

Appendix Three

Part 2 of the Constitution:

14.06.01 Delegation to Officers

The Chief Executive, Corporate Directors, Directors and Heads of Service shall be authorised to carry out operational, management and administration functions within their areas of responsibilities and such actions are hereby ratified as acts and decisions of the Council. In particular, this delegation shall include:

- ☐ the incurring of expenditure provided for in the annual budget (subject to Part 4 of this Constitution);
- ☐ the service and withdrawal of notices, issue of licences, permits, consents, and similar authorisations;
- ☐ the entering into of leases and agreements and the settlement of claims;
- ☐ the selection of persons or companies to be invited to submit tenders and the acceptance thereof (subject to Part 4 of this Constitution) and the provisions of the Local Government Act 1988 in respect of "defined activities";
- ☐ the entry and inspection of property;
- ☐ the investigation of relevant matters associated with the institution and defence of legal proceedings and the undertaking of such actions;
- ☐ responding to government consultations;
- ☐ the exercise of authority when required under Civil Contingencies and emergency planning legislation.

This delegation shall be exercised in accordance with the relevant statutory provisions and regulations and following appropriate prior consultation with the relevant Cabinet Member. Such decisions shall be recorded and where appropriate in accordance with openness and transparency regulations, published on the Council's website.

14.06.02

Once the Chief Executive or her/his designated deputy, in consultation with the Leader of the Council or in her/his absence the Deputy Leader of the Council, has implemented the Gold/Strategic response to a major incident, the Chief Executive, Corporate Directors, Directors and Heads of Service shall be authorised to carry out key and strategic functions within their areas of responsibilities in consultation with the Leader or Deputy Leader and their respective Cabinet Members. Any such actions are hereby ratified as acts and decisions of the Council, and which shall also be reported to the next meeting of Cabinet or Council as appropriate.

Part 3 of the Constitution

3 Responsibility for Executive Functions

(3) 'key' and 'strategic' decisions (as defined in Article 13 of this Constitution) may be made by the Leader, a Cabinet Member within the remit of their portfolio, or the Chief Executive, Directors, following consultation with the Leader to, subject to the following: -

a) the Cabinet Member shall comply with the requirements of Article 13 of this Constitution relating to Decision-Making and Rule 21 of the Access to Information Procedure Rules (Cabinet Member Decision Note) and any other relevant Procedural Rules contained in this Constitution.

b) a Cabinet Member may refer any matter within their portfolio to Cabinet for decision.

c) the Leader may refer any executive matter to Cabinet for decision.

d) any matter which requires the approval of Council shall be referred to the Cabinet or the Leader or appropriate Cabinet Member for the formulation of proposals to Council.

e) a Cabinet Member shall not exercise a function expressly delegated to an Officer.