

DELEGATION OF POWERS TO OFFICERS – GENERAL PROVISIONS

1. INTRODUCTION

- 1.1 Following the recent changes to the Council's senior management structure, the Cabinet, on 3 October 2007 (minute 47 refers) and the Council on 29 October 2007 (minute 44 refers) agreed amendments to the specific powers delegated to the officers to recognise the new posts of Executive Directors. It is now necessary to make consequential changes to the general provisions that apply to all delegations to take account of the new structure.

2. DETAIL

- 2.1 The proposed additions to the general provisions are shown in Appendix 1 in bold italics, with the text that it is proposed to be deleted being struck through.
- 2.2 The proposed amendments refer to powers which relate to the Cabinet functions only. The Council will consider changes to delegations, insofar they relate to the Council functions on 17 December 2007.

3. RECOMMENDED:

- 3.1 That the General Provisions relating to the Scheme of Delegation of Powers to Officers, Insofar as they relate to matters that are the responsibility of the Cabinet, be amended as shown in Appendix 1 to this report.

For Further Information Contact:

Jan Debnam
Committee Administrator
Democratic Services
Tel: 023 80285389
E mail: jan.debnam@nfdc.gov.uk

**PROVISIONS RELATING TO DELEGATIONS TO OFFICERS
FUNCTIONS WHICH ARE THE RESPONSIBILITY OF THE CABINET**

- (a) Without prejudice to the Specific delegations to any Officer, the Chief Executive, and **Executive** Directors are hereby authorised to make such decisions and initiate such actions as they may deem necessary in the interests of the **efficient management of the Authority's** functions and services administered by, and the efficient management of, their Directorate/Department, and the Council (as far as the Chief Executive is concerned).
- (b) Delegation to officers shall be without prejudice to the rights and powers of the Cabinet or any Sub-Committee of the Cabinet at any time to decide upon any matter.
- (c) In exercising powers, officers:-
- (i) shall comply with the Standing Orders and Financial Regulations of the Council;
 - (ii) may authorise expenditure only in accordance with approved estimates which does not require a loan sanction or approval which has not been authorised or received;
 - (iii) shall comply with approved policies, schemes or directions, **where they exist**, of the Council, **the Cabinet** or any of its **Sub-Committees**, and shall not depart from such policies, schemes or directions; and
 - (iv) shall consult with the appropriate professional or technical officer of the Council.
- (d) Delegated powers of the Chief Executive or a **Executive** Directors may be exercised on his or her behalf by any officer authorised by him or her generally or specifically for the purpose but no officer below the level of Head of Service (second tier) shall be authorised generally or specifically to exercise delegated powers, without the approval of the Council **Cabinet**.
- (e) Delegated powers of any officer:
- (i) below the level of Head of Service (second tier) may be exercised by the officer at Head of Service (second tier) level whose duties include responsibility for the service area concerned, or by the appropriate **Executive** Directors or the Chief Executive;
 - (ii) at the level of Head of Service (second tier) may be exercised by his or her **an Executive** Director or by the Chief Executive;
- (f) The Chief Executive, in consultation with the appropriate **an Executive Director and, in the case of legislative changes, the Head of Legal and Democratic Services**, may amend any of these delegations to take account of new legislation or appointments.