Part 4, Section 31 of the Anti-Social Behaviour Act 2003, to Police requests in relation to authority to exercise powers to disperse groups and remove persons under 16 to their place of residence (and that Ward Members be informed retrospectively of any decision to give consent).   | D   |
| 12 | To appoint authorised Officers under the Social Security Administration Act 1992.   | D   |
| 13 | To sign certification under S116 of the Social Security Administration Act 1992.  | D, CSGM, DSSGM                              |
| 14 | To carry out as any functions exercisable by the Chief Executive in the absence of the Chief Executive  | D as appropriate or as specified by the CE  |
| 15 | To place Officers at the disposal of other authorities (subject to consultation with the relevant Officer(s)) pursuant to Section 113 of the Local Government Act 1972 and to agree proper remuneration for the same (whether, where appropriate, by way of additional payments/remuneration paid by the other local authority to this authority for payment to the Officer or paid by the other local authority direct to the Officer or otherwise). | D   |
| 16 | To sign or certify or authenticate any documents which require certification or authentication by the Council.  | ED, CSGM, DSSGM                             |
| 17 | To ensure the efficient and effective operation of Internal Audit.  | ED as appropriate or as specified by the CE |
| 18 | To manage the service in accordance with the Service Plan and in accordance with the Council's policy framework and to take corporate, administrative or  | All Senior and Operational Managers         |

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|    | other action pursuant to the policies and procedures of the Council.   |  |
| 19 | To determine that exceptional circumstances exist in relation to policy  | All Senior and Operational Managers in consultation with D or CE |
| 20 | To exercise such statutory duties and powers under legislation, including the Leicestershire Act 1985.   | All Senior and Operational Managers                              |
| 21 | To authorise any Officer to act under their name, (recording such authorisation in writing, where appropriate).  | All Senior and Operational Managers                              |
| 22 | To determine and vary fees and charges in relation to the Service and to recover those fees and charges.   | All Senior and Operational Managers                              |
| 23 | To agree variations of up to 5% on contract sums subject to consultation with the SD. S.151.   | All Senior and Operational Managers                              |
| 24 | To determine grant applications in accordance with the relevant grant scheme criteria and require repayment of grant where the scheme so provides.   | All Senior and Operational Managers                              |
| 25 | To issue and serve documents, notices and requisitions in connection with statutory powers and duties that deal with responses to such documents, notices and requisitions and take any associated or consequential action.  | All Senior and Operational Managers                              |
| 26 | To take enforcement action and proceedings, including, where appropriate, works in default in connection with such statutory powers and duties, including legal proceedings  | All Senior and Operational Managers                              |
| 27 | To exercise and authorise powers of entry under statute in connection with such statutory powers and duties.   | All Senior and Operational Managers                              |
| 28 | To caution offenders provided that: <ol style="list-style-type: none"> <li>1. authority exists for the issue of prosecution proceedings in relation to that matter, and,</li> <li>2. the caution is administered with due regard to the relevant Circular and associated national standards for cautioning issued by the Home Office.</li> </ol> | All Senior and Operational Managers                              |
| 29 | To enter into Partnership Agreements and joint working arrangements (including committing expenditure within authorised budgets) with external agencies, including local authorities, subject to consultation with the Chief Executive.  | All Senior and Operational Managers                              |

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| 30 | Leading and delivering work on community and spatial planning policies and partnerships to drive the delivery of improvements across the district.   | D  |
| 31 | To institute, conduct, appeal from, settle or abandon legal proceedings both civil and criminal, including the taking of urgent action, and to defend any legal proceedings, both civil and criminal and similarly in relation to any quasi legal or administrative proceedings. | All Senior Managers                                  |
| 32 | To instruct and/or appoint Counsel and external Solicitors as appropriate.   | All Senior and Operational Managers, DSSGM           |
| 33 | To approve Orders under Section 21 of the Town Police Clauses Act 1847, for the temporary closure of streets, and subject to consultation with the Police and the County Council.  | DSSGM  |
| 34 | To authorise the erection of barriers in streets under Section 287 of the Highways Act 1980, and subject to consultation with the Police and the County Council.   | DSSGM  |
| 35 | To open tender envelopes and record in the Tender Register.  | MO, ED 151, DSSGM                                    |
| 36 | To make registrations under the Data Protection Act 1998.  | DSSGM and the Information Governance Officer         |
| 37 | Authority to appoint to all East Midlands Councils' and East Midlands Leaders' Board Associated Committees, Sub-Committees, Boards and Groups in consultation with the Leader of the Council.  | DSSGM/Seni or Democratic Services & Scrutiny Officer |
| 38 | Authority to make and amend appointments to Outside Bodies, in consultation with the Group Leaders and/or Whips, in light of amendments transpiring after Annual Council.  | DSSGM/Seni or Democratic Services & Scrutiny Officer |
| 39 | To maintain Register of Local Land Charges under the Local Land Charges Act 1975 as the Registrar of Local Land Charges.   | DSSGM  |
| 40 | To apply for injunctions, where appropriate, in the interest of the Council and/or the inhabitants of the area.  | MO in consultation with EHHCSGM                      |
| 41 | To authorise Officers of the authority to represent the Council in legal proceedings pursuant to Section 223   | DSSGM  |

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|    | of the Local Government Act 1972 and any related legislation.   |  |
| 42 | To determine public interest tests under the Freedom of Information Act 2000.   | DSSGM and the Information Governance Officer |
| 43 | To impose and authorise the DWP to impose on our behalf administrative penalties under the Social Security Administration Act 1992.   | CTBM   |
| 44 | To take recovery action through the Courts in relation to benefit overpayments.   | CTBM   |
| 45 | To authorise the Officers specified to prosecute on behalf of the Council or to appear on behalf of the Council in proceedings before a Magistrates' Court and notwithstanding anything contained in the Solicitors Act 1974 to conduct proceedings in relation to benefit overpayment. | EHHCSGM/<br>CSGM                             |
| 46 | To ensure the effective delivery of corporate fraud services to support the delivery and improvement of high quality, cost effective, customer focused services.  | D  |
| 47 | To issue and serve documents in relation to Community Protection Notices (CPN) including fixed penalty notices for failure to comply.   | EHHCSGM<br>/CSM/EHM/<br>CSTL                 |
| 48 | To make Public Spaces Protection Orders (PSPO) to individuals or groups including imposing a requirement in breach of a prohibition, issue fixed penalty notices or prosecute if there is a failure to comply.  | EHHCSGM<br>/CSM//EHM<br>CSTL                 |
| 49 | To issue and serve documents in relation to Injunctions to Prevent Nuisances and Annoyances (IPNA).   | EHHCSGM<br>/CSM/EHM/<br>CSTL                 |
| 50 | To issue and serve documents in relation to Closure Notices and Closure Orders  | EHHCSGM<br>/CSM                              |
| 51 | To issue notices of rent increase.  | ED 151                                       |
| 52 | To write off sundry irrecoverable debts of up to £2,000 and under in each case.   | ED 151, FGM                                  |
| 53 | To set transaction charges and/or maximum transaction values which are to be accepted on credit card payments.  | ED 151, FGM                                  |
| 54 | To write off Council Tax, Council Tax Support Overpayments, Housing Benefit, Community Charge and NNDR debts irrecoverable debts of up to £2,000 and under in each case.  | ED 151,<br>EHHCSGM<br>FGM, CTBM,             |
| 55 | To write off the value of the debt for National Non-Domestic Rates in respect of cases where:<br><br>a) Companies had gone into liquidation.  | ED 151, FGM                                  |

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|    | <p>b) Companies which were in administrative receivership.</p> <p>c) Limited companies which had ceased to trade.</p> <p>d) Individuals who had been declared bankrupt by a Court.</p> <p>e) Individuals/Companies whose debt had been remitted/part remitted by the Court.</p> |                      |
| 56 | To impose penalties (Civil Penalty) in respect of acts or actions which adversely affect the billing and collection process for Council Tax or NDR.   | ED 151, CTBM         |
| 57 | To award Discretionary and Mandatory Rate Relief, Care Leavers Relief and Hardship Relief in accordance with the Council's approved scheme.   | ED 151, CTBM         |
| 58 | To manage the Council's assets and associated property and to maximise the contribution and benefits from Council's assets  | D, NSAGM             |
| 59 | To serve notices to quit and notices of seeking possession.   | ED 151               |
| 60 | To apply for a possession order and suspend action if deemed necessary.   | ED 151               |
| 61 | To appoint qualified managing agents, valuers and consultants.  | D, NSAGM, FGM        |
| 62 | To amend the list of financial institutions approved for the short-term investments.  | ED 151, FGM          |
| 63 | To take such action as is necessary against tenants of units at the Enderby Road Industrial Estate, Whetstone for breaches of leasehold covenants and otherwise.  | D, NSAGM             |
| 64 | To issue distress warrants for rent arrears in respect of the tenants of units at Enderby Road Industrial Estate, Whetstone.  | D, NSAGM             |
| 65 | To grant licences in relation to the Council's land and premises.   | D, EHHCSGM/ NSAGM    |
| 66 | To grant easements and wayleaves, provided that the value is below £10,000, as determined by a qualified valuer where appropriate.  | ED 151, NSAGM, DDSGM |
| 67 | To set (in consultation with the relevant Group Manager) fees and charges for services where delegated by the Cabinet Executive in the Schedule of Fees & Charges or otherwise.   | ED 151/FGM           |
| 68 | To issue banking credit/debit cards to relevant employees   | ED 151, FGM          |
| 69 | To vire between the various schemes included within the General Fund and Capital Programme to achieve maximum commitment of funds in the financial year   | ED 151 FGM           |



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|    | and to report retrospectively such virements to the Cabinet Executive  |                   |
| 70 | To authorise the institution of legal proceedings against sundry debtors   | ED 151, FGM       |
| 71 | To determine and implement the most appropriate means of funding the Capital acquisitions or expenditure in accordance with the requirements of the Prudential Code.   | ED 151, FGM       |
| 72 | To appoint structural engineers in connection with Building Regulation applications.   | BPHIGM, BCM       |
| 73 | To take action in respect of dangerous buildings.  | BPHIGM, BCM       |
| 74 | To authorise Officers to issue fixed penalty notices under the provisions of the Clean Neighbourhoods and Environment Act 2005.  | EHHCSGM           |
| 75 | To make arrangements for the disposal of the dead under Section 46, Public Health (Control of Diseases) Act 1984   | EHHCSGM           |
| 76 | To serve Notices under the Caravan Sites and Control of Development Act 1960, and the Public Health Act 1936 in connection with unauthorised stationing of caravans.   | EHHCSGM           |
| 77 | To waive charges in cases of financial hardship or other good reasons in respect of the kennelling of stray dogs.  | EHHCSGM /EHM/ ESM |
| 78 | To determine applications for entry onto the Self-build and Custom Housebuilding (Register) Regulations 2016.  | PSGGM             |
| 79 | Redress for Lettings Agency Work and Property Management Work (Requirements to belong to a Scheme) (England) Order 2014  | EHHCSGM /EHM      |
| 80 | To be responsible for the serving of Completion Notices for the purposes of Council Tax and Non-Domestic Rates where work can reasonably be expected to be completed within 3 months in accordance with Section 4a of the Local Government Finance Act 1988 (for NNDR) and Section 17 of the Local Government Finance Act 1992 in respect of Council Tax | CTBM              |
| 81 | To issue and serve documents relating to the letting of property leased by the Council in order to prevent homelessness.   | EHHCSGM, HSM      |

**OFFICER DELEGATION SCHEME****(IN CONSULTATION WITH  
PORTFOLIO HOLDER)**

**Delegated powers authorised to be exercised by the undernamed officer(s) (whether on a substantive or an acting basis) in consultation with the relevant Portfolio Holder.**

**In the event that any officer with delegated powers is not available through absence or other reason, a Director or in his/her absence, the Chief Executive is vested with the delegated power to exercise that function on his/her behalf.**

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| 1 | To respond to Consultation Papers in respect of those areas falling within the postholder's responsibility, subject to the Council's Policy/Strategic/Budgetary Framework. <ul style="list-style-type: none"> <li>• Where issues are not covered by the existing framework, Cabinet delegated powers are appropriate.</li> <li>• Where purely a technical or operational nature, officer delegated powers are appropriate, subject to advising the relevant Cabinet Portfolio Holder of the response which has been made.</li> </ul> | All Senior Managers |
| 2 | To approve Annual Service Plans in consultation with the Leader of the Council and any in-year variations.   | CE                  |
| 3 | To approve Annual Efficiency Statements  | CE                  |
| 4 | To make any future changes to fixed penalty notice amounts and early payment discounts under the provisions of the Clean Neighbourhoods and Environment Act 2005.  | ED,<br>EHHCSGM      |
| 5 | To determine applications for the postponement of legal charges in respect of housing assistance pursuant to the Regulatory Reform (Housing Assistance) (etc.) Order 2002  | ED                  |
| 6 | To determine applications for the postponement of legal charges in respect of housing assistance pursuant to the Regulatory Reform (Housing Assistance) (etc.) Order 2002.   | EHHCSGM             |
| 7 | To dispose of land (including buildings) where the Council no longer has a strategic need to retain the same provided that the disposal price does not exceed a valuation of £10,000.00, as determined by a qualified valuer.  | ED 151              |

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| 8  | To adopt new open space and to determining potential exceptions cases under the Council's Policy for the transfer of open spaces where the commuted sum calculation is not agreed by the Developer.  | ED 151   |
| 9  | To write off Council Tax, Community Charge and NNDR debts and Housing Benefit irrecoverable debts of between £2,000 and £10,000 in each case for the total debt outstanding.   | ED 151/ FGM  |
| 10 | To write off sundry debts irrecoverable debts of between £2,000 and £5,000 in each   | ED 151/FGM   |
| 11 | To use the enforced sale procedure under Section 103 Law Property Act 1925 and the Empty Dwelling Management Orders process contained in Part 4 Chapter 2 of the Housing Act 2004.   | ED,<br>EHHCSGM   |
| 12 | To revise the list of car parks included in Schedule 2 of the District of Blaby (Off Street Parking Places) Order 2017 as necessary and issue all notices as required'.  | EHHCSGM  |
| 13 | To grant leases and to negotiate and settle rent reviews, lease renewals and lease variations, and to consent to assignment of leases and sub-lettings, and to consent (as landlord) to alterations of leasehold premises, and to enforce leasehold covenants, including terminating and/or forfeiting leases, and to accept surrenders of leases. | All Senior Managers in consultation with Portfolio Holder & ED 151                       |
| 14 | To make and review decisions relating to amendments to the Council's Housing Allocations Policy.   | EHHCSGM,<br>HSM  |
| 15 | To let vacant parcels of land for grazing and grass keeping subject to a Licence/Agreement   | NSAGM<br>in consultation with ED 151   |
| 16 | To hire vehicles with a total lease cost of up to £25,000.00 for any one lease agreement for a continuous period not exceeding 7 years   | NSAGM<br>in consultation with ED 151   |
| 17 | To make minor amendments to update the Council's Attendance Management Policy.   | ED 151/<br>HRSM  |
| 18 | To make minor amendments to any condition attached to Licenses or Activities involving Animals   | EHHCSGM<br>in consultation with Portfolio Holder   |
| 19 | To grant approval to procure a contract with a total value of £50,000 or more. (Refer to Part 11- section 2.9)   | All Senior Leadership Team in consultation with relevant Portfolio Holder, or substitute |

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|    |  | Cabinet Member  |
| 20 | Signing of Duty to Cooperate Statement of Common Ground  | PSGGM   |
| 21 | To authorise any emergency or urgent action required on any matter, which in the opinion of the Chief Executive is urgent, subject to a report thereafter being submitted to Cabinet as soon as is reasonably practicable. | Chief Executive in consultation with the Leader (or in absence the Deputy Leader) |